

Jenny

RUIZ

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 14, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

NOTICE TO THE PUBLIC

CONSENT AGENDA

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

1. Approval of Minutes - October 04, 1994
- October 10, 1994
- October 18, 1994
2. Approval of Bills - County Auditor
3. Approval of Voting Machines:
 - A. Lincoln Elementary - 01 machine
4. Approval of Monthly Fee Reports:
 - A. Justice of the Peace:
 1. Ruben Ramos \$ 3,690.81 - October
 2. Jesus E. Morales \$ 7,370.50 - October
 - B. Anzaldua's Park - \$ 8,088.00 - October
5. Planning Department:
 - A. Subdivisions:
 1. Dos Arbolitos Plaza Subdivision - Pct. #2
 2. Lots A2 & A3 Wichita Commercial Park - Pct. #2
 3. McAllen Pavilion II Subdivision - Pct. #2
 4. P.O. Box Subdivision - Pct. #2
 5. Resubdivision of Block 58 - Pct. #2
 6. De Leon Estates Subdivision - Pct. #4
 7. Los Nogales Estates Subdivision - Pct. #4
 8. Preston Greens Subdivision - Pct. #4
6. Permits:
 - A. Apache Corp. - Pct. #1
 - B. Southwestern Bell Telephone - Pct. #1, #3 & #4
 - C. North Alamo Water Supply - Pct. #1, #2 & #4



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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Consent Agenda
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- 7.7 Internal Line Item Transfers:
- A. County Court at Law #1 → \$690
 - B. 275th Dist. Court → \$500
 - C. Voter Registration → \$51.78
 - D. Pct. #2 - Paved/Unpaved → \$14,800
 - E. Youth Village → \$1,500
 - F. Library System → \$110.00
 - G. Human Services → \$3,350
 - H. Economic Development → \$100
 - I. Pct. #4 - Road/Bridge → \$28,175
 - J. Pct. #4 - Administration → \$1,500
 - K. Juvenile Probation Acct. # 150-423-654 → \$16,000
 - L. Juvenile Probation Acct. # 010-423-610 → \$8,093
 - M. Juvenile Probation Acct. # 180-423-645 → \$5,665
 - N. Juvenile Probation Acct. # 180-423-665 → \$6,426
 - O. Election Expense → \$502.49
 - P. Sheriff's Department → No Action
 - Q. Jail → No Action
 - R. District Attorney → \$9,685
 - S. County Clerk → \$1,850
 - T. WIC - 4-160-441-754 → No Action
 - U. WIC - 4-160-441-755 → \$5,500

hos/cam

Dated this the 10th day of November, 1994



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE
NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 14, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. ⁶ Discuss County Reimbursement for Fire Calls - City of Alton *Com/San*
2. ⁴ Acceptance of Sheriff's letter of resignation *Acc/San*
3. ¹ Consideration and approval of Interlocal Government Agreement *San/Acc* between the City of McAllen and the County of Hidalgo
4. Appointment of Civil Service Commission *Com/Acc*
5. -Appointment of Veterans Service Officer *No Action*
6. ³ Appointment to the Hidalgo County Election Commission and *San/Acc* Authorization to appoint the Chief Deputy of Voter Registration as the Interim Election Administrator
7. -Authorization to advertise for proposals for Independent Auditor *No Action*
8. ^K Presentation of RHAC by State Representative Robert Gutierrez *San/Com*
9. ^K Authorize to prepare a Resolution to name Drug Rehabilitation *Com/Los* Facility the Manuel A. Segovia Facility
10. Authorization for advancement of funds for the Community *Los/Acc* Corridor Traffic Safety Program (*\$6,731.12*)
11. -Approval of month to month lease for rental space for R.E. Garcia *No Action*
12. ⁿ Declare Equipment Surplus: *San/Acc*
 - A. Human Services
13. ^K Approval of Court Reporters Fees:
 - A. Authorization to amend budget \rightarrow \$2,000 *San/Acc*
 - B. Approval of bills: *San/Acc*
 1. Sylvia H. Caraveo - \$ 1,010.00
 2. Mark Kvpil - \$ 288.00
14. ^o Budget Amendments:
 - A. General Litigation \rightarrow \$50,000 *Acc/San-Com*
 - B. Child Protective Services (Child Welfare) \rightarrow \$50,000 *Los/Acc*
 - C. Hidalgo County Jail \rightarrow \$37,000 *Los/Acc*
 - D. County Court at Law #4 \rightarrow \$2,039 *Res/San (Registered)*
 - E. Enterprise Fund - Pct. #1 \rightarrow \$4,000 *San/Los*



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

AGENDA
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- 15. P Pct. #4:
 - A. Discussion and possible action of street improvements at Adam Lee Subdivision *Cam/Acc (Under Adjudicant)*
 - B. Appropriate unappropriated funds for 1994 *\$17,575.55 Cam/Pos*
- 16. Q Purchasing Department:
 - A. Award bids:
 - 1. Van - Health Department *San/Acc (Best Ogden Motors)*
 - 2. Hot Mix - Pct. #1 *(Front materials) San/Acc*
 - 3. Solid Waste Collection Services - Pct. #3 *(B71) Pos/Cam*
- 17. R Planning Department:
 - A. Subdivisions:
 - 1. Texas Valley Estates Unit #1 - Pct. #1 *San/Acc*
 - 2. Alberta Meadows Unit #2 Subdivision - Pct. #4 *Cam/San*
 - B. Preliminary Plat Approval:
 - 1. Haddonfield Subdivision - Pct. #4 *Cam/Pos-Acc*
 - 2. Vista Del Sol Subdivision *Phase I* - Pct. #4 *Cam/Pos-Acc*
- 18. S Urban County:
 - A. City of Alton - Contract Award - Parking Improvements *Pos/Cam*
 - B. City of Alton - Change Order #5 - Rio Valley Construction/ Park Recreation Contract *Pos/Cam*
 - C. Pct. #1 - Subrecipient Agreement - Mercedes Boys and Girls Club Year 7 *San/Acc*
 - D. City of Donna - Housing Rehabilitation Program - Construction Contract Award *San/Cam-Acc*
 - E. Change Order #1/D. & V. Construction - Amendment St. Louis Groves Subdivision *Pos/Acc*
 - F. Approval of Bills *San/Acc*
- 19. T Community Service:
 - A. Approval of Contracts
 - 1. MTP Transportation Provider - Hidalgo County *San/Acc*
 - 2. Emergency Nutrition/Temporary Emergency Relief Program Continuation Contract *Cam/Pos*
- 20. U Authorization to pay pending bill to J. & B. Industries - Hector Cavzaos *(#248.45) - Pos/San*

Rec'd (11:37)

Dated this the 10th day of November, 1994

RUIZ

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE
NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 14, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Executive Session:

A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.074 to discuss the following matter:

1. Process for selection of candidate for position of Sheriff

2. Open Session:

A. Selection of person for position of Sheriff

Dated this the 10th day of November, 1994



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE OF EMERGENCY ADDENDUM

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 14, 1994 at 3:30 P.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

EMERGENCY ADDENDUM

1. This Emergency Addendum is added in order to canvass the votes of the General Election held on November 08, 1994 in Accordance with Texas Law.
 - A. Canvass votes of the 1994 General Election *San/ka*

Dated this the 14th day of November, 1994



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 14, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:



DRAINAGE DISTRICT



1. Permits:

- A. 7 City of Pharr *Dec/Son*
- B. 7 City of Mission *Bas/Dec*
- C. 7 City of Edinburg *Cam/Bas*

Adjourn (Cam/Son)

Dated this the 09th day of November, 1994

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 14TH day of NOVEMBER, 1994, after due notice having been given, there was begun and holden, a REGULAR MEETING of the Commissioners' Court and the Drainage District, in the Commissioners' Courtroom of the Administration Building in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. J. Edgar Ruiz
County Judge

Hon. Samuel Sanchez
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Juan Rosel
County Commissioner, Precinct #3

Hon. Leonard Camarillo
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

The Honorable J. Edger Ruiz, County Judge, called the Commissioners' Court meeting to order whereupon the following proceedings were had, to-wit:

Judge Ruiz began by announcing that there was a very important item on the agenda, that of filling the vacancy of Sheriff, of Hidalgo County. He continued by saying that this Court would take care of the consent and regular agenda items first, then recess for lunch and then come back and reconvene, by going into Executive Session, in order to review the applications, resumes, background checks, etc. He added that he hoped that they would finish this review by this afternoon, after which they would make a recommendation, of possibly three applicants for personal interviews. These interviews will take place tomorrow, beginning at 9:00 in the morning, until completed and this will be followed by further discussion in Executive Session, and an appointment could be made as early as tomorrow or as late as Wednesday morning.

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - October 04, 1994
 October 10, 1994
 October 18, 1 994

ITEM 2. APPROVAL OF BILLS - County Auditor

General Fund	- #104203	- #104349	- \$155,587.50
Special Revenue Fund	- #103989	- #104168	- \$130,188.73
Trust and Agency Fund	- # 4422	- # 4424	- \$ 41,147.68
Enterprise Fund	- # 2103	- # 2104	- \$ 32.69

(SEE "EXHIBIT A")

ITEM 3. APPROVAL OF VOTING MACHINES:
 A. Lincoln Elementary - 01 machine
 (SEE "EXHIBIT B")

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

A. Justice of the Peace:

1. Ruben Ramos - \$3,690.81 - October
2. Jesus E. Morales - \$7,370.50 - October

B. Anzaldua's Park - \$8,088.00 - October

(SEE "EXHIBIT C")

ITEM 5. PLANNING DEPARTMENT:

A. Subdivisions:

1. Dos Arbolitos Plaza Subdivision - Pct. #2
2. Lots A2 & A3 Wichita Commercial Park - Pct. #2
3. McAllen Pavilion II Subdivision - Pct. #2
4. P.O. Box Subdivision - Pct. #2
5. Resubdivision of Block 58 - Pct. #2
6. De Leon Estates Subdivision - Pct. #4
7. Los Nogales Estates Subdivision - Pct. #4
8. Preston Greens Subdivision - Pct. #4

5/A/1

Dos Arbolitos Plaza Subdivision is located on Raul Longoria and Sioux Road, City of San Juan, Precinct Two.
(SEE "EXHIBIT D")

5/A/2

Lots A2 & A3 Wichita Commercial Park is located at the northeast corner of South 10th Street and Wichita Avenue, City of McAllen, Precinct Two.
(SEE "EXHIBIT D")

5/A/3

McAllen Pavilion II Subdivision is located between U.S. Expressway 83 and Ridge Road, City of McAllen, Precinct Two.
(SEE "EXHIBIT D")

5/A/4

P.O. Box Subdivision is located on the corner of Raul Longoria Road and Amy Drive, City of San Juan, Precinct Two.
(SEE "EXHIBIT D")

5/A/5

Resubdivision of Block 58 is located on the southwest corner of Austin Street and South 12th Street, City of Alamo Precinct Two.
(SEE "EXHIBIT D")

5/A/6

De Leon Estates Subdivision is located 637 feet east from Sugar Road, on the north side of Wisconsin Road, City of Edinburg, Precinct Four.

(SEE "EXHIBIT D")

5/A/7

Los Nogales Estates Subdivision is located 330 feet west of Hoehn Drive on the south side of Schunior Road, City of Edinburg, Precinct Four.

(SEE "EXHIBIT D")

5/A/8

Preston Greens Subdivision is located on the northeast corner of Mon Mack Road and State Highway 107, City of Edinburg, Precinct Four.

(SEE "EXHIBIT D")

ITEM 6. PERMITS:

A. Apache Corp. - Pct. #1

B. Southwestern Bell Telephone - Pcts. #1, #3 & #4

C. North Alamo Water Supply - Pcts. #1, #2 & #4

6/A

In Precinct One, Apache Corporation is requesting a permit for two four-inch gas lines to cross Mile 7 1/2 West, 500 feet south of its intersection with Mile 5 1/2 North, then along Mile 7 1/2 West, 500 feet to its intersection with Mile 5 1/2 North.

(SEE "EXHIBIT E")

6/B

In Precinct One, Southwestern Bell Telephone is requesting a permit to lay a cable along Mile 6 North, beginning at Mile 1 East and going east for 175 feet. In Precinct Three, they are requesting a permit to lay a cable along Abram Road, for 4763 feet north of U.S. Expressway 83 and to cross Inspiration Road at its intersection with Mile 8 Road. In Precinct Four, they are requesting to lay a cable along Wallace Road, beginning 3320 feet north of F.M. 1925 and going north for 1585 feet; and to go along Sugar Road, beginning at Rogers Road and going north for 943 feet.

(SEE "EXHIBIT E")

6/C

In Precinct One, North Alamo Water Supply Corporation is requesting a permit for a two inch line across L & P Subdivision. In Precinct Two, they are asking permission for a two inch line to cross Sioux Road for Sioux Road Subdivision and to cross Eldora 1/4 mile east of Tower Road. In Precinct Four, they are requesting a permit for a two inch line to cross Morningside Road south of Richardson Road.

(SEE "EXHIBIT E")

- ITEM 7. INTERNAL LINE ITEM TRANSFERS:
- A. County Court at Law #1 - \$690.00
 - B. 275th District Court - \$500.00
 - C. Voter Registration - \$51.78
 - D. Pct. #2 - Paved/Unpaved - \$14,800.00
 - E. Youth Village - \$1,500.00
 - F. Library System - \$110.00
 - G. Human Services - \$3,350.00
 - H. Economic Development - \$100.00
 - I. Pct. #4 - Road/Bridge - \$28,175.00
 - J. Pct. #4 - Administration - \$1,500.00
 - K. Juvenile Probation Acct. #150-423-654 - \$16,000.00
 - L. Juvenile Probation Acct. #010-423-610 - \$8,093.00
 - M. Juvenile Probation Acct. #180-423-645 - \$5,665.00
 - N. Juvenile Probation Acct. #180-423-665 - \$6,426.00
 - O. Election Expense - \$502.49
 - P. Sheriff's Department - NO ACTION
 - Q. Jail - NO ACTION
 - R. District Attorney - \$9,685.00
 - S. County Clerk - \$1,850.00
 - T. WIC - 4-160-441-754 - NO ACTION
 - U. WIC - 4-160-441-755 - \$5,500.00
- (SEE "EXHIBIT F")

The County Judge began by informing the Commissioners that no action would be taken on on item 7/T, which was a line item transfer request from the WIC Department. He also mentioned that there was a question with regards to a line item transfer for the Sheriff's Department, after which Commissioner Rosel indicated that he did not recommend the transfer of any monies, until an appointment was made to this position. Judge Ruiz then made a recommendation that the Consent Agenda be approved with the deletion of Items 7/P, 7/Q and 7/T. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-F"

REGULAR AGENDA
=====

MOVED TO ITEM 8, BY CONSENSUS

ITEM 8. PRESENTATION OF RAHC BY STATE REPRESENTATIVE ROBERT GUTIERREZ

The County Judge informed the Court that a few weeks back he and the Rep. Robert Gutierrez had met and discussed the health care

needs of this County. Rep. Gutierrez then proceeded to put a legislative agenda together in order to be able to tackle this problem and at the same time provide residency services for student doctors, in this area. He then introduced Rep. Gutierrez, who was here to make a presentation of a proposal to the University of Texas, with regards to a Regional Academic Health Center. Rep. Gutierrez then proceeded to give a brief synopsis of his proposal, which had been filed under House Bill 68 this morning, which had basically been written by the University of Texas Health System. In his presentation, he stressed the need for this type of service in the Rio Grande Valley, as it was not being provided at this time, but was being provided in other counties, which were equal in size and population, to other areas of the State. In his proposal he was recommending that this proposed center be located in the City of McAllen and the proposal was basically an endorsement for the COPC clinic, that has been in negotiations, by our County Health Department. In his explanation, he mentioned that he felt that McAllen would be an ideal location, as it was the central point in this area and it would cover seven counties. He then made a request, for this Commissioners' Court to approve a resolution supporting this proposal. Judge Ruiz then asked him some questions, with regards to this type of service and how it was carried out, in other areas of the State. After further discussion, he thanked Rep. Gutierrez, not only for his presentation, but also for his efforts in bringing this bill together. A motion was then made by Commissioner Sanchez and seconded by Commissioner Camarillo, to endorse the concept of the UT-Regional Academic Health Center and endorse House Bill 68 aggressively, through our Legislative session, this coming year.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 20. AUTHORIZATION TO PAY PENDING BILL TO J & B INDUSTRIES -
Hector Cavazos

Justice of the Peace, Ismael "Melo" Ochoa, came before the Court to request the payment of a bill, totaling \$248.65. J.P. Ochoa explained that this was for deodorizers that were order by his office and when it was sent to the Auditor's Office for payment, the Auditor had indicated that this bill had to be brought before Commissioners' Court for approval. Judge Ruiz then asked the Auditor why this bill could not be paid from the JP's operational funds, and Steve Austin responded that he had written a letter to the County Judge asking for clarification of the policy regarding the rental allowance that was being provided to each JP. His main concern was that his office had never paid for any cleaning supplies for any of the JP offices and he had recently received two purchase orders, this one from Judge Ochoa's office and another from Judge Trevino's office for \$179.70. His question was what items are identified as included in the rental allowance and if this bill could be paid from this account. After a discussion, with re-

gards to how this bill should be paid, Mrs. Loura, the County Judge's Administrative Assistant, informed the Commissioners that a line item transfer had previously been made to, about a month ago, to cover for this expense. The County Judge then stated that if the JPs felt that they could pay for this type of expense, it was okay, as long as they stayed within budget and they did not come back for a requesting budget amendment, to cover for this type of expense. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize payment to J & B Industries, of \$248.65, with any penalty, to come from object #23, from JP Melo Ochoa's budget.

MOTION CARRIED.
SEE "EXHIBIT U

ITEM 2. ACCEPTANCE OF SHERIFF'S LETTER OF RESIGNATION

Travis Heister, the County Legal Counsel, indicated that since this item had been taken care of, under an emergency situation, this was just to formally accept the resignation. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to accept the letter, submitted by Sheriff Brig Marmolejo, for his resignation, effective November 8.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 3. CONSIDERATION AND APPROVAL OF INTERLOCAL GOVERNMENT AGREEMENT BETWEEN THE CITY OF MCALLEN AND THE COUNTY OF HIDALGO

Judge Ruiz indicated that this agreement had previously been brought to Commissioners' Court and it was for the contribution of three vehicles, for use by the Constables. The Court had not approved this agreement, because they had felt that the use of these vehicles should be dictated by Commissioners' Court. As a result, a new agreement was being brought to Court, with the amendment, as follows:

"Such vehicles to be delivered to County shall be solely for the purposes of use by County for law enforcement activities of County".

A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve an interlocal governmental agreement between the City of McAllen and the County of Hidalgo, for the contribution of certain vehicles for law enforcement use.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 1. DISCUSS COUNTY REIMBURSEMENT FOR FIRE CALLS - City of Alton

Ms. Dorina Ramos, Attorney for the City of Alton, came before the Court with regards to non-reimbursed fire calls. She stated that the City currently had an agreement with the County, whereby the County would reimburse the City, for rural fire calls. She added that for the first quarter of 1993, the County had declined a payment of \$16,650.00 and for the third quarter of 1994 the County still owed \$16,850.00. She mentioned that she had tried contacting the County about this and to date she has not received a response. On October 25th, she indicated that the City received payment for the third quarter of 1994 and Judge Ruiz stated that they have had numerous discussion with the City of Alton's elected official, the city manager, fire chiefs and everyone concerned in this issue. The County Judge reported that all the fire chiefs had met, the latter part of 1993, where they drew up this contract and agreed on it. Judge Ruiz then added that he felt that the present Fire Marshall was, in essence reviewing all calls, to make sure that they are all legitimate and based on this they recommend which are paid the County, and this is done with every fire department. Dick Dickinson, from the Sheriff's Department, then specified that no calls were rejected, in the third quarter, however there were some calls that were reduced, from primary fire calls to false alarms, as per reports from the City of Alton, to them. He followed this by quoting from a section in the contract, to support his statement and Ms. Ramos also stated from the contract where the city had agreed to certain types of emergency services. She added that included in those emergency services as per the contract, were firefighting, which include grass fires and trash fires. The County Judge responded to her that he did agree with here statements, however there was a point in time where grass fires and trash fires become an emergency, and these issues are at the discretion of the Fire Marshall and the Fire Chief. He continued by saying that they are presently discussing this problem with legal counsel, as there may be some type of legal action and he asked Ms. Ramos what the request from Alton was at this time. Ms. Ramos responded that they were requesting payment for the calls that have not been reimbursed and if they will be reimbursed. Judge Ruiz then stated that he will meet with the Fire Marshall to review these calls again and also to find out what is their recommendation, as well as meeting with legal counsel to find out what their interpretation of this contract is, with respect to the unpaid bills. He was also requesting authority from this Commissioners' Court, to review the contract, because the City of Alton has been the only city, with whom the County has had any problems, with regards to fire calls. He continued by saying that they would also like to talk with the cities around Alton, "to see if they can further their response area" and thus reduce the amount of calls that the City of Alton is handling. He also added that he had also looked at their 1993 budget audit, and he found that fire calls make up 33% of the total budget for the City of Alton and the budget for their fire department was \$71,000.00 and he felt that this should also be taken into account. Ms. Ramos indicated that she was not here to discuss Alton's budget. Commissioner Rosel then mentioned that, first of all, the language of the contract would be looked into and, secondly, a separate contract may be

drawn up for the City of Alton, and the County Judge responded that that was correct. A motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to authorize the County Legal Counsel and the County Judge to look at the pending bills submitted by the City of Alton and look at their contract.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 4. APPOINTMENT OF CIVIL SERVICE COMMISSION

Judge Ruiz informed the Court that civil service was approved, not only by Commissioners' Court, but also by the voters of Hidalgo County. He mentioned that a Personnel Director had already been appointed, with an office and a budget and he felt that they were ready to appoint the Commission. This commission is to be made up of three members of the community and they are to serve for a period of two years, after which the terms become staggered, upon their rules and regulations, which once established, will be brought to Commissioners' Court for review. He was at this time recommending the appointment of Fernando Salinas, a teacher, from Mission; Ricardo Medina, from Pharr, an education/medical/biology major, who has previously served as Mayor Pro-Tem and on the City Council, for the City of Pharr; and Jose Ricardo Flores, who was recommended by the AFL-CIO, and is a licensed attorney, from Edinburg. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to appoint Jose Ricardo Flores, Fernando Salinas and Ricardo Medina, as the Civil Service Commission, for the County of Hidalgo.

MOTION CARRIED.

ITEM 5. APPOINTMENT OF VETERANS SERVICE OFFICER

NO ACTION.

ITEM 6. APPOINTMENT TO THE HIDALGO COUNTY ELECTION COMMISSION AND AUTHORIZATION TO APPOINT THE CHIEF DEPUTY OF VOTER REGISTRATION AS THE INTERIM ELECTION ADMINISTRATOR

Judge Ruiz indicated that this was an action that had been budgetarily approved by this Commissioners' Court and it was provided for in the Texas Election Code. This budget was approved effective January 1, 1995, however he would like to appoint an election commission, so

that they can do interim work to prepare, for the first day of January, 1995. He stated that the board is made up of the Democratic Chairman, the Republican Chairman, the Tax Assessor/Collector, the County Clerk and the County Judge, whomever may serve in the official capacity and it is not appointed by name but by the position, perpetually. At this point the board will be made up of Ramon Garcia, Chris Brisack, Ciro Trevino, William "Billy" Leo and J. Edger Ruiz, who serve on these positions, at this time. For the position of Interim Director, he is recommending Mr. Noe Perez, who presently is the Chief Deputy of Voter Registration. The Elections Administrator position will be appointed by the Election Commission, after the first of the year. Commissioner Sanchez then asked if there was any need for any budgetary action, at this time, with regards to the appointment of the Interim Director and Judge Ruiz responded that there was not, and it was basically being done in order to facilitate the transition. Mr. Ciro Trevino, the Tax Assessor/Collector then commented that he did not have any problems with the creation of this new department, but he was curious as to what the plans were, as far as office space, budget, etc and Judge Ruiz responded that those problems would be discussed through this transition. Judge Ruiz then stated that, by the creation of the Elections Division, there was never any intent, to deem the work put in by the Tax Assessor/Collector's Office or the County Clerk's Office, as unjust or below average. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the appointment to the Hidalgo County Election Commission, to be the Democratic Chairman, the Republic Chairman, the Tax Assessor/Collector, the County Clerk and the County Judge and also authorize Noe Perez, Chief Deputy of Voter Registration, to be the Interim Election Administrator, continually until a permanent Election Administrator is employed.

MOTION CARRIED.
SEE "EXHIBIT J"

Billy Leo then asked the County Judge, that who would set up the criteria for the Elections Administrator and Judge Ruiz responded that the job description would be drawn by the Elections Commission.

ITEM 7. AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR INDEPENDENT
AUDITOR

Judge Ruiz indicated that for the past two years, this County has employed Mr. Richard Cortez and the request at this time was to request for proposals, under professional services. Commissioner Arcaute then asked if it was possible to extend the present contract for an additional year and Commissioner Camarillo concurred and added that by doing this, the County could save in advertising fees. The County Judge stated that if they wanted to extend the contract, then it would have to be brought back to Court, the following week, and they would take no action on the advertising for proposals.

NO ACTION.

ITEM 9. AUTHORIZATION TO PREPARE A RESOLUTION TO NAME DRUG REHABILITATION FACILITY THE MANUEL A SEGOVIA FACILITY

The County Judge informed the Court that the State of Texas, customarily, requested an option, from the local community, to name the State facilities, that are built within the County. He reported that the most recent facility of this nature that they had was the drug rehabilitation facility, that was being built north of Edinburg and it was almost complete. At this time, he would like to recommend that this facility be named the "Manuel A. Segovia Facility", in honor of a former Sheriff's employee, who worked as a narcotics investigator, and who was killed on, October 31, 1986, while attempting to execute a search warrant for a drug bust. Judge Ruiz added that Mr. Segovia received the Medal of Honor, posthumously. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve a resolution and recommend to the State of Texas that this facility be named the Manuel A. Segovia Facility.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 10. AUTHORIZATION FOR ADVANCEMENT OF FUNDS FOR THE COMMUNITY CORRIDOR TRAFFIC SAFETY PROGRAM

Judge Ruiz explained that this was with reference to the grant which had been approved by Commissioners' Court and which was forthcoming. He added that some corrections were being made on this grant and at this time we was wanting to advance some funds, to be reimbursed by the grant, received. The amount to be advanced is \$6,713.12 and it is to cover for the salaries necessary to continue this program, through the end of the year. A motion was then made by Commissioner Rosel and seconded by Commissioners Arcaute and Sanchez, to authorize the advancement of \$6,713.12, through budget amendment, for the Community Corridor Traffic Safety Program salaries.

MOTION CARRIED.

ITEM 11. APPROVAL OF MONTH TO MONTH LEASE FOR RENTAL SPACE FOR R.E. GARCIA

Judge Ruiz informed the Court that this contract had actually

(11/14/94)

terminated on June 14, 1992 and this Commissioners' Court had not taken any action, to renew this lease agreement. He stated that this contract had originally been written in June 13, 1989 and it was for a three year period, at \$662.41 per month. He was at this time recommending that a lease agreement be approved, with Raul Eddy Garcia, on a month to month basis and Travis Heister, the County Legal Counsel, indicated that they had a hold-over provision, in the current contract, that if agreed on by both parties, the contract could continue, which was on a month to month basis. Mr. Heister continued by saying that any time the County goes into a new lease, it has to be advertised and upon review of the present contract, he indicated that this contract did contain a clause to this effect. He then stated that no action would be necessary.

NO ACTION.

ITEM 12. DECLARE EQUIPMENT SURPLUS:
A. Human Services

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the declaration of tables, chairs, calculators and rolodex files surplus and authorize the Purchasing Agent to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 13. APPROVAL OF COURT REPORTERS:
A. Authorization to amend budget
B. Approval of bills:
1. Sylvia H. Caraveo - \$1,010.00
2. Mark Kvapil - \$288.00

13/A

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a budget amendment of \$2,000.00 for court reporters fees, as presented.

MOTION CARRIED.
SEE "EXHIBIT N"

13/B

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve bills of court reporters, as presented.

MOTION CARRIED.

SEE "EXHIBIT N"

ITEM 14. BUDGET AMENDMENTS:

- A. General Litigation
- B. Child Protective Services (Child Welfare)
- C. Hidalgo County Jail
- D. County Court at Law #4
- E. Enterprise Fund - Pct. #1

14/A

A motion was made by Commissioner Arcaute and seconded by Commissioners Sanchez and Camarillo, to approve a budget amendment for General Litigation, of \$50,000.00.

MOTION CARRIED.
SEE "EXHIBIT O"

14/B

Clarissa Trevino, from the Child Protective Services, came before the Court requesting a budget amendment of \$50,000.00. In her explanation she stated that this amount would be reimbursed, 100%, by the State. A motion was made by Commissioner Rosel and seconded by Commissioner Rosel, to approve a budget amendment, for the Child Protective Services, under the the Board of Children, for \$50,000.00.

MOTION CARRIED.
SEE "EXHIBIT O"

14/C

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve a budget amendment of \$37,000.00, for the Hidalgo County Jail, for the item of food.

MOTION CARRIED.
SEE "EXHIBIT O"

14/D

Judge Ruiz questioned the need for this budget amendment and after a brief discussion, he recommended that this request be rejected, until some point in time when a representative of Court #4 can come in and explain the need for this request. A motion was made by Commissioner Rosel and seconded by Commissioner Rosel, to REJECT the request by County Court a Law Judge, Leticia Hinojosa, in the amount of \$2,039.00.

MOTION CARRIED.
SEE "EXHIBIT O"

14/E

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve a budget amendment of \$4,000.00, for the Enterprise Fund, in Precinct One.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 15. PCT. #4:

- A. Discussion and possible action of street improvements at Adam Lee Subdivision
- B. Appropriate unappropriated funds for 1994

15/A

Commissioner Camarillo explained that this was a subdivision that was located in Edinburg, on the west side of Seminary Road. The problem was that the developer was presently selling lots, on this subdivision, which had been approved back in 1981 and the concern was that it did not have an all-weather road nor any water services. The Commissioner continued by saying that he had made a proposal to the developer that he would provide the machinery, material and personnel necessary to construct the road, if the developer would provide the hauling of the caliche and he had declined. Emilio Garcia, the Chief Planner, then informed the Court, that the regulations, with regards to subdivisions, in 1981, called only for a recorded subdivision with proposed roads, that were caliche-based, and this was not done by the developer at that time. At this time, the problem was that the Health Department would not issue any septic tank permits, as there were no water services, in the subdivision, but there are residents who have purchased lots in there and they have been coming to the Planning Department for permits. Judge Ruiz then asked the Legal Counsel if there was some way to grandfather this subdivision and Mr. Heister recommended that this issue be discussed in Executive Session, as it may involve some future litigation. The County Judge then recommended that the Planning Department try to get the developer to at least comply with the Health Code and to discuss this problem with Legal Counsel and possibly bring it back to Court the following week. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to take this item UNDER ADVISEMENT.

MOTION CARRIED.
SEE "EXHIBIT P"

15/B

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the appropriation of \$17,515.55 into New Roads, under the Paved/Unpaved budget, for Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 16. PURCHASING DEPARTMENT:

A. Award bids:

1. Van - Health Department
2. Hot Mix - Pct. #1
3. Solid Waste Collection Services - Pct. #3

16/A/1

Mary Maldonado, the Purchasing Agent, reported that for the purchase of a passenger van, for the Health Department, she had received two bids. The bids received were from Bert Ogden Motors at a bid price of \$17,246.00 and the other was from Tip-O-Tex Chevrolet, for a bid price of \$18,418.00. Her recommendation was for Bert Ogden Motors as the low bid and meeting all specifications. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to award bid to Bert Ogden, as the low bidder for the purchase of the van for the Health Department.

MOTION CARRIED.
SEE "EXHIBIT Q"

16/A/2

Ms. Maldonado informed the Court that she had received only one bid for the purchase of hot mix, for Precinct Mix. The bid received was from Frontera Materials, at a bid price of \$22.00 per ton and the location was in McAllen, by the Trade Zone. After a brief discussion, with regards to the location, a motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to award the bid to the sole and low bidder, being Frontera Materials, at \$22.00 per ton, for the purchase of hot mix, for Precinct One.

MOTION CARRIED.
SEE "EXHIBIT Q"

16/A/3

Ms. Maldonado stated that she had received two bids for solid waste collection services, at Anzaldua's Park and the pavilion, in Precinct Three, these being from BFI, for \$536.00 per month and ABC Waste Collection, for \$585.00 per month. Her recommendation was for BFI which was the low bid. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to award low bid to BFI, for 13.5 cubic yard containers, at a cost of \$536.00 per month.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 17. PLANNING DEPARTMENT:

A. Subdivision:

1. Texas Valley Estates Unit #1 - Pct. #1
2. Alberta Meadows Unit #2 Subdivision - Pct. #4

B. Preliminary Plat Approval:

1. Haddonfield Subdivision - Pct. #4
2. Vista Del Sol Subdivision Phase I - Pct. #4

17/A/1

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the plat of Texas Valley Estates Unit #1, which is located on the northwest corner of F.M. 493 and Mile 10 North Road, City of Donna, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT R"

17/A/2

A motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to approve the plat of Alberta Meadows Unit #1, which is located on the northwest corner of Alberta Road and Alamo Road, City of Edinburg, Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT R"

17/B/1

A motion was made by Commissioner Camarillo and seconded by Commissioners Rosel and Arcaute, to give preliminary approval to the plat of Haddonfield Subdivision, which is located approximately 750 feet west of Guinn Drive, on the south side of Pinkston Drive, in the rural area of the County, in Precinct Four. Preliminary plat approval is subject to the following:

- 1) the installation of all the street sign(s), traffic control device(s) and testing of street(s) to be done in accordance with County Standards; and
- 2) submittal of a final letter from North Alamo Water Supply Corporation addressed to Commissioners' Court that the construction for water lines have been done in accordance to their regulations.

MOTION CARRIED.
SEE "EXHIBIT R"

17/B/2

A motion was made by Commissioner Camarillo and seconded by Commissioners Rosel and Arcaute, to give preliminary approval to the plat of Vista Del Sol Subdivision Phase I, which is located approximately one mile north of F.M. 2812 on the west side of U.S. Highway 83 in the rural area of the County, in Precinct Four. Preliminary plat approval is subject to the following:

- 1) the installation of all the street sign(s), traffic control device(s) and testing of street(s) to be done in accordance with County Standards.

MOTION CARRIED.

SEE "EXHIBIT R"

ITEM 18. URBAN COUNTY:

- A. City of Alton - Contract Award - Parking Improvements
- B. City of Alton - Change Order #5 - Rio Valley Construction
- C. Pct. #1 - Subrecipient Agreement - Mercedes Boys and Girls Club Year 7
- D. City of Donna - Housing Rehabilitation Program - Construction Contract Award
- E. Change Order #1/D & V Construction - Amendment St. Louis Groves Subdivision
- F. Approval of Bills

18/A

Anthony Covacevich, Urban County Director, informed the the City of Alton was requesting approval of a contract award to Longhorn Paving Co., Inc., for the paving of approximately 8,600 square yards of parking at the Alton Municipal Park. The total amount of the contract was for \$64,467.00. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve a contract award to Longhorn Paving Company, Incorporated, for paving in the City of Alton; contract amount \$64,467.00.

MOTION CARRIED.
SEE "EXHIBIT S"

18/B

The City of Alton was also requesting for approval of change order number five, for their park project, on a contract with Rio Valley Construction. The amount of the change order is \$10,150.50 and it is to add a kiddie poos and lifeguard chairs with umbrella and eliminating a lift chair. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve change order number five with Rio Valley Construction; this is an increase of \$10,150.50.

MOTION CARRIED.
SEE "EXHIBIT S"

18/C

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a subrecipient agreement between the Mercedes Boys & Girls Club, the County of Hidalgo, for the use of \$2,000.00 from Urban County.

MOTION CARRIED.
SEE EXHIBIT S"

18/D

Under the HOME Housing Rehabilitation Program, the City

of Donna was requesting approval of a contract award, to the sole bidder being Lerma Construction, for \$48,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioners Camarillo and Arcaute, to award bid, as sole and low bidder, to Lerma Construction, to rehab five homes at a cost of \$48,000.00.

MOTION CARRIED.
SEE "EXHIBIT S"

18/E

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve change order number one, with D & V Construction, increasing their contract by \$1,821.18. (NOTE: The change order amount will be paid by La Joya Water Supply Corporation.)

MOTION CARRIED.
SEE "EXHIBIT S"

18/F

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the 1990 Urban County bill #6986 in the amount of \$904.78; the 1994 Urban County bill #6987 in the amount of \$11,015.00; the 1993 Urban County bills #6988 thru #6993 totaling \$85,290.50; the 1994 Urban County bills #6994 and #6995 in the amount of \$19,159.97; the Colonia II Program bill #6996 of \$1,821.18; the 1992 HOME Program bills #6997 thru #7000 totaling \$16,031.64; the 1993 HOME Program bill #7001 in the amount of \$195.00 and the CASA Program bill #7002 in the amount of \$147.00. The total Urban County memorandum to be approved is \$134,565.07.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 19. COMMUNITY SERVICE:

A. Approval of Contracts:

1. MTP Transportation Provider - Hidalgo County
2. Emergency Nutrition/Temporary Emergency Relief Program Continuation Contract

19/A/1

Joe Diaz came before the Court to requesting approval of the County provider contract for medical transportation. The contract was with El Recreo Adult Day Care Center. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve El Recreo Adult Day Care Center, as MTP transportation provider, for Hidalgo County.

MOTION CARRIED.
SEE "EXHIBIT T"

19/A/2

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve continuation contract, #525042, Emergency Nutrition/Temporary Relief Program, totaling \$135,410.00.

MOTION CARRIED.
SEE "EXHIBIT T"

Judge Ruiz then announced that the next item on the agenda was the Executive Session and he was requesting that they recess the regular meeting and reconvene at 1:30 PM, whereby this Commissioners' Court will go into Executive Session, for the review of the selection for the position of Sheriff. This meeting was hereby recessed at 11:37 AM.

DRAINAGE DISTRICT
=====

The Honorable J. Edger Ruiz, County Judge, called the Drainage District meeting to order whereupon the following proceedings were had, to-wit:

- ITEM 1. PERMITS:
A. City of Pharr
B. City of Mission
C. City of Edinburg

1/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve for permit by the City of Pharr, to cross the drainage ditch that was located south of Ridge Road and north of Moore Drive, with a sanitary sewer line.

MOTION CARRIED.
SEE "EXHIBIT V"

1/B

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve the request for permit by the City of Mission, to go into the pilot channel, of the Mission inlet, with a thirty-six inch structure, to drain the Expressway Business Park Subdivision.

MOTION CARRIED.

SEE "EXHIBIT V"

1/C

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve a request for permit by the City of Edinburg, for an eighteen inch structure into an Irrigation District One ditch, to provide for drainage for Los Nogales Estates.

MOTION CARRIED.
SEE "EXHIBIT V"

There being no further business to come before the Drainage District, a motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, that said meeting be hereby adjourned.

MOTION CARRIED.

REGULAR AGENDA (cont.)
=====

Judge Ruiz announced that it was now 1:45 PM and this Commissioners' Court would now reconvene. He was at this time calling for Executive Session.

ADD. 1. EXECUTIVE SESSION:

A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.074, to discuss the following matter:

- 1. Process for selection of candidate for position of Sheriff

The County Judge and Commissioners went into Executive session and after some time, they came out and called the Court back into Open Session, to take care of an emergency addendum item.

ADD. 3. CANVASS VOTES OF THE 1994 GENERAL ELECTION

Florestella Chavez, Elections Director, came before the Court to request approval of the canvassing of the votes for the 1994 General Election. She indicated that she wanted to thank the Commissioners' Court of the use of three vehicles, that were used for the mobile voting. She then added that a total of 62,154 votes were cast, which represented a 39% of voter turnout. The County Judge then asked that she

state the vote totals, for the local contested races, which were as follows:

County Commissioner, Pct. #2

Abelardo "Lalo" Arcaute 8033
Delfino Olivarez 4670

State Representative, District 40

Eddie De La Garza 9065
Mary Ann Rios 7317

State Senator, District 27

Eddie Lucio 27503
Ismael Moran 13806

State Senator, District 21

Judith Zaffirini 780
Fernando Cantu 418

State Senator, District 20

Carlos Truan 8467
Rex Moses 4046

Member, State Board of Education, Pl.2

Mary Helen Berlanga 24065
Juan Vega 15637

A motion was then made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the canvass of the 1994 General Election, as presented.

MOTION CARRIED.
SEE "EXHIBIT W"

The County Judge then announced that they were almost finished with the review of the applications and he felt that by about 4:00 they would be making some sort of announcement. He and the Commissioners then went back into Executive Session.

After about an hour, Judge Ruiz called the Court back into Open Session.

****THE FOLLOWING EXERPT IS IN VERBATIM FORMAT****

JUDGE RUIZ

I hereby call this meeting back into Open Session. Ladies and gentlemen, thank you for, very much, for your patience. I've been, ah, County Judge almost eight years and I think, ah, Commissioner Arcaute you've been County Commissioner, twelve, and so have you Commissioner Camarillo, ah, eight years for you Sam, ahm, I want to assure you, ladies and gentlemen, that this has been a very difficult task and a very trying process for us, ah, not only in these few hours that we spent in Commissioners' Court, but all the hours that we've spent previous to the, to this date, to actually come to a decision. As you all know, we received nineteen applications early on, ah, from a call from this Commissioners' Court for anybody who would want to submit their resume and be interested in being, ah, selected to be Sheriff, to please submit their resumes and an application. They did so, ah, one came in after the fact, so we actually had twenty applicants, prior to the closing of it, four applicants actually pulled, pulled out their applications, leaving us only sixteen applications to review. The sixteen applications have been given re., review along with some background check and some information that we gathered through local law enforcement, local, state and federal law enforcement. I want to tell you, gentlemen, who are inspirers here and many who are not, but definitely for the public, that, that we had twenty very good applications for the position of Sheriff and I only tend to believe that of the many phone calls that I received at home, from you all individually, the times that I have discussed, ah, law enforcement issues with you, along this process and on behalf of the Commissioners who also received many phone calls and who also have, have talked to you personally, there is no doubt that each and everyone of you, ah, approached with a great amount of integrity and without a doubt the interest of the community, in mind. Hard choices have to be made by this Commissioners' Court, but I think we implemented a very fair review, where we could compare apples with apples and make sure that our, our selection, ah, would be as thorough a process as possible. I also want

to finish my statement by saying thank you to all who, who, who submitted their resumes and if you did not and are not going to be selected for final interviews, that you accept, that you not accept this as a negative towards your resume nor a negative towards your performance in the law enforcement field; on the contrary it should be a positive and the process that you've gone through now, should be part of your resumes in a very positive manner, because you were favorably considered, each and everyone of you, but we do have to make hard decisions, sixteen people cannot be Sheriff, only one of you can and that's unfortunate. We reviewed the applications, hard on our minds are years of experience in law enforcement, we broke it down between actual law enforcement and management, of law enforcement. In looking at the resumes we broke it down from education to education in the law enforcement field and of course, we looked at the history, history of the individual, where he had worked, in the past, what type of performance he'd done in the past, in essence, a semblance of a background check. We have selected three people to be interviewed tomorrow morning; the first one at 9:00 AM, Mr. David Ramirez, Public Works Director, for Mission, a resident of Edinburg. At 10:00 AM, Mr. Guadalupe Trevino, Director of Drug Task Force, resident of McAllen; at 11:00 AM, Mr. Henry Escalon, Chief Deputy, from the Sheriff's Office. Those are the three individuals that I am recommending to this Commissioners' Court, that we hold interviews with tomorrow and ask for a motion to do so.

COMM. ARCAUTE

So move.

COMM. SANCHEZ

Second.

JUDGE RUIZ

Motion, second, all in favor signify by saying aye.

COMMISSIONERS

Aye.

JUDGE RUIZ

All opposed, same sign. Motion carries. Thank you very much, all, ladies and gentlemen, see you tomorrow morning at 9:00 AM. We recess our Commissioners' Court, today at 4:20 PM, with intentions of reconvening our meeting at 9:00 tomorrow morning, here in this same building. Thank you.

NOVEMBER 15, 1994

Judge Ruiz called the Regular Meeting back to order, at approximately 9:15 AM. He then briefly explained that this meeting had originally been opened yesterday, during which this Commissioners' Court had selected three applicants out of a list of sixteen, to be interviewed this morning. At this time, he and the Commissioners would be going back into Executive Session, to begin the interview process and after about an hour of discussions, in Executive Session, they called in the first interviewee, which was Mr. David Ramirez. His interview lasted about an hour and a half, after which they called in Mr. Guadalupe Trevino, for his interview, which also lasted about an hour and a half.

Judge Ruiz then called this meeting back into Open Session, at about 12:35 PM, and he stated that they had been in Executive Session since this morning and this Court would like to recess for lunch. He added that they would be reconvening at 2:30 PM. A motion was then made by Commissioner Araute and seconded by Commissioner Rosel, to recess this meeting until 2:30 PM.

MOTION CARRIED.

The County Judge called the meeting back to order, at approximately 2:35 PM and he stated that they had recessed for lunch and they were at this time reconvening, and they would be going back into Executive Session. The members of Commissioners' Court met, alone, in Executive Session and after about forty-five minutes, they called the last interviewee, Mr. Henry Escalon, for this interview. Mr. Escalon was in Executive Session, with the County Judge and Commissioners for a little more than an hour and a half, after which he was released and the County Judge and Commissioners remained in Executive Session until about 6:50 PM.

At 6:50 PM, Judge Ruiz called this Court back into Open Session and indicated that he and the Commissioners had been in Session for approximately ten hours. He stated that they had three very qualified individuals and so much discussion had been had, that at this point there was still no consensus, on any type of appointment or recommendation to this Commissioners' Court. He continued by saying that because he, as well as the Commissioners, were tired, he was recommending that they recess, at this time and come back tomorrow morning, at 8:00 AM, "with hopes of continuing the dialogue amongst ourselves and thereafter make a decision, we hope". He mentioned that there was one thing that he had expressed, in Executive Session, that he felt was important for this Court to know and that was that "we all understand, as you well, now understand, this is a very important decision and I've asked the

Commissioners that we need some form of consensus and until I feel comfortable that there is a large majority of a consensus in Commissioners' Court that I do not want to come back with any decision" and recommendation to this Court. At this time he asked that this Commissioners' Court recess at this time and that they reconvene in the morning. A motion was then made to this effect, by Commissioner Sanchez and seconded by Commissioner Arcaute and carried unanimously.

MOTION CARRIED.

The County Judge then entertained some questions from the media with regards to the difficult decision that had to be made. The questions dealt with any one factor that was being looked at by the Commissioners, with regards to the appointment and if the Commissioners were taking into consideration the electability of the applicants.

NOVEMBER 16, 1994

The County Judge reconvened the Commissioners' Court meeting at 8:15 AM and explained that this was still a part of the Regular Meeting which was begun on November 14. He indicated that he and the Commissioners have been in Executive Session, discussing the position of Sheriff, during which they have recessed and reconvened several times, with the last recess having taken place the night before. He would like, at this time, to go back into Executive Session.

The County Judge and the Commissioners came back into Open Session at approximately 10:00 AM.

THE FOLLOWING EXERPT IS IN VERBATIM FORMAT

JUDGE RUIZ

Good morning, ah, Commissioners, again good morning, ah, I hereby call this meeting back to Open Session. We, we recessed this meeting, as you well know at eight o'clock this morning, about eight-o-five, ah, and it's been an ongoing meeting for us, since Monday at nine-thirty in the morning, as you well know. Again, I want to express many thanks to individuals and departments. I'd like to thank the McAllen Police Department, especially Chief Longoria and officer Lupe Gonzalez, for their assistance in providing us background information on many of the applications that we reviewed, on the last few days. There were other law enforcments involved, ah, DPS, FBI, DEA, Texas Rangers, all of them as-

sisted in some way shape, or fashion and we want to thank them very much for their assistance. I also want to thank my staff, ah, they put long hours in, in pre., in preparation for what we reviewed, in Executive Session and Commissioners' Court, to my staff, thank you, because they, they have gone above and beyond their duty in trying to prepare. Nineteen individuals who put their lines, their names on ap., re., applications knowing that they were going to go through some review, some questions, ah, from the public, from Commissioners' Court, from the media and from anybody. I want to thank them for responding to our call for resumes. I want to thank the three individuals that we interviewed, David Ramirez, Lupe Trevino, Henry Escalon; I think in the interviews, ah, that were lengthy they were asked many questions, of their upbringing, of their education, of their professional history, of their personal lives; every one of them, in our opinion responded to the best of their ability in a truthful manner under oath. I think that it was, for us it was stressful, I think I speak for all the Commissioners' Court and I'm sure that for them it was extremely stressful. So, to all three individuals, thank you so very much, for responding again, and going through this process; and the public in general, I know that we've gone through, through some ups and downs, since we, we unfortunately had a Sheriff, in this County, indicted; ah, there has been problems, ah, you have been patient, ah, there's been trying times, it's been trying for us, ahm, we were afraid of this date and this time period; ahm, but it came. At this point, under Open Session and now with all this process behind us, I'd like to recommend Mr. Enrique "Henry" Escalon, to the position of Sheriff, of Hidalgo County and request a motion and a second thereof.

COMM. SANCHEZ

I so move, Judge.

JUDGE RUIZ

Is there a second.

COMM. CAMARILLO

I'll second.

JUDGE RUIZ

Mr. Henry Escalon, ladies and gentlemen, is a twenty year member of law enforcement. He has served fourteen years in the Sheriff's Department, gaining experience in all the departments: patrol, civil process, adult detention, criminal

investigation, training academy and administration. In the interview, Mr. Escalon expressed appropriately the needs of the department, the obvious needs for change in the particular departments and an appropriate plan of action to achieve these particular changes. A comfort level has been reached with me and Commissioners' Court, with Henry Escalon, because his plan of action, in our opinion realistic, practical and within budget. His mana.., management style will provide for a smooth transition, between the present administration and the new Sheriff's Office to come. For the Commissioners, I ask for your vote in support of my recommendation and of this motion for Enrique "Henry" Escalon, to be named Sheriff of Hidalgo County. All in favor signify by saying aye.

COMMISSIONERS
SANCHEZ, ARCAUTE
AND CAMARILLO

Aye.

JUDGE RUIZ

All opposed, same sign.

COMM. ROSEL

Aye.

JUDGE RUIZ

I will register my vote in favor. Henry would you please stand up, please. (APPLAUSE) I know that you have a difficult task in front of you and will express my personal support, ah, in your efforts to do the appropriate, ah, action necessary to bring the spirit of cooperation amongst all departments, law enforcement departments, all the community, raise the morale of the employees and more importantly, gain the confidence of the community. That's a mouthful and it's going to take several actions, in my opinion, on your behalf; ah, my only statement is to show our acts of support and ask the community to support Henry in his efforts to come. I don't know if you want to say a few words, Mr. Escalon.

(SEE "EXHIBIT X")

HENRY ESCALON

I want to thank you, County Judge and Commissioners for the vote of confidence that was voted to me -----; ah I would also like to thank my family, who have supported me in the decision -----, as well as the supporters that I've had and the people that have been praying for me. I, I'm going to ask that they

(11/14/94)

continue to pray for me -----, it's going to be a difficult task, ahm, ----- is faced with and I appreciate everybody -----, thank you very much.

JUDGE RUIZ

Thank you. Is there a motion to adjourned.

COMM. ARCAUTE

So move.

COMM. SANCHEZ

Second.

JUDGE RUIZ

Meeting adjourned, ladies and gentlemen, thank you.

THERE BEING NO FURTHER BUSINESS TO COME
BEFORE SAID COURT, the meetings of the Commissioners' Court and
the Drainage District were hereby adjourned.

J. Edgar Ruiz _____
County Judge

Samuel Sanchez _____
County Commissioner, Precinct #1

Lalo Arcaute _____
County Commissioner, Precinct #2

Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 14TH day of NOVEMBER, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas

By: Jennifer Castillo, Deputy

