

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 03, 1995 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 - December 06, 1994  
- December 12, 1994
2. Approval of bills - County Auditor
3. Approval of Monthly Fees Reports:
  - A. County Clerk Part I - \$ 88,060.25 - November
  - B. County Clerk Part II - \$ 118,321.01 - November
  - C. Justice of the Peace:
    1. Pete Leal - \$ 7,264.50 - November
    2. Adan Caballero - \$ 7,376.00 - " "
    3. Jesus Morales - \$ 6,962.50 - " "
    4. Ismael Ochoa - \$ 8,840.71 - " "
    5. Esperidion Jackson - \$ 1,649.50 - " "
    6. Rosa Trevino - \$ 6,177.50 - " "
  - D. Constables:
    1. Horacio Aguirre - \$ 0.00 - November
    2. Gilberto Alaniz - \$ 220.00 - " "
    3. Luis Zamora - \$ 475.00 - " "
    4. Rumaldo Cerda - \$ 265.00 - " "
    5. Eduardo Bazan - \$ 0.00 - " "
4. Planning Department:
  - A. Subdivisions:
    1. Southwest Estates Subdivision - Pct. #4

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5. Permits:
  - A. North Alamo Water Supply - Pct. #1, #4
  - B. City of Mercedes - Pct. #1
  
6. Internal Line Item Transfers:
  - A. Human Services - (1994)
  - B. J.P. Pct. #2 Pl. #2 - (1994)
  - C. J.P. Pct. #3 Pl. #2 - (1994)
  - D. Pct. #3 - Administration - (1994)
  - E. Pct. #3 - Paved/Unpaved - (1994)
  - F. Pct. #3 - Park - (1994)
  - G. Youth Village - (1994)
  - H. J.P. Pct. #5 - (1994)
  - I. Building/Grounds - (1995)
  - J. County Clerk - (1995)
  - K. Pct. #1 - Road/Bridge - (1995)
  
7. Set and approve amount of Compensation, Office and Travel Expenses and other Allowances for County and Precinct Officers and Employees

Dated this the 29th day of December, 1994

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

## NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 03, 1995 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. Approval of Official Bonds: 1995
  - A. Jesus Morales
  - B. Esperidion Jackson
  - C. Jose Ismael Ochoa
  - D. Guadalupe Garces, Jr.
  - E. Pauline Gonzalez
  - F. Rudy Delgado
  - G. Richard H. Garcia
2. Authorization to declare items surplus:
  - A. County Court at Law #1 - IBM Computer w/Key Board
  - B. Jail Commissary - Color RCA TV
  - C. Hid. Co. Library System - Microfiche Readers (Brunig/Eyecom)
3. Ramiro M. Guerra Youth Village:
  - A. Authorization to remove telephone equipment from Co. Inventory
4. Adult Probation Department:
  - A. Ministerial Approval of Supervision Budget Amendment
  - B. Ministerial Approval of Education and Employment Budget Amendment
5. Presentation of Proposals submitted by Petra Reyna:
  - A. Rural health Clinic for Sullivan and Surrounding Communities
  - B. Issues of Juvenile System, Housing, Health, Human Services and Solid Waste
6. Constable Pct. #5:
  - A. Accept and appropriate revenues received from forfeitures
7. Public Defense:
  - A. Budget Amendment - \$ 2,350.00
  - B. Approval of Attorney's Fees - \$ 2,350.00
8. Sheriff's Department:
  - A. Investigation Fund:
    1. Set salary for the Accountant position - Fund # 104 - H.B. 65 - 1995

Continued

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## Continuation - Sheriff's Department

2. Approval to Appropriate Budget Amendment in 1995 for the Sheriff's Investigation Fund - H.B. 65 - Amounts are based on an estimate of the carryover amount after 12/31/94 (Fund Balance)
  
9. Buildings and Grounds:
  - A. Authorization and approval to create Administrative Assistant Housekeeping Position
  - B. Set Salary
  
10. Pct. #1:
  - A. Petition to change name of street in West Gate Woods Sub-division Unit #2
  - B. Internal Line Item Transfer - 1995 Parks
  - C. Create two (2) new maintenance positions and set salaries - Park Fund
  
11. J.D. Salinas:
  - A. Appropriate Budget Tree Planting Program
  - B. Line Item Transfer for Financial Disruption Task Force
  - C. Line Item Transfer for Drug Impact Court
  - D. Line Item Transfer for Economic Development
  
12. Purchasing Department:
  - A. Award Bids:
    1. Office Furniture - WIC
    2. Industrial Chemicals - Hidalgo County
    3. Lubricants - Hidalgo County
  
13. Planning Department:
  - A. Subdivisions:
    1. J & M Subdivision - Pct. #2
    2. John Cardenas Subdivision - Pct. #2
  
14. Authorization and approval to transfer funds from Election Expense Department into County Clerk's Department - 1995 Budget
  
15. Consideration and approval of Servicing Agreement for 1995 Cafeteria Plan

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16. Consideration and approval of Cafeteria Plan
17. Urban County:
  - A. City of Hidalgo - Engineering Service Contract
  - B. Pct. #3 - Public Hearing/Budget Amendment Year 7
  - C. Pct. #3 - Budget Amendment Year 7
  - D. Approval of Federal Travel Regulations establishing Per Diem Rates
  - E. HOME - "First Time Home Buyer Contract Agreements" and Letter of Commitment to Mortgage Company
  - F. Approval of Bills
18. Office of Employment and Training:
  - A. Consider and Approve Preliminary PY'95 Title IIA Plan
  - B. Consider and Approve Preliminary PY'95 Title IIC Plan
  - C. Consider and Approve Preliminary PY'95 Title III Plan
  - D. Consider and Approve request to Publish RFP's for the Title IIA, IIC, III for PY'95
  - E. Ratify CAST Contract
  - F. Consider and Approve Amendment to PY'94 IIC plan to Serve 14-15 Year Olds
  - G. Consider and Approve Amendments to Edcouch-Elsa ISD Teen parent Contract
  - H. Consider and Approve Publication to Title IIB Request for Proposal
  - I. Consider and Approve Executive Committee Approval of Contract Amendments Not Affecting Contract Dollar Amounts
19. Executive Session:
  - A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:
    1. Approval of Court Ordered Mediations - Flores vs. Hidalgo County - Litigation
20. Open Session:
  - A. Court Ordered Mediations - Flores vs. Hidalgo County - Litigation

Dated this the 29th day of December, 1994.

**R U I Z**

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 03, 1995 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. Internal Line Item Transfer
2. Resolution declaring property surplus and authorizing advertising same for sale
3. Request of McAllen Construction Co. Inc. to reduce percentage (%) of retainage from ten percent (10 %) to five percent (5 %) on Rancho Santo Cruz/Linda Vista Contract

Dated this the 29th day of December, 1994.

BE IT REMEMBERED that on the 3RD day of JANUARY, 1995, after due notice having been given, there was begun and holden, a SPECIAL 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. Guadalupe "Lupe" Garces  
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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JANUARY 3, 1995

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

Judge Ruiz began by calling upon Dr. Omar Garza, the County Health Director, to inform the Court, as well as the audience about the rabies problem in the County. Dr. Garza mentioned that there has already been one death, in the Valley, and there was another incident with a rabid dog, in which the owner of the dog had not allowed the County Sanitation Department, to dispose of the carcass properly. There are a number of incidents similar to the latter, and this is what concerns the Health Director, the most, as this could become an epidemic. He continued by requesting that the cities pass an ordinance whereby a fine would be assessed for any dog found not to be vaccinated. This he felt would deter the problem somewhat. Dr. Garza stated that the Sanitation Department also needed some help, with respect to vehicles and equipment and he hoped that this Court would take this into consideration. The Health Director also asked that if there were an unwanted animals out there, that they please be taken to the animal shelter. The County Judge then asked if the shelter had a maximum of animals that they could take in, and Vona Walker explained that she thought that they were held about a week. Dr. Garza then mentioned that he had had quite a number of vaciination clinics that had been very successful and this was followed by a discussion ensued by Commissioner Sanchez in which he stated that assessing a fine would not help the problem, and he compared this to the auto insurance problem. Judge Ruiz then stated that he would see what could be done, with respect to informing the public through public service announcements, of this problem.

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - December 06, 1994  
December 12, 1994

(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF BILLS - County Auditor

General Fund	- #105285	- #105536	- \$1,073,858.05
Special Revenue Fund	- #105227	- #105572	- \$1,032,103.01
Trust and Agency Fund	- # 4496	- # 4522	- \$ 856,041.85
Enterprise Fund	- # 2142	- # 2149	- \$ 5,251.67

(SEE "EXHIBIT B")

(01/03/95)

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

- A. County Clerk Part I - \$ 88,060.25 - November
- B. County Clerk Part II - \$118,321.01 - November
- C. Justice of the Peace:
  - 1. Pete Leal - \$ 7,264.50 - November
  - 2. Adan Caballero - \$ 7,376.00 -
  - 3. Jesus Morales - \$ 6,962.50 -
  - 4. Ismael Ochoa - \$8,840.71 -
  - 5. Esperidion Jackson - \$1,649.50 -
  - 6. Rosa Trevino - \$6,177.50
  - 2. Adan Caballero - \$ 7,376.00 - " "
  - 3. Jesus Morales - \$ 6,962.50 - " "
  - 4. Ismael Ochoa - \$ 8,840.71 - " "
  - 5. Esperidion Jackson - \$ 1,649.50 - " "
  - 6. Rosa Trevino - \$ 6,177.50 - " "
- D. Constables:
  - 1. Horacio Aguirre - \$ 0.00 - November
  - 2. Gilberto Alaniz - \$ 220.00 - " "
  - 3. Luiz Zamora - \$ 475.00 - " "
  - 4. Rumaldo Cerda - \$ 265.00 - " "
  - 5. Eduardo Bazan - \$ 0.00 - " "

(SEE "EXHIBIT C")

ITEM 4. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Southwest Estates Subdivision - Pct. #4

Southwest Estates Subdivision is located on the southwest corner of Canton Road and Maria Luiza Drive, City of Edinburg, Precinct Four.  
(SEE "EXHIBIT D")

ITEM 5. PERMITS:

- A. North Alamo Water Supply - Pcts. #1 & #4
- B. City of Mercedes - Pct. #1

5/A

In Precinct One, North Alamo Water Supply Corporation is requesting a permit to lay a two PVC water line to cross Midway Road, south of Vaughn Road and in Precinct Four, they are requesting permission for a two inch PVC water line to cross Mile 17 North, east of its intersection with Sharp Road.  
(SEE "EXHIBIT E")

5/B

In Precinct One, the City of Mercedes is requesting a permit for a six inch water line, to go along Mile 2 East, beginning at

Mile 6 North and going north for 1,500 feet.  
(SEE "EXHIBIT E")

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. Human Services (1994) - \$3,250.00
- B. J.P. Pct. #2 Pl. #2 (1994) - \$33.00
- C. J.P. Pct. #3 Pl. #2 (1994) - \$41.00
- D. Pct. #3 - Administration (1994) - \$2,400.00
- E. Pct. #3 - Paved/Unpaved (1994) - \$5,300.00
- F. Pct. #3 - Parks (1994) - \$2,349.34
- G. Youth Village (1994) - \$4,500.00
- H. J.P. Pct. #5 (1994) - \$276.75
- I. Buildings/Grounds (1995) - \$645.00
- J. County Clerk (1995) - \$6,512.55
- K. Pct. #1 - Road/Bridge (1995) - \$9,476.69

(SEE "EXHIBIT F")

ITEM 7. SET AND APPROVE AMOUNT OF COMPENSATION, OFFICE AND TRAVEL EXPENSES AND OTHER ALLOWANCES FOR COUNTY AND PRECINCT OFFICERS AND EMPLOYEES

(SEE "EXHIBIT G")

The County Judge then asked the Commissioners if they had any questions and/or comments on any of the items on the Consent Agenda, and Commissioner Arcaute commented on a letter that had been sent by the County Auditor, with regards to the six departments that had not submitted salary schedules for Commissioners' Court action. Steve Austin, the County Auditor, then indicated that salaries had to be set for those departments and Judge Ruiz stated that if those departments did not respond then the salaries would be set by this Commissioners' Court. Laura Etnire, the Administrative Assistant, reported that some of these department had already submitted their salary schedules. Commissioner Arcaute then voiced his concern with regards to the payroll and if the employees employed by these departments would be paid, on the 15th of this month. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the Consent Agenda, as presented.

MOTION CARRIED.  
SEE "EXHIBITS A-G"

The County Judge continued with additional announcements these

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being that a Workshop would be held on Monday, at 8:30 AM, to discuss the issues regarding the County Jail, with emphasis on the medical and health needs, within the Jail and there was a plan of action that would be presented by Dick Dickinson. Another issue that would be discussed would be Civil Service, and the Civil Service Commission would be giving a briefing of what they have been doing since they were sworn in.

Judge Ruiz then brought the issue of the transfer of funds, from the group health insurance, into the trust fund and he wanted to know if action was needed for this, every year and the County Auditor responded that he did not feel that any action was needed and that a letter from the County Judge's Office would be sufficient.

The County Judge also brought up the issue of the transfer of monies, from the 03 category (salaries), into other line items and vice versa. He felt that this Commissioners' Court should set a policy whereby this practice would be eliminated. Commissioner Arcaute then added that he felt that this issue should be taken further, wherein if a department head did not fill a vacant position, by a certain time, then those funds would be transferred back into the General Fund. Judge Ruiz then stated that although some exceptions have been made in the past, he felt that the departments should be informed that this will be a set policy that they should not count on this money and thus try to work with their budgets. Commissioner Sanchez also mentioned that the budgets had been funded as close to the request as possible, and they should also try to deter from asking for any budget amendments.

#### REGULAR AGENDA

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- ITEM. 1 APPROVAL OF OFFICIAL BONDS - 1995:
- A. Jesus Morales
  - B. Esperidion Jackson
  - C. Jose Ismael Ochoa
  - D. Guadalupe Garces, Jr.
  - E. Pauline Gonzalez
  - F. Rudy Delgado
  - G. Richard H. Garcia

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the official bonds, for 1995.

MOTION CARRIED.  
SEE "EXHIBIT H"

ITEM 2. AUTHORIZATION TO DECLARE ITEMS SURPLUS:

- A. County Court at Law #1 - IBM Computer w/Key Board
- B. Jail Commissary - Color RCA TV
- C. Hid. Co. Library System - Microfiche Readers (Brunig/Eyecom)

2/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve the declaration of equipment surplus and authorize our Purchasing Agent to dispose of said equipment, from County Court at Law #1.

MOTION CARRIED.  
SEE "EXHIBIT I"

2/B&C

A motion was made by Commissioner Rosel and seconded by Commissioners Sanchez and Garces, to authorize the declaration of equipment surplus, for the Jail Commissary, a colored RCA TV and for the Library System, some microfiche readers and authorize the Purchasing Agent to dispose of said equipment.

MOTION CARRIED.  
SEE "EXHIBIT I"

ITEM 3. RAMIRO M. GUERRA YOUTH VILLAGE:

- A. Authorization to remove telephone equipment from Co. Inventory

Judge Ruiz informed the Court that the request from the Youth Village was for the declaration of telephone equipment surplus to be used as a trade-in for a new system, with AT&T. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the removal of telephone equipment, from County inventory and authorize trade-in for a new system, a the Ramiro Guerra Youth Village.

MOTION CARRIED.  
SEE "EXHIBIT J"

ITEM 4. ADULT PROBATION DEPARTMENT:

- A. Ministerial Approval of Supervision Budget Amendment
- B. Ministerial Approval of Education and Employment Budget Amendment

Joe Lopez, Adult Probation Director, came before the Court requesting approval of a budget amendment, for the 5% increase in salaries, for the Adult Supervision staff. He mentioned that he had budget 5% for

the department staff and 5% for the Employment and Education Grant, but it did not include the Residential Program. Judge Ruiz then clarified that these employees had not yet received the 5% increase and Mr. Lopez responded that that was correct. Mr. Lopez continued by saying that there was a disparity as to the amount that he was requesting be approved, as the balance of that amount would go toward his salary, but this was still in the discussion period and it would have to be brought before the Board of Judges first. The amount that he is requesting be approved, at this time, totals \$74,426.00. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to give authorization and approval of the amendments to the Supervision Budget and Education and Employment budget for giving all employees a 5% increase.

MOTION CARRIED.  
SEE "EXHIBIT K"

- ITEM 5. PRESENTATION OF PROPOSALS SUBMITTED BY PETRA REYNA:
- A. Rural health clinic for Sullivan and surrounding communities
  - B. Issues of Juvenile System, Housing, Health, Human Services and Solid Waste

5/A

Judge Ruiz introduced Ms. Petra Reyna, who had a presentation to make to the Court. Ms. Reyna explained that she was representing the St. Mary's Health Care System and their proposal was to provide primary care services and have the clinic, in Sullivan City, as a rural health facility. She added that she was aware that the building had been vacant and that the present Health Department has had problems with staffing this clinic. She continued by saying that they would like to lease this facility, from the County and convert it into a rural health facility, thereby allowing them to provide health care services to the people of Sullivan City and the surrounding areas. She stated that approximate 65% of the people in that community qualified for some type kind of benefit, as they were under the poverty guideline, with the average per capita being approximately \$3,000.00. She also said that the closest physician was about eight miles away and he did not accept Medicaid and WIC was only in the area so many days out of the week and Commissioner Sanchez, mentioned that whereas Ms. Reyna was proposing a facility for primary care, the WIC Department provided preventive care. Ms. Reyna then proceeded to list all of the services that her proposed facility would provide, as well as a list of professionals who would be housed there and the proposed budget needed for this type of facility. Commissioner Rosel then brought his concern that no one who would go to this facility for services, would be turned down and Commissioner Sanchez explained that the funding would not allow for anyone to be turned away. Commissioner Rosel continued with the provision of services that would be provided, as listed on page of the handout. He also brought up the funding request of \$150,000.00, which Ms. Reyna explained was a one time only request and Commissioner Arcaute voiced his concern as to

what would happen to the County's Health Department function, with regards to preventive care and Commissioner Rosel responded that he did not feel that there was any type of service out there at this time. Judge Ruiz tried to clarify the question posed by Commissioner Arcaute, and Ms. Reyna explained that they would also be performing some preventive services, in addition to primary care services. Judge Ruiz then asked her if the overall intent, they anticipated to generate revenue of approximately \$500,000.00, to be funded basically from Medicare and Medicaid and she responded that this was correct and she also added that she hoped that this would also allow them to reinvest in the facility and provide additional services, such as dental services, which were lacking in that area. Commissioner Sanchez then asked if there was enough of a third parting market there to sustain them and Ms. Reyna responded that when their needs assessment was done, most of the people out there were very poor, but they qualified for services and they would try to have a Department of Human Services staff member, on board, to try to qualify these people. The discussion continued with the ongoing question of who would be responsible for public health services, in that area, with Commissioner Sanchez asking Travis Heister, the County Legal Counsel, if they could turn it over to any organization and Mr. Heister responded that they could if these services were contracted out, with the addition of the responsibility and the liability. Judge Ruiz then asked Dr. Omar Garza, the County Health Director, how he felt about the possibility of converting the health clinic into a primary care facility for the rural area, and Dr. Garza responded that he had plans for this building, when the COPC opens, for satellite clinics that would be connected to the main COPC facility, but if the Court had plans to go into this venture, then he would be willing to see what effect this would bring about, in terms of the provision of health care services. Judge Ruiz then asked him if the County was being reimbursed for Medicaid and Medicare funds, for services and the response was that we were, he then asked if there was an effort, by the County to enlist qualified people for social services and Dr. Garza explained that they did have a social services department, in place and there was an effort to qualify individuals. Ms. Reyna then explained the implementation schedule and added that the physicians were already on board and they were looking into being in operation, within two months. Judge Ruiz questioned Ms. Reyna and Dr. Garza on this proposal, and if there was anything within this proposal that the County could not do, with respect to primary care and Dr. Garza stated that this was one of the services that would be provided through the COPC. The County Judge continued his interrogation, questioning the proposal's request of \$150,000.00 plus \$1.00 per year lease and asked if the County could provide this service as efficiently as what is being proposed and Dr. Garza stated that he would have to look into this and inquired as to how long it would take this organization to become a non-profit organization and Ms. Reyna said that this would come about within thirty days. Judge Ruiz asked Ms. Reyna if there would be any other funds that would be derived for the benefit of the community and Ms. Reyna answered that they were in the process of applying for a school-based clinic grant, and possibly "hook up" with the school districts and provide services there. She also added that they would be taking insurance, for those individuals who had insurance but

(01/03/95)

had no medical service provider within the community, with the minimum clinic visit fee being \$30.00. Commissioner Sanchez then ensued a discussion, basically regarding the problems that the County has had in staffing the Sullivan City health clinic, whereby this organization has already been able to hire not only nurses, but also three physicians and Ms. Reyna explained that they are constantly working in order to make sure that they are staffed at all times. This discussion continued with regards to the need for this service and the assurance that the amount of money that is being requested from the County, will develop primary health care systems, that will deliver and cover all these people. Commissioner Arcaute then changed the focus of the discussion by asking where the \$150,000.00 would come from, be-it the funds presently being used for the staff housed there and Judge Ruiz responded that it would not. After further discussion, Judge Ruiz asked that the Health Director look at this proposal very closely and the Health Director stated that there were still some questions that he would like to have answered, that were not brought up at this time. The County Judge then suggested that Dr. Garza meet with Ms. Reyna, as often as possible in order to be able to make some type of a recommendation, on this particular issue.

NO ACTION.  
SEE "EXHIBIT L"

5/B

Ms. Reyna informed the Court that the next proposal was for the designation of Ms. Reyna, as the lobbyist, for the County, as the next Legislative Session would begin on January 10th. She added that there were a number of serious issues that would be presented that could affect the County, and she felt that it was vital for the County to be represented. These issues included indigent health care, solid waste, the juvenile system, etc.. Judge Ruiz then indicated that this Commissioners' Court has not met to set up a pro-active legislative agenda, for this session, although he felt that this Court should be ready to take a reactive stance. He then stated that he did not feel that this County could hire lobbyists and Travis Heister, the County Legal Counsel, specified that they were deemed as professional services. Judge Ruiz continued by saying that this County did presently have the Texas Association of Counties who informed them of legislation that affected every aspect of County government, as well as the Urban County Association and Bickerstaff, Heath & Smiley and he felt that in a Workshop this Court could very well establish a legislative agenda, that would be pro-active, at which time there might be a need for professional services. If and when this pro-active agenda came about, then the County would be seeking professional services and they would keep her in mind.

NO ACTION  
SEE "EXHIBIT L"

ITEM 6. CONSTABLE PCT. #5:

- A. Accept and appropriate revenues received from forfeitures

Judge Ruiz informed the Court that these were monies that were being awarded to Precinct Five Constable, Walo Bazan, for a confiscation, that was done sometime last year. The amount of the award was \$9,325.20 and there was a budget attached of how these funds would be appropriated. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to accept this revenue, from the U.S. Marshall and appropriate it, as recommended by Constable Precinct Five.

MOTION CARRIED.  
SEE "EXHIBIT M"

ITEM 7. PUBLIC DEFENSE:

- A. Budget Amendment - \$2,350.00  
B. Approval of Attorneys' Fees - \$2,350.00

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize a budget amendment of \$2,350.00 and authorize payment of court appointed attorneys' fees, in the amount of \$2,350.00.

MOTION CARRIED.  
SEE "EXHIBIT N"

ITEM 8. SHERIFF DEPARTMENT:

- A. Investigation Fund:  
1. Set salary for the Accountant position - Fund #104 - H.B. 65 - 1995  
B. Approval to appropriate budget amendment in 1995 for the Sheriff's Investigation Fund - H.B. 65-Amounts are based on an estimate of the carryover amount after 12/31/94 (Fund Balance)

8/A

Dick Dickinson, from the Sheriff's Department, explained that this was for the setting of salary for the accountant position. He indicated that last year's salary was \$28,940.00 and it was being reduced to \$24,000.00 plus fringes. The request at this time was to approve and appropriate this amount, with the balance of this amount going back into the Investigation Fund. A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to authorize the setting of a salary, for the accountant position, at \$24,000.00.

MOTION CARRIED.

SEE "EXHIBIT O"

8/B

Chief Dickinson informed the Court that this was for the carryover of the entire budget, which was approximately \$50,000.00 and from this would be appropriated as indicated on the exhibit item. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to appropriate \$50,000.00, in the 1995 budget, as presented.

MOTION CARRIED.  
SEE "EXHIBIT O"

ITEM 9. BUILDINGS AND GROUNDS:

- A. Authorization and approval to create Administrative Assistant Housekeeping Supervisor Position (corrected)
- B. Set Salary

Judge Ruiz explained that this was on a position that was erroneously left out during the budgetary process. Mrs. Laura Etnire, the County Judge's Administrative Assistant, indicated that the request at this time was to transfer \$645.00, from the 03 account, in Minor Structures budget to the Buildings and Grounds budget, to be able to completely fund this position. The County Judge then clarified that the Housekeeping Supervisor position does exist, as well as the salary of \$13,243.00 and the request at this time was to increase the salary to \$15,000.00, but in order to do that there is a need for an additional \$645.00. A motion was then made by Commissioner Garces and seconded by Commissioner Rosel, to upgrade the position of administrative assistant to administrative assistant housekeeping supervisor position and setting that salary at \$15,000.00.

MOTION CARRIED.  
SEE "EXHIBIT P"

ITEM 10. PCT. #1:

- A. Petition to change name of street in West Gate Woods Subdivision Unit #2
- B. Internal Line Item Transfer - 1995 Parks
- C. Create two (2) new maintenance positions and set salaries - Park Fund

10/A

Commissioner Sanchez explained that this petition had been submitted by the Law Firm of Talbot & McDaniel and it was simply to change the name of a street within West Gate Woods Subdivision Unit #2. The change would be from W. Tanglewood South to Meadow Wood, as

the residents within the subdivision have had "numerous problems with mail delivery and law enforcement...because of the similarities in the names of the two streets", within the subdivision. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to change the name of W. Tanglewood South to Meadow Wood.

MOTION CARRIED.  
SEE "EXHIBIT Q"

10/B

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize the internal line item transfer of \$29,772.39, in the 1995 budget, from Road Material and Hauling into Salaries and Fringes.

MOTION CARRIED.  
SEE "EXHIBIT Q"

10/C

Commissioner Sanchez explained that they had left out two positions during the budgetary process, that of a Park Ranger at a salary of \$18,000.00 and a maintenance position at \$9,746.10 and he is requesting that they be reinstated. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to create one Maintenance and one Park Ranger position, setting salaries at \$9,746.10 and \$18,000.00, respectively.

MOTION CARRIED.  
SEE "EXHIBIT Q"

ITEM 11. J.D. SALINAS:

- A. Appropriate budget Tree Planting Program
- B. Line Item Transfer for Financial Disruption Task Force
- C. Line Item Transfer for Drug Impact Court
- D. Line Item Transfer for Economic Development

11/A

J.D. Salinas came before the Court requesting authorization to appropriate the Tree Planting Program budget in the amount of \$12,000.00, with \$10,500.00 coming from the grant and \$1,500.00 coming from Texas A & M University for the Progreso Community Center. The in-kind was being matched by Texas A & M University, at \$500.00, the County Headstart Program, at \$4,100.00 and the County of Hidalgo at \$2,500.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to appropriate the budget for the Tree Planting Program, coming from the National Tree Planting Program Grant.

MOTION CARRIED.  
SEE "EXHIBIT R"

(01/03/95)

11/B

Mr. Salinas stated that \$5,000.00 be taken from the Fuel line item and placed in the Vehicle Maintenance and Rental line items, under the Financial Disruption Task Force. These funds will be used for the tinting of windows and the installation of racks and radios, as well as for the payment of a final bill for the leasing of vehicles. A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to authorize a line item transfer in the Financial Disruption Task Force Grant, of \$5,000.00.

MOTION CARRIED.  
SEE "EXHIBIT R"

11/C

Mr. Salinas indicated that the request, from the Drug Impact Court, was to transfer funds from supplies into postage, in the amount of \$100.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize a line item transfer in the Drug Impact Court, of \$100.00, from supplies to postage.

MOTION CARRIED.  
SEE "EXHIBIT R"

11/D

Mr. Salinas also reported that the requested from the Economic Development was for a transfer of \$30.00, from Office Equipment to Travel, to pay out existing bills, in order to close out this budget. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces, to approve a line item transfer, in Economic Development of \$30.00, coming from Office Equipment and going into Travel.

MOTION CARRIED.  
SEE "EXHIBIT R"

ITEM 12. PURCHASING DEPARTMENT:

- A. Award bids:
  1. Office Furniture - WIC
  2. Industrial Chemicals - Hidalgo County
  3. Lubricants - Hidalgo County

12/A/1

Mary Maldonado, the County Purchasing Agent, came before the Court and reported that she had received two bids for furniture for the WIC Department. The bids received were from Resource Marketing Group Incorporated and from Joyce Office Products. She mentioned that Resource Marketing Group had only bid on the twenty (20) baby changing stations, at \$199.99 each, for a total bid of \$3,999.99; and Joyce Office Products had submitted two bids on the other office furniture; one at drop shipped pricing (Bid A) of \$14,439.00 and the other at a delivered and installed

price (Bid B) of \$14,501.00. Ms. Maldonado was at this time recommending the bid for the baby changing stations, from Resource Marketing Group, be awarded, as well as "Bid A" for the other office furniture, to Joyce Office Products. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to award low bids for the purchase of office furniture, one going to Resource Marketing Group, out of Houston, in the amount be bid to be awarded to Joyce Office Products, in the amount of \$14,439.00, which is "Bid A", dropped shipped.

MOTION CARRIED.  
SEE "EXHIBIT S"

12/A/2

Ms. Maldonado also indicated that she had received five bids for the purchase of industrial chemicals, these being from: Sysco, Zep Manufacturing Co., Blue Star Chemical Company, Texas Refinery Corporation Products and Astro Supply Co. She was at this time recommending that the bid be awarded to Blue Star Chemical Co., for eighteen (18) products and Astro Supply Co., for sixteen (16) products, being the low bidders and meeting specifications. A brief discussion then ensued with regards to the comparison of the low bid versus the best bid. A motion was then made by Commissioner Rosel and seconded by Commissioner Garces, to approve low bids to Blue Star Chemical Company, out of Edinburg, and Astro Supply Supply Co., out of McAllen, for 34 particular products that we need for the County of Hidalgo, for year 1995, and it is a one year contract.

MOTION CARRIED.  
SEE "EXHIBIT S"

12/A/3

Ms. Maldonado explained that she would like to take the four bids received for lubricants, under advisement, as she has not had a chance to study them. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to take all four bids UNDER ADVISEMENT, for the purchase of lubricants, County wide.

MOTION CARRIED.  
SEE "EXHIBIT S"

ITEM 13. PLANNING DEPARTMENT:

A. Subdivisions:

1. J & M Subdivision - Pct. #2
2. John Cardenas Subdivision - Pct. #2

13/A/1

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the plat of J & M Subdivision, which is located 312 feet south of Sioux Road, on the east side of Alamo Road,

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City of Alamo, Precinct Two.

MOTION CARRIED.  
SEE "EXHIBIT T"

13/A/2

A motion was made by Commissioner Arcaute and seconded by Commissioners Sanchez and Garces, to approve the plat of John Cardenas Subdivision, which is located approximately 300 feet west of Alamo Road, on the south side of Minnesota Road, in the rural area of the County, in Precinct Two.

MOTION CARRIED.  
SEE "EXHIBIT T"

ITEM 14. AUTHORIZATION AND APPROVAL TO TRANSFER FUNDS FROM ELECTION EXPENSE DEPARTMENT INTO COUNTY CLERK'S DEPARTMENT - 1995 BUDGET

Judge Ruiz informed the Court that this was for a correction in the transfer of slots, from the County Clerk's Office into the Elections Department. The confusion was that both individuals had the same first name, but a difference of \$1,263.67 in salary. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize and approve transfer of funds from the Election Expense Department to County Clerk's Department, in year 1995; total amount of transfer is \$1,263.67.

MOTION CARRIED.  
SEE "EXHIBIT U"

ITEM 15. CONSIDERATION AND APPROVAL OF SERVICING AGREEMENT FOR 1995 CAFETERIA PLAN

The County Judge asked the County Legal Counsel and the County Risk Manager if this contract had been thoroughly reviewed and the response was that it had. This contract was with Ted L. Parker and Associated, for the cafeteria plan and they were ready to implement this plan, effective January 1. Amber Etnire, the County Risk Manager, indicated that the only change that needed to be made in the contract was the effective, which was noted as November 1, on the contract, instead of January 1, 1995. Judge Ruiz then asked her if this contract complied with the intent of the bid and Ms. Etnire responded that it did and also specified that it was for one year, at which time it could be renewed or rebid. Commissioner Rosel inquired as to the administrative fees, for the handling of the account and Ms. Etnire explained that this cost

would be incurred by the employee and the fee was approximately \$2.50 annually, per employee. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces, to approve the service agreement between the County of Hidalgo and Ted L. Parker and Associates, for a one year agreement to implement and provide the cafeteria plan, for the County of Hidalgo.

MOTION CARRIED.  
SEE "EXHIBIT V"

ITEM 16. CONSIDERATION AND APPROVAL OF CAFETERIA PLAN

Steve Austin, the County Auditor, explained that the premium plan needed to be approved by Commissioners' Court, as it was the official document basically making the Risk Manager responsible for supervising of the administration of the cafeteria plan. Amber Etnire said that the fiduciary responsibility would be given to the Commissioners' Court. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the plan, the actual pre-tax premium plan for the cafeteria plan, of the County of Hidalgo.

MOTION CARRIED.  
SEE "EXHIBIT V"

Mr. Austin then indicated that Commissioners' Court should also take action as to what policies would qualify, to be treated and considered under the cafeteria plan, such as the health insurance and the dental plan. He added that there was no mention of this in the agreement and Ms. Etnire explained that the original bid specified that we were going out for bids for a cafeteria plan and a dental plan and this has already been approved. Mr. Austin continued by asking if the health and the dental were the only two that qualified under this agreement and Ms. Etnire continued by saying that the County had the right to utilize the cancer plan through AFLAC and some of the other insurances, provided the billing could be worked out. Judge Ruiz tried to clarify what Mr. Austin was asking, by saying that "at this point in time, on this flexible plan, is the Commissioners' Court only allowing group health and dental, to be pre., deducted pre-tax?" and the response from Ms. Etnire was that the County had approved a premium only plan, which meant that any premium, on any policy that qualified, under federal regulations, was eligible. She continued her discussion by saying that Steve Crane, Attorney at Law, had written this contract very broad, so that the County would have the ability, to include any eligible insurance plan. The discussion continued with the County Judge trying to clarify this issue even further, by using the cancer plan, as an example and the response continued to be that any plan that qualified was eligible. Travis Heister, the County Legal Counsel, then clarified that if, say for the example, at some point in time something was worked out with AFLAC, on their billing, and this insurance was covered under the ca-

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feteria, it would not have to be brought back to Court for consideration, as it fell under the eligibility requirement. Mr. Austin indicated, however, that the employee would have to go to his office and fill out another enrollment form and the Court concurred with that. Judge Ruiz ended the discussion by reiterating that the Commissioners' Court had "accepted, by motion and action and a majority vote, a pre-tax premium plan, which is, in essence, a plan document, that gives [the Auditor] authority to deduct any premium that is well defined, and authorized by law".

## ITEM 17. URBAN COUNTY:

- A. City of Hidalgo - Engineering Service Contract
- B. Pct. #3 - Public Hearing/Budget Amendment Year 7
- C. Pct. #3 - Budget Amendment Year 7
- D. Approval of Federal Travel Regulations establishing per diem rates
- E. HOME - First-Time Homebuyer Contract Agreements and Letter of Commitment to Mortgage Company
- F. Approval of Bills

17/A

Anthony Covacevich, Urban County Director, came before the Court indicating that the City of Hidalgo was requesting permission to go into contract with Melden & Hunt, Inc., for a street improvement project, in the amount of \$33,000.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize an engineering service contract to Melden & Hunt, for the City of Hidalgo, County of Hidalgo, exempting them from the bidding procedure, under professional services.

MOTION CARRIED.  
SEE "EXHIBIT W"

17/B

Judge Ruiz called a public hearing open, to solicit comments from the public with regards to a budget amendment, being proposed by the Precinct Three Commissioner, for his Urban County Budget. Mr. Covacevich explained that the change was under Year 7 and the change was the transferring of \$10,000.00 from the Street Improvements line item to the Public Service/Youth line item. He added that the increase in fund was to fund Teen Own Print Shop (TOPS), which was non-profit organization that is involved in teen counseling and skills development. Judge Ruiz then asked if there were any questions or comments on the proposed change, there being none, the public hearing was hereby closed.

NO ACTION.  
SEE "EXHIBIT W"

17/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve the budget amendment on Year 7 Precinct Three budget.

MOTION CARRIED.  
SEE "EXHIBIT W"

17/D

Mr. Covacevich informed the Court that they were requesting to change their travel regulations and establish the same travel regulations that HUD uses for per diem rates for meals and incidental expenses and also for lodging expenses. He added that the approval of these regulations would allow the department to streamline their travel requirements, in that they will no longer have to require reimbursement receipts, from staffers and it will also streamline HUDs monitoring reviews. He continued by saying that the rates had been furnished to all of the members of the Commissioners' Court and these were flat rates based on the geographical locations. He then went on to explain how this new policy would be used. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a federal travel regulation establishing per diem rates to be approved for all Urban County and only Urban County employees.

MOTION CARRIED.  
SEE "EXHIBIT W"

17/E

Mr. Covacevich reported that he was bringing seven more applicants, for consideration, under the HOME First-time Homebuyer Program and the letters of commitment with the mortgage companies, as listed:

- |                    |                                 |
|--------------------|---------------------------------|
| Mario Benavidez    | Rural Economic & Community Dev. |
| Jose Briones       | Rural Economic & Community Dev. |
| Antonio Herbert    | Rural Economic & Community Dev. |
| Noe Garza          | Rural Economic & Community Dev. |
| Patricio Rodriguez | Frontera Mortgage               |
| Roberto Garza      | Frontera Mortgage               |
| Blanca Montemayor  | Frontera Mortgage               |

A motion was then made by Commissioner Rosel and seconded by Commissioners Sanchez and Garces, to approve contract agreement for First-time Homebuyers with seven families, within the County of Hidalgo and approve letters of commitment to mortgage companies, being Rural Economic & Community Development and Frontera Mortgage.

MOTION CARRIED.  
SEE "EXHIBIT W"

Mr. Covacevich continued by going through the end of December report on the HOME First-Time Homebuyer Program, by reporting that they had 210 applications filed, of which they have closed out 188, which have totaled \$904,400.00 in HOME Funds. He added that the Department has leveraged \$7,418,163.00, of which 80% has been new construction.

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They currently have 22 pending files, of which seven have just been approved.

17/F

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces, to approve the 1993 Urban County bill #8176 in the amount of \$1,908.00 and the 1994 Urban County bills #8177 thru #8181 totaling \$63,619.62. The total Urban County memorandum to be approved is \$65,527.62.

MOTION CARRIED.  
SEE "EXHIBIT W"

ITEM 18. OFFICE OF EMPLOYMENT AND TRAINING:

- A. Consider and Approve Preliminary PY'95 Title IIA Plan
- B. Consider and Approve Preliminary PY'95 Title IIC Plan
- C. Consider and Approve Preliminary PY'95 Title III Plan
- D. Consider and Approve request to Publish RFP's for the Title IIA, IIC, III for PY'95
- E. Ratify Cast Contract
- F. Consider and Approve Amendment to PY'94 IIC Plan to Serve 14-15 Year Olds
- G. Consider and Approve Amendments to Edcouch-Elsa ISD Teen parent Contract
- H. Consider and Approval Publication to Title IIB Request for Proposal
- I. Consider and Approve Executive Committee Approval of Contract Amendments Not Affecting Contract Dollar Amounts

18/A

David House, Division Support Manager, for the Office of Employment and Training, came before the Court requesting approval of their preliminary plan for PY '95 Title IIA. He then went on to give the program criteria for applicants, after which he stated that under the Title IIA Plan, the anticipated budget was for \$3,432,845.00, of which \$686,569.00 would go towards administration, \$1,029,853 would go towards training related/support and \$1,716,423.00 would go towards direct training. They were also anticipating to serve about 1,331 participants and with the changes in Congress presently, they are also anticipating a 10% reduction in funds and this is only a preliminary budget. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize the preliminary approval of the fiscal year 1995 Title IIA Plan, which includes a budget of \$3,432,845.00.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/B

Mr. House then went on to explain the Title IIC prelim-

inary plan for 1995 and described the program criteria, under this plan. He added that the preliminary budget was for \$2,549,348.00 of which \$509,870.00 was for administration, \$764,804.00 was for training/related support and \$1,274,674.00 was for direct training. The number of participants to be served is 1,613 and they are also anticipating a reduction of 10%. A motion was made by Commissioner Arcaute and seconded by Commissioners Rosel and Garces, to approve the preliminary 1995 Title IIC plan, as presented.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/C

Mr. House continued by explaining the Title III preliminary plat for 1995 and described the program criteria. He stated that the anticipated budget for this program was approximately \$822,248.00, with \$123,337.00 for administration, \$164,449.00 for participant support, \$123,337.00 for basic readjustment services and \$411,125.00 for retraining services. Again he added that there might be a reduction in funds of approximately 10% and it was to serve 274 participants. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve the 1995 preliminary plan for Title III, as presented.

MOTION CARRIED.  
SEE "EXHIBIT X "

18/D

Mr. House explained that this next request was for authorization to publish RFPs, for the Title IIA, Title IIC and Title III plans, as they would like for the contracts to be in place by July 1. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to authorize the publication of requests for proposals for all three Titles, IIA, IIC and III, for fiscal year 1995.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/E

Mr. House indicated that CAST had been awarded a contract earlier this program year, for specific training. He added that the Adult Program was doing fine, but under the Title IIC program they were having trouble meeting enrollment. The CAST Executive Director then approached the OET Office and asked for permission to expand the training program, to include additional training for additional occupations, for the IIC program, as the participants were expressing a desire to be trained in a basic x-ray technician and computer aided drafting. They authorized him to begin recruiting for this and with these additional occupations, CAST has met their enrollment criteria. The request at this time is for approval of the ratification of this contract. A discussion then ensued with regards to what the possible problems for the decrease in enrollment could be with Dolores Guzman clarifying the response given

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by Mr. House. The discussion then shifted to finding out under what authority the change in the contract had been done, and Ms. Guzman indicated that it had been done with approval from the Executive Committee and the request at this time was to ratify the action. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces, to ratify all actions by staff and planning department, taken on CAST adjustments and amendments, in order to meet program guidelines.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/F

Mr. House then introduced the proposed amendment to the program 1994 IIC plan, with the request being the authorization to serve 14 and 15 year olds, as well as the 16 through 21 year olds. This is basically for the teen parenting program, under the Youth Program. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel to approve an amendment to the fiscal year 1994 IIC plan to serve 14 and 15 year olds.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/G

A motion was made by Commissioner Rosel and seconded by Commissioners Sanchez and Arcaute, to approve an amendment to the contract held with Edcouch-Elsa Independent School District, under Teen Parenting, to allow 14 and 15 year olds, in their programs.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/H

Elizabeth Rodriguez, with the assistance from Paul Valzdua, explained how OET intended to advertise for RFPs, as well as, how the proposals would be graded. A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel, for authorization to make public the Title IIB requests for proposals. as presented.

MOTION CARRIED.  
SEE "EXHIBIT X"

18/I

Mr. House explained that this next item was programatic and it was similar to the ratification done on the CAST contract previously. Through this policy they would acquire Executive approval, by telephone, to okay the proposal and then present it to the PIC Board, thus not disrupting the programs and enroll as many people into the programs, as is needed. Commissioner Sanchez then asked if the department had some type of parameters, as to what would qualify for expansion and Mr. House explained that it would have to be a demand occupation. Commissioner Sanchez then asked what the need for this change in policy was

and Mr. House explained that it was all in the interest of the students, as they might not be interested in what's available and thus a change would be made in order to attract applicants. Judge Ruiz inquired as to the establishment of policy and Dolores Guzman explained that they were requesting the establishment of a policy, which would entail no change in the budget. Commissioner Sanchez then clarified what the request was, with the County Judge asking for further clarification on how this policy would be executed, with emphasis, on what the role of the Executive Director would be. Ms. Guzman explained further that the consensus of the Executive Director would have to be given first, and foremost, before this change is proposed to the Executive Committee, by the staff. A motion was then made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve and set policy, authorizing approval of contract amendments, not affecting contract dollars, by establishing a procedure that the Executive Director, may recommend to the Executive Committee; these particular changes have to be approved by the Executive Committee and then sent to Commissioners' Court.

MOTION CARRIED.  
SEE "EXHIBIT X"

ITEM 19. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:
1. Approval of Court Ordered Mediations - Flores vs. Hidalgo County - Litigation

The County Judge and Commissioners went into Executive Session accompanied by Travis Heister, the County Legal Counsel, Amber Etnire, the County Risk Manager and Ms. Shery Hall, from the District Attorney's Office.

NO ACTION.

ITEM 20. OPEN SESSION

- A. Court Order Mediation - Flores vs. Hidalgo County - Litigation

Judge Ruiz called the meeting back into Open Session, and proceeded to explain that per the recommendation from the District Attorney of a court ordered mediation, order by Judge Ramirez, on the Flores vs. Hidalgo County case. The recommendation at this time was for a settlement of \$4,000.00 and he was also recommending that this be accepted. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize a settlement in the Flores vs. County of Hidalgo

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litigation, for an amount no more than \$4,000.00.

MOTION CARRIED.

There being no further business to come before the Court, a motion was made by Commissioner Arcaute and seconded by Commissioner Rosel that said meeting of Commissioners' Court be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT  
=====

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

ITEM 1. INTERNAL LINE ITEM TRANSFER:

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve an internal line item transfer of \$2,080., as presented.

MOTION CARRIED.  
SEE "EXHIBIT Y"

ITEM 2. RESOLUTION DECLARING PROPERTY SURPLUS AND AUTHORIZING ADVERTISING SAME FOR SALE

Vona Walker informed the Court that back int 1968, when the County was acquiring right-of-way for the Pharr/San Juan Lateral, the County had bought a remainder of 5.78 acres from a property owner and it was severed from his other property. She added that, presently, there was someone who was interested, in purchasing this property for development and it was on South "I" Road, on the west side of "I" Road close to PSJA High School, and it lies between the drain ditch and a subdivision to the north. She continued by saying that the interested party was aware that he had to pay for the cost of publication, the cost

of the appraisal and that he would have to bid at least the appraised value. She said that they were presently acquiring an appraisal on this property and this property has been off the tax rolls since 1968 and if it were developed into a subdivision, it would be very advantageous to the County. Ms. Walker indicated that being that it was the Drainage District, they would request for sealed bids, to be opened on January 25th and the Court would take these bids under consideration on January 31st. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to adopt a resolution declaring this particular 5.78 acre land surplus and authorize advertising for sale, under the sealed category.

MOTION CARRIED.  
SEE "EXHIBIT Z"

ITEM 3. REQUEST OF MCALLEN CONSTRUCTION CO. INC. TO REDUCE PERCENTAGE (%) OF RETAINAGE FROM TEN PERCENT (10%) TO FIVE PERCENT (5%) ON RANCHO SANTA CRUZ/LINDA VISTA CONTRACT

Ms. Walker indicated that she had a letter from McAllen Construction requesting that the amount of their retainage be reduced from 10% to 5%, on their contract for the Rancho Santa Cruz/Linda Vista improvements. She continued by saying that they have completed the contract with the exception of the installation of boxes, on Hall Acres Road and Rancho Blanca Road and they have not been able to do this because she has not acquired the right-of-way that is needed, but being that this is a new budgetary year, she will begin negotiating this. The amount of retainage that is being requested be released at this time is \$32,193.30, which is in a savings account at First National Bank. Judge Ruiz asked what the engineers feelings were about this request and Ms. Walker responded that the engineer was in agreement. Commissioner Rosel then asked her what the amount in retainage was at this present time and also how much was needed to complete this project and Ms. Walker stated that the amount of retainage was \$64,000.00 and it would cost approximately \$120,000.00 to complete the project. Judge Ruiz then addressed a representative from McAllen Construction and indicated that he would not recommend the request at this time and this person debated this recommendation, by arguing that the delay in the completion of this project, was not their fault. After further discussion, the County Judge stated that NO ACTION would be taken on this item at this time.

NO ACTION.  
SEE "EXHIBIT AA"

A questions and comments session then ensued with Commissioner Rosel on a project that was being done in conjunction with the Drainage

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District, in the Precinct Three area.

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

MOTION CARRIED.

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

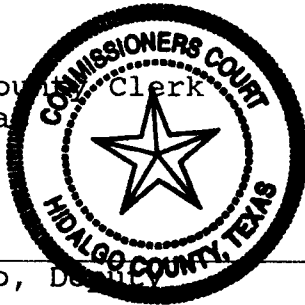
Juan Rosel \_\_\_\_\_  
County Commissioner, Precinct #3

Guadalupe "Lupe" Garces \_\_\_\_\_  
County Commissioner, Precinct #4

Dated this 3RD day of JANUARY, 1995.

ATTEST:

JOSE ELOY PULIDO, Clerk  
Hidalgo County, Texas



By: Jennifer Castillo, Deputy Clerk