

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 11TH day of DECEMBER, 1995, 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. Richard H. Garcia
Interim 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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DECEMBER 11, 1995

The Honorable Richard H. Garcia, Interim County Judge, called this meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

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- ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR
 - GENERAL FUND - #115765 - #115889 - \$149,943.35
 - SPECIAL REVENUE FUND - #115803 - #115951 - \$331,985.48
 - TRUST AND AGENCY FUND - # 5166 - # 5168 - \$ 81,031.03
 - ENTERPRISE FUND - # 2478 - # 2484 - \$ 1,451.86

(SEE EXHIBIT A)

- ITEM 2. APPROVAL OF MINUTES - AUGUST 1, 1995

(NO EXHIBIT)

- ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

- A. JUSTICE OF THE PEACE:

- 1. ARNALDO CORPUS - \$ 3,424.61 - SEPTEMBER
- 2. RENE O. TORRES - \$14,142.00 - OCTOBER
- 3. JESUS E. MORALES - \$ 5,548.00 - NOVEMBER
- 4. RUBEN RAMOS - \$17,020.61 - NOVEMBER

(SEE EXHIBIT B)

- ITEM 4. APPROVAL OF ATTORNEY FEES IN THE AMOUNT OF \$4,775.00

(SEE EXHIBIT C)

- ITEM 5. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:

- 1. AMENDED PLAT OF PALM AIRE SUBDIVISION - PCT. 1
- 2. NAILA SUBDIVISION - PCT. 2
- 3. SUNSET VILLAGE UNIT 2 - PCT. 2
- 4. EL PORVENIR SUBDIVISION - PCT. 3
- 5. LAS BRISAS II - PCT. 3
- 6. LOT A-1 MOUNTASIA SUBDIVISION - PCT. 3

(SEE EXHIBIT D)

- ITEM 6. PERMITS:

- A. NORTH ALAMO WATER SUPPLY CORPORATION - PCT. 1
- B. CITY OF ALAMO - PCT. 2
- C. SOUTHWESTERN BELL TELEPHONE CO. - PCT. 3

(SEE EXHIBIT E)

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. LANDFILL - \$3,940
- B. COUNTY COURT AT LAW #1 - \$565
- C. CONSTABLE PCT. 3 - \$80
- D. CONSTABLE PCT. 2 - \$272
- E. J.P. PCT. 2, PL. 2 - \$75
- F. 93RD DISTRICT COURT - \$700
- G. COMPUTER DEPARTMENT - \$866.22
- H. EXTENSION SERVICE - \$2,500
- I. HUMAN SERVICES - \$32.25
- J. MASTER COURT #2 - \$2.47
- K. MASTER COURT #1 - NO ACTION
- L. CENTRAL PBX - \$12.28
- M. DPS - \$2.88
- N. JUVENILE PROBATION DEPARTMENT (STATE FUNDS) - \$290
- O. JUVENILE PROBATION DEPARTMENT (STATE FUNDS) - \$7,327
- P. JUVENILE PROBATION DEPARTMENT (GENERAL FUND) - \$844
- Q. CHILD WELFARE DEPARTMENT - \$2,000
- R. TAX OFFICE - \$15,250
- S. HEALTH DEPARTMENT (ADMINISTRATION) - \$314.67
- T. SANITATION DEPARTMENT - \$564.41
- U. HIDALGO COUNTY FINANCIAL DISRUPTION TASK FORCE - \$3,000
- V. DISTRICT ATTORNEY (BAD CHECK DIVISION) - \$392.63
- W. DISTRICT ATTORNEY (INVESTIGATION FUND) - \$283.37
- X. DISTRICT ATTORNEY (GENERAL FUND) - \$6,065.38
- Y. DISTRICT CLERK - \$132.41
- Z. 206TH DISTRICT COURT - \$3,134.09
- AA. ELECTION ADMINISTRATION - \$3,128.24
- BB. PCT. #3 (PARK) - \$7,400
- CC. PCT. #3 (ADMINISTRATION) \$700
- DD. PCT. #3 (PAVED/UNPAVED) - \$23,060.81
- EE. VETERANS SERVICE OFFICE - \$19.03
- FF. PERSONNEL DEPARTMENT - \$1,200
- GG. SHERIFF'S DEPARTMENT - \$50,331.92
- HH. ADULT DETENTION FACILITY - \$2,014
- II. REPRODUCTION DEPARTMENT - \$650
- JJ. PLANNING DEPARTMENT - \$232.84
- KK. SHERIFF'S INVESTIGATION - \$335
- LL. PCT. #4 (PAVED/UNPAVED) - \$18,100

(SEE EXHIBIT F)

Judge Garcia opened by stating that there were some corrections. Item K will be for no action. Items Y, DD & FF have corrections. It was stated by the Commission that with the exception of item K, the corrections were just in the numbers as the support data shows. A motion

was then made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the Consent Agenda as corrected.

MOTION CARRIED
(SEE EXHIBITS A-F)

REGULAR AGENDA
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ITEM 1. URBAN COUNTY:

- A. RESOLUTION FOR A PERFORMANCE AMENDMENT FOR THE PLANNING AND CAPACITY BUILDING FUND CONTRACT #714095
- B. HOME - FIRST TIME HOME BUYER CONTRACT AGREEMENTS AND LETTER OF COMMITMENT TO MORTGAGE COMPANY'S
- C. PCT. 2 - YEAR 7 CONTRACT AWARD - STREET IMPROVEMENTS PROJECT PHASE 2

1A

Anthony Covacevich opened by stating that this resolution was for a performance amendment for the planning and capacity building fund contract. This is in relation to the subdivision regulations passed back in June. Before these amendments, there were plans to plat several colonias that were not platted. They cannot be done now due to HB 1001 unless the County is ready to assume the responsibilities of a developer. This resolution will allow for a way for this to be done in such a way that all the costs will not be incurred by the County. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the resolution for performance amendment for the planning and capacity building fund contract and will state #714095.

MOTION CARRIED
(SEE EXHIBIT G)

1B

Mr. Covacevich stated that there were five families that were qualified for this program and he recommended approval. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT G)

1C

Mr. Covacevich stated that this was a contract with Mission

Paving Company for street improvements in Pct. 2. The amount of this contract is for \$71,013.25. A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to award the bid to Mission Paving.

MOTION CARRIED
(SEE EXHIBIT G)

ITEM 2. REQUEST FOR COUNTY ROAD NAME CHANGE - MR. HARRY L. ADDIS

THIS ITEM IS IN VERBATIM FORMAT.

HARRY ADDIS On the 12th of June, I addressed the Court in regard to the procedure in which Morningside Road was changed to Cesar Chavez on the 22nd of November 1994. In researching of public records, I found a letter from the UFW, Ms. Cox dated 14th of November. Stamped in as being received the 16th of November.

JUDGE GARCIA Of what year are you referring to Sir?

HARRY ADDIS 1994. At that time, the text of the letter indicated a conversation with Judge Ruiz in 1993 concerning the possibility of a road name in honor of Cesar Chavez. I'd like to repeat one thing that I said on the 12th of June. This has absolutely nothing to do with Mr. Chavez. We honor him, we respect him; We do not want him used as a scapegoat and a whipping boy for this project. On the 15th of November 1994, Judge Ruiz sent a memo to the Commissioner's Court. On the 22nd of November, the Commissioner's Court acted on a road name change. Posting of this and the fact that it was received on the 16th of November 1994 and acted on on the 22nd of November was not in accord with the precepts that laid down to me for my appearance before the Court. I was told by Mrs. Etnire that the request to be on the Agenda had to be in the hands of the administrative section in writing seven days before the Court met. This violated that precept by being received on the 16th. However, the in date of this letter was changed from the 16th to the 15th, which put it within the bounds of this seven days. No one on Morningside Road, property owner or anything else knew anything about this. Posting, I'll grant was done within the time limit of 72 hours before meeting but in addition to that, it is posted in an obscure place, which I will venture to say, not one out of 100 normal citizens know where the Agenda is posted.

551 requires the posting available to the Public 24 hours a day in the Courthouse. It is presently posted in 2 obscure Neither in the Courthouse. They are outside. One is here at the annex. The other is in the backside of the Courthouse. That is after the fact. I have a few questions I would like address to the Court that have come to my attention. I don't know how many people know that we have a Chavez street in Edinburg. This conflicts with Cesar Chavez.

JUDGE GARCIA Well let me comment there. I've lived in Edinburg all my life and that street has been there all my life and I don't think it had anything to do in the world with Cesar Chavez cause he's lived during my lifetime and that was before he was of any significance, before he became a national figure. When I was a kid, Chavez street existed.

HARRY ADDIS No comment, no argument with that Judge...

JUDGE GARCIA Alright. Go ahead.

HARRY ADDIS ...what I'm trying to point out at this point is fire and police department because of the role of responding to 911 calls and the fact that Edinburg has a Chavez Street. What was the Fire Chief's response when he was contacted about this. Anybody say anything or did anybody contact the fire chief of any conflict between the Edinburg Chavez Street and rural Chavez road? We don't know. They're paid to fight our fires in the County, but how are they gonna get to the County if they respond to Chavez in Edinburg or the fire is on Chavez Street in Edinburg and they respond in the County on 911. There is a conflict and a very serious conflict except especially if EMS is involved. The same confusion could occur. We feel that as stated in the resolution on the 12th of June 1995, that we can preclude this type of embarrassment in the Court and embarrassment and load on the people. There was a period right after the Court turned me down in June, that there was request from a veteran and his veteran's brother; the veteran died in service. His brother wanted a street name changed in his honor. The petition was made. Baseline Road changed to Martinez Road. I think it was over in Mercedes. Commissioner Sanchez took it up. He talked to the people on the Road. How did they feel about it? They all were in concurrence. The name was changed. It was submitted by

Commissioner Sanchez and I commend him for doing it in the proper manner. There is no reason why the people affected by this on Morningside Road were not contacted and not advised. The only publication I saw prior to digging into this was a monitor item of November the 23rd 1994. Head line saying Morningside Road changed. So on and so forth. At this point, I'd like to turn this podium over to my colleague, if I may, for some further comment.

JUDGE GARCIA Alright. Let me ask you this. What is the effect as you perceive it with the name that has...the way it is now?

HARRY ADDIS What have I done sir?

JUDGE GARCIA What is the effect? You're making....

HARRY ADDIS The effect is...This is affecting by my mail going astray for one thing. Mail being returned. The account charges were supposed within a certain time were not received and returned to the sender. This is just one of the items. Retirement check...

JUDGE GARCIA When did that happen sir?

HARRY ADDIS That happened in March, April....

JUDGE GARCIA Shortly after the name change.

HARRY ADDIS Yes sir.

COMM. ROSEL I had to ask a question judge.

JUDGE GARCIA Yes.

COMM. ROSEL Sir. From what I'm hearing from you, I don't think that I'm hearing that...unless not hearing right but, I'm not hearing from you that you are against the naming of Cesar Chavez that road Cesar Chavez road but I think what you're saying is that you're more opposing the process that was used. Is that correct?

HARRY ADDIS No sir. Not exactly. Morningside Road has been there as far as we know and I know over the last 30 years and everything and everybody on the road knows it. The process is questionable in my mind. For example, this was acted on

in the Court on the 22nd of November 1994 but if you look at the County Map, present edition, the update is dated 1 January 1995. Now how in the world can we get all of that done in a space of 5 weeks? It's an incredibly efficient maneuver. I don't know what the ramifications are. There was one other thing. In the changing of the date on the letter, on the in date, that is a violation of 552 open records. It says in one paragraph, changing, alteration, mutilation of any public record will be punishable by a fine up to \$4,000 or both. Who changed the dates? So there's many, many questions arise.

JUDGE GARCIA Have you discussed that with the District Attorney's Office or any Law Enforcement?

HARRY ADDIS No sir I haven't. I haven't talked to anyone outside of the Court here sir. That is all I have.

JUDGE GARCIA Any other questions for Mr. Addis?

COMM. GARCES I'm gonna hold my comments. I think... I don't know how you want to do it Judge. It's you quorum.

JUDGE GARCIA Well. I'm gonna give them an opportunity to present another person to speak and then the other can make any presentation. Mr. Addis. You referred to someone else that was going to make a further presentation.

HARRY ADDIS Yes. I have Felix Garza, who will....

JUDGE GARCIA Mr. Garza you welcome to come forward.

HARRY ADDIS ...take my place.

FELIX GARZA Judge. Commissioners. Thank you for having us here. I'm not to much at making speeches but we are speaking, I am speaking from the heart and speaking for the people of morningside road. I have a lot of friends here. Could I ask them to raise their hand?

COMM. GARCES Just raise their hand. We don't....

FELIX GARZA Just to raise their hand. Morningside Road. Morningside Road. Thank you. Judge. The reason I did this and I picked out the petition that I presented to the

Commissioner. I brought it to him. We had over 1000 signatures and they were from people who live on morningside road, that are registered voters and we have I.D. numbers and we pay taxes there.

JUDGE GARCIA Alright. I'm gonna interrupt you very briefly.

FELIX GARZA Sure.

JUDGE GARCIA Mr. Garza is entitled to the same courtesy that we're gonna give him from you. Same courtesy that Mr. Addis received, able to make his presentation. I don't want to keep interrupting him to call this meeting to order. So please be courteous to Mr. Garza and allow him to continue. You may continue.

FELIX GARZA Thank you Judge. Judge. Further on, I'd like to say that all these people that we got to sign, we got them all the way from the levies, Monte Cristo. We first started doing it in Pct. 4 all the way to Owassa Road but then the people down south jumped in and wanted to see what we were doing because I talk to Commissioner and he said we only have jurisdiction as far as Owassa. Is that correct Commissioner? Then the people down south said we want to join with you all in you effort. So we did. We got signatures. We got a little over 1000 signatures. Something else that I'd like to say is that like we there are, we don't have nothing against Mr. Chavez. The community has nothing....I'm sure a lot of my hispanic friends here...back here, nobody has got anything to do with it. It just a matter that it was done. We were not notified. The first thing we knew, there were signs of Cesar Chavez. Well, that's when we decided to pick up a petition amongst ourselves there. We started having meetings and things of that sort.

JUDGE GARCIA How has it affected you Mr. Garza?

FELIX GARZA Well, it's the fact that not only me but it's affected me because I have invoices, business cards and they do cost me money. They cost me about \$700 for me to reprint my invoices and I went to Commissioner and told him who's gonna pay me for the invoices. Was the Commissioners gonna pay me for my invoices or who was gonna pay me for my them because they're gonna cost me money. It's the impact and economic that I couldn't see...you know.

JUDGE GARCIA So it has cost you....

FELIX GARZA It has. A lot of the businesses on Morningside Road like Action. It took \$2,000 for him to change everything....

JUDGE GARCIA ...but you've already made those changes though. Is that what you're telling me?

FELIX GARZA No I haven't. Because we were not satisfied with having the name Cesar Chavez because we were not heard the last time.

JUDGE GARCIA So you have not changed your invoices?

FELIX GARZA No I haven't. I will not until we get this thing to the end.

JUDGE GARCIA Any other questions for Mr. Garza. Is that...I'm sorry...are you through with your presentation?

FELIX GARZA No. We have a lot of people on this road that were there, that have been there 60 years. I have a lady that is 91 years old that wanted to be present and could not be present The mother of the Arteagas. She's one of the oldest ladies on the road....knows the history of the road and we're not about to let anybody take our road away from us just like that. We have our own heroes Judge, if we wanted to recognize somebody. We're not doing it because we love our name Morningside and I....Judge..at this time, I would ask if you would consider...you know....help us out on this recommendation. Thank you.

COMM. GARCES Thank you Felix.

JUDGE GARCIA Alright. We will hear from anyone that is...

RAYMOND GILL Judge.

JUDGE GARCIA Yes.

RAYMOND GILL Judge Garcia. Does this come down.

JUDGE GARCIA I don't know if detaches. Can you see...

RAYMOND GILL I don't think it goes down.

JUDGE GARCIA Sorry. I'm..I don't know...

COMM. ARCAUTE It should pick up right there where he is.

RAYMOND GILL Judge Garcia. Members of the Commissioner's Court. My name is Raymond Gill. I'm an attorney with the Project---of the South Texas...excuse me Commissioner. I don't mean to be rude. It's just difficult to for me to see everyone. With South Texas Civil Rights Project and as some of you Commissioners know Judge and you Judge, I am the Attorney with the United Farm Worker's Union. I am here on behalf of the residents along Morningside Road, former Morningside Road Cesar Chavez, that we represent and on behalf of the United Farm Worker's Union, which has its physical address on Cesar Chavez Road to speak to you in opposition to Mr. Addis' request. There is a statute which...under Texas Law which does refer to the Commissioner's Court and establishing roads and naming roads. That statute is section 251.013 of the Texas Transportation Code. I'd like to read some of the language from that statute. The Commissioner's Court of a County by order may adopt uniform standards for naming public roads. The standards apply to any new public road that is established. The Commissioner's Court of the County by order may adopt a name for a public road and I'll read further. A Commissioner's Court may adopt an order under this section only after conducting a public hearing on the proposed order. The Court shall give public notice of the hearing at least two weeks before the date of the hearing. That's the statute that would seem to apply. Our position is that that statute does not apply. ---and I'll tell you why. When a County establishes a new road and that's specifically what this statute talks about, the standards apply to any new public road that is established. When that happens, what the County does, it uses its power of eminent domain to actually go through a condemnation proceeding to take what was private property, what belonged to individuals and becomes then County Property. That is what's known in the law as a taking. That taking trips constitutional requirements of due process whereby notice and hearing are provided to the individuals that own that property and that's only fair. An individual that owns property that's going to be taken by a Government, should

certainly be given the right for a public notice and an opportunity to be heard. That's the constitutional due process right of any citizen that's gonna have his or her property taken by a government. In this situation, there is no taking of personal property. Texas Courts have said very clear, that to bring that taking clause of the U.S. Constitution and the Texas Constitution into application, there must be an actual taking of property. What that means is something that belonged to me, that was my private property, becomes the property of Hidalgo County. That triggers the right for me to have public notice and to have a hearing on that issue. So our position is that this statute simply does not apply in this situation. So there is no public notice and public hearing requirement under this statute. It simply does not apply in this matter. Excuse me just minute. I tend to get a little bit dry when I speak in public. There is at most in this instant action and you heard Mr. Addis speak of it and you heard the second speaker speak of it, what the law would consider the minor inconvenience of lawful governmental action when the Government does take property. As I said, that does not apply in this case. Certainly whenever the Government is going to use it's eminent domain powers and take something, then there will be a certain amount of inconvenience but that's power that's given to our government under the power of eminent domain so that the affairs of government can go forward so that new roads can be established. To require that....to say that there would a taking of property in this case because some people had to change some letter heads, or something had to change their business cards, or some people maybe have had to...have had problems with the mail, that does not rise to the level of the taking under decisions by Texas Courts and the fact that Mr. Addis may be having problems with his mail is not a problem....is not an issue for this Commissioner's Court. That is an issue for Mr. Addis and his supporters to take up with U.S. mail and the U.S. Postal Service. So our first position is that this statute simply does not apply. There are no public notice and hearing requirements. If the Court believes, the Commissioner's Court believes that yes this statute does apply, the we need to go to the language of the statute. This is what the statute says and this language is critically important. It says the Commissioner's Court of the County by order may adopt uniform standards for naming public roads. The Commissioner's Court of the County by

order, may adopt a name for a public road. That language is not mandatory. That's critical under the law because what that means is that there is no legal lawful requirement for this County to give and this Commissioner's Court to give public notice and hearing in this action. Therefore, and what that especially means is, there is no...as I see it, there is no legal action no judicial action that Mr. Addis and his supporters can take to force this County, to require this County to change the name of Cesar Chavez Road back to Morningside or any other name. If Mr. Addis prevail upon attorneys to file some kind of civil action against this Commissioner's Court, you could rest assured that the South Texas Civil Rights Projects and the United Farmworkers Union would intervene as a party-----to defend the rights of this County to take the action that it's taken and to stand on its June 12, 1995 action. So the South Texas Project would intervene, we would litigate this to the full extent that the law allows because as I will say next, Hidalgo County has taken all lawful action that's required by the law. If the County does believe that some how that notice and public hearing is required, that notice and public hearing has been perfectly satisfied to date. The November 24, 1994 Commissioner's Court meeting, that item was placed on a public published agenda. That was a public meeting. Nothing was done in secret. There was no hidden agenda for anyone. That was an item that was taken up by the Commissioner's Court at its Regular Public meetings. The public was certainly invited to attend. On June 12, 1995, Mr. Addis got an agenda item. The agenda item specifically says to change the name of Cesar Chavez Rd. If there were any problems with the November 22, 1994 decision by this Commissioner's Court in terms of any notice or hearing that was required, that deficiency was cured on June 12, 1995 when Mr. Addis and his supporters came before this Court and to air this issue once again completely and fully. The Courtroom was packed. Mr. Addis and his supporters had full opportunity for a hearing. Mr. Addis had received actual notice under the law because you did show up. Pro and Con was heard by the Commissioner's Court. The Commissioner's Court at that time heard this exact same issue and voted unanimously to retain the name Cesar Chavez road. If there was again any deficiency on the November 24, 1994, Mr. Addis and his supporters had full opportunity under the law for any notice and hearing that would have

been required if notice and hearing was required. No Judicial Court in the land would require this Commissioner's Court to do any more than it had done on June 12, 1995. Here we are again. It is now December 11, 1995 and we are faced with the exact same agenda item on the exact same issue that this Court lawfully and under full authority granted by the Constitution of Texas Statutes, had made a decision on June 12, 1995 that was perfectly and absolutely lawful. There is no legal requirement for this Court to decide this issue at this time. That issue has been decided. It was decided lawfully and there is no reason for this Court to revisit the issue of changing Cesar Chavez back to Morningside or any other name. So on behalf of the residents of Cesar Chavez Road, whom we represent and Juanita Valdez Cox is gonna present a petition with many signatures of people that live on Cesar Chavez Road. We also have petitions who...of Hidalgo County Residents on behalf of the United Farmworkers Union which is located on Cesar Chavez road, on behalf of the farm workers that our union represents and behalf of the Hidalgo County residents, I urge you to let this matter rest. Take no further action. There is no requirement that this Court even vote on this issue at this time. If the Court does, we urge on behalf of the farm workers of the Rio Grande Valley who honor Cesar Chavez as a great and selfless leader to leave name Cesar Chavez Rd. Cesar Chavez Rd. Thank you.

JUDGE GARCIA Enough ovation. The petitioners or people that are requesting this came to me along with the Commissioner and advised me that they were not given an opportunity the address the issue of the economic disadvantage created by the name change. I think we have now heard in connection with that and that was a large reason and purpose for consideration that I gave for the Commissioner's request and we have...I don't know, I wasn't here for the last meeting but I know that now that that issue has been addressed and we heard it. So...you have a further presentation Ms. Cox.

JUANITA COX Good evening Judge and Commissioners. Tonight marks the third time this issue has been on the Agenda for the County Commission. I sincerely hope that this will be the last time we have appear on this matter, but I promise if the idea of changing the name of Cesar Chavez Road would to appear on the Agenda again for every week for the next 10

years, we would be here to present our case every time. Last year when this Court decided to rename Morningside Rd. in honor of Cesar Chavez, we were pleased that a great man was being honored by Hidalgo County. Cesar was indeed a hero to farmworkers all across this Country but just as Martin Luther King was respected and appreciated by people of all races, so to was Cesar Chavez. Both men worked tirelessly to find non violent solutions to the overwhelming problems. Their lives stand as shining examples to all people of decency and honor. This Court did a very good thing to rename Morningside Road to Cesar Chavez and it was done exactly in the manner prescribed by law and by whatever system was out there, that is what we followed. Whatever process was there at that time, that is what we followed but then you went beyond the call of duty and you reconsidered the matter back in June because a group of local residents were upset. In both case, the vote was unanimous. First to rename the road and then to reaffirm the decision and yet here we are again discussing the name of Cesar Chavez Road. They claim that their desire to rename Cesar Chavez Road is driven by economics. It would cost too much to have new stationary or business cards printed. They say that it was not publicized. It was publicized not once, it was publicized twice. It was not publicized only with the County Commissioner's Court, it was publicized in an agenda that was passed by the City of Alamo, by the City of Edinburg, by the City of San Juan, all in favor of the resolution to rename that street and we have copies of that. There must come a time when a small inconvenience is offset by a lifetime of self sacrifice for the benefits of others. The time has come for Cesar and the time has come for this Commissioner's Court to stand firmly behind a vote twice taken unanimously. You have done the right thing. You have done it well within the limits of the law. Surely, there can be no reason to abandon this good work. Thank You. We also have, like Raymond stated, in 2 hours on Friday, we collected 600 signatures. All along Cesar Chavez Rd. We have signatures from this County all along....

JUDGE GARCIA Alright. Now we didn't have any of that when the other speakers were up here and we're not gonna have it at all for anybody. As I told you, you will be removed if we continue to have these types of disruptions.

JUANITA COX

We also have another petition from just residents in Hidalgo County that have...all of whom have decided that the road should stay as it is now, Cesar Chavez. Do we come before this Commissioner's Court...I would like to know how many roads have been changed in Hidalgo County where they have been before you 3 times. People suffer inconveniences yes we do. I see that a lot of the people here are winter tourists from up north. I would just like to ask them...my family, many of us, we worked in the fields and we spent 6 months or longer up there. We didn't go change any roads. They live for a while. We live here all of the time. We know it's an inconvenience for some of them and we do sympathize with them but what was done, was done legally. It was done once, It was done twice and here we are again. Hopefully, this will be the last time. Thank you.

JUDGE GARCIA

Alright. Now the procedure as we were called, was that we would have two people from each side make a presentation. Commissioner. You were requesting an opportunity to then address the issue at the close of that. I'll turn it over to you.

COMM. GARCES

Thank you Judge. Let me just start of by naming some of the residents of Morningside. The Garcias, Garzas, Gonzalez, Penas, Medinas, Linares, Mendozas, Arteagas, Chavez, Veras, Martinez, Mclleland Properties, Wimbeglar, Cuevas, Renterias, Salamantes, Cuellar, Jackson, Salinas, Addis and so on. It's rather ironic to me Judge, Commissioners, that the very principles that Cesar Chavez stood for in having that awesome voice is at play again once again. I commend Mr. Gill and his statutes and research and efforts but when I got elected 18 months ago, I took oath to represent a group of Hidalgo County and I'm gonna listen to them and I base my political lively hood on doing what's right not what's popular and we've taken stands already in a little short term of office. My commitments are to my people of this precinct and I most certainly respect the man that we here to and honor again. Some of you all have shaken my hand. You can see and feel the calluses. We've done that type of work and we say it with a lot of pride. It is not a Cesar Chavez, an Addis, a Garces, a Garza saying, it's a representing and allowing the force of the people to speak. That's why all of us are here today. That's basically what up to do. Mr. Gill, it

seems, according to statute, to law, to constitution, to whatever you might...I'm late...I'm a late person. It seems, but I'd like to think that if there's ever a doubt in anything that we do, put it back before the people. The two month long trial that we've had, put it back before the people and bestow that in them and I think the residents of Morningside are here to do that today. That's what I'm saying. In conversations that I've had with various people from Morningside, when the suggestion came back to changing the name back to Morningside, I was advised that it was limited type of presentation that was allowed to this man over here, whether it be brown, black, green or whatever it is...race is. He was limited to what he could say before this podium. I don't take that kindly. You people, the United Farmworkers, you stand for that. That's what your group and your Union is all about, to be heard. Let the residents of Morningside be heard. I ask you. In that Judge I'm gonna recommend to this Court in a motion that we name at the very least, if we count on rural jurisdiction, to name Morningside from Owassa north. Pct. 4. I put that in the form of a motion before this Court.

JUDGE GARCIA

Alright. I have some further comment. First of all, I recognize Commissioner that you are here as an advocate for the citizens in you precinct and I appreciate that that is what you are doing. You're representing the position the people...many of the people that are here on behalf of this request are from you precinct. I recognize that. I'm here as a Judge and I'm here to look out for everybody in the County and the best interest of everyone in the County. I think before we proceed forward, if there's any comments from the other Commissioners, they're also advocates for their areas and all of us are advocates of course for the entire County but I do want to say, as a matter of fact, this is my backyard too and many of the people, Mr. Garza that spoke...Felix is a man that I grew up with and I consider a friend and some of the other people that live on that road that you mentioned; the Veras...Mr. Vera....I'm certainly partial to any request they make because they are friends but I have to be impartial here and I have to ask the questions that I feel are proper and that's what I've been doing tonight as best I can. I think that they...both sides have been given an...every opportunity and now no one can say that they were denied any...the opportunity to address any issue. I guess the only new issue that was not

addressed previously is the economic disadvantage. I know that this something that anytime you have...when you have as Mr. Gill referred to it...when you have a new road, it's something that is very easy to deal with. This is not uncommon and not unusual however and Mr. Garza, I'm sure remembers and will agree with me right here in the City of Edinburg many years ago, one of our very good friends to that we grew up with, Freddy Gonzalez who has gained...not a national stature like Cesar Chavez but a very large stature at least within our area. I remember when there was road here in Edinburg named Country Club Drive and the name change was made go Freddy Gonzalez Rd. and that was a very unpopular situation with a lot of people. Probably mostly with residents that lived on that particular road because of the inconveniences and for whatever other reasons and that was done quite sometime ago. There might have been some other underlying reasons for the dislike for that action but be that what it may, there was an inconvenience. It's behind all of us and I think all of us are very proud that we have a Freddy Gonzalez Drive in the City of Edinburg, The City of McAllen that I'm sure all of us are familiar with that's been renamed Nikki Rowe and I don't remember that there was that much disagreement or comment about that particular change but I'm sure that some people had some observations when that was done. These are some matter that are inconvenient to some people and yes we do all have our heroes and Cesar Chavez is one my heroes by the way, I was lucky enough to meet the gentleman when he was here in the Valley and....I'm sorry...I see some snickers back there but I'm proud of that. I had an opportunity to meet him and he was a fine gentleman and everything that I've seen on national T.V. and everything else, I think he is a man that very much deserves the praise that he has received nation wide. He gave a voice to a lot of people that needed to have a voice and didn't have a voice before that. What road are we gonna pick for him? I don't know. I suppose at any point, unless it's a brand new road we create somewhere, that somebody is gonna be inconvenienced but these are just some of the observations that I have. I would request and gladly receive any comments from any of the other Commissioners. I guess we have several options. One is to proceed with the motion. There is an option to not or whatever but we do have a motion. Do I hear a second to that motion? Absent any second to the motion then, motion dies. Do I hear any other motions?

COMM. ARCAUTE Is the item on the agenda....the request is for the name change. Am I correct in....

JUDGE GARCIA I believe that.....

COMM. ARCAUTEwhat I read there.

JUDGE GARCIA I believe that was your motion to....

COMM. GARCES Yea. To change the name of Cesar Chavez from whatever is County Jurisdiction north....

COMM. ARCAUTE Well. That one is dead. That motion is dead.

COMM. GARCES Okay then. Let me....

COMM. ARCAUTE (INAUDIBLE)

COMM. GARCESgive an alternative to that would be...being that I'm representing the Morningside people in Pct. 4, I whole heartedly recommend in a motion form Judge, Commissioners to name Morningside Rd. from Owassa North which is in Pct. 4.

COMM. ARCAUTE What was your previous motion?

COMM. GARCES The County jurisdiction from anything north of the Expressway on Cesar Chavez north. The alternative would be like I said it now in the form of a motion from Owassa north naming Morningside Rd....

JUDGE GARCIA Naming Cesar Chavez Rd....

COMM. GARCES Cesar Chavez...Morningside Rd. in the area of Pct. 4.

JUDGE GARCIA Do I hear a second to that motion? Motion dies for lack of second.

COMM. ARCAUTE Let me ask again. On item 2 is a request....

JUDGE GARCIA Actually...it is....I don't know that it's proper to take any action as it's listed on the agenda anyway but...

COMM. ARCAUTE So this was the request then. Just for the change on the jurisdiction.

COMM. GARCES That was the request.

COMM. ARCAUTE Let's continue with the order of the day.

JUDGE GARCIA Absent any further comment in connection with item #2 then we will move into item #3.

AT THIS TIME THE COMMISSION MOVED IN TO ITEM 20.

ITEM 20. CLOSED SESSION:

COMMISSIONER'S COURT MAY GO INTO A CLOSED SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 TO DISCUSS THE FOLLOWING MATTER:

A. CITY OF ALTON VS. HIDALGO COUNTY

At this time, the Commission moved in the closed session.

ITEM 21. OPEN SESSION:

A. CITY OF ALTON VS. HIDALGO COUNTY

A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to authorize the County Attorney to enter into a settlement within the parameters discussed in Executive Session.

MOTION CARRIED

(NO EXHIBIT)

ITEM 3. REQUEST OF INSTALLATION OF PERSONALLY OWNED VENDING MACHINES AT COUNTY ADMINISTRATION AND COURTHOUSE BUILDINGS - CONCEPCION RODRIGUEZ

Mr. Concepcion Rodriguez addressed the Court and stated that he would like to install some vending machines in the Courthouse and Administration buildings. This is so that there will be access to snacks after the snack shop closes at 4:00 p.m. being that there is still activity after closing. Mr. Girault, Legal Counsel in for Mr. Crain, stated that they would have to look at the contract Mr. Rodriguez has with the County to see if this request fits within those parameters. The Commission stated that they will take a no action and place it on the agenda the following week to give legal counsel time to review this contract.

NO ACTION
(SEE EXHIBIT I)

ITEM 4. APPROVAL OF COURT ORDER SETTING SALARY OF COURT REPORTERS FOR
1996 AND AMEND BUDGET

Judge Garcia stated that the Board of Judges had taken action and had awarded a 10% increase instead of the 7% increase proposed by the Commission. There was some confusion as to whether or not the Commission had to follow this order set forth by the Board of Judges. It was the opinion of Mr. Girault that the Board of Judges had the power to set these salaries and that the Commission had to follow the decision of the Board. Commissioner Sanchez made a motion to adhere to the decision that was made on all salaries to all county employees. Commissioner Rosel seconded the motion for discussion. He stated that he agreed with Commissioner Sanchez and keep it at the same level as the rest of the employees. He stated that there was an incident in the past where the Commission was threatened to be incarcerated because of a denial. He did not feel that this 10% increase was justified. The reason for this is because aside from their \$40,000 salary, they all make an average of \$10,000 more per reporter per year. The motion to deny the order for the 10% increase was put to a vote and all voted in favor.

MOTION CARRIED (DENIED)
(SEE EXHIBIT J)

ITEM 5. HIDALGO COUNTY LIBRARY SYSTEM:

- A. RESOLUTION TO SUPPORT THE APPLICATION FOR A GRANT FOR
INTERNET CONNECTIVITY FROM THE STATE LIBRARY (PROJECT LINK)

5A

Bill McGee stated that this internet connectivity would be funded by the State. The amount to be divided by Hidalgo and Cameron Counties will be \$430,000 to enable each library to have access to the internet. The County will bare no monetary obligation. The initial 2 years will be handled by the State and after those 2 years, the cost will be inherited by the libraries themselves. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the resolution and support the application for grant for the internet connectivity from the State Library project called link.

MOTION CARRIED
(SEE EXHIBIT K)

ITEM 6. SHERIFF'S DEPARTMENT:

- A. APPROVAL OF BOND #LPO900266 - ENRIQUE ESCALON - SHERIFF
- B. APPROVAL TO APPROPRIATE BUDGET FOR 1996 SHERIFF'S INVESTIGATION FUND
- C. SET SALARY - ACCOUNTANT POSITION - INVESTIGATION FUND
- D. CONSIDERATION OF BUDGET AMENDMENTS
- E. APPROVAL OF BILL - OUTSIDE AGENCY BILL BACK

6A

Mrs. Etnire stated that this bond was effective 11/16/94. The only change from the original bond is that the expiration date was changed from 11/16/96 to 12/31/96. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT L)

6B

Mr. Castellano stated that this was just a formality. This is to adjust some line item transfers in the investigation fund that should have been on the Consent Agenda. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED
(SEE EXHIBIT L)

6C

Mr. Castellano stated that this salary is being paid out of the investigation fund. The salary is now \$24,000 and with the 7% increase incorporated, it will be \$25,680 for 1996. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve and set salary for the accounting position of the investigation fund in the amount of \$25,680.

MOTION CARRIED
(SEE EXHIBIT L)

The Commission reverted back to item 6B. Commissioner Sanchez stated that this item was on the Consent Agenda and action was taken on it twice. Commissioner Garces made a motion and was seconded by Commissioner Sanchez to rescind the action when he moved for the \$335 be appropriated.

MOTION CARRIED

The Commission took the correct action in rescinding what was already on the Consent, which is what the motion was originally. Now they have to appropriate the budget as indicated on Item B. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the appropriation.

MOTION CARRIED

6D&E

Mr. Castellano stated that Chief Eastin would address this item. He stated that this was a bill incurred as a result of inmates being housed at other facilities. Chief Eastin stated that the County was under State Mandate to reduce the jail population to 597. He stated that all the inmates that were housed at the other units were brought back as space would permit and they are all back at the County Jail. The total bill is \$12,640. Commissioner Sanchez brought up some questions regarding which item they needed to take up first and it was decided that the amendments should be addressed first. Commissioner Sanchez then brought up the question about the amendment for object 22 with regards to the fact that they recently had amendments for this line item. It was stated that at that time, Chief Eastin was asked if that amendment would carry them to the end of the year. Chief Eastin responded by stating that there was no way of really knowing if that amount would be enough because there may be an influx of inmates with illnesses or anything could occur. There was some discontent on behalf of Commissioner Sanchez. After further comments, a motion was made by Commissioner Rosel and seconded by Commissioner Garces to table items 6D&E.

MOTION CARRIED
(SEE EXHIBIT L)

- ITEM 7. DECLARE EQUIPMENT SURPLUS:
- A. VARIOUS EQUIPMENT - DISTRICT ATTORNEY
 - B. VARIOUS EQUIPMENT - 332ND DISTRICT COURT
 - C. EXECUTIVE CHAIR - 93RD DISTRICT COURT

7A

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to declare equipment surplus for the District Attorney.

MOTION CARRIED
(SEE EXHIBIT M)

7B

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to declare equipment surplus.

MOTION CARRIED
(SEE EXHIBIT M)

7C

A motion was introduced by Commissioner Rosel and was seconded by Commissioner Garces to declare equipment surplus for the 93rd District Court.

MOTION CARRIED
(SEE EXHIBIT M)

ITEM 8. COUNTY CLERK:

A. CANCELLATION OF CONTRACT WITH SANWA LEASING INCORPORATION

Eloy Pulido opened by stating that back in January of 1995, there were 2 copiers at the County Clerk's Office. One was on loan from the D.A.'s Office, which was inoperable and there was also another copier inoperable. Out of the 4 copiers that were there, only 2 were in operation. Also back in January, they had received a bill for the rental of copier for \$924. Upon research of this bill, it was discovered that the bill was legitimate. In the process of researching for a less expensive copier, they bargained a price of \$300, per month with Copy Data. The County Clerk's Office was under the assumption that this was a state bid. While the \$300 copier was in use, so was the \$924 copier with the understanding that there was talks to terminate this contract. After months of negotiation, Mr. Girault advised Mr. Pulido that he had negotiated a buy out of the pending bill and the remainder of the contract. Mr. Austin had only made two payments. Mr. Pulido went on to state that the buy out that was negotiated was for the wrong contract. There was some question raised about how the \$300 contract was obtained with regards to the 3 quotes. All the paperwork had been submitted to Ms. Maldonado. It was later found out that this was not a state bid but was \$200 less than the state bid contract. The way this item was worded on the Agenda caused Mr. Pulido to request a vote against the termination of the contract due to it being the most advantageous even though it was not on a state bid. He would like to come back the following week and have time to negotiate a buy out of the correct contract; that being the \$924 per month lease. This contract was entered into by Oscar Cantu, the previous chief deputy back in September of 1994. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to deny the cancellation of the contract with Sanwa Leasing Incorporation and pay the outstanding cost that is with it as recommended

by the County Clerk.

MOTION CARRIED
(SEE EXHIBIT N)

It was stated that since this was not a state bid, then the contract had to refer back to the County Policy and obtain 3 quotes. Mr. Pulido stated that they do have 3 quotes and they were submitted to the Purchasing Department to make this a legal contract.

ITEM 9. JUVENILE PROBATION DEPARTMENT:
A. BUDGET ADJUSTMENT - \$25,000

NO ACTION
(SEE EXHIBIT O)

Commissioner Sanchez reverted back to item 8. He stated that since this was not a state bid, action was in order to waive the County Purchasing Policy to make sure that this bill was paid. He also requested that this action be taken in view that this was submitted as a state bid. Legal Counsel then suggested that the best way to clear this issue was to cancel both policies and start over with the quotes and the waiver and also still pay what is currently pending. There was further commentary; afterwhich, there was a motion made by Commissioner Garces and was seconded by Commissioner Rosel to rescind the action on the previous motion.

MOTION CARRIED

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to cancel the contract as requested with Sanwa Leasing Incorporation.

MOTION CARRIED

ITEM 10. COURT REPORTER SERVICE FUND:
A. APPROPRIATION OF BUDGET

Mrs. Etnire stated that this money would go into the Court Reporter Service Fund coming from the Gambling Fund. The amount to be appropriated is \$13,973. After some comments concerning the Court Reporter Fees being deposited into a fund especially for Court Reporters, a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to appropriate the budget as requested in connection with the Court Reporter Service Fund.

MOTION CARRIED
(SEE EXHIBIT P)

ITEM 11. DISTRICT COURTS:

A. BUDGET AMENDMENT FOR THE 206TH DISTRICT COURT AND THE 332ND DISTRICT COURT

Dick Dickinson requested a no action since he has not had a chance to review this item.

NO ACTION
(SEE EXHIBIT Q)

ITEM 12. DEPARTMENT OF PUBLIC SAFETY:

A. ADJUSTMENT OF SALARY - CLERK/RECEPTIONIST

Sgt. Diggs stated that back on March 28, there had been an upgrade in salary for Ms. Perez. The position was converted from part time to full time. They were under the impression that this would include a salary increase from \$7.01 to \$8.88 per hr. The Commission and Mrs. Etnire stated that this had been discussed in the past but they did not know how much money was involved. It was stated by Commissioner Sanchez that there were talks to pay both employees the same amount but beginning January 1, 1996. Mrs. Etnire stated that the amount needed for 1996 would be \$4,266.46 + fringes. Commissioner Sanchez requested that this item be brought back in the form of a budget amendment with the correct total figure. After brief comments, Judge Garcia moved on to the next item.

NO ACTION
(SEE EXHIBIT R)

ITEM 13. RURAL FIRE CALLS:

A. CONSIDERATION OF PROPOSED CONTRACTS

Tony Abrigo stated that this was for the renewal of the rural fire contract. This contract expires December 31, 1995 and he is asking for a 2 year renewal. The last time the contracts were renewed, it was stated that once these contracts reach \$500, they would be left at that amount. Mr. Abrigo stated that there were no changes in the amounts in this contract. The mutual aide would stay at \$200 and false alarms were also \$200 per call. Commissioner Sanchez recommended that this be taken under advisement and be brought back the following week. After further comments, Judge Garcia stated that there will be no action at this time on this item.

NO ACTION
(SEE EXHIBIT S)

ITEM 14. PCT. #1:

- A. APPROVAL OF JOINT VENTURE PROJECT FOR COLONIA EL MESQUITE LOCATED ON FM 1015 AND MILE 12 1/4 NORTH AND ACCEPT CONTRIBUTION
- B. AUTHORIZATION AND APPROVAL OF CONSULTING SERVICE AGREEMENT BETWEEN HIDALGO COUNTY AND RENE ESTEBANES

14A

Commissioner Sanchez opened this topic by stating that this was a contribution from the residents of the Colonia El Mesquite. This will help to pay for the pipes and Pct. 1 will do the work. The amount of the contribution is \$1,360 and it is specifically for drainage improvements. Commissioner Sanchez then moved that the County accept the donation for the purpose of offsetting the cost of drainage improvements and the County Auditor designate a fund. The motion was seconded by Commissioner Garces and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT T)

14B

Commissioner Sanchez stated that this was for the purpose of obtaining a permit from TNRCC for the operation of the Delta Lake Park Sewer Service System. The permit will not be issued unless the County has a licensed operator for this system. This is an agreement with Mr. Rene Estebanes, who is a licensed operator. This will be for \$600 per month. This money is in Commissioner Sanchez budget. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to accept the Consulting Agreement with Rene Estebanes and make it effective December 4 for a period of one year.

MOTION CARRIED
(SEE EXHIBIT T)

ITEM 15. PCT. #3:

- A. AUTHORIZATION TO PAY BILL FOR GSC FOR THE PURCHASE OF ANTIFREEZE

Commissioner Rosel stated that this item was to pay for antifreeze but he did not have much of the details on this bill. He himself was just presented with this on this day. He stated that an employee was attempting to save Commissioner Rosel some money and as a

result, the employee had violated purchasing procedures. He requested a no action to gather all the factors to present this to the Court. The no action was granted.

NO ACTION
(SEE EXHIBIT U)

ITEM 16. PCT. #4:
A. APPROVAL OF BUDGET ADJUSTMENT FROM ROAD/BRIDGE
PAVED/UNPAVED TO ADMINISTRATION

Commissioner Garces stated that this adjustment was for the purpose of decreasing the paved/unpaved line item from 1995 and increase road and bridge to cover the cost for a lap top computer plus accessories in the amount of \$2,750. This was in the form of a motion and was seconded by Commissioner Rosel.

MOTION CARRIED
(SEE EXHIBIT V)

ITEM 17. PURCHASING DEPARTMENT:
A. AWARD BIDS:
1. LEASING OF FARMLAND - HIDALGO COUNTY
2. PIT RUN CALICHE - PCT. 1, 2 & 4
3. BIOHAZARDOUS WASTE DISPOSAL - HIDALGO COUNTY
B. REQUEST TO ADVERTISE:
1. INDUSTRIAL CHEMICALS - HIDALGO COUNTY
2. LUBRICANTS - HIDALGO COUNTY
3. SETTING OF STORM DRAINAGE PIPE AT LINDA VISTA
SUBDIVISION - PCT. 3

17A1

Mary Maldonado stated that there was one bid from the Luna Brothers for \$5 per acre and she recommended the sole bid. The total amount would be \$858. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT W)

17A2

Ms. Maldonado stated that there were 4 bids. Ray Maldonado had submitted a bid for hauling and not caliche; therefore, he is disqualified, Valley Caliche for .80 cents per ton, Redland Stone Products for \$1 per ton and Roy's Hauling Service for \$1.25 per ton. Ms. Maldonado

recommended Valley Caliche being the low bid. Commissioner Garces made a motion and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT W)

17A3

There were 2 bids received for this item according to Ms. Maldonado. BFI Medical Waste Systems and Enviro Tech Carriers. She recommended BFI for the reason that their containers are larger and they bid on all containers. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve BFI Medical Waste System as recommended by Purchasing. The amount will be for \$20 for a 21.5X18X15 and the sharp containers will be for \$2.62 for 1.4 qts, \$10.87 for 6 gallons, \$6.97 for 14 qts. and \$4.87 for 8 qts. The liners will be for \$45 for the 24X24 and \$51 for the 40X48. The motion was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT W)

17B1&2

Commissioner Rosel made a motion to advertise for Industrial Chemicals. Commissioner Arcaute asked if there were any specs. After it was found out that there were no specs., Commissioner Rosel then withdrew his motion. Judge Garcia stated that there be no action on either item 1 or 2.

NO ACTION
(NO EXHIBIT)

17B3

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize for advertising for Storm Drainage Pipes at Linda Vista Subdivision.

MOTION CARRIED
(NO EXHIBIT)

ITEM 18. COMMUNITY SERVICE AGENCY:

- A. APPROVAL OF MEDICAL TRANSPORTATION CLIENT SERVICES CONTRACT AMENDMENT NO. 6
- B. APPROVAL OF MEDICAL TRANSPORTATION PROVIDER 90 DAY EXTENSION.
- C. APPROVAL OF MEDICAL TRANSPORTATION PROVIDER 90 DAY CONTRACT

18A

Mrs. Saenz opened by stating that back in October, they were submitting a request for proposals for bids. She also stated that as of November 5, the request for proposals was ceased due to the budget not being adjusted. Due to all of these circumstances, the current contracts are being extended by 90 days. This extension begins December 1 thru February 29 for \$150,000. The State will provide the funds. After further brief comments, a motion was made by Commissioner Garces to approve the extension of the contract from December 1 thru February 29 of '96 for the Medical Transportation Contract 0831272. The motion was seconded by Commissioner Rosel and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT X)

18B

Mrs. Saenz stated that since the State is extending their contract, she needs to do the same with the sub contractors that she has to continue services. The dates are to be the same as previously mentioned on item A. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT X)

18C

Mrs. Saenz stated that the current provider does not have enough vehicles to meet the demands; consequently, she wants to add the second choice provider to help alleviate this problem. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT X)

ITEM 19. SET & APPROVE AMOUNT OF COMPENSATION, OFFICE & TRAVEL EXPENSES AND OTHER ALLOWANCES FOR COUNTY AND PRECINCT AND PRECINCT OFFICES AND EMPLOYEES

Mrs. Etnire stated that this was to set the salaries for 1996. After some brief comments among the Commission, a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to accept the salary schedule as presented to Commissioner's Court.

MOTION CARRIED
(SEE EXHIBIT Y)

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to adjourn.

MOTION CARRIED

There being no further business or comments to come before this Commissioner's Court Meeting, this meeting is adjourned.

The Honorable Richard H. Garcia, Interim County Judge, called this Drainage District Board Meeting to order, whereupon the following items were had to wit:

DRAINAGE DISTRICT
=====

ITEM 1. LINE ITEM TRANSFER

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the line item transfer of \$259.03.

MOTION CARRIED
(SEE EXHIBIT Z)

- ITEM 2. PERMITS:
 - A. CITY OF ALAMO
 - B. CITY OF MISSION

2A

A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve the permit request by the City of Alamo as presented.

MOTION CARRIED
(SEE EXHIBIT AA)

2B

A motion by Commissioner Rosel and was seconded by Commissioner Garces to approve the permit request by the City of Mission.

MOTION CARRIED
(SEE EXHIBIT AA)

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to adjourn.

MOTION CARRIED

There being no further business to come before this Drainage District Board, this meeting stands adjourned.

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

Richard H. Garcia _____
Interim 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 11TH day of DECEMBER, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas



By: *Aaron Betancourt*
AARÓN BETANCOURT, Deputy