

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

VOL 0225 PAGE 179

BE IT REMEMBERED that on the 19TH day of
DECEMBER, 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. 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:

-----000-----

DECEMBER 19, 1995

Judge Garcia opened by stating that the first matter to be taken this morning would be the Drainage District Agenda.

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

DRAINAGE DISTRICT
+++++

ITEM 1. AUTHORIZATION TO ADVERTISE FOR BIDS ON A FOUR WHEEL DRIVE VEHICLE

A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to authorize the advertisement for bids.

MOTION CARRIED
(SEE EXHIBIT A)

ITEM 2. INTERNAL LINE ITEM TRANSFER

Ms. Walker stated that this transfer was from Office Equipment to Office Supplies. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT B)

ITEM 3. SET & APPROVE AMOUNT OF COMPENSATION, OFFICE & AUTO ALLOWANCE AND OTHER ALLOWANCES FOR COUNTY AND PRECINCT OFFICERS AND EMPLOYEES

Vona Walker stated that they were all in line with the 7% increase, after being asked by Commissioner Arcaute. He then moved to approve and he was seconded by Commissioner Garces and Commissioner Sanchez.

MOTION CARRIED
(SEE EXHIBIT C)

A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to adjourn.

MOTION CARRIED

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

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

CONSENT AGENDA

+++++

ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR
 GENERAL FUND - #11590 - #116112 - \$1,257,087.12
 SPECIAL REVENUE FUND - #115952 - #116275 - \$ 859,474.38
 TRUST AND AGENCY FUND - # 5169 - # 5191 - \$ 318,671.02
 ENTERPRISE FUND - # 2845 - # 2495 - \$ 10,228.38

(SEE EXHIBIT D)

ITEM 2. APPROVAL OF MINUTES - AUGUST 08, 1995
 - AUGUST 11, 1995

(NO EXHIBIT)

ITEM 3. APPROVAL OF ATTORNEY'S FEES IN THE AMOUNT OF \$1,270.00

(SEE EXHIBIT E)

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

- A. SHERIFF'S DEPARTMENT - \$43,566.25 - OCTOBER
- B. JUSTICE OF THE PEACE:
 - 1. ADAN CABALLERO - \$ 4864.00 - NOVEMBER
- C. LAW LIBRARY - \$ 2,737.70 - NOVEMBER
- D. COUNTY CLERK PART I - \$88,383.80 - NOVEMBER
 PART II - \$37,503.93 - NOVEMBER

(SEE EXHIBIT F)

ITEM 5. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. SHARY FOREST - PCT. 3

(SEE EXHIBIT G)

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. COUNTY COURT AT LAW #4 - NO ACTION
- B. DISTRICT ATTORNEY (GENERAL FUND) - \$5,050
- C. J.P. PCT. 2, PL. 1 - \$520
- D. J.P. PCT. 2, PL. 2 - \$286.10
- E. COUNTY COURT AT LAW #2 - \$1,765

- F. 139TH DISTRICT COURT - \$2,000
- G. 370TH DISTRICT COURT - \$1,664.63
- H. GRAND JURY - \$45
- I. DISTRICT ATTORNEY (BAD CHECK) - \$400
- J. 332ND DISTRICT COURT - NO ACITON
- K. COUNTY LIBRARY SYSTEM - \$154
- L. BUILDINGS AND GROUNDS - \$150
- M. COUNTY JUDGE (GEN. ADM.) - \$7,009.12
- N. DPS - \$75
- O. PCT. 2 PAVED/UNPAVED - \$4,800
- P. PCT. 2 ADMINISTRATION - \$50
- Q. COUNTY WIDE SHOP - \$350
- R. PCT. 1 PAVED/UNPAVED - \$73,300
- S. PCT. 1 ADMINISTRATION - \$800
- T. PCT. 1 PARKS - \$10,000
- U. COUNTY CLERK - \$1,040.06
- V. SHERIFF'S DEPARTMENT - \$2,721
- W. J.P. PCT. 5, PL. 1 - \$750
- X. CONSTABLE PCT. 5 (145 ACCOUNT) - \$150
- Y. WARRANT OFFICERS - \$2,000
- Z. ELECTION ADMINISTRATORS - \$9,385
- AA. INSECT ERADICATION - \$300
- BB. HEALTH DEPARTMENT
 - 1. SANITATION - \$691
 - 2. ADMINISTRATION - \$909
 - 3. HEALTH CLINICS - \$3,272
 - 4. MOBILE CLINIC - \$500
 - 5. T.B. ELIMINATION SERVICE - \$20
- CC. JUVENILE DETENTION HOME (GEN. FUND) - \$2,409
- DD. JUVENILE PROBATION DEPARTMENT (GEN. FUND) - NO ACTION
- EE. JUVENILE PROBATION DEPARTMENT (180 ACCOUNT) - \$7,327
- FF. COUNTY TREASURER - \$312.30
- GG. VETERAN SERVICE OFFICE - \$700
- HH. COUNTY AUDITOR - \$10,700
- II. J.P. PCT. 1, PL. 2 - \$32
- JJ. PLANNING DEPARTMENT - \$603
- KK. HISTORICAL COMMISSION - \$358.86
- LL. COMPUTER DEPARTMENT - \$3,400

(SEE EXHIBIT H)

Judge Garcia opened the Consent by stating that item 6A,J, BB3, DD were for no action. A motion was then made by Commissioner Garces and was seconded by Commissioner Sanchez for a no action

MOTION CARRIED
(SEE EXHIBITS D-H)

Mr. Crain stated that those items that were for no action needed to be pulled off of the Agenda and the rest of the Agenda needed to be approved. Commissioner Arcuate then pointed out the fact that he noticed that a line item transfer from the County Auditor where fringe benefits were being transferred. He stated that this was contradictory to a policy set by the Commission where transfers from salaries could be done but not from fringe benefits. Steve Austin stated that the reason for this is because of the need for a copier for his office. Commissioner Garces then withdrew his motion and rephrased it. His motion was now to remove 6A, J, BB3, DD & HH from the Consent Agenda. The new motion was seconded by Commissioner Rosel.

MOTION CARRIED
(SEE EXHIBITS D-H)

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Consent Agenda with the appropriate changes.

MOTION CARRIED
(SEE EXHIBITS D-H)

REGULAR AGENDA
+++++

- ITEM 1. OLD BUSINESS:
- A. REQUEST OF INSTALLATION OF PERSONALLY OWNED VENDING MACHINES AT COUNTY ADMINISTRATION AND COURTHOUSE BUILDINGS
- CONCEPCION RODRIGUEZ

Judge Garcia stated that at this time, Legal Counsel has been unable to locate current contracts concerning this item and they will be necessary to rule on this item. The concern is if there is a current contract, they have to find out who it is with so that there is no confusion. If it is with another vendor, there might be some type of legal violation and if it is with Mr. Rodriguez and his organization, then no action will be necessary. Mr. Rodriguez addressed the Court and stated that the Current Contract this is possibly in place, has been there since the 1950's and the Commission for the Blind would like to get together with the Commissioners to update this contract, if in fact there is one. Judge Garcia stated that there will no action at this time to allow Mr. Crain to locate and update any contract that may be existing.

NO ACTION
(SEE EXHIBIT I)

B. SHERIFF'S DEPARTMENT:

1. APPROVAL OF BUDGET AMENDMENT - \$12,640.00
2. APPROVAL OF BILL - OUTSIDE AGENCY BILL BACK - SAN PATRICIO COUNTY (HOUSING OF PRISONERS)
3. APPROVAL OF BUDGET AMENDMENT (DETENTION CENTER)

1B1

Glen Eastin opened by stating that they were under mandate by the State to keep the jail population under 597. It is for this reason that they had to re-locate 28 inmates to San Patricio County on 11/3/95. They returned half of that number on 11/9/95. The rest of the inmates were returned on the 18th of November. Consequently, a bill of \$12,640 was incurred. This is the reason for the request of the budget amendment. Commissioner Garces made a motion to approve the amendment of \$12,640. Commissioner Rosel seconded the motion for discussion. Chief Eastin stated that when they had to re-locate the inmates, this was the closest County they could move them to. Since then, Chief Eastin has made arrangements with Starr and Cameron Counties for the housing of inmates at a lessor price. Steve Austin stated in this discussion, that since this amount was less than \$15,000, the bill be paid even though there was no interlocal agreement in place. The motion was then put a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT J)

1B2

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the bill.

MOTION CARRIED
(SEE EXHIBIT J)

1B3

Chief Eastin stated that this was for two different areas. Chemicals, Drugs & Medications and for Hospital Services. He stated that there was a balance of \$102 in the budget. The outstanding bill however, is \$5,000 for medical medications. The average amount of bills on a monthly basis is \$6,300 and this is the reason for this request of \$10,000. The Commission expressed some concerns about the balance of the General fund, being that only \$66,000 remained. The way they would like to approach it at this time, is by getting actual figures. With that, Chief

Eastin stated that at this time, there were bills totaling \$5,207. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve payment of bills that are there now in the amount of \$5,207.

MOTION CARRIED
(SEE EXHIBIT J)

At this time Judge Garcia moved to item 11 of the regular business agenda also related to the Sheriff's Department.

ITEM 11. SHERIFF'S DEPARTMENT:

- A. CONSIDERATION AND APPROVAL OF BUDGET AMENDMENT - \$32,500
- B. AUTHORIZATION AND APPROVAL TO EXEMPT THE FOLLOWING FROM THE BIDDING REQUIREMENTS AND APPROVAL OF MEDICAL SERVICE AGREEMENTS:

- 1. DR. MARIN GARZA - \$2,750 (PER MONTH)
- 2. DR. JOHN YAMAGUCHI - \$2,750 (PER MONTH)

11A

Chief Eastin stated that this was for food and supplies for the inmates and current bills for this food that have been incurred up to now. The Commission again expressed their intention to have budget amendments based on actual bills. Commissioner Sanchez asked Chief Eastin for the actual amount of bills that have actually been incurred and are pending. That amount is \$14,958. Commissioner Sanchez then moved for a \$15,000 budget amendment and was seconded by Commissioner Rosel.

MOTION CARRIED
(SEE EXHIBIT J)

11B1&2

Chief Eastin stated that this was in keeping with the recent agreement to upgrade the medical services at the jail. There was a delay due to the liability insurance, which the doctors will provide themselves. They have since agreed to the contracts and approval is now needed by the Court. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to authorize the exemption of the contracts indicated by the and approve them. Effective December 1, 1995.

MOTION CARRIED
(SEE EXHIBIT J)

C. COUNTY CLERK:

- A. CONSIDERATION OF RENEWAL OR SETTLEMENT ON SANWA LEASE
- B. TERMINATION OF LEASE WITH COUNTY CLERK AND COPYSTAR

1C1

Mr. Pulido opened by stating that they now have the 3 quotes for the Sanwa Lease contract that had been discontinued the previous week. Sanwa did indicate that they wanted to retreat from this contract but decided against that as long as the bill that was pending was paid. The approval will be from this date until March of 1997. Mr. Pulido indicated that they did not find out the discrepancy with this contract until they were notified by the Purchasing Department that they had been misled and this in fact was not a state bid. This is how this whole situation came about and they have also been in contact with the County Attorneys to attempt to rectify the problem. He also stated that although this was not a state bid, this was less expensive than the state bid by \$228. After being reviewed by Atlas & Hall, they have worked out an agreement to pay out for what was used. Upon clarification of what needed to be done on this item, a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to settle on the payment owed to sanwa as per legal counsel and award the contract as per the recommendation of the Purchasing Department and Mr. Pulido being the lowest bid.

MOTION CARRIED
(SEE EXHIBIT K)

1C2

Mr. Pulido opened by stating that this contract was calling for \$924 per month and this is the one that he would like to terminate. He stated that Steve Austin had already made 2 payments on this contract and he did not know if this would affect the negotiations. This contract was signed in September of 1994 and since then, only those 2 payments have been made. Therefore, 14 months are currently owed. The contract was signed by the previous Chief Deputy. The question arose in the previous meeting about the validity of the contract being that it was signed by someone other than the County Clerk and it was also brought up whether or not this contract had gone through Court. The total amount paid to date is approximately \$1,900. During the discussion, Mr. Pulido stated that he felt that there had been a lack of communication, therefore resulting in a breakdown of communication. He also stated that there had been some talks between the Attorneys and the vendors. Mr. Crain then addressed the Court and stated that currently, the vendor was unresponsive. Commissioner Rosel asked if there was a right to terminate the lease and Mr. Crain responded by stating that there was no choice in this matter. After being asked again by Commissioner Rosel about the termination

clause, Mr. Crain stated that he would rather not discuss that because of possible legal theories and that is protected under closed session. Commissioner Sanchez then asked if this was a legal contract and Mr. Crain stated that he would like to defer answering because of the legal issues but he did state that they need some direction to move towards terminating this contract. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to authorize the termination of the lease with Copystar and authorize the County Attorney to negotiate. Mr. Pulido was then asked by Commissioner Rosel about when it was brought to his attention that this situation existed and needed to be addressed. Mr. Pulido responded by stating that it was back in April. After further brief comments, Judge Garcia called for the question and the motion was put to a vote in which all voted in favor.

MOTION CARRIED
(SEE EXHIBIT K)

- D. RURAL FIRE CALLS:
 - A. CONSIDERATION OF PROPOSED CONTRACTS

1D

Tony Abrigo addressed the Court and stated that these contracts were for renewal. He stated that this incorporated 17 cities in the County that handled rural fire calls and also he stated that they amounts were the same as the previous amounts. Commissioner Sanchez then made a motion to approve the contract. Commissioner Rosel seconded the motion for discussion. He then asked if legal counsel was willing to go on record to recommend the contract and state that he has reviewed this contract in light of the fact of the concerns brought up in the past. Mr. Crain stated that the only concern he had at this time was from a verification stand point. This was concerning whether or not there were proper procedures in place to ensure that some one had called and that there was a properly dispatched unit and there was a need for the call. Mr. Crain stated, however, that this was an internal issue of how the County would check the validity of the call. There were a couple of choices of how the County would go about the verification. 1) they can have a report submitted with the option that the County could disallow or 2) they could just do without the verification. He could not recommend this because it was a business procedure of how the County wants to verify or whether or not they would like to verify at all. During the discussion, Mr. Abrigo stated that the contract now calls for a form to be submitted to the Sheriff's Department for every call and they review the forms and if there are any concerns, they will then address those concerns appropriately. Mr. Dickinson then stated that at the request of the County Judge, They are analyzing and evaluating fire calls from the

past 2 years. The report from the Auditor is that they have \$800,000 budgeted but the bill will exceed 1 million dollars. With this evaluation they will try to develop a method that will better verify these calls. Mr. Dickinson stated that since this contract doesn't expire until the 31st of December, the contract be extended until the next meeting where they can present the results of the analysis. Following further discussion on how to go about this exactly, the original motion was put to a vote and all voted in favor for each of the cities.

MOTION CARRIED
(SEE EXHIBIT L)

CITIES: ALAMO, ALTON, DONNA, EDCOUCH, EDINBURG, ELSA, HIDALGO, LA JOYA, LINN SAN MANUEL, McALLEN, MERCEDES, MISSION, MONTE ALTO, PALMVIEW, PHARR, SAN JUAN, WESLACO

At this time, Judge Garcia moved to item 7 under the regular business agenda.

- ITEM 7. 139TH DISTRICT COURT:
 - A. DISCUSSION AND POSSIBLE ACTION FOR 1996 SALARIES
 - B. APPROVAL OF BUDGET AMENDMENT

7A

Judge Micaela Alvarez addressed the Court and stated that this request was in relation to the salaries. The budget that was submitted for 1996 was incorrect. She is short \$10,302.82 and she is requesting this amount in the form of a budget amendment. \$8,886.35 is for salaries and the remainder is for labor tax and fringe benefits. Judge Alvarez was requesting that they amend the 1996 budget but it was stated that it could not be done in December of 1995. After further comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the salary schedules.

MOTION CARRIES
(SEE EXHIBIT M)

7B

NO ACTION
NO EXHIBIT

- E. PURCHASING DEPARTMENT:
 - A. REQUEST TO ADVERTISE:
 - 1. INDUSTRIAL CHEMICALS - HIDALGO COUNTY
 - 2. LUBRICANTS - HIDALGO COUNTY

1E1&2

The Commission was talking among itself in which they stated that the specs. for these items could not be found. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Rosel to table this item until they have located the specs.

MOTION CARRIED
(SEE EXHIBIT N)

REGULAR BUSINESS
+++++

ITEM 1. 13TH COURT OF APPEALS:

A. ADVERTISEMENT FOR BIDS ON APPELLATE COURT - JUDGE HINOJOSA

Ray Vargas opened by stating that they are in the process of completing the bidding documents for the Court of Appeals on the 5th floor. He is requesting permission to advertise for bids on the 25th of January. A motion was then made by Commissioner Sanchez second Commissioner Garces to approve the advertisement of bids for Court modifications for the 5th floor.

MOTION CARRIED
(NO EXHIBIT)

ITEM 2. TAX ASSESSOR/COLLECTOR:

A. TAX REFUND:

1. CALAME, LINEBARGER, GRAHAM AND PENA \$638.82

Judge Garcia stated that this was for a refund to Calame, Linebarger, Graham & Pena in the amount of \$632.82. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

ITEM 3. CONSIDERATION AND APPROVAL TO RENEW GROUP LIFE/AD&D AND HEALTH INSURANCE RATE TO BE EFFECTIVE JANUARY 1, 1996 - AMBER ETNIRE

Amber Etnire stated that this was to set the insurance rates at \$153.25 per month for the County Contributions as per the exhibit. This was a result of the report given by Kenneth Wethe. After further comments, Commissioner Sanchez made a motion and was seconded by Commissioner Arcaute to approve and to round off the figures.

MOTION CARRIED
(SEE EXHIBIT P)

ITEM 4. CONSIDERATION AND APPROVAL TO EXTEND CAFETERIA PLAN FOR ADDITIONAL COVERAGE

Jesse Trevino initiated the conversation by stating that the County has saved \$70,000 year to date with the dental plan that is currently in place. By extending the coverage, the County may benefit even more. Commissioner Rosel stated that his concerns were the fact that the County already had a representative come in and offer Cancer Insurance to employees and two may serve to confuse people. If they want to offer other services, the County should go back to step one and go out for proposals and combine all the services to just one entity or representative. A discussion ensued between the Commission and the administrators concerning the fairness of allowing the firm that is already in place to extend their services just because they were already here versus allowing other firms to bid on the same type of service. The Commission was split on this reasoning. There is no cost to the County but there is to the employee which the Commission was also split. It was stated in this conversation that this plan or contract in effect keeps rolling over and over unless the County chooses to change administrators. After further comments, Commissioner Arcaute so moved to approve the extension of the Cafeteria Plan to provide additional coverage. The motion was seconded by Commissioner Sanchez. Commissioner Rosel felt that a renewal of more than one year to any one firm, needs to come before the Court. He again reiterated the fact that he feels this should be handled by proposals because there might be other companies who would be willing to offer the same services rather than to just give it to the same individuals everytime. During the conversation, Mr. Crain addressed the Court and attempted to elaborate on the request and the question by some of the members of the Commission. He stated that if the County so chose, they could attempt to acquire another administrator and that all this request was for a chance to provide a choice of different options which would be totally voluntary for the employees. The Court then recognized Mr. Wethe. He stated that the Ted Parker Agency does charge a fee and the brokers are in turn paying the fee from their Commission. After further comments, Judge Garcia called for the question and the motion was put to a vote. Commissioner Arcaute and Commissioner Sanchez voted in favor and Judge Garcia, Commissioner Rosel and Commissioner Garces voted against the motion to extend the coverage to provide additional services.

MOTION DENIED
NO EXHIBIT

ITEM 5. HISTORICAL MUSEUM:

- A. CONSIDERATION AND APPROVAL OF REQUEST BY MRS. SHAN RANKIN
(DIRECTOR)

Mrs. Rankin stated that this request was for a budgetary increase in funds for the Museum for 1996. They need more funding so that they might fund another position because she does not have the funding necessary to hire qualified personnel because of the expansion of duties and responsibilities in the position that is currently vacant. The position has become impossible to fill with just one person. She is requesting that the budget be increased by as much as \$25,000 but no less than \$15,000 to continue to work at the level it is used to. The Commission suggested to Mrs. Rankin that she come back to the Court after the first quarter and make this request then and she stated that she would be more than happy to do so. Judge Garcia then stated that there will be no action at this time and moved on to the next item.

NO ACTION
(SEE EXHIBIT Q)

ITEM 6. JUVENILE PROBATION DEPARTMENT:

- A. MINISTERIAL APPROVAL ON TJPC-96 CHALLENGE GRANT ADJUSTMENTS
- B. MINISTERIAL APPROVAL ON TJPC-A-96-108 BUDGET
- C. MINISTERIAL APPROVAL ON TJPC-B-96-108 BUDGET
- D. MINISTERIAL APPROVAL ON TJPC-Y-96-108 BUDGET
- E. CONSIDERATION AND APPROVAL OF TJPC-96 PROGRESSIVE SANCTIONS CONTRACT
- F. REVIEW AND POSSIBLE ACTION ON COPIER LEASE

6A

Mr. Silva stated that this grant had been reduced by \$6,000. He had presented this to the Court previously and he was told that he had to submit this as an adjustment. The original grant was for \$50,000 and it is now \$44,000. This grant does require a match of \$44,000 which has been budgeted within his budget. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the request by Mr. Silva for TJPC-96 Challenge Grant Adjustment.

MOTION CARRIED
(SEE EXHIBIT R)

6B

Mr. Silva stated that the amount of this budget is \$304,139 and he basically just needed ministerial approval for this budget. A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6C

Mr. Silva stated that this budget is in the amount of \$30,000. There is no match required for either the A or B budgets. A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6D

Mr. Silva stated that this was the Community Corrections Budget in the amount of \$681,612 and he was requesting ministerial approval. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6E

Mr. Silva opened by stating that the Probation Commission had made available \$230,436 to the Probation Department to hire 10 Probation Officers. This is part of the Juvenile Justice Reform. The State felt that if they made money available to hire more Probation Officers, the work being done would be enhanced. The primary requirement of the County for this funding is that the County would have to make available \$73,540. There was some question by the Commission as to whether 10 officers were needed and Mr. Silva stated that they actually need more than this number. If they did not get any officers, they would just have to keep struggling like they have over the years. The Probation Officers are averaging 60 to 70 cases per officer plus referrals have increased and Juvenile Crime is on the rise. Mr. Silva felt that if more officers were added to the department, the quality of services would increase. The maximum number that the State would fund would be 10 officers but it does not mean that the County has to hire those 10 officers. It can be less. The Commission was split in their opinion of these officers. Commissioner Rosel felt that the need was there for these officers but Commissioner Arcaute and Commissioner Sanchez felt that the match for the County was excessive at 30%. Commissioner Sanchez then suggested, after brief comments, that they take no action at this time.

NO ACTION
(SEE EXHIBIT R)

6F

Mr. Silva stated that this item had been placed on the agenda by Mr. Crain. He stated that this was the type of situation that had been discussed with the County Clerk and it was the same vendor also. Mr. Crain was requesting authority to terminate this lease. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to terminate the present lease with the Juvenile Probation Department.

MOTION CARRIED
(SEE EXHIBIT R)

ITEM 8. URBAN COUNTY:

- A. CITY OF DONNA - PROFESSIONAL SERVICES AGREEMENT (ENGINEERING) YEAR 1995 - PLANNING AND CAPACITY BUILDING
- B. CITY OF PALMVIEW - PROFESSIONAL SERVICES AGREEMENT (ENGINEERING) YEAR 1995 - PARKS, RECREATIONAL FACILITIES
- C. COUNTY WIDE - PUBLIC HEARING ON PROPOSED AMENDMENT YEAR 8
- D. COUNTY WIDE - BUDGET AMENDMENT YEAR 8
- E. CITY OF ALTON - HOME - HOUSING REHABILITATION PROGRAM - CONSTRUCTION CONTRACT AWARD
- F. CITY OF GRANJENO - HOME - HOUSING REHABILITATION PROGRAM - CONSTRUCTION CONTRACT AWARD
- G. HOME - FIRST TIME HOME BUYER CONTRACT AGREEMENTS AND LETTER OF COMMITMENT TO MORTGAGE COMPANY
- H. APPROVAL OF RESOLUTION AUTHORIZING A LINE OF CREDIT FROM FIRST NATIONAL BANK OF EDINBURG

8A

Anthony Covacevich stated that this was for some planning and capacity building activities with Rust, Lichliter & Jameson. The amount of the contract is for \$100,000. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT S)

8B

Mr. Covacevich stated that this was for the purpose of installation & design of baseball lighting. The firm is to be Genesis Engineering and the amount will be \$5,000. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT S)

8C

Judge Garcia opened the public hearing to the public. the purpose of this hearing is for the movement of \$20,000 from unprogrammed funds into water & sewer to match the TWDB. This will assist in placing a self sustained sewer system in the Deanda Saenz Colonia. This will provide for 40 families. The permit holder will be Mercedes and they will also operate the system. After further comments from the Commission, the hearing was closed.

NO ACTION

8D

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the budget amendment of \$20,000.

MOTION CARRIED
(SEE EXHIBIT S)

8E

Mr. Covacevich stated that this was for a housing rehab project. They have received bids and he recommends the alternate low bid from Quality Investments in the amount of \$11,480. A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED
(SEE EXHIBIT S)

8F

This item was also for housing rehab. Mr. Covacevich stated that the low bid was from Quality Investments for alternate bid #2 in the amount of \$37,864 for 3 dwellings. A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED
(SEE EXHIBIT S)

8G

Mr. Covacevich stated that there were 7 families who qualified under the home program first time homebuyer. Each family is eligible for \$3,500. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT S)

8H

Mr. Covacevich requested a no action on this item. He thought he would need this line of credit due to the shutdown of the federal government. As it turns out, they can still draw their monies electronically. No action is necessary at this point.

NO ACTION
(SEE EXHIBIT S)

- ITEM 9. COMPUTER DEPARTMENT:
- A. CONSIDERATION AND APPROVAL TO PAY OVERTIME
 - B. INTERNAL LINE ITEM TRANSFER

9A

Dick Dickinson opened by stating that this request was for Renan Ramirez. They are unable to allow him the time off since he will be going on vacation at the end of the month. He has accumulated these hours after hours. The department is understaffed; therefore, resulting in this overtime. The amount being requested for this line item transfer is \$1,650.05. The question was brought up that there was no record of the overtime worked. Mr. Dickinson stated that the form will be submitted to the Auditor's Office. Mr. Crain then addressed the Court and stated that he did recommend that this be paid upon documentation. Commissioner Arcaute made a motion to authorize the payment of the overtime. The motion was seconded by Judge Garcia and was put to a vote.

MOTION CARRIED (COMM. GARCES OPPOSED)
(SEE EXHIBIT T)

9B

Mr. Dickinson stated that this line item transfer was to pay a contractor for some services performed in the amount of \$3,400 and also, this will be for the overtime approved in item A in the amount of \$1,650.05. The contractor was Earl Hunt & Assoc. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve both transfers.

MOTION CARRIED
(SEE EXHIBIT T)

- ITEM 10. BUILDINGS AND GROUNDS:
- A. INTERNAL LINE ITEM TRANSFER
 - B. AUTHORIZATION AND APPROVAL TO EXEMPT PURCHASE FROM THE BIDDING REQUIREMENTS
 - C. APPROVAL TO PURCHASE ONE - 1 TON CREW CAB AND TWO 1/2 TON

EXTENDED CAB - HOUSTON/GALVESTON COUNCIL OF GOVERNMENTS
(STATE BID)

10A

Dick Dickinson opened by stating that this transfer was for \$32,750 and an additional \$7,000 was for the purpose of purchasing some vehicles. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT U)

10B

Mr. Dickinson is requesting that they be able to waive the bidding process since they will purchase the vehicles from Houston/Galveston Council of Governments. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT U)

10C

This is for the approval to purchase one 1 ton pick up and 2 1/2 ton extended cabs. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT U)

ITEM 12. HEALTH DEPARTMENT:

- A. AUTHORIZATION AND APPROVAL TO EXEMPT PURCHASE FROM THE BIDDING REQUIREMENTS
- B. APPROVAL OF BILL - PUBLIC HEALTH EQUIPMENT AND SUPPLY CO.

12A

It was stated that this purchase was made when the outbreak of dengue fever was taking place. They took these emergency measures to control the spread. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the exemption of the purchase from the bidding requirements. The total amount is \$11,933.27. Some questions were raised by Commissioner Arcaute with regards to how the purchasing policy was violated. It was stated that 3 quotes were not received and this purchase had not been exempt. Ms. Maldonado stated that she had okayed this due to the fact that she thought it was an emergency. She also stated that these items had been ordered prior to the issuance of

a P.O. #. Commissioner Garces amended his motion to state to approve to exempt purchase from the bidding procedures of the requirements and declare it an emergency as per the minutes of today's court. Commissioner Rosel's second still stood.

MOTION CARRIED
(SEE EXHIBIT V)

12B

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

MOTION CARRIED
(SEE EXHIBIT V)

ITEM 13. AUTHORIZATION AND APPROVAL OF RENEWAL CONTRACT FOR ATRIUM PLANT MAINTENANCE

It was stated by the Commission that there was a provision in the contract that allowed for renewal. There was some question as to whether they wanted to renew it. Commissioner Rosel made a motion to approve the renewal contract for the atrium plant maintenance with Judy Stotler. Mr. Crain addressed the Court and stated that the contract does not have a cancellation provision or a renewal provision. Commissioner Rosel withdrew his motion. Mr. Crain stated that he was also unsure if this would qualify as a professional service. It was also stated that 3 quotes would need to be obtained because it is still in the quotation system. Commissioner Sanchez recommended no action pending the 3 quotations. Judge Garcia agreed.

NO ACTION
(SEE EXHIBIT W)

- ITEM 14. BUDGET AMENDMENTS:
- A. GRAND JURY
 - B. HUMANE SOCIETY
 - C. COURT REPORTER'S FEES

14A

Mrs. Etnire stated that this was to pay pending bills. A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to authorize a budget amendment in the amount of \$1,306.50 for the Grand Jury.

14B

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT X)

14C

A motion was introduced by Commissioner Garces and was seconded by Commissioner Rosel to approve the \$16,000 budget amendment for Court Reporter's Fees.

MOTION CARRIED
(SEE EXHIBIT X)

ITEM 15. APPROVAL OF COURT REPORTER'S FEES:
A. FRANSISCO B. MORENO - \$15,553
B. JENNIFER K. O'NEAL - \$ 145

15A

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

MOTION CARRIED
(SEE EXHIBIT Y)

15B

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

MOTION CARRIED
(SEE EXHIBIT Y)

ITEM 16. PCT. #1:

A. DISCUSSION AND ACTION FOR CHRISTMAS HOLIDAY - 1995

Commissioner Sanchez stated that he had been approached by a number of people asking why he did not want December 26th as a holiday. Commissioner Rosel then added that the consensus would be to add that day. He also stated that he had spoken to the treasurer and she had stated that if she got the payroll on a Thursday evening, she could have the checks ready by Friday morning. If she got it on Friday morning, then they would be ready by Friday afternoon. There was absolutely no problem with that day being added. Steve Austin suggested that the way payroll is now, the time sheets would be due Tuesday the 26th. If the Commission allows for

that day off, payroll would not be met that Friday. The employees would have to pick up their checks on January 2, of '96. Commissioner Sanchez stated that the logistics would be ironed out after the action was taken. He then moved that they even out 1996 and 1994 by awarding an additional day in 1995 which is the 26th. He clarified the motion by stating that the motion was to approve December 26 as a holiday for 1995. Commissioner Rosel seconded the motion and all voted in favor to approve.

MOTION CARRIED
(NO EXHIBIT)

ITEM 17. PCT. #4:

A. REQUEST TO PAY BENNY'S HAULING SERVICE

Commissioner Garces stated that the overage on a project that was being conducted at the time was \$486.84. Commissioner Sanchez immediately expressed his discontent citing the fact that he was asked for 3 quotes when he had a similar project and in this case, there were no quotes.

After asking several times how these bills were being paid and not receiving a straight answer from Steve Austin, Commissioner Garces made a motion and was seconded by Commissioner Rosel to exempt from the competitive bid and authorize to pay the amount of purchase order #97535 for the amount of \$2,935.84. Mr. Crain stated that he wanted the exemption clarified as to what exemption was being used. Commissioner Garces stated that he had an ongoing project and it was towards the end of the week and rather than recalling the hauler, they just had him finish that same week and that is what caused the overage. Commissioner Sanchez was not concerned about the overage. He was simply asking how the vendors were paid up until this point. Mr. Crain then questioned whether this could be a personal service and he also had a concern with the County Purchasing Policy requiring 3 quotes. He did not understand how 3 quotes were not obtained. After further comments concerning whether this was a personal service and whether this went through Court, the motion was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT I)

ITEM 18. PURCHASING DEPARTMENT:

A. AWARD BIDS:

1. HOT MIX - PCT. 1, 2, & 4
2. MS-1 EMULSION - HIDALGO COUNTY
3. ADMINISTRATION BUILDING - WIC PROGRAM
 - A. AUDIENCE - RICHARD A. GARZA
4. JANITORIAL SUPPLIES - HIDALGO COUNTY

B. REQUEST TO ADVERTISE:

1. LIBRARY BOOKS - LIBRARY SYSTEM

18A1

Mary Maldonado stated that there were 2 bids from Valley Caliche for \$22 per ton and Frontera out of Weslaco for \$22.50 per ton. Commissioner Sanchez asked if the award could be split due to the feasibility of awarding to Frontera. He then recommended that Pct. 1 award their bid to Frontera and Pct. 2 & 4 be awarded to Valley Caliche. It was in the specs. for this, therefore, it can be done. Commissioner Rosel then made a motion and was seconded by Commissioner Garces to award Pct. 2 & 4 to Valley Caliche at \$22 and Pct. 1 to Frontera at \$22.50.

MOTION CARRIED
(SEE EXHIBIT AA)

18A2

Ms. Maldonado stated that there were four bids. (1) Texas Fuel & Asphalt for .7375 per gallon, (2) Mission Paving for .68 cents, (3) World Supply International for \$1.72, (4) Lozano Paving for \$1.49. She is recommending Mission Paving at .68 cents on 5800 gallons. After brief comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to accept the low bid of Mission Paving. It was stated that if a minimum of 5800 gallons was not purchased, they would not sell. The motion was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT AA)

18A3

Ms. Maldonado recited the bids that were received. (1) Magnum Land & Investments for \$1 per square foot. (2) B.I.C. Realty for .93 cents per square foot. She recommended B.I.C. Realty. Commissioner Garces made a motion and was seconded by Commissioner Rosel to accept the low bid but not before discussion. Mr. Crain addressed the Court and stated that he had reviewed the specs. and he stated that they were weak at best. This was in regards to the parking lot, a building of a minimum of 6,000 sq. ft. He was not sure that these specs. were valid being that they are not clear. There was a question brought up by Commissioner Sanchez as to why Commissioner Rosel was showing such an interest in these specs. and not others that have been before the Commission. During the discussion, Ms. Maldonado stated that these specs. had been brought to Court and they were approved. Richard Garza addressed the Court concerning this item. He stated that some of the concerns were he had were the same as Mr. Crain's. The paved parking and the size of the

building. He indicated that he would be satisfied with the end result of the building because the contractor is a reputable one has build many commercial buildings after Mr. Garza's comments, the motion was put to a vote in which all voted in favor.

MOTION CARRIED
(SEE EXHIBIT AA)

18A4

Ms. Maldonado stated that she would like to take this under advisement and it be brought back the following week.

NO ACTION (UNDER ADVISEMENT)
(SEE EXHIBIT AA)

18B1

A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to advertize.

MOTION CARRIED
(SEE EXHIBIT AA)

ITEM 19. SET & APPROVE AMOUNT OF COMPENSATION, OFFICE & AUTO ALLOWANCE AND OTHER ALLOWANCES FOR COUNTY AND PRECINCT OFFICERS AND EMPLOYEES

Mrs. Etnire stated that there were 2 changes. There will be no action on the Library System or County Court #4. Those were the only corrections. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT BB)

Mrs. Etnire stated that in the grants budgets, the 7% increase has not been incorporated and with the WIC, Ms. Longoria had indicated that there were some mistakes on the schedules.

ITEM 20. DISTRICT ATTORNEY:
A. AUTHORIZATION AND APPROVAL OF SALARY SCHEDULE

Mr. Guerra opened by stating that according to the exhibit, the lower paid employees will receive a substantially higher increase than the higher paid employees. He has prorated it in this manner. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to

authorize and approve the salary schedule as submitted by the District Attorney's Office.

MOTION CARRIED
(SEE EXHIBIT CC)

ITEM 21. GENERAL ADMINISTRATION:

A. APPROVAL OF SALARY SCHEDULE AND BUDGET AMENDMENT

Mrs. Etnire is requesting a \$4,094 budget amendment so that she may increase salaries under Road & Bridge. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the \$4,094 coming from the County Wide Road & Bridge.

MOTION CARRIED
(SEE EXHIBIT DD)

At this time, Norma Gonzalez addressed the Court and was requesting clarification on the late payday. A discussion ensued in which Steve Austin stated that it would be impossible to have payroll ready on the 29th. During the discussion, Mrs. Gonzalez stated that she didn't see the difference being that there have been shortened weeks in the past and the employees were paid on time. She pointed out the fact that there were many people on a budget and are counting on thier pay check on the 29th. Steve Austin suggested that he would have his staff be in on Tuesday and the payroll clerk from each department must turn in the time sheets on that Tuesday. He as asked why they could not be turned in on the Friday prior and he cited his reason as being that the work week does not end until Sunday. Mrs. Gonzalez made light of the fact that when payroll was done semi monthly, time sheets were turned in early. There were several suggestions as to how to clear this issue. Commissioner Arcaute suggested that they could submit them Friday at noon or 5:00 and the department heads would vouch for their employees and that they worked that day. The employees are on a salary anyway. The Commission settled on the suggestion by Commissioner Arcaute and will submit the time sheets no later than 5:00 Friday the 22nd.

ITEM 22. OFFICE OF EMPLOYMENT AND TRAINING AND PIC BOARD

Lisa Saucedo stated that this was just an update. She made reference to the fact that TDOC would be getting together with the Valley Delegations to inform them on the Status of OET. The Commission pointed out the fact that the County might be at the point to let another entity that can finance the program do so. They cannot continue to advance funds to the program at this time. Ms. Saucedo also stated that during all

these talks, there were some suggestions about handing the program to either Cameron County or the City of McAllen. There was no further action.

NO ACTION

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

MOTION CARRIED

There being no further business to come before this Commissioner's Court, this meeting stands adjourned.

6C

Mr. Silva stated that this budget is in the amount of \$30,000. There is no match required for either the A or B budgets. A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6D

Mr. Silva stated that this was the Community Corrections Budget in the amount of \$681,612 and he was requesting ministerial approval. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6E

Mr. Silva opened by stating that the Probation Commission had made available \$230,436 to the Probation Department to hire 10 Probation Officers. This is part of the Juvenile Justice Reform. The State felt that if they made money available to hire more Probation Officers, the work being done would be enhanced. The primary requirement of the County for this funding is that the County would have to make available \$73,540. There was some question by the Commission as to whether 10 officers were needed and Mr. Silva stated that they actually need more than this number. If they did not get any officers, they would just have to keep struggling like they have over the years. The Probation Officers are averaging 60 to 70 cases per officer plus referrals have increased and Juvenile Crime is on the rise. Mr. Silva felt that if more officers were added to the department, the quality of services would increase. The maximum number that the State would fund would be 10 officers but it doesn't mean that the County has to hire those 10 officers. It can be less. The Commission was split in their opinion of these officers. Commissioner Rosel felt that the need was there for these officers but Commissioner Arcaute and Commissioner Sanchez felt that the match for the County was excessive at 30%. Commissioner Sanchez then suggested, after brief comments, that they take no action at this time.

NO ACTION
(SEE EXHIBIT R)

6C

Mr. Silva stated that this budget is in the amount of \$30,000. There is no match required for either the A or B budgets. A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6D

Mr. Silva stated that this was the Community Corrections Budget in the amount of \$681,612 and he was requesting ministerial approval. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT R)

6E

Mr. Silva opened by stating that the Probation Commission had made available \$230,436 to the Probation Department to hire 10 Probation Officers. This is part of the Juvenile Justice Reform. The State felt that if they made money available to hire more Probation Officers, the work being done would be enhanced. The primary requirement of the County for this funding is that the County would have to make available \$73,540. There was some question by the Commission as to whether 10 officers were needed and Mr. Silva stated that they actually need more than this number. If they did not get any officers, they would just have to keep struggling like they have over the years. The Probation Officers are averaging 60 to 70 cases per officer plus referrals have increased and Juvenile Crime is on the rise. Mr. Silva felt that if more officers were added to the department, the quality of services would increase. The maximum number that the State would fund would be 10 officers but it doesn't mean that the County has to hire those 10 officers. It can be less. The Commission was split in their opinion of these officers. Commissioner Rosel felt that the need was there for these officers but Commissioner Arcaute and Commissioner Sanchez felt that the match for the County was excessive at 30%. Commissioner Sanchez then suggested, after brief comments, that they take no action at this time.

NO ACTION
(SEE EXHIBIT R)

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 19TH day of DECEMBER, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas

By: Aaron Betancourt
AARON BETANCOURT, Deputy

