

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

VOL 0328 me 073

BE IT REMEMBERED that on the 16TH day of JANUARY, 1996, 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:

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

CONSENT AGENDA
=====

- ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR
- | | | | |
|-----------------------|-----------|-----------|------------------|
| GENERAL FUND | - #116563 | - #116723 | - \$1,041,894.47 |
| SPECIAL REVENUE FUND | - #116627 | - #116859 | - \$ 655,347.55 |
| TRUST AND AGENCY FUND | - # 5221 | - # 5246 | - \$ 426,391.17 |
| ENTERPRISE FUND | - # 2510 | - # 2515 | - \$ 4,858.79 |
- (SEE EXHIBIT A)

- ITEM 2. APPROVAL OF MINUTES - AUGUST 29, 1995
(NO EXHIBIT)

- ITEM 3. PLANNING DEPARTMENT:
- A. SUBDIVISIONS:
- | | |
|---------------------------------------|----------|
| 1. ARAPAHO SUBDIVISION | - PCT. 2 |
| 2. ESCANAME SUBDIVISION | - PCT. 2 |
| 3. LA MANSION | - PCT. 3 |
| 4. RIOS SUBDIVISION UNIT "D" | - PCT. 3 |
| 5. SPIKES PHASE I | - PCT. 3 |
| 6. CORNERSTONE MEDICAL PHASE I | - PCT. 4 |
| 7. LOTS 5, 6 & 7 WAL MART SUBDIVISION | - PCT. 4 |
| 8. ROY RODGERS SUBDIVISION | - PCT. 4 |
- (SEE EXHIBIT B)

- ITEM 4. PERMITS:
- A. SOUTHWESTERN BELL TELEPHONE COMPANY - PCT. 3
(SEE EXHIBIT C)

- ITEM 5. INTERNAL LINE ITEM TRANSFERS: (1995)
- | | |
|--------------------------------------------------------|---------------|
| A. COUNTY COURT 2 | - \$68.86 |
| B. COUNTY CLERK | - \$583.00 |
| C. COUNTY HUMAN SERVICES (DIRECT ASSISTANCE) | - \$158.17 |
| D. J.P. PCT. 3, PL. 2 | - \$583.00 |
| E. RAMIRO M. GUERRA YOUTH VILLAGE | - \$5,500.00 |
| F. COUNTY LIBRARY SYSTEM | - \$2,010.00 |
| G. COUNTY DETENTION CENTER (JAIL) | - \$62,590.00 |
| H. ADULT PROBATION COMMUNITY CORRECTIONS (STATE FUNDS) | - \$2,619.36 |
| I. J.P. PCT. 4, PL. 2 | - \$988.50 |
| J. HEALTH DEPARTMENT - (CLINICS) | - NO ACTION |
| K. HEALTH DEPARTMENT - (ADMINISTRATION) | - NO ACTION |
| L. INSURANCE | - \$33,000.00 |
- (SEE EXHIBIT D)

- ITEM 6. INTERNAL LINE ITEM TRANSFERS: (1996)
- | | |
|--------------------------|--------------|
| A. DISTRICT CLERK | - \$6,000.00 |
| B. COUNTY LIBRARY SYSTEM | - \$22.00 |
- (SEE EXHIBIT D)

Judge Garcia opened by stating that items 5J and 5K would be pulled from the Agenda at this time. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to exclude the no action items of 5J & 5K and accept the Consent Agenda as is.

MOTION CARRIED

(SEE EXHIBITS A-D)

Judge Garcia stated that items 5J & 5K will be; for no action. Barring further comments, Judge Garcia moved on to the Regular Agenda.

REGULAR AGENDA
=====

ITEM 1. URBAN COUNTY:

- A. APPROVAL OF RESOLUTION AUTHORIZING A LINE OF CREDIT FROM FIRST NATIONAL BANK OF EDINBURG
- B. CITY OF ELSA - BUDGET AMENDMENTS YEAR 1993, 1994 & 1995
- C. CITY OF LA JOYA - PFI - WATER/SEWER IMPROVEMENTS YEAR 1994\ DIAMOND UTILITIES, INC.
- D. CITY OF PALMVIEW - PROFESSIONAL SERVICES AGREEMENT (AMENDED ARCHITECTURAL CONTRACT) PFI - YOUTH CENTER (1994 & 1995)
- E. CITY OF PALMVIEW - PROFESSIONAL SERVICES AGREEMENT (ENGINEERING SERVICES) PFI FIRE STATION IMPROVEMENTS YEAR 1995
- F. PCT. 3 - PFI - STREET IMPROVEMENTS INTERLOCAL AGREEMENT B-95-UC-48-0501 WITH PENITAS
- G. BUDGET FOR COLONIA DEVELOPMENT INTEREST EXPENSE
- H. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS CONTRACT NO. 7141005 - TRES COLONIAS PROJECT
- I. AMENDMENT OF THE HOME FIRST TIME HOMEBUYER PROGRAM DESCRIPTION
- J. HOME - FIRST TIME HOMEBUYER CONTRACT AGREEMENTS AND LETTER OF COMMITMENT TO MORTGAGE COMPANY

1A

Anthony Covacevich opened by stating that this item has been on the agenda two previous times due to the impasse with the federal government. This time, it is for the reason of the shutdown also, due to the snow storm. They need these monies to pay bills that needed to be paid the previous week. This will be for \$500,000 and they will have six months from this date to obtain the line of credit. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the line of credit from First National Bank for Urban County. Maximum amount \$500,000 for a six month period.

MOTION CARRIED
(SEE EXHIBIT E)

1B

Mr. Covacevich stated that those amendments are for three different years. In 1995, there were five new activities in the area of public service and neighborhood facilities. The other amendments are to infrastructure improvements. He stated that all the proper procedures have been followed and he recommended approval for years 6, 7 & 8. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT E)

1C

Anthony stated that the City of La Joya was requesting

permission to enter into contract with Diamond Utilities in the amount of \$9,140. This will be for Water and Sewer Improvements. A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED
(SEE EXHIBIT E)

1D

Mr. Covacevich stated that this was a request for a contract amendment. The City of Palmview would like to add an additional \$4,000 to this contract for incurred responsibility with the finished product of the Youth Center. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT E)

1E

Mr. Covacevich stated that this was a request to enter into contract with Hinojosa Engineering. This will be for a fee of \$1,000 for fire station improvements. The actual amount of this construction project is \$15,000. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT E)

1F

This item is an Interlocal Agreement between Pct. 3 and the City of Penitas in the amount of \$23,762.75 for the paving of an unnamed road & Zamora Street. Mr. Covacevich recommended approval of this item. Commissioner Rosel made a motion which was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT E)

1G

Mr. Covacevich stated that this was an interest expense incurred when Urban County obtained a line of credit with First National Bank. This is in relation to the Colonia Fund, in which they pay out for colonia projects and in turn get reimbursed by the State. The interest is ineligible to be reimbursed by the State so the County budgeted \$6,000 the previous year for this purpose. Mr. Covacevich is asking for the same amount this year. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT E)

1H

Mr. Covacevich stated that this item was more for guidance from the Commission. This project is for the extension of a sewer line from the City of Edinburg to the Tres Colonias. He stated that to date, the CCN (Certificate of Convenience & Necessity) had not been received. As a result of this action, a challenge could arise from an-

other Utilities entity. Since they were funded by the State, if they commence this project and are unable to complete it and another entity finalizes the construction, they will have to return the money to the State. Mr. Covacevich stated that the State and Legal Counsel share the same Concern with Mr. Covacevich. Byron Lewis was speaking on behalf of the City of Edinburg. He stated that the City's no. 1 goal is to provide Service to that area. He feels that if they place an indemnification clause in this contract, a burden will be placed on the citizens because everyone will be attempting to get one. Mr. Lewis stated that there was a concern from someone in the approval process as to who would provide the service to the area without a CCN. There was a letter from Mr. Holcomb from TNRCC in which he states that he will decide who provides the service based upon who can provide it. He felt that whomever services the area, the main goal will be achieved and no refund will be needed. The deadline for this challenge has passed and it is simply a matter of administrative approval. According to Commissioner Garces, he spoke to Mr. Holcomb and he had no concerns over this issue whatsoever. Commissioner Garces stated that he had also spoken to an Engineer and he was told by the Engineer that there was 60 to 90 days to have this implemented. Mr. Covacevich stated that further in the letter from Mr. Holcomb, it states that this does not preclude future protest or competing sewer CCN in the future and this is why Mr. Covacevich cannot commit or recommend this unless the County is willing to do so. During the discussion, Mr. Crain addressed the Court and he was in agreement with the way Mr. Covacevich was approaching in this issue. He was asked if they could extend the time line. Mr. Covacevich stated that the time line did not apply in this case because the County would not be eligible for Colonia funding the following year. Trinidad Rodriguez also addressed the Court during this lengthy discussion and he stated that he felt that this amount was not a huge amount to invest in this type of project especially if the City of Edinburg would be willing to help absorb some of the Cost. He stated that the entities were going back and forth with this issue and the citizens were the ones that were being affected. The Commission was requesting that they have one more week so that they are able to get North Alamo Water Supply to sign off on some type of paperwork saying that they have no problem with this project. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to table this item.

MOTION CARRIED
(SEE EXHIBIT E)

1I

Mr. Covacevich stated that this item was for an amendment to the description of this program. They would like to delete the new housing education requirement. In the past, Nations Bank would help pay for these classes. They are no longer willing to do so; therefore, they would like to eliminate this from the description. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to amend the first time homebuyer description as requested by Mr. Covacevich and delete the educational requirement.

MOTION CARRIED
(SEE EXHIBIT E)

1J

Anthony Covacevich stated that there were 14 families

that qualified for this program. The total number of families now stands at 84 families which is 16 short of the goal set for the program. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT E)

ITEM 2. REQUEST FOR AUDIENCE:

- A. JUDGE FERNANDO G. MANCIAS
 - 1. INCREASE IN COURT REPORTERS SALARIES
 - 2. SET SALARIES AND BUDGET AMENDMENTS

2A1

Judge Noe Gonzalez addressed the Court for Judge Mancias on behalf of the Board of Judges. They would like to request an increase in the salaries of Court Reporters. He stated that their reason for this request is because the court reporters as of now are the lowest paid court reporters by approximately 10 to 15 thousand dollars in comparison to the other counties. In addition to this, they have to provide their own computer and equipment to translate. They also have to provide their software for the transcribers. That would run approximately \$15,000. Supplies have to be purchased as well. Some courts may require their court reporters to hire and pay their own court reporter replacements while they are on sick leave or vacation. Commissioner Sanchez stated that it was not that the Commission felt or thought that it was unfair but that it was more about what was available and what they had to do. It was stated by Mrs. Etnire that the figure to complete the 10% increase would be approximately 17 or 18 thousand including fringe benefits for all the court reporters total. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the request from the Board of Judges and grant court reporters the desired amount.

MOTION CARRIED
(SEE EXHIBIT F)

2A2

NO ACTION

ITEM 3. APPROVAL OF ARCHITECT - 13TH COURT OF APPEALS

Mrs. Etnire stated that an architect had been agreed upon back in 1993. It was not brought into court and officially approved. This was the only set back as far as beginning construction. Mr. Vargas addressed the Court and he stated that back in 1993, they were given the approval to proceed work with the Judges as far a design for the fifth floor. He has since been working with the Court in Corpus Christi. It was later found out that there was no contract in place to begin actual construction and he was told by Mrs. Etnire that it would be best if the contract was just brought to court and have it approved at this time. Mr. Vargas also stated that there was liability insurance in the amount of \$1,000,000 for errors and omissions. The contract with V.A. Architecture is strictly for the design specifications of the facility and they will in turn bid this out to the lowest bidder and the Commission will also approve the specifications and upon approval they will issue this to the lowest bidding contractor who will construct the Courtroom.

A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the architectural firm of V.A. Architecture and exempt them from the bidding procedure.

MOTION CARRIED
(SEE EXHIBIT G)

ITEM 4. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. EL PINTO ROAD UNIT NO. 3 SUBDIVISION - PCT. 3
- B. FINAL PLAT APPROVAL:
 - 1. PECAN VALLEY ESTATES UNIT #1 - PCT. 1
- C. REQUEST FOR VARIANCE:
 - 1. EUSTALIA ENCINIA - PCT. 3

4A1

Mr. Garcia stated that all requirements had been met and he and the Planning Department recommended approval. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT H)

4B1

According to Mr. Garcia, all improvements had been completed and he had recommended approval. Commissioner Sanchez then asked if this was the subdivision that they had discussed and received complaints due to graffiti. The Developer wanted to put up a fence to curb some of these activities. Commissioner Sanchez stated that he had informed him that dedicated roads could not be gated. Mr. Garcia stated that he also had talked to the developer and he has accepted that he could not gate the area. There were suggestions as to how to maybe allow him to gate the area. Commissioner Sanchez stated that the developer had expressed an interest in absolving the County from any maintenance and he would maintain it himself. Vona Walker and Mr. Garcia stated that it might be done through the City of Donna since they had dedicated it a public road. They would have to reword it so that it can be done. Commissioner Sanchez then requested that this item be tabled until the following week so that he can provide the developer with some options as to how to go about this. He then moved to table this item and he was seconded by Commissioner Arcaute.

MOTION CARRIED
(SEE EXHIBIT H)

4C1

NO ACTION
(SEE EXHIBIT H)

ITEM 5. HIDALGO COUNTY LIBRARY SYSTEM

- A. APPOINTMENTS TO THE HIDALGO COUNTY LIBRARY SYSTEM BOARD

NO ACTION
(SEE EXHIBIT I)

ITEM 6. SHERIFF'S DEPARTMENT:

- A. APPROVAL OF INSTALLATION REQUEST FOR 3 MOBILE PHONES FOR DEPUTY SHERIFFS
- B. FINGER PRINT FEES FOR PERSONS OTHER THAN A CHILD
- C. COMMISSION FEE ON SALES
- D. TEN DOLLAR FEE ASSESSED ON FINGER PRINTING SERVICES OTHER THAN A CHILD
- E. CEASING OF THE COLLECTION OF COMMISSION FEES ON SALES

6A

Ramiro Castellano was requesting these phones for the purpose of better service to the Community. This will be for the Supervisors and to handle some of the reports over the phone instead of over the radio to keep from tying up the radio. These phones will be paid out of the seizure fund which is used for law enforcement purposes. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the installation request for three mobile phones for deputy sheriffs.

MOTION CARRIED
(SEE EXHIBIT J)

6B

Mr. Castellano stated that this was part of the fees that they were trying to get approved back in November. Back then there were some legal questions concerning this item and they wanted legal counsel to look at this and have them make a recommendation. Mr. Castellano stated that there was an opinion that a fee of \$10 could be charged for everyone. Mr. Crain then addressed the Court and stated that after the recodification of the laws, it is a bit more dismal than what it was in the past. He suggested that the flat fee being requested here be adopted as opposed to having a sliding scale fee. After further brief comments, and upon Mr. Crain's and Mr. Castellano's recommendation, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT J)

6C

Mr. Castellano stated that this was concerning the Commission that is collected from sales fees. He suggested that they do away with these fees to avoid future litigation. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT J)

6D

NO ACTION
(SEE EXHIBIT J)

6E

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

MOTION CARRIED
(SEE EXHIBIT J)

ITEM 7. APPROVAL OF RURAL FIRE CALL CONTRACT FOR THE CITY OF LA VILLA

Commissioner Sanchez stated that when the other contracts were approved, the City of La Villa was inadvertently left out. They would like to have this included with all the other city contracts. It is the same as the others. Commissioner Sanchez made a motion to contract with the City of La Villa for rural fire calls. Mr. Quintanilla addressed the Court and stated that currently, La Villa was not a member of the fire association and in order to include them, they would have to reconfigure the area to be covered for rural calls. Commissioner Sanchez suggested that they find out exactly how to go about including them in these contracts and whether they can or cannot and why or why not. He then withdrew his motion. The Commission went into a discussion concerning the method of confirming calls or disallowing calls. If they disallow a call and the department would like to appeal the disallowance, they would go to the designated Fire Marshall, that being the Sheriff and if they feel that the call was certifiable, they will in turn process it for payment. After further brief comments, no action was taken and Judge Garcia moved on to the next item.

NO ACTION
(NO EXHIBIT)

ITEM 8. HEALTH DEPARTMENT:

A. APPROVAL OF POSITION TRANSFERS AND RECLASSIFICATION OF POSITIONS

Dr. Garza opened by stating that this was a request to reclassify and set salaries for some of his personnel. He was requesting this be done under Title V. Due to cut backs with Title V, there will be some personnel lay offs. Dr. Garza is attempting to ease some of the burden. Commissioner Sanchez asked him since there were some cutbacks, if he was still keeping the people on and Dr. Garza stated that what was happening was that whenever some stopped working, they would not fill the position. He will attempt to weather the shortfall of funds by relocating some employees in other grants and general funds to keep them employed. There was some discussion concerning whether or not this could be violating civil service rules. Mr. Dickinson addressed the Court and stated that upon approval from the Commission, he will make sure that all the proper procedures are followed to assure compliance with personnel and whomever else. Mr. Dickinson stated that the previous year for Title V, there was a set amount for their budget but this year is being done on a billing service. If they don't bill adequately, they will be facing a deficit. This is the purpose of this request to avoid deficit and until billing revenues increase. After further brief comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the requested position transfers and reclassification of those positions.

MOTION CARRIED
(SEE EXHIBIT K)

ITEM 9. APPROPRIATION OF COURTHOUSE SECURITY FUNDS

Roy Quintanilla addressed the Court and stated that this request for an amendment of \$10,000 from the Courthouse security fund into object 31 and object 95. \$1,000 is for some material to build some shel-

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ving that is needed to allow people to place their keys, change etc. as they walk through the metal detector. \$9,000 is for the possible purchase of a metal detector. After further brief comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the request for a budget amendment by Mr. Quintanilla and appropriate \$10,000 from the Courthouse Security Fund.

MOTION CARRIED
(SEE EXHIBIT L)

- ITEM 10. APPROVAL TO TRANSFER FUNDS FROM VARIOUS DEPARTMENTS TO COVER PENDING BILLS
 - A. INSURANCE
 - B. GENERAL LITIGATION
 - C. PUBLIC DEFENSE

10A,B&C

Mrs. Etnire that this money would be coming out of the General Fund for the year 1995. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT M)

- ITEM 11. APPROVAL OF ATTORNEY'S FEES IN THE AMOUNT OF \$123,643.80

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

MOTION CARRIED
(SEE EXHIBIT N)

- ITEM 12. PCT. 1:
 - A. APPROVAL TO EXTEND LANDFILL LEASE
 - B. AUTHORIZATION TO PAY BILL

12A

A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the extension of the landfill lease.

MOTION CARRIED
(SEE EXHIBIT O)

12B

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to authorize the payment of the bill. Commissioner Sanchez stated that he was advised by the Auditor's Office that the agreement had to be ratified although this item had been to Court and approved in June of 95 to extend it to 96. Steve Austin felt that at the time this action was taken in 1995, it should have been extended for two years as opposed to one. Mr. Crain suggested after being told by Steve Austin, that all action be ratified at this time and the bills would be paid. Commissioner Sanchez again moved and was seconded by Commissioner Garces to extend the lease to April 21, 1996.

MOTION CARRIED
(SEE EXHIBIT O)

ITEM 13. PURCHASING DEPARTMENT:

A. AWARD BIDS:

1. TWO 1996 PICK UP TRUCKS - PCT. 1
2. LIBRARY BOOKS - LIBRARY SYSTEM
3. LINDA VISTA DRAINAGE IMPROVEMENTS - PCT. 3

B. AUTHORIZATION AND APPROVAL TO DECLARE AMIGOS BIBLIOGRAPHIC COUNCIL A SOLE SOURCE

C. REQUEST TO ADVERTISE:

1. INDUSTRIAL CHEMICALS - HIDALGO COUNTY
2. LUBRICANTS - HIDALGO COUNTY

13A1

Mary Maldonado stated that there were two bids. Roberts Chevrolet for \$20,376 each and Boggus Motors for \$18,928. She recommended Roberts Chevrolet due to Boggus not meeting specs. The submitted bids for a 1997 as opposed to a 1996 which was asked for and also the engine was smaller than what was being asked. Boggus would not be able to deliver for 3 to 6 months and Roberts can deliver within 6 to 8 weeks. Commissioner Sanchez then made a motion to accept the recommendation of the Purchasing Department and award the bid for two 1996 pickup trucks to Roberts Chevrolet in Edinburg. The motion was seconded by Commissioner Garces.

MOTION CARRIED
(SEE EXHIBIT P)

13A2

NO ACTION
(SEE EXHIBIT P)

13A3

Ms. Maldonado stated that there was only one bid from Sascon. She stated that Commissioner Rosel would like to take this bid under advisement. He stated that the reason for this was to look into this matter further and bring it back the following week. He so moved and was seconded by Commissioner Sanchez.

MOTION CARRIED
(SEE EXHIBIT P)

13B

NO ACTION
(SEE EXHIBIT P)

13C1

A motion was made by Commissioner Garces. Commissioner Rosel then asked if these specs. were the same as the one's issued in the past. These are the same. He asked if any changes needed to be made and Ms. Maldonado stated that she was aware of none. The Commission expressed some concerns with the way the item was worded. They were not sure if these items were actually industrial chemicals or janitorial supplies. After further comments, Commissioner Sanchez reissued the motion and was seconded by Commissioner Rosel to advertise.

MOTION CARRIED
(SEE EXHIBIT P)

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Commissioner Arcaute opened by stating that he does not use these types of lubricants and he has always been dissatisfied with these. The Commission suggested a no action be taken so that the Purchasing Dept. may have time to revise the specifications for these items, which the Commission was dissatisfied with. After further comments, Judge Garcia moved on to the next item. In the interim, the Commission may purchase necessary items within the purchasing policy.

NO ACTION
(SEE EXHIBIT P)

ITEM 14. RESOLUTION DECLARING PROPERTY SURPLUS AND APPOINTING SPECIAL COMMISSIONER

Vona Walker addressed the Court and stated that this property is in the west part of the County. It is 1.81 acre of land. The owner who has land adjoining the parcel of property would like to submit a bid for this and he is aware that he will have to pay for the appraisal and the publication. He will pay the appraised value and he is aware of all of this. A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT Q)

ITEM 15. OFFICE OF EMPLOYMENT AND TRAINING:
A. REQUEST ADVANCE AND/OR BUDGET AMENDMENT
B. APPROPRIATION OF FUNDS

Dick Dickinson suggested to the Court that they go into Executive Session being that that item is also related to the OET. Judge Garcia concurred and moved to item 18.

ITEM 18. CLOSED SESSION:
COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 AND 551.074 TO DISCUSS THE FOLLOWING MATTER:

- A. RDEDUCTION IN PERSONNEL FORCE - OFFICE OF EMPLOYMENT AND TRAINING
- B. POTENTIAL LITIGATION - OFFICE OF EMPLOYMENT AND TRAINING

At this time the Commission retired into closed session.

ITEM 19. OPEN SESSION:
A. REDUCTION IN PERSONNEL FORCE - OFFICE OF EMPLOYMENT AND TRAINING
B. POTENTIAL LITIGATION - OFFICE OF EMPLOYMENT AND TRAINING

19A

NO ACTION
(NO EXHIBIT)

19B

Dick Dickinson stated that this a request for the County

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Judge to give authority to employ Attorneys to review County options as they relate to pending litigation for OET. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(NO EXHIBIT)

AT THIS TIME, THE COMMISSION REVERTED BACK TO ITEM 15.

15A

Dick Dickinson opened by stating that he was requesting from the Commission, that they amend the budget and appropriate funds in the amount of \$378,000 so that OET may function properly. This money will be spent accordingly. He also stated that this money should be returned to the County in the latter part of April barring any unforeseen circumstances. Commissioner Arcaute asked how would they go about disbursing this money? Mr. Dickinson stated that this could be done through the bank with a certificate of obligation. The money could not be borrowed from the Bank for the purposes needed by OET, but through the certificate, it would free up the money to facilitate the budget amendment. Mr. Crain then addressed the Court and stated that he had spoken with some bond counsel and they would be able to attend the next meeting to explain the certificate of obligation process if need be. Commissioner Arcaute then attempted to explain the process that was being presented. He stated that the money needed for this purpose could not be borrowed from the bank, but they could give this money from the General Fund and they would in turn borrow money from the bank and reimburse the General Fund. Mr. Dickinson reassured the Court that this money would be utilized for operating costs. Steve Austin then asked whether this money was being advanced or loaned. He voiced some concern over a cashflow problem but Commissioner Arcaute felt that this would not be a problem this early in the year. After further comments, Commissioner Garces made a motion and was seconded by Commissioner Arcaute to approve the advance for the budget amendment in the amount of \$378,000 to be used for the items mentioned before hand. A discussion ensued with regards to whether this was an advance or an amendment. After it was clarified, Commissioner Garces amended his motion to read to advance \$378,000 to the Office of Employment and Training effective immediately. Commissioner Arcaute withdrew his second on the amended motion but was seconded by Commissioner Sanchez. The motion was put to a vote and all voted in favor.

MOTION CARRIED
(NO EXHIBIT)

ITEM 16. TERMINATION OF CURRENT PRIVATE INDUSTRY COUNCIL BOARD MEMBERS

NO ACTION
(NO EXHIBIT)

ITEM 17. APPOINTMENT OF PRIVATE INDUSTRY COUNCIL BOARD MEMBERS

NO ACTION
(NO EXHIBIT)

ITEM 20. CLOSED SESSION:
COMMISSIONER'S COURT MAY RECONVENE INTO CLOSED SESSION FOR DIS-

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CUSSION REGARDING AGENDA ITEMS LISTED

NO ACTION

ITEM 21. OPEN SESSION:
COMMISSIONER'S COURT MAY RECONVENE INTO OPEN SESSION TO TAKE
ACTION ON AGENDA ITEMS LISTED

NO ACTION

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

MOTION CARRIED

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

DRAINAGE DISTRICT
=====

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

ITEM 1. AWARD BIDS:
A. FOUR WHEEL DRIVE 1996 VEHICLE

Ms. Maldonado stated that there was one bid from Roberts Chevrolet at \$26,910. She recommended that this bid be rejected due to it no meeting specs. It did not meet specs because they bid a Crew Cab truck instead of a Suburban. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to reject the bid.

MOTION CARRIED
(SEE EXHIBIT P)

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

MOTION CARRIED

ITEM 2. AUTHORIZATION TO DECLARE TRUCKS SURPLUS

Vona Walker addressed the Court and stated that these vehicles were no longer operable. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to declare trucks surplus.

MOTION CARRIED
(SEE EXHIBIT R)

ITEM 3. INTERNAL LINE ITEM TRANSFER - 1995

Ms. Walker that this amount of \$317.80 was to clear out the unemployment compensation. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT S)

ITEM 4. INTERNAL LINE ITEM TRANSFER - 1996

Ms. Walker stated that this was for some hearing tests being conducted on her employees that is required. They will also have a defensive driving course. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the transfer.

MOTION CARRIED
(SEE EXHIBIT T)

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

MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS DRAINAGE DISTRICT BOARD, THIS MEETING STANDS ADJOURNED.

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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 16TH day of JANUARY, 1996.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas

By: Aaron Betancourt
AARON BETANCOURT, Deputy

