

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 23RD 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:

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 - #116724 - #116983 - \$3,158,836.70
 Special Revenue Fund - #116860 - #117069 - \$ 651,159.52
 Trust and Agency Fund - # 5247 - # 5252 - \$ 42,012.15
 Enterprise Fund - # 2516 - # 2527 - \$ 28,749.70

(SEE EXHIBIT A)

ITEM 2. APPROVAL OF MINUTES: - SEPTEMBER 05, 1995
 (NO EXHIBIT)

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
 A. DISTRICT CLERK - \$115,741.30 - DECEMBER 1995

(SEE EXHIBIT B)

ITEM 4. PERMITS:
 A. NORTH ALAMO WATER SUPPLY - PCT. 1 & 4
 B. REYNALDO CAMACHO - PCT. 1
 C. CITY OF ALAMO - PCT. 2

(SEE EXHIBIT C)

ITEM 5. INTERNAL LINE ITEM TRANSFERS (1995)

- A. DISTRICT CLERK - NO ACTION
- B. 93RD DISTRICT COURT - \$100.00
- C. WARRANT OFFICERS - \$500.00
- D. PCT. #4 - ADMINISTRATION - \$250.00
- E. PCT. #4 - PAVED/UNPAVED - \$3,920.00
- F. PCT. #3 - ADMINISTRATION - \$700.00
- G. D.A. INVESTIGATION FUND - \$1,828.66
- H. INSURANCE - \$25,976.00

(SEE EXHIBIT D)

ITEM 6. INTERNAL LINE ITEM TRANSFERS (1996)

- A. PURCHASING DEPARTMENT - \$2,800.00
- B. DISTRICT ATTORNEY - INVESTIGATION FUND - NO ACTION
- C. DISTRICT ATTORNEY - BAD CHECK - NO ACTION
- D. D.A. SOUTH TEXAS AUTO THEFT TASK FORCE -\$1,000.00
- E. WIC - \$881.00
- F. PCT. 4 - ADMINISTRATION - \$200.00
- G. PCT. 3 - PARK - \$585.00

(SEE EXHIBIT E)

ITEM 7. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. D & B SUBDIVISION - PCT. 2
 - 2. P.S.J.A. FEDERAL CREDIT UNION UNIT NO. 2 - PCT. 2

(SEE EXHIBIT F)

Judge Garcia opened the meeting by stating that items 5A, 6B and 6C will be withheld from action at this time. Upon Judge Garcia's withholding, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to accept the Consent Agenda as presented. Commissioner Arcaute voiced his question on the activity of the '95 budget.

During the comments, Judge Garcia again stated that these items would be for no action. The motion was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBITS A-F)

REGULAR AGENDA
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ITEM 1. STRUCTURE & POSSIBLE FINANCING OF COPC PROJECT

Dr. Ramiro Casso, Chairperson of the COPC Taskforce, addressed the Court and stated that they have steadily been trying to address all aspects and questions that might arise in the operation of this clinic. He stated that the previous time this issue was discussed, the Commission had expressed an interest in being the landlord of this operation by building this facility and leasing to a nonprofit organization to oversee this and report to the Commission only this regard. He also stated that there would be no better nonprofit organization to run this than Area Health Education Center Board which has been in existence for years and have also represented all segments of society within the County. He pointed out that there were two groups that had expressed an interest in being the managerial operation agency to manage the COPC Clinic. The final decision will be made by the AHEC Board. Dr. Casso went on to say that the Commission would not have any liability concerning this clinic with the exception of being landlord for this facility. The clinic operations agency will bear all the liability and this will be by contract. If there is any shortfall in the operation, the agency will not look to the Commission for help they will be responsible for making up this shortfall. Commissioner Arcaute expressed some question as to what was being asked from the Commission and Dr. Casso clarified what was being asked for was approval to move ahead with the proposals for architect. Commissioner Sanchez felt that it was imperative that they move forward with this program. Judge Garcia then addressed the issue concerning the financing aspect of this project. Commissioner Sanchez then stated that they had originally talked about financing this project through certificates of obligation and he said that the next step should be the task force meeting with bond counsel so that they may be able to identify the financing mechanism. They will then be able to contract with an architect and the Court may be able to get reports on the progress of the clinic. It is the intent of the Commission and the Task Force that once all contracts are in place and the architect is hired and construction begins, the task force stay involved in every step to assure the Court of the progress. Mr. Crain then addressed the Court and stated that his general outlook on the progress of this issue is that the next step is to find the financing mechanism and once it is financed it will answer many of the questions lingering on the Commission's minds. He felt that as a task force, that they could not do much more until the financing people are involved and they will be able to shed some light as to the direction they should move in. During these comments by Mr. Crain, Commissioner Sanchez made a motion to authorize the County Judge to instruct legal counsel to set up a meeting with bond council and have the task force be involved. Mr. Crain suggested that maybe the County put out the advertisements for bond council. Ron Tupper then addressed the Court and stated that the equipment and the patients were in place for this clinic and they even have a physician ready to begin at this clinic.

This clinic will also address pediatrics as well as adult care to avoid sending a child to another area to a pediatric hospital; this according to Mr. Tupper. The cost for this facility could be as low as half the price of the facility in Dallas. Mr. Tupper also felt that this facility should also be a teaching facility so that the doctors may keep learning to keep up with the medical changes that may come about so that they will always be up to date on the delivery of care in the area. This will also teach up-coming students so that they may be able to provide care at this clinic in the future and avoid sending patients out of the County to receive care. The staff that will do the teaching will be provided for by State Funding mechanisms. During the discussion, Commissioner Arcaute expressed some of his concerns regarding the investment to be made by the County of 3 million dollars. He did not feel too comfortable with the fact that if for some unforeseen reason, this did not work, the City of McAllen would then take back the land and the building on it would essentially be theirs. The Commission was split on this issue. Father Bart addressed the Court and reiterated the fact the this issue needed to get underway because of the serious health problems that arise everyday. He stated that they had spoken with developers and they had quoted him about 1 1/2 to 2 million dollars to build this facility. Father Bart pleaded with the Court that they fund the building in the very near future. Dr. Casso then addressed the question of Commissioner Arcaute and he stated that the only way this property would ever revert back to the city is if it was not used for health purposes. Commissioner Sanchez then stated that if the COPC did not work in this capacity, they would still continue to provide some type of health care therefore keeping the building and land from reverting back to the City of McAllen. The motion was then brought back up and was seconded by Commissioner Arcaute. Mr. Crain suggested that the word bond council be used but rather council familiar with financing these type of projects. Commissioner Sanchez accepted the amendment and the second still stood. The motion was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT G)

Judge Garcia instructed Mr. Crain in open court to confer with council familiar with financing and that Dr. Casso be in close contact with Mr. Crain so that he may report to the Court as to the progress on this issue.

ITEM 2. BUDGET AMENDMENTS FOR COURT REPORTERS AND SETTING SALARIES

Commissioner Sanchez stated that this was a follow up to the action taken the previous week. Commissioner Arcaute made a motion and was seconded by Commissioner Sanchez to approve the budget amendments and set the salaries.

MOTION CARRIED
(SEE EXHIBIT H)

ITEM 3. URBAN COUNTY:

- A. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS CONTRACT NO. 7141005 - TRES COLONIAS PROJECT
- B. CITY OF SAN JUAN - HOME HOUSING REHAB PROGRAM - CONSTRUCTION CONTRACT AWARD
- C. CITY OF EDCOUCH - HOME HOUSING REHAB PROGRAM - CONSTRUCTION

- CONTRACT AWARD
- D. CITY OF MERCEDES - HOME HOUSING REHAB PROGRAM - CONSTRUCTION CONTRACT AWARD
- E. HOME - FIRST TIME HOMEBUYER CONTRACT AGREEMENTS & LETTER OF COMMITMENTS TO MORTGAGE COMPANY
- F. EMERGENCY SHELTER GRANT - PROFESSIONAL SERVICES AGREEMENT CONTRACT (ARCHITECTURAL - MUJERES UNIDAS FOUNDATION, INC.) U.S. DEPARTMENT OF HUD CONTRACT #S-94-UC-48-0501)
- G. PCT. 3 - PUBLIC HEARING ON PROPOSED AMENDMENT YEAR 8
- H. PCT. 3 - BUDGET AMENDMENT - YEAR 8
- I. CITY OF ALAMO - BUDGET AMENDMENT

3A

Anthony Covacevich addressed the Court and stated that this item was in relation to the item the previous week in which they took a no action. He has since met with Commissioner Garces and the City of Edinburg to clear this up. Commissioner Garces then addressed the Court and stated that he has letters from the City of Pharr stating that they do not object on the project being proposed concerning water service and also North Alamo Water Supply has issued the same. He was only waiting on a letter from the City of McAllen in which they were stating that they also would not contest this. Mr. Covacevich stated that these letters make this project a lot safer. He reluctantly recommended this. The maximum amount a liability that would be incurred in case anything were to come from this is \$300,000. Commissioner Arcaute felt that they should get moving on this. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to proceed with the project.

MOTION CARRIED
(SEE EXHIBIT I)

3B

Mr. Covacevich stated that this was a contract with J.D. Villarreal in the amount of \$59,200. This will be for five homes to be improved. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the low bid.

MOTION CARRIED
(SEE EXHIBIT I)

3C

Anthony stated that this was also a contract with J.D. Villarreal in the amount of \$11,800 in the City of Elsa for one home to be improved. Upon recommendation by Mr. Covacevich for approval, a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT I)

3D

Mr. Covacevich stated that this is for the rehab of 1 unit and it is with Quality Investments for \$21,800 and he recommended approval. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT I)

3E

Anthony Covacevich stated that this was for 9 families that had been approved for the first time homebuyer program and the total was now at 103 which is past the goal that was set for the year. There was yet another 8 that will be presented the following week. He recommended approval of these 9 families. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT I)

3F

Mr. Covacevich stated that this was for a contract with Morales-Best & Hinojosa for \$10,284 for major renovation of the McAllen Shelter. The total project will be approximately \$90,000 and there are sufficient funds for this project, so he recommended approval. A motion was introduced by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT I)

3G

Mr. Covacevich stated that this would be for no action since the hearing was slated for 7:00 p.m. this evening. He will bring this back for action back the following week after the hearing this evening.

NO ACTION
(SEE EXHIBIT I)

3H

NO ACTION
(SEE EXHIBIT I)

3I

Anthony Covacevich stated that this was a budget amendment by the City of Alamo for year 7. They will eliminate the acquisition of real property line item and they will increase youth center. They will also decrease public service to the youth. Mr. Covacevich stated that all the requirements had been met and he recommended approval. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT I)

- ITEM 4. HIDALGO COUNTY WATER DEVELOPMENT BOARD:
- A. APPLICATION OF RESOLUTION & SUBMISSION OF EDAP APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR THE CITY OF EDCOUCH
 - B. APPLICATION OF RESOLUTION & SUBMISSION OF EDAP APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR THE CITY OF LA VILLA

4A

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Anthony Covacevich stated that this resolution would be endorsing the application for facility engineering funding from the EDAP program. In the past the TWDB has funded the 12.5% local match that is required but only after the County has endorsed the project and amended the budget to grant the money to the TWDB for the match. Mr. Covacevich stated that this resolution will not only support this project but will include the budget amendment of \$3,500. Commissioner Sanchez then made a motion to endorse the EDAP application by the City of Edcouch and approve the amendment of \$3,500 as matching funds for the project and authorize the Judge to sign any and all documents related. The motion was seconded by Commissioner Garces and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT J)

4B

Mr. Covacevich stated that this item was similar to item A. This was, however, for the City of La Villa. The match for this project was for \$4,000. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to endorse the resolution for the City of La Villa application.

MOTION CARRIED
(SEE EXHIBIT J)

Mrs. Etnire stated that there was money budgeted for this issue. She also stated that a budget amendment would not be able to be done because it is not on the agenda for a budget amendment.

ITEM 5. COUNTY TREASURER:

- A. APPROVAL OF VACANT POSITION WHICH WAS ERRONEOUSLY ELIMINATED FROM BUDGET

5A

Norma Gonzalez, County Treasurer, addressed the Court and stated that her 1996 budget had been approved for 3 positions but the paper work that was submitted only had two name and she was there to give the third name. That name was Antonio J. Mata. This is for the third slot that had been approved in the budget and she wanted all documentation clarified and approval from the Court. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT K)

ITEM 6. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. SOUTH DONNA ESTATES - PCT. 1
 - 2. HIDDEN VALLEY ESTATES - PCT. 2
 - 3. J.L. PEREZ SUBDIVISION - PCT. 4
- B. FINAL PLAT APPROVAL:
 - 1. MERCED SUBDIVISION - PCT. 3
 - 2. PECAN VALLEY ESTATES UNIT #1 - PCT. 1

6A1

NO ACTION
(SEE EXHIBIT L)

6A2

Emilio Garcia, Chief Planner, stated that all requirements had been met and recommended approval. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve Hidden Valley Estates as presented.

MOTION CARRIED
(SEE EXHIBIT L)

6A3

Mr. Garcia stated that this 1 lot subdivision had been approved by the City of Edinburg and he also recommended approval. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve J.L. Perez Subdivision as recommended by Planning.

MOTION CARRIED
(SEE EXHIBIT L)

6B1

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval to Merced Subdivision as presented.

MOTION CARRIED
(SEE EXHIBIT L)

6B2

Mr. Garcia stated that the previous week, Commissioner Sanchez had recommended that no action be taken on this subdivision at that time so that they may allow the developer to place a gate across South Pecan Boulevard. Commissioner Sanchez stated that he had met with the developer, Mr. Perez. He had been presented with a certificate signed by the City of Donna granting an easement to the County for the use of the street. At the same time the responsibility of the street will remain with the Home Owners Association. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to grant final approval to Pecan Valley Estates Unit #1.

MOTION CARRIED
(SEE EXHIBIT L)

AT THIS TIME, JUDGE GARCIA MOVED TO ITEM 17.

ITEM 17. CLOSED SESSION:
COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTIONS 551.071 & 551.074 TO DISCUSS THE FOLLOWING MATTER:

- A. ADCOX ET AL VS. HIDALGO COUNTY
- B. OFFICE OF EMPLOYMENT AND TRAINING:
 - 1. PENDING LITIGATION
 - 2. DISCUSSION AND POSSIBLE ACTION ON RE-ORGANIZATION-PER-SONNEL

At this time, the Commission retired in to Executive Session

ITEM 18. OPEN SESSION:

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- A. ADCOX ET AL VS. HIDALGO COUNTY
- B. OFFICE OF EMPLOYMENT AND TRAINING:
 - 1. PENDING LITIGATION
 - 2. DISCUSSION AND POSSIBLE ACTION ON RE-ORGANIZATION-PER-SONNEL

18A

Judge Garcia stated that there will be no action on this item at this time.

NO ACTION

18B

Dick Dickinson requested that this chart be approved as proposed. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(NO EXHIBIT)

ITEM 16. DISCUSSION AND RECOMMENDATION FOR IMPLEMENTING THE FINANCIAL MANAGEMENT REVIEW CONDUCTED BY THE COMPTROLLER OF PUBLIC ACCOUNTS - STATE OF TEXAS

Judge Garcia stated that there were several departments to be completed for this report but at this time, Purchasing had been completed and several recommendations were made with regards to that department. Judge Garcia felt that once the report was fully completed, a workshop should be set up with all the departments affected so that they may discuss all recommendations made by the Comptroller to better run the County. One of the focal points discussed in the report is automation of the County and he asked Mr. Dickinson to address the Court with regards to that issue since he is involved in some research concerning automation.

Mr. Dickinson stated that before the review was conducted, they had already been researching avenues that were available to the County as far as automation. He stated that the County would be able to automate up to a state of the art mainframe computer with terminals and still save money over a five year period versus what is currently being spent. The whole County will be able to automate. Even if they were to maintain what they have now plus 35% more, there would still be substantial savings over what is being spent now. The Commission did agree that a workshop needed to be held so that they may discuss this review all together so that they all can understand properly what needs to take place. Mr. Dickinson stated that this researching of the computerization was done solely on the needs of the County and had nothing to do with the report. After further comments, Judge Garcia moved on to the next item.

NO ACTION
(NO EXHIBIT)

At this time, Judge Garcia asked Commissioner Arcaute to preside over the rest of the meeting. Judge Garcia was departing.

ITEM 7. HIDALGO COUNTY LIBRARY SYSTEM:

- A. APPOINTMENTS TO HIDALGO COUNTY LIBRARY SYSTEM BOARD

Bill McGee addressed the Court and stated that these appoint-

ments would be for 3 year periods. The first set was suggested by current board members for at-large and alternate member at-large. Frances De Wolf of Edinburg, Geneva Ashwander of McAllen and Thelma Burandt of Pharr were the nominees. Mrs. De Wolf was the member at large for the previous term and is interested in re-appointment. Mrs. Ashwander was the alternate and is also willing to continue. These candidates are for the Edinburg Library. Commissioner Garces then recommended Frances De Wolf and Thelma Burandt as the alternate. He so moved and was seconded by Commissioner Rosel.

MOTION CARRIED
(SEE EXHIBIT M)

Mr. McGee stated that the Mercedes Board had also submitted 3 names for their clinic. They are Angie Garza, Bertha Vargas and Dan Avila. Mr. McGee recommended Mrs. Garza as the representative and Mrs. Vargas as the alternate. Commissioner Sanchez so moved and was seconded by Commissioner Garces to accept the recommendation of Mr. McGee.

MOTION CARRIED
(SEE EXHIBIT M)

ITEM 8. AUTHORIZATION TO PAY AMIGOS DEL VALLE FEES FOR SERVICE FOR FISCAL YEAR 94-95 (APPROPRIATION OF FUNDS AVAILABLE IN BUDGET FOR YEAR 1995)

Mrs. Etnire stated that this had been approved in the budget for 94-95. The amount is \$3,500. She stated that it has just been in the budget and the same amount was approved this year. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces for approval.

MOTION CARRIED
(SEE EXHIBIT N)

ITEM 9. APPROVAL TO APPROPRIATE FUNDS TO PAY FOR COMPLETION OF RIGHT OF WAY MAP FOR FM 1015 - ACCT. #5-710-431-210.42

Vona Walker stated that this was done but the auditor had stated to her that this money needed to be appropriated through Court. The money was there for this. This will be used to complete the map. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT O)

ITEM 10. DISCUSSION AND POSSIBLE ACTION IN REFERENCE TO FIRE MARSHALL DEPARTMENT

NO ACTION
(SEE EXHIBIT P)

ITEM 11. COUNTY JUDGE:
A. APPROVAL OF BUDGET AMENDMENT & AUTO ALLOWANCE

Mrs. Etnire stated that this money was to go to one of the

administrators who has taken on more responsibilities that will put him on the road more often. The amount is \$1,200. Commissioner Rosel made a motion and was seconded by Commissioner Garces to approve \$1,200 for the Judge's Office in a budget amendment for auto allowance.

MOTION CARRIED
(SEE EXHIBIT Q)

ITEM 12. JUVENILE PROBATION DEPARTMENT:

- A. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$28,360 PROGRESSIVE SANCTIONS GRANT APPROVED BY COMMISSIONER'S COURT ON JANUARY 8, 1996
- B. APPROPRIATE BUDGET FOR TJPC-F-96
- C. LINE ITEM TRANSFER

12A

Buddy Silva stated that this was the amount he would need to implement the grant that had previously been approved. This would cover 5 probation officers. This will be for fringe benefits for the officers. Commissioner Garces made a motion and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(SEE EXHIBIT R)

12B

Mr. Silva stated that this was just the appropriation of what was just approved in item A. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve \$28,360 be appropriated.

MOTION CARRIED
(SEE EXHIBIT R)

12C

Mr. Silva stated that this was a transfer in the amount of \$1,588.12 in order to hire two more Intensive Supervision Probation Officers. There was money available to cover 90% of the fringe benefits for the two officers and this will complete the monies needed for fringe benefits for the two officers. These two additional P.O.'s will also be paid out of the contract. There were sufficient funds so that he may get an additional 2. Commissioner Sanchez questioned the fact that could have these 2 officers been used to offset the five and fund 3 and these 2 for a total of five. Mr. Silva responded by saying that the initial 5 officers and these 2 officers are two totally separate officers. They handle different types of case loads. It possibly could have but he would not have recommended it. A motion was then made by Commissioner Garces and was seconded by Commissioner to approve the line item transfer in the amount of \$1,588.12.

MOTION CARRIED
(SEE EXHIBIT R)

ITEM 13. PCT. 2:

- A. AUTHORIZATION TO ADVERTISE FOR A NEW MOTORGRADER WITH TRADE IN
- B. APPROVAL TO APPROPRIATE 1995 FUND BALANCE IN TO 1996 BUDGET

C. APPROVAL TO RE-CLASSIFY POSITION FOR ORGANIZATIONAL STRUCTURE

13A

Commissioner Arcaute stated that there will be a trade in for this new motorgrader. He stated that he had submitted a memo for the bidders to submit a bid with and without a tradein. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT S)

13B

Commissioner Arcaute stated that there was \$71,564.97 to be appropriated into the '96 fund balance. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT S)

13C

Commissioner Arcaute stated that he had reclassified some positions and established some entry level salaries. There is a vacancy and this would give the authority to hire a new employee. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve. The salary schedule and change of status will be provided to the Auditor's Office by the end of the day.

MOTION CARRIED
(SEE EXHIBIT S)

ITEM 14. PCT. 3:

A. AUTHORIZATION TO ADVERTISE FOR TWO 1996 PICK UP TRUCKS

NO ACTION

ITEM 15. PURCHASING DEPARTMENT:

A. AUTHORIZATION & APPROVAL TO DECLARE AMIGOS BIBLIOGRAPHIC COUNCIL A SOLE SOURCE

B. AWARD BID FOR LINDA VISTA DRAINAGE IMPROVEMENTS - PCT. 3

C. REQUEST TO ADVERTISE:

1. RENTAL SPACE - CITY OF EDINBURG - WIC
2. RENTAL SPACE - CITY OF ALAMO - WIC

15A

Mary Maldonado stated that this Council was the only agent of OCLC. This is used to magnetize the books that are purchased by the Library System. Since they are the only providers of this source, Ms. Maldonado recommends that they be declared a sole source. A motion was made by Commissioner Garces to authorize and approve to declare the Amigos Bibliographic Council as sole source as indicated by the Purchasing Agent. The motion was seconded by Commissioner Sanchez.

MOTION CARRIED
(SEE EXHIBIT U)

15B

Ms. Maldonado stated that there was only one bid from Sascon for \$76,336. She was in possession of a letter from Phase V Engineering who also recommended this bid. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the low bid for Linda Vista Drainage Improvements to Sascon.

MOTION CARRIED
(SEE EXHIBIT U)

15C1

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to advertise for rental space in the City of Edinburg for WIC.

MOTION CARRIED
(SEE EXHIBIT U)

15C2

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to advertise for WIC rental space in the City of Alamo.

MOTION CARRIED
(SEE EXHIBIT U)

ITEM 16. DISCUSSION & POSSIBLE ACTION CONCERNING HIDALGO COUNTY CONSTABLES RESERVE OFFICERS ASSOCIATION, GILBERTO ALANIZ

Gilbert Alaniz opened by stating that he was not sure what this was about. Mr. Quintanilla stated that this was concerning a letter written to Judge Ruiz from Steve Austin concerning \$5,000 that had been given to the Constables for an anti-gang manual to be put together. Steve Austin had conducted an Audit of the Association and in the letter he is asking Commissioner's Court to ask the Constables to reimburse the County \$3,390 that was unaccounted for after the audit. The Commission was confused as to what action to take. Mr. Pena then addressed the Court and stated that the manual had been made but they did incur many expenses in making this manual. They had to hire a writer to write this manual. There was also need for a translator. The cost for this writer was \$1,851 to include writer pay, supply and typesetting. \$200 was paid to Lorena Escamilla for phone work to promote the magazine and anti-drug rally and helped with the putting together of the manual. Robert L. Thomas was granted \$175 for typesetting. Gilbert Alaniz withdrew \$24 to buy film to take pictures for the manual. This manual was to make the public aware of what goes on in the neighborhood concerning gangs, drugs and things of that nature according to Mr. Pena. Some money was used to provide goodies to the children in the neighborhoods. Commissioner Arcaute did not understand where the problem was with Steve Austin. Steve Austin stated that his office had reviewed the activity of this manual. According to him, after review of the books, they were only able to account for \$1,610 of receipts. Commissioner Arcaute felt that there was absolutely no reason for Steve Austin to be involved in this matter because this entity was totally separate from the County. Steve Austin stated that the Commission had entered into a contract with the association that the \$5,000 would be used for the purpose of publishing the magazine and it was stated that this money was used for

that purpose. Commissioner Garces, at this time, recommended that this item be tabled and or no action be taken until this item can be cleared up. Commissioner Arcaute expressed his sentiment that this was not the business of the Court since this money was granted to them. Jesse Sotello addressed the Court and stated that along with this manual, there was a fund raiser in which pages in the manual were being sold. Commissioner Rosel stated that he was not sure if this involved the County, but if there are any concerns, they should send this matter to the appropriate law enforcement authority. The Commission did agree that they were not the ones who should be dealing with this issue at this time. Mr. Crain addressed the Court and he stated that he had no prior knowledge of this until today but he could understand some of the concern with regards to how this money was spent. During further discussion, Commissioner Arcaute read from paragraph 4 of the agreement between the association and the County and it called for the submitting of the bills; access to all such books and records upon request. Mr. Crain also addressed the Court and again he stated that this was the first he had heard of this but he stated in his opinion that according to what he has heard, any time funds are awarded by the County for certain use that is specific to a statutory requirement, the County does retain some type of control or audit responsibility for those funds. Commissioner Sanchez pointed out the fact that all the expenditures itemized on the exhibit added up to \$7,002.46 and the reason for that according to Mr. Pena, is because Mr. Alaniz already had \$2,000 in the account and that is where the \$7,000 comes from. Commissioner Sanchez stated that he saw that all the checks were on the list and the amounts and the reasons but the problem with Steve Austin was that he was unable to obtain confirmation from the payee and also he is unable to obtain invoices from the Constable. After further comments, Commissioner Sanchez suggested to the Constable that he meet with Steve Austin to attempt to clear up this matter with the other individuals involved whether it be one at a time or all together. He also suggested that no action be taken at this time.

NO ACTION
(SEE EXHIBIT V)

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel for adjournment.

MOTION CARRIED

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

DRAINAGE DISTRICT
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The Honorable Lalo Arcaute, Commissioner Pct. 2, called this Drainage District Board Meeting to order, whereupon the following items were had to wit:

ITEM 1. AUTHORIZATION TO ADVERTISE FOR TRACTOR & SLOPEMOWER

Vona Walker stated that these items were needed due to the other being used and overworked. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(SEE EXHIBIT W)

ITEM 2. APPROVAL TO CONVERT VACANT POSITION #36 IN THE AMOUNT OF \$14,202.25 FROM LABORER TO MECHANIC AND DECREASE POSITION #15 BY \$4,000, POSITION #16 BY \$1,500 & POSITION #12 BY 782.07 IN ORDER TO SET MECHANIC POSITION AT \$20,484.32

Ms. Walker stated that the slots being reduced have gotten their 7% raise for the year and there will be no cuts because of the transfers. She is trying to even out the pay among her employees. This money is being taken out of the higher paid slots and no one is affected except for the mechanic who is getting higher pay. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve. Commissioner Arcaute wanted to know exactly how this was done and she stated that this was money that was approved in the budget for these slots but they are not making the full amount in that slot although the 7% raise is incorporated there is still money left over in that slot. The motion was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT X)

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 23RD day of JANUARY, 1996.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas

By: Aaron Betancourt
AARON BETANCOURT, Deputy

