

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 28TH day of MAY, 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 being members of said Court:

Hon. J. Edgar Ruiz
County Judge

Hon. Samuel Sanchez
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Juan Rosel
County Commissioner, Precinct #3

Hon. Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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(MAY 28, 1996)

The Honorable J. Edgar Ruiz, 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 - #120721 - #120891 - \$544,605.69
SPECIAL REVENUE FUND - #120290 - #120437 - \$439,380.30
TRUST AND AGENCY FUND - # 5521 - # 5521 - \$141,121.94
ENTERPRISE FUND - # 2677 - # 2689 - \$ 3,252.41
(SEE EXHIBIT A)
- ITEM 2. APPROVAL OF MINUTES - NOVEMBER 28, 1995
(NO EXHIBIT)
- ITEM 3. APPROVAL OF ATTORNEY'S FEES - \$44,358.50
(SEE EXHIBIT B)
- ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:
A. SHERIFF'S DEPARTMENT - \$56,548.72 - APRIL
(SEE EXHIBIT C)
- ITEM 5. PLANNING DEPARTMENT:
A. SUBDIVISIONS:
1. GUZMAN-MORALES SUBDIVISION NO. 2 - PCT. 1
2. LION KING SUBDIVISION - PCT. 1
3. QUEEN SUBDIVISION - PCT. 1
4. ROBERT SMITH SUBDIVISION - PCT. 1
5. WEST DONNA ESTATES NO. 2 - PCT. 1
6. SECTION "R" VALLEY MEMORIAL GARDENS - PCT. 3
7. ANCIRA ESTATES - PCT. 4
8. 281 ESTATES NO. 3 - PCT. 4
9. WARE BUSINESS CENTRE - PCT. 4
(SEE EXHIBIT D)
- ITEM 6. PERMITS:
A. NORTH ALAMO WATER SUPPLY CORP. - PCT. 1, 2 & 4
B. TCI CABLEVISION OF SOUTH TEXAS INC. - PCT. 1 & 3
C. SOUTHWESTERN BELL TELEPHONE CO. - PCT. 2
D. SHARYLAND WATER SUPPLY CORP. - PCT. 3 & 4
(SEE EXHIBIT E)
- ITEM 7. INTERNAL LINE ITEM TRANSFERS:
A. COUNTY JUDGE - \$ 950.00
B. PCT. 4 - PAVED/UNPAVED - \$ 100.00
C. 332ND DISTRICT COURT - \$ 1,000.00
D. BUILDINGS AND GROUNDS - \$ 1,000.00
E. ADULT DETENTION FACILITY - \$54,459.36
F. J.P. PCT. 3, PL. 1 - \$ 150.00
G. CENTRAL PBX - \$ 1,000.00
H. SHERIFF'S DEPARTMENT - \$ 4,000.00
(SEE EXHIBIT F)

Judge Ruiz opened by asking if there were any additions, deletions, questions or comments on the Consent Agenda. Commissioner Sanchez had a question about item 7H with regards to this type of transfer being done on a monthly basis which was for room and board. Judge Ruiz

asked if this needed to be taken off of the Consent and moved to the Regular Agenda. The Commission did not feel that was necessary. There being no reason for it, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Consent Agenda as presented.

MOTION CARRIED
(SEE EXHIBITS A-F)

REGULAR AGENDA
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- ITEM 1. APPROVAL OF OFFICIAL BOND:
 - A. MATEO V. CAVAZOS - CONSTABLE PCT. 3

1A

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

MOTION CARRIED
(SEE EXHIBIT G)

- ITEM 2. APPROVAL OF RESOLUTION FOR THE MISSION HOSPITAL LEASE OF MEDICAL EQUIPMENT - REQUIREMENT OF THE TEXAS HEALTH FACILITIES ACT

Judge Ruiz opened by stating that this has been done with most of the hospitals in the County and he recommends approval of this resolution giving authority to the Mission Hospital to lease certain equipment through Bell County Health Facility Development Corporation. There is no liability on behalf of the County. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the resolution for Mission Hospital lease of medical equipment as presented.

MOTION CARRIED
(SEE EXHIBIT H)

- ITEM 3. APPROVAL TO EXTEND PRESENT CONTRACT FOR PROFESSIONAL SERVICES - HIDALGO COUNTY DELINQUENT TAX CONTRACT - CALAME, LINEBARGER, GRAHAM AND PENA

Judge Ruiz stated that in this exhibit, there was a letter from the Tax Assessor/Collector in which he recommended the firm of Calame, Linebarger, Graham and Pena. Judge Ruiz stated that this has been done in the past. Commissioner Garces acknowledged Mr. Brinkley Oxford who was present to make some comments. At this point, Commissioner Sanchez made a motion and was seconded by Commissioner Arcaute for discussion. Commissioner Garces stated that he had some discussions with Mr. Oxford and he felt that Mr. Oxford should address the Court concerning those discussions. Commissioner Garces did add that he was pleased with the work of the current firm for the County. Mr. Oxford then addressed the Court and stated that his firm was requesting that the County go out for proposals for this contract. His reasoning for this is because he felt that they can save the County some money. He stated that currently, his firm is receiving refunds in the amount of \$2800 per month for the Edinburg CISD. He feels he can do the same for the County. He also stated that the County can make a minimum of \$60,000 per year just by

going out for proposals. Commissioner Arcaute asked Mr. Oxford what he meant by rebate. Mr. Oxford responded by stating that currently, the collector for the can charge the County up to 15% for his fee. That 15% can be rebated to the taxing body, in this case being the County. The Commission did not quite agree with Mr. Oxford on the 15% issue. There is a 15% fee assessed but it is whomever is delinquent that pays that fee. Mr. Pena addressed the Court and stated how they came about to being the collector for the County. He stated that it is because in the past, there was a computer service called ADAP who had this contract. They went out of the frame of this business and dealt solely with selling computers. Mr. Pena then started a computer company to provide these services. The \$2800 rebate that Mr. Oxford was referring to was offset by the computer services that Mr. Pena was providing, according to him. He then stated that the Tax Office then reverted to collecting these taxes but Mr. Pena's contract was still in place. After further brief comments, the motion to renew the contract as presented was put to a vote and all voted in favor. The renewal will be for two years.

MOTION CARRIED
(SEE EXHIBIT I)

ITEM 4. SHERIFF'S DEPARTMENT:

- A. AUTHORIZATION TO EXECUTE THE TERM LEASE AGREEMENTS ON TWO COPIERS ENTERED INTO BY THE SHERIFF'S DEPARTMENT & XEROX CORPORATION IN 1995
- B. APPROVAL OF INTERLOCAL COOPERATION AGREEMENT PROVIDING FOR HOUSING OF INMATES IN THE ATASCOSA COUNTY JAIL

4A

Roy Quintanilla addressed the Court and stated that they had entered into a lease agreement with Xerox to lease two copiers with an option to buy in three years. He went on to state that the reason for this is because according to Steve Austin, the copiers were not on the state bid. Mr. Quintanilla stated that this had not been brought to Court for acceptance even though the contract has been in place since 1995 and and payments have been made up to April of '96. He would now like to have it approved for further payment. Up until now, this contract has not been reviewed by Legal Counsel and the Commission had some questions concerning this issue and they wanted to address them before any action was taken on this. After further comments, a motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to table any action on the term lease agreement for two copiers for the Sheriff's Department entered into in 1995 with Xerox 1995 and see if we can negotiate a buyout.

MOTION CARRIED (TABLED)
(SEE EXHIBIT J)

4B

Mr. Quintanilla stated that this was for the housing of inmates. The rate will be \$34 per day. This is to alleviate the overcrowding at the jail. This will be per inmate. A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to approve the Interlocal Cooperation Agreement between the County of Hidalgo and Atascosa County for housing of inmates.

MOTION CARRIED

(SEE EXHIBIT J)

ITEM 5. ELECTIONS ADMINISTRATION:

- A. APPROVAL OF MAINTENANCE SERVICE AGREEMENT BETWEEN ARNOLD BARNES ASSOCIATES, INC. & HIDALGO COUNTY ELECTIONS DEPARTMENT FOR 1996 YEAR

NO ACTION

(SEE EXHIBIT K)

ITEM 6. YOUTH VILLAGE:

- A. APPROVAL OF LETTER OF AGREEMENT BETWEEN CHARTER PALMS BEHAVIORAL HEALTH SYSTEM & HIDALGO COUNTY YOUTH VILLAGE

6A

Judge Ruiz stated that Mr. Martinez had spoken with Steve Crain and this contract needed to be re-worked. The services need to be better defined. He recommended that this contract be prepared for the services to be rendered by Charter Palms Behavioral Health Systems and the Contract be brought back to Commissioner's Court. Commissioner Arcaute then made a motion and was seconded by Commissioner Garces and Rosel to authorize a contractual agreement be prepared by our Legal Counsel between Charter Palms Behavioral Health Systems and the County of Hidalgo through the Youth Village.

MOTION CARRIED

(SEE EXHIBIT L)

ITEM 7. COUNTY CLERK:

- A. AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS - FILE CABINETS, CHAIRS, CALCULATOR

7A

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to authorize the declaration of equipment surplus and authorize our Purchasing Agent to dispose of said equipment.

MOTION CARRIED

(SEE EXHIBIT M)

ITEM 8. DISTRICT ATTORNEY:

- A. DECLARE TWO VEHICLES SURPLUS AND APPROVAL TO ADVERTISE TO AUCTION VEHICLES

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the declaration of two vehicles surplus which are confiscations and authorize the particular items to be auctioned by the District Attorney's Office.

MOTION CARRIED

(SEE EXHIBIT N)

ITEM 9. HUMAN SERVICES:

- A. DECLARE EQUIPMENT SURPLUS - CHAIR, TYPEWRITER, ETC.

A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to declare equipment surplus.

MOTION CARRIED
(SEE EXHIBIT O)

ITEM 10. APPROVAL OF ANNUAL DUES FOR COUNTY JUDGES AND COMMISSIONER'S ASSOCIATION OF TEXAS

Judge Ruiz stated that there had been an issue raised by Steve Austin concerning this. The issue was concerning statute 81.026 and the objection was as per the exhibit and whether these dues are paid with County money or not. After further comments, Judge Ruiz recommended that this not be paid and they put \$80 themselves towards these dues. Steve Crain addressed the Court and stated that he has been unable to get a definitive answer on this matter. Commissioner Rosel felt that Mr. Crain should review this further and come back to Commissioner's Court with some type of recommendation. After further comments, Judge Ruiz stated that there would be no action on this item.

NO ACTION
(SEE EXHIBIT P)

ITEM 11. AUTHORIZATION TO AMEND CONTRACT OF MEDICAL DIRECTOR - HEALTH DEPARTMENT

Judge Ruiz stated that this was concerning the contract that was entered into with Dr. Omar Garza for the 90 days. The salary, the liability and fringes were all prorated for that amount of time. He stated that the intent of the Court was for the contract not to exceed \$10,000 for medical malpractice for one year. The prorated amount was not spent for this purpose and now that they awarded a nine month contract with Dr. Garza, there is a prorated amount of \$8,000 still needed for the liability to be paid and there is not enough money there to pay this. Judge Ruiz stated what they would like to do is amend the contract to read not to exceed \$10,000 so that the Auditor will pay this. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to authorize a contract amendment to the Contract between Dr. Omar Garza and the County of Hidalgo to amend the portion of paragraph 5, last sentence, as when it comes to an amount instead of \$7,500, \$10,000.

MOTION CARRIED
(SEE EXHIBIT Q)

JUDGE RUIZ STATED THAT THE PROFESSIONAL LIABILITY OF DR. GARZA ENDS MAY 30. HE IS REQUESTING FROM THE AUDITOR THAT A CHECK BE CUT IMMEDIATELY FOR THIS PARTICULAR FEE. IF IT IS NOT CUT, THEY WILL CANCEL THE PROFESSIONAL LIABILITY.

ITEM 12. AUTHORIZATION TO ADVERTISE FOR VETERANS SERVICE OFFICER POSITION

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisements for the filling of the services of Veterans Service Officer.

MOTION CARRIED
(NO EXHIBIT)

ITEM 13. URBAN COUNTY:

- A. SUBRECIPIENT AGREEMENT BETWEEN PCT. 3 & MISSION BOYS & GIRLS CLUB
- B. COLONIA CONSTRUCTION FUND - REJECTION OF BID
- C. CITY OF MERCEDES - HOME/HOUSING REHAB. PROGRAM - CONSTRUCTION CONTRACT AWARD

13A

Anthony Covacevich stated that this contract is from years 6, 7 & 8 for a total amount of \$16,104.45. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to enter into a Subrecipient Agreement between the County of Hidalgo thru Pct. 3 and the Mission Boys and Girls Club in the amount of \$16,104.45.

MOTION CARRIED
(SEE EXHIBIT R)

13B

Mr. Covacevich stated that this was related to the project of Colonia Muniz. What was going to be done here was the facilitation of installation of water service to 30 homes. In order for this to be done, there needed to be a restroom facility and to get this, there had to be septic tanks. The County was going to put in the tanks and another entity was going to put in the restrooms. The colonia would then be able to have water service. He would like to reject the bids due to them being too high. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to reject all bids received for the Colonia Construction Fund under Colonia Muniz Septic Tank Project.

MOTION CARRIED
(SEE EXHIBIT R)

13C

Mr. Covacevich opened by stating that he recommended the alternate bid #1 for \$48,100 for 4 units. The bid will be awarded to Lerma Construction Company. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to award the low bid, alternate #1 bid as the low bid to Lerma Construction for \$48,100 for 4 dwellings in the City of Mercedes.

MOTION CARRIED
(SEE EXHIBIT R)

ITEM 14. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. SANTA MARIA SUBDIVISION - PCT. 1
- B. FINAL PLAT APPROVAL:
 - 1. LA VILLITA MEADOWS - PCT. 1
 - 2. SANTA LUCIA PHASE II - PCT. 1
 - 3. ACEVEDO SUBDIVISION NO. 8 - PCT. 3
 - 4. BLUE JAY SUBDIVISION - PCT. 4
- C. FINAL APPROVAL WITH LETTER OF CREDIT:
 - 1. BROOK SUBDIVISION - PCT. 1
 - 2. LA MANCHA SUBDIVISION UNIT 2 - PCT. 3

14A1

Emilio Garcia, Chief Planner, commenced by stating that

this subdivision had met with approval of all other entities. Judge Ruiz asked a question concerning the sewer lines in Progreso. He was under the impression that there were some there. Mr. Garcia told him that there were some in some areas inside the city. He asked how far the sewer lines were from this particular subdivision but Mr. Garcia was unable to answer that question. There was some confusion as to where exactly this subdivision was located in relation to Mercedes. Commissioner Sanchez had some questions and he requested that this be tabled until the following week. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to table Santa Maria Subdivision in Pct. 1 as presented.

MOTION CARRIED (TABLED)
(SEE EXHIBIT S)

14B1

Mr. Garcia stated that preliminary approval had been granted on September 26, 1995. Since then, all improvements have been made to regulations. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give final plat approval to La Villita Meadows in Pct. 1 as presented.

MOTION CARRIED
(SEE EXHIBIT S)

14B2

Mr. Garcia stated that all requirements had been met and he recommended approval. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give final plat approval to Santa Lucia Phase 2 in Pct. 1 as presented.

MOTION CARRIED
(SEE EXHIBIT S)

14B3

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval to Acevedo Subdivision Unit #8 as presented.

MOTION CARRIED
(SEE EXHIBIT S)

14B4

Mr. Garcia stated that preliminary plat approval was granted on March 11 of '96. Since then, all improvements have been completed and Mr. Garcia recommended approval. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel. Judge Ruiz had some questions with regards to this requiring a cul-de-sac in which it was stated that one was not needed. After further brief comments, the motion to give final approval to Blue Jay Subdivision in Pct. 4 as presented was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT S)

14C1

Mr. Garcia stated that the Court had granted preliminary approval on April 30, 1996. Since then, the developer has brought in his

letter of credit in the amount of \$30,000. Mr. Garcia recommended the approval of this subdivision, but before the release of the letter of credit, the developer must comply with the street signs, traffic control devices, testing of the streets and the final letter from North Alamo Water. Commissioner Sanchez had some concerns with the Drainage being that this property is more elevated than the road and other areas. Mr. Garcia stated that according to the reports that have been submitted, there will be no problem with this. Commissioner Sanchez had these questions ever since the preliminary approval was given and he wanted to know if anyone ever addressed this issue. He wants to make sure that this will drain to the Southwest and not any other way for if it does, other areas will have drainage problems, while this subdivision does not and he would like to avoid this all together. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to table final approval for Brooks Subdivision.

MOTION CARRIED (TABLED)
(SEE EXHIBIT S)

14C2

Mr. Garcia stated that all requirements have been met and he recommended approval but before the release of the letter of credit, street signs, traffic control devices, testing of the streets and the affidavit regarding the drainage facilities must be complete. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to give final approval with letter of credit to La Mancha Subdivision Unit No. 2 as presented.

MOTION CARRIED
(SEE EXHIBIT S)

ITEM 15. PURCHASING DEPARTMENT:

- A. PCT. 4:
 - 1. RESCISSION OF AWARD OF BID TO PURCHASE EQUIPMENT FROM ART'S A & A TRUCK CITY, USA
 - 2. RECONSIDERATION OF BIDS ON PURCHASE OF ONE 1985 OR NEWER MOTORGRADER & AUTHORIZATION TO ADVERTISE IF NECESSARY
- B. PCT. 3:
 - 1. AWARD BIDS:
 - A. HAULING SERVICES
 - B. ANZALDUAS PARK SECURITY
- C. WIC:
 - 1. AWARD BID FOR RENTAL SPACE - CITY OF MISSION
- D. AUTHORIZATION TO RE-ADVERTISE FOR PIT-RUN CALICHE GRAVEL COUNTYWIDE

15A1

Martha Salazar opened by stating that the reason for this was because she had received some information from other vendors and she also investigated on her own concerning the specifications on the vendor that was awarded the bid. There were two items that were not complied with according to the specifications. The weight and the horsepower. Commissioner Garces stated that when he did the preliminary inspection of this vehicle, it did meet specifications. Upon further review by his personnel at the shop, it was verified that it did not meet specs. He would like to rescind the action taken the previous week and

rebid this item. Commissioner Sanchez asked if going to the second lowest bidder would help the situation and Commissioner Garces stated that it would not. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel. Judge Ruiz stated for the record that there were two distinct motions. One to award a motorgrader, 1985 or newer and one to award a motorgrader for 1990. He also stated that with this motion, they were rescinding both actions. The motion was to rescind the action taken to award the 1985 and above, and newer and 1990 or newer motorgraders to Art's A & A Trucks Sales. Commissioner Arcaute stated that they would have to conduct this with two separate motions. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to rescind the action for the purchase, the award given to Art's A & A Truck City for the purchase of a 1985 or newer motorgrader; action taken in previous Commissioner's Court Meeting.

MOTION CARRIED
(SEE EXHIBIT T)

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to rescind the 1990 or newer motorgrader also awarded to Art's A & A Truck City.

MOTION CARRIED
(SEE EXHIBIT T)

15A2

Judge Ruiz stated that with this item, if the specifications were going to be changed, they would not be able to use the word re-advertise. Commissioner Garces did state that they were going to change the specifications. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisement of bids for the purchase of two motorgraders for Pct. 4.

MOTION CARRIED

15B1A

Mrs. Salazar stated that 4 bids had been received at exactly the same price of \$1.74 per ton. Judge Ruiz recommended that they be rejected and readvertised. Commissioner Rosel agreed being that they have never paid this much for this service. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to reject all bids received for Hauling Services for Pct. 3 as presented.

MOTION CARRIED
(SEE EXHIBIT T)

15B2

Mrs. Salazar stated that they had received two bids for this item. The first one is from Quintanilla Security for \$8 per hour per guard and add \$50 per day per patrol unit. The second bid was from American Investigation and Security International from Brownsville for \$12.53 per hour per armed officer and \$10.95 per hour for unarmed officer. \$100 per day per vehicles plus operating and insurance cost. She stated that upon review, neither bid met specification. They lacked on the auto liability and one bidder has expired insurance. She recommended that the bids be rejected. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces. They currently do have security out at

the park. At this time, they are on a per week process due to the lack of awarding. The commission suggested that they change the specifications due to the length of time that they not been able to award. There was some discussion as to who was conducting the services at this time and whether they had come to Court for approval. Judge Ruiz stated that he did not know anything about who was currently out there at this time. The motion to reject all bids on the Anzalduas Park Security was put to a vote and all voted in favor.

MOTION CARRIED
(SEE EXHIBIT T)

15C

Commissioner Rosel stated for the record that he has an interest in this and he will not participate in any conversation or vote. Mrs. Salazar stated that there were two bids. Mrs. F. Rosel for 45 cents per square foot and the second bid was from Norberto Salinas at 75 cents per square foot. She stated that Ms. Longoria had made a request to her that she inspect the site and she has not had a chance to do so. She is recommending that the Court take this under advisement until she has had time to do so. Commissioner Arcaute stated that there had been a previous bid by Mrs. Rosel in which she had bid 85 cents and he wanted to know why she was now changing it to 45 cents for the same building. Mrs. Salazar was unable to answer that at this time. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to take all bids for rental space, City of Mission, under advisement.

MOTION CARRIED
(SEE EXHIBIT T)

15D

Mrs. Salazar stated that there were no bids received on this item and she would like to re-advertise. A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the advertisements for bids for the purchase of pit run caliche gravel.

MOTION CARRIED
(SEE EXHIBIT T)

ADD. #1. APPROVAL OF HIDALGO COUNTY EQUAL EMPLOYMENT OPPORTUNITY PLAN

Mrs. Salazar stated that this plan is required, as she has been receiving information from different departments that are funded by grants. This plan is coming from the Criminal Justice Department. This plan must be in place and adopted by the Commission in order to receive funding. There was some discussion concerning this and how it would affect the current policy that is in place. It was stated that this would be an amendment to the current policy. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to accept the Equal Employment Opportunity Plan as presented for the County of Hidalgo for the year 1996.

MOTION CARRIED
(SEE EXHIBIT U)

ITEM 16. CHANGE ORDER - 1015 RIGHT OF WAY MAP - VONA WALKER

NO ACTION

ITEM 17. OFFICE OF EMPLOYMENT AND TRAINING:

- A. CONSIDER & APPROVE TITLE IIB - SUMMER YOUTH PLAN
- B. APPROVE G.E.D./COMPUTER LITERACY PROGRAM RFP
- C. CONSIDER AND APPROVE APPROPRIATION OF FUNDS FOR LEGAL COUNSEL FOR HIDALGO/WILLACY PRIVATE INDUSTRY COUNCIL
- D. APPROVAL OF GRADE LEVELS FOR THE FOLLOWING POSITIONS:
 - 1. THREE PROGRAM MONITORS FROM GRADE 9, STEP 8 TO GRADE 13, STEP 5
 - 2. ONE FISCAL MONITOR FROM GRADE 10, STEP 8 TO GRADE 13, STEP 5
- E. CONSIDER AND APPROVE CREATION OF POSITION, SET SALARY & AMEND ORGANIZATIONAL STRUCTURE - ONE SECRETARY AT GRADE 8, STEP 1

17A

Dick Dickinson addressed the Court and stated that this was approval of the second portion of the IIB plan. The first part was for \$911,000. This part will be for the 4.4 million dollars. He also stated that out of the \$663,000 which is the 15% for administrative monies allowable, there is \$396,000 budgeted and any excess that there might be in the IIB plan will roll over into the IIC plan. Mr. Dickinson stated that this money will be used as it has been in the past which is the GED program, TAAS, pre-employment skills, work experience. All school districts have been contacted. These funds will be allocated appropriately. This will not be limited to just the school districts but that will be covered in another item on this agenda. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve title IIB plan as presented.

MOTION CARRIED
(SEE EXHIBIT V)

17B

Mr. Dickinson stated that they have an amount of up to \$400,000 allocated for this program. He stated that the goals for this are as per the exhibit. He also added that there are some computers that have not been used and in this program, they would all be used. A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve GED/Computer Literacy Program request for proposals as presented.

MOTION CARRIED
(SEE EXHIBIT V)

17C

Mr. Dickinson stated that this was a request by the PIC to appropriate some monies to provide for legal counsel for them. They feel that an attorney is needed to lookout for their interests. This would be done through the budget but since the monies are being more monitored, they cannot. This normally comes from the County anyway. Judge Ruiz recommended that this item not be approved. Mr. Dickinson explained that since the monies are so restricted, if he allows for them to get legal counsel through monies from OET, the County will be accountable for the shortfall. There was a general consensus among that Commission not to allow this. A motion was then made by Commissioner Garces and

was seconded by Commissioner Rosel to reject.

MOTION CARRIED (REJECTED)

(SEE EXHIBIT V)

17D1

Mr. Dickinson stated that this should have been part of the Agenda the previous week. He would like these changes in grades due to the lack of qualified responses to the advertisements. He feels that if he is allowed to do so, they can get better responses and also hold on to the personnel that they currently have. He feels they should come up to what they are paying the accountant II positions. Three of these positions are filled and one is open. These will be more of salary increase to the people that are currently on staff. Judge Ruiz asked about the rest of the personnel and Mr. Dickinson stated that since he has been steward, he has made the appropriate changes as he sees necessary. Judge Ruiz did not feel to comfortable with this being that it was an increase for some and he felt more comfortable with an annual across the board increase. After further comments, Judge Ruiz stated that he cannot recommend this. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to reject.

MOTION CARRIED (REJECTED)

(SEE EXHIBIT V)

17D2

Judge Ruiz stated that in this request, the slot can pay \$22,932 and he would like to raise that to \$25,296. This position is vacant at this time. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve a step and grade increase in the position of Fiscal Monitor from grade 10, step 8 to grade 13, step 5.

MOTION CARRIED

(SEE EXHIBIT V)

17E

Mr. Dickinson stated that there are currently only two secretaries and he would like to create another to get some help for these two that are currently on staff. The work is overwhelming for just two. This position will go under the Deputy Director for organizational purposes. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Rosel to approve the creation of a secretary, grade 8, step 1, setting the salary at that particular grade 8, step 1, amend the organizational structure for that position.

MOTION CARRIED

(SEE EXHIBIT V)

EXECUTIVE AGENDA

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ITEM 1. CLOSED SESSION:

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

- 1. OET:
 - A. PERSONNEL - EMPLOYMENT OF EXECUTIVE DIRECTOR

At this time, the Commission retired into Executive Session.

ITEM 2. OPEN SESSION:

- A. PERSONNEL - EMPLOYMENT OF EXECUTIVE DIRECTOR

Judge Ruiz opened by stating that at this time, they have reviewed and discussed several issues concerning OET. At this time, he is recommending that Richard Dickinson be employed to a contractual agreement as the Executive Director for the Office of Employment and Training. This is to take place at his discretion and/or signing of the contract. The Commission praised him for a job well done while on the interim. A motion was then made by Commissioner Rosel and was seconded by Commissioner Sanchez to appoint Richard Dickinson as Executive Director of OET.

MOTION CARRIED
(SEE EXHIBIT W)

A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to adjourn Commissioner's Court Agenda.

MOTION CARRIED

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

The Honorable J. Edgar Ruiz, County Judge, called this Drainage District Board Meeting to order, whereupon the following items were had to wit:

DRAINAGE DISTRICT
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- ITEM 1. PERMITS:
 - A. CITY OF McALLEN
 - B. CITY OF PHARR

1A

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

MOTION CARRIED
(SEE EXHIBIT X)

1B

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

MOTION CARRIED
(SEE EXHIBIT X)