

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

**EXECUTIVE AGENDA**

**ITEM 1. CLOSED SESSION:**

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

- A. INTERVIEW OF VETERANS SERVICE OFFICER APPLICANTS
- B. INTERVIEW OF PURCHASING AGENT APPLICANTS

At this time, the Commission retired into Executive Session.

**ITEM 2. OPEN SESSION:**

- A. INTERVIEW OF VETERANS SERVICE OFFICER APPLICANTS
- B. INTERVIEW OF PURCHASING AGENT APPLICANTS

**2A**

Judge Ruiz opened by stating that they have been interviewing 3 applicants that have show interest in filling this position. He proceeded to reiterate how many applicants had applied for the job and how they proceeded to breakdown these applicants. The Commission has now agreed upon one applicant. Judge Ruiz then proceeded to recommend the appointment of Christopher Escamilla. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to appoint Mr. Escamilla as Veterans Service Officer.** Judge Ruiz then proceeded to state Mr. Escamilla's credentials. **He also stated that negotiations for salary will be brought back to Court for approval. The motion was then put to a vote in which all voted in favor.**

***MOTION CARRIED  
(NO EXHIBIT)***

**2B**

Judge Ruiz stated that two of the applicants for Purchasing Agent are present for interviewing. The took longer than anticipated with the Veterans Service Officer. He would like to request from the applicants that they wait so that they map proceed with the rest of the Agenda. There seemed to be no opposition to this request. **They will go back into Executive Session at a later time.**

At this time, the Commission went ahead with the meeting.

**CONSENT AGENDA**

**ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR**

GENERAL FUND	- #122460 - #122682 - \$1,825,365.75
SPECIAL REVENUE FUND	- #121970 - #122142 - \$ 764,702.82
DEBT SERVICE FUND	- # 1020 - # 1023 - \$ 299,399.18
TRUST AND AGENCY FUND	- # 5647 - # 5672 - \$ 470,457.78
ENTERPRISE FUND	- # 2751 - # 2764 - \$ 20,209.09

***(EXHIBIT A)***

**ITEM 2. APPROVAL OF MONTHLY FEE REPORTS:**

- A. SHERIFF'S DEPARTMENT - \$24,298.95 - JUNE

**(EXHIBIT B)**

**ITEM 3. APPROVAL OF COURT REPORTER FEES:**

- A. FRANCISCO MORENO - \$ 43.00
- B. MAGDALENA HINOJOSA - \$3,868.00
- C. SHANA LILES - \$3,369.00
- D. SHANA LILES - \$ 257.00

**(EXHIBIT C)**

**ITEM 4. PLANNING DEPARTMENT:**

- A. SUBDIVISIONS:
  - 1. PLAZA CENTRAL SUBDIVISION - PCT. 1
  - 2. THE COLONY ESTATES - PCT. 2
  - 3. ALL IN ONE SUBDIVISION NO. 2 - PCT. 3
  - 4. I. MUNOZ SUBDIVISION - PCT. 3
  - 5. RIVER OAK ESTATES - PCT. 3
- B. RELEASE LETTER OF CREDIT:
  - 1. VILLA RAMA EAST PHASE II - PCT. 3

**(EXHIBIT D)**

**ITEM 5. PERMITS:**

- A. NORTH ALAMO WATER SUPPLY CORP. - PCT. 1
- B. UNIVERSAL SEISMIC ACQUISITION, INC. - PCT. 1

**(EXHIBIT E)**

**ITEM 6. INTERNAL LINE ITEM TRANSFERS:**

- A. J.P. PCT. 3, PL. 2 - \$ 539.00
- B. 275<sup>TH</sup> DISTRICT COURT - \$ 115.00
- C. DISTRICT CLERK - \$ 5,850.00
- D. COUNTY JUDGE - \$ 1,600.00
- E. ELECTIONS ADMINISTRATION - \$ 1,000.00
- F. COUNTY CLERK - \$ 1,900.00
- G. PERSONNEL DEPARTMENT - \$ 25.00
- H. PLANNING DEPARTMENT - \$ 1,000.00
- I. BUILDINGS & GROUNDS - \$ 500.00
- J. COUNTY EXTENSION SERVICE - \$ 500.00
- K. PCT. 2 - ADMINISTRATION - \$ 400.00
- L. PCT. 4 - PAVED/UNPAVED - \$100,000.00
- M. ADULT PROBATION - RESTITUTION CENTER (STATE FUNDS) - \$ 1,600.00

**(EXHIBIT F)**

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Consent Agenda as presented.**

**MOTION CARRIED**

**(EXHIBITS A-F)**

**REGULAR AGENDA**

**ITEM 1. TAX ASSESSOR/COLLECTOR**

- A. TAX REFUND:
  - 1. MCGILVARY ENTERPRISES - \$643.16
  - 2. ROBERTO SALINAS - \$565.45

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the tax refunds as presented.**

***MOTION CARRIED  
(EXHIBIT G)***

**ITEM 2. ACCEPT REVENUE CHECK FROM U.S. DEPARTMENT OF INTERIOR - LARRY  
DITTO**

***NO ACTION  
(NO EXHIBIT)***

**ITEM 3. APPOINTMENTS OF MEMBERS TO TROPICAL TEXAS - MH/MR BOARD**

***NO ACTION  
(NO EXHIBIT)***

**ITEM 4. HEALTH DEPARTMENT:**

- A. DISCUSSION & POSSIBLE ACTION ON PROPOSED CHEST CLINIC SITE FOR HIDALGO COUNTY**
- B. APPROVAL OF JOB DESCRIPTION FOR PUBLIC HEALTH ADMINISTRATOR**
- C. AUTHORIZATION TO ADVERTISE FOR THE EMPLOYMENT OF A PUBLIC HEALTH ADMINISTRATOR**

**4A**

Rudy De La Vina stated that at this time, they are looking for some direction for a chest clinic site. They would like to have that site in Edinburg ideally. They are considering to be next door to their administration building at the old JTPA building or even within the administration building. If they do it within their building currently, it would take some renovation. The Commission asked if there were any other possibilities and Mr. De La Vina stated that they have expressed some interest in the Donna Clinic but there were some concerns being that the Boys Club is housed in the same building. They are in need of approximately 2700 sq. ft. Commissioner Sanchez suggested that the old OET building did not belong to the County entirely and why not have someone conduct a layout to identify what actually belongs to the County. Judge Ruiz corrected Commissioner Sanchez and advised him that the building does belong to the County. What does not belong to the County are the temporary buildings behind that building. Mrs. Lydia Serna addressed the Court and stated that it would take some renovation such as the x-ray room in which they will have to tear down some walls and line it with protection against radiation. She stated that she thinks they have the money in the budget to do this. They asked her what portion of the building they would be occupying. Mrs. Serna stated that they would like to house everyone in one building such as their admin. and T.B. staff. This clinic has been at the McAllen and Weslaco clinics. They are now changing because the State feels that this should stand alone and also those clinics are running out of room. Judge Ruiz stated that they need to just address this OET building for just the chest clinic. Mr. De La Vina stated that only needed 1700 sq. ft. for the chest clinic. Judge Ruiz advised them to look into this issue and find out exactly what needs to be done. Mr. De La Vina also stated that this is not the first time that the State has brought up this issue. He feels that they need to do something in order to show the State that they are indeed trying to rectify this issue. **After further brief comments, the Commission took no action and moved on the next item.**

***NO ACTION  
(EXHIBIT I)***

**4B**

Judge Ruiz stated that this was for approval of a job description for a Health Administrator as discussed the previous week. Judge Ruiz stated that this requires a Master's Degree. Out of the individuals that have Health Administrators, no of them have a Masters. He felt that if they included a Masters, they would attract a very elite group of applicants. There were some disagreements on this Health Administrator. Commissioner Sanchez recommended that they keep to the level of a Bachelor's Degree and narrow the field to that of public health or the degree in that field. The Commission agreed to leave the requirements as they were as per the exhibit but to exclude the word preferable. After further comment, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve a Job Description for a Public Health Administrator as presented.**

***MOTION CARRIED  
(EXHIBIT I)***

**4C**

Judge Ruiz stated that a salary range had been recommended in the amount of \$55,000 to \$65,000. They came to this range be looking at some of the other administrators and they feel that they can be competitive. **A motion was then made by Commissioner Sanchez and was seconded Arcaute to authorize the advertisement for the employment of a Public Health Administrator.**

***MOTION CARRIED***

**ITEM 5. DISTRICT ATTORNEY'S OFFICE  
A. DECLARE EQUIPMENT SURPLUS**

Roy Casarez addressed the Court and stated that they would like to declare 3 vehicles surplus. A 1986 Truck Tractor, 1982 Great Dane Semi Trailer and a 1984 Ford Van. These vehicles will be for auction. **A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to authorize declaration of equipment surplus these three particular items that come from confiscations.**

***MOTION CARRIED  
(EXHIBIT J)***

**ITEM 6. FINANCIAL DISRUPTION TASKFORCE:  
A. REMOVAL OF ITEMS FROM THE HIDALGO COUNTY AUDITOR'S FIXED ASSET  
REPORT**

There was noone present from the taskforce to present this item. Noone was sure what the request was exactly except for what was in front of them but that was not enough information. Judge Ruiz had some what of a problem with this because the backup sheet stated that these items were probably stolen during a burglary. Ms. Walker advised the Court that the house in question was a confiscated house and when it was sold, there were no furnishings. **Judge Ruiz stated that he wanted more information on this issue and it be brought back the following week.**

***NO ACTION  
(EXHIBIT K)***

**ITEM 7. SHERIFF'S DEPARTMENT:  
A. APPROVAL TO PAY ACCUMULATED COMPENSATORY TIME TO INVESTIGATOR TRANSFERRING TO THE FINANCIAL TASK FORCE GRANT  
B. EXEMPTION OF PHARMACIES FROM COMPETITIVE BID REQUIREMENTS FOR PROFESSIONAL SERVICES AS REQUIRED BY SECTION 262.024(4) OF**

**THE LOCAL GOVERNMENT CODE****C. APPROVAL OF LIVSCAN/ELECTRONIC ARREST REPORTING SYSTEM PROGRAM****7A**

Roy Quintanilha addressed the Court and was asking for approval to pay 325 hours of comp. time. This will come to \$4,036.50 and they do have the money in their budget. Judge Ruiz asked if they had to approve this if the money was in their budget. Steve Austin stated that being that this individual is not resigning and just moving from one department to another, approval would be needed. Judge Ruiz felt that being that investigators are authorized by the Court to accumulate overtime, approval wasn't needed because the money was in their budget. Commissioner Arcaute stated that the policy did not allow for this payment unless the individual was departing from the County and he was not. That is why it had to come to Court. They want to pay him so that he can go over to the Taskforce with a clean slate being that he accumulated these hours under the Sheriff's Office. Judge Ruiz recommended this for approval. Commissioner Arcaute agreed with the recommendation but was wondered if they would be following policy if they did this. Ramiro Castellano addressed the Court and he felt that in essence, this individual was departing and starting somewhere else. He will no longer be part of the Sheriff's Office. There was that concern among the Commission of being in compliance. Judge Ruiz advised Mr. Castellano and Mr. Quintanilha to look into this issue and bring it back. The only other alternative is for this individual to resign and start over again or look into some other alternatives if any. **No action at this time.**

**NO ACTION  
(EXHIBIT L)****7B**

Ramiro Castellano and stated that they are making this request for exemption under professional services being that there is some special licensing required. Steve Austin stated that this would be exempted under public health and safety being that the medication is for prisoners. Judge Ruiz stated that you can exempt professional services. If it was a pharmacist that they were hiring, then it could be exempted. Since they are not, it won't fall under professional services. Mr. Castellano stated that this is being done because of the auditor stating that they are reaching or at the \$15,000 limit. They should either go out for bids, rotate pharmacies or exempt it. Judge Ruiz totally disagreed. He felt that each item was up to \$15,000 and not aggregated. The Commission also agreed with him. Judge Ruiz expressed his dissatisfaction with Steve Austin. The Commission reminded him of time that an issue similar to this came up approximately 10 years prior in which Steve Austin agreed with the Commission that each item was separate. The Commission did not feel that this item should be their before the Court. There was a consensus that this item go through the Purchasing Department. The Commission felt this decision should be that of the Purchasing Agent and not that of the Auditor who is refusing to pay. Judge Ruiz also advised Mr. Castellano that they go before the Board of Judges and tell them of the actions of the auditor. The Commission agreed. **No further action was taken.**

**NO ACTION  
(EXHIBIT L)****7C**

Joe Jackson stated that this was a grant by the State whereby they can set up a system to update their current system. This will produce records of individuals within about 4 hours as opposed to waiting a week as they have to now. This is to be in conjunction with the Department of Public Safety. The total amount of the grant is \$104,000 and it is fully funded by the State. They will only have to buy a particular printer. The printer can run up to \$1100. After further comments, **a motion was made by Commissioner Garces and was seconded by**

Commissioner Rosel to authorize the application to include ourselves in the Livescan/Electronic Arrest Reporting system offered by the State of Texas.

**MOTION CARRIED**  
**(EXHIBIT L)**

**ITEM 8. AUTHORIZATION TO ENTER INTO A CONTRACT FOR REVIEW APPRAISER SERVICES, F.M. 1015 PROJECT - LEONEL GARZA, JR. & ASSOCIATES**

Vona Walker stated that this proposal had been previously awarded and this was now the approval of the actual contract. This will be \$200 per parcel. **A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve the contractual agreement between the County of Hidalgo and Leonel Garza for services as the review appraiser on the F.M. 1015 project.**

**MOTIN CARRIED**  
**(EXHIBIT M)**

**ITEM 9. PCT. 4:**

- A. APPROVAL TO PAY \$400.00 IN TRANSPORTATION FEES ORANGE FORD FLEET DEPARTMENT
- B. AUTHORIZATION TO APPROPRIATE PARTIAL 1995 FUND BALANCE INTO 1996 ADMINSTRATION

**9A&B**

**NO ACTION**  
**(EXHIBIT N)**

**ITEM 10. PURCHASING DEPARTMENT:**

- A. AWARD BIDS:
  - 1. HAULING SERVICES AND APPROVE CONTRACT - PCT. 1
  - 2. MOTORGRADER (S) & ASPHALT DISTRIBUTOR - PCT. 4
- B. REQUEST AUTHORIZATION TO ADVERTISE:
  - 1. OFFICE SUPPLIES, OFFICE EQUIPMENT & MEDICAL SUPPLIES - WIC
  - 2. ARCHIVAL (MICROFILMING) SERVICES - COUNTY CLERK
- C. REQUEST APPROVAL TO PURCHASE TWO PICK UP TRUCKS THROUGH INTERLOCAL AGREEMENT FROM HOUSTON GALVESTON AREA COUNCIL STATE BID - PCT. 4

**10A1**

Darlene Betancourt opened with a recommendation of Ayala Trucking at \$2.95 per ton. She stated that this is the second lowest bid due to the problems that they were having with the low bidder. She stated that everything was taken care of with Mr. Ayala. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces. Judge Ruiz felt that this item should have been re-bid. The motion to award to the second lowest and approve the contract was put to a vote and all voted in favor.**

**MOTION CARRIED (JUDGE RUIZ OPPOSED)**  
**(EXHIBIT O)**

**10A2**

Mrs. Betancourt made a recommendation of a 1992 CAT from Art's A & A. The amount of the bid is \$86,750. Judge Ruiz stated that a vendor had come to see him about the specifications on this motorgrader be he felt that they were too prohibitive. Mrs. Betancourt stated that this has been worked on several times before with regards to changing specs. etc. Mrs.

Salazar is now recommended that this bid be awarded. Commissioner Garces also stated that they have had numerous calls complaining on this item. **A motion was then made by Commissioner Garces to award the bid for the CAT which is slightly higher but Sholtz did not meet specs. The motion to award the bid to Arts A & A Truck City in the amount of \$86,750 for a 1992 CAT was then seconded by Commissioner Rosel and put to vote.**

***MOTION CARRIED (JUDGE RUIZ OPPOSED)  
(NO EXHIBIT)***

Commissioner Garces addressed the Court with regards to the specifications. It was stated that none of the bidders for the Asphalt Distributors meet specs. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to reject all bids for Asphalt Distributor due to all bids not meeting specifications.**

***(MOTION CARRIED)  
(NO EXHIBIT)***

**10B1**

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisement for bids for office supplies, office equipment, and medical supplies for WIC. Bid opening August 21 and bid award September 3.**

***MOTION CARRIED  
(NO EXHIBIT)***

**10B2**

Eloy Pulido addressed the Court and stated that they would like to advertise for microfilming. His office has not microfilming since June 1994 due to the lack of payment. Judge Ruiz stated that he and Mr. Pulido had met in his office and Mr. Pulido wanted to talk to Legal Counsel because the contract that he is currently in for the Computer System has some wording for microfilming. Mr. Pulido went on to state that the way the contract was worded was that it said "Service as being provided by the previous company.", which was titlewave and they were not providing microfilming so consequently, this was not covered in the contract. Steve Crain then addressed the Court and stated that they have looked at this and there is a question as to whether or not this is included in the current contract but there is a disagreement from the provider on this issue. Mr. Pulido stated that the only mention of microfilming was when Government Records donated the use of a microfilm camera. There are numerous records of which there is no backup for. Judge Ruiz then stated that there was no problem with this request. Judge Ruiz also recommended Mr. Pulido that they obtain an independent to look at the minutes and listen to the tapes. Judge Ruiz agreed with Mr. Pulido when he stated that they are in dire need of this microfilming. Mr. Pulido is unable to give a roundabout figure at this time. Judge Ruiz again reiterated hiring an independent because he felt that they might have been misled to think that there would be microfilming. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the advertisement for bids for the purchase of Microfilming Services for the County Clerks Office. Bid opening August 21 and bid award August 27.**

***MOTION CARRIED  
(NO EXHIBIT)***

**10C**

Mrs. Betancourt stated that the County is currently in agreement and it has been since 1993. The trucks are ready to be delivered and all that is needed is approval by the Court. The contract is ongoing and it is renewed every year. **A motion was made by Commissioner**

**Garces and was seconded by Commissioner Rosel to authorize the purchase of two pick-up trucks through Interlocal Agreement with the State of Texas through a Statewide bid for Pct. 4.** Mrs. Betancourt clarified that this was not a state bid but it was through Council of Governments. It was further clarified that this would be a state bid if the Council of Governments looked for the best price in the State. The prices of the vehicles with the delivery charge is \$26,198.44 and \$28,970.11. The grand total is \$55,085. After further comments, **the motion to purchase two pick-ups through the Interlocal Agreement from the Houston-Galveston Area Council statewide bid for Pct. 4 was put to a vote and all voted in favor.**

***MOTION CARRIED  
(EXHIBIT O)***

**ITEM 11. PLANNING DEPARTMENT:**

- A. **SUBDIVISIONS**
  - 1. **TRENTON OAKS SUBDIVISION - PCT. 4D**
- B. **SUBDIVISION WITH VARIANCE REQUEST**
  - 1. **JOSHUA TREE HEIGHTS - PCT. 3**
- C. **DISCUSSION AND POSSIBLE ACTION:**
  - 1. **AYALA-BAZAN ESTATES - PCT. 1**
- D. **VARIANCE REQUEST**
  - 1. **PAULA L. REYES - PCT. 1**

**11A**

Emilio Garcia addressed the Court and stated that this subdivision has been approved by the City of Edinburg and all requirements have met in accordance with the City and the County. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve Trenton Oaks Subdivision as presented.**

***MOTION CARRIED  
(EXHIBIT P)***

**11B1**

Mr. Garcia stated that this item should read that it is a preliminary approval along with a variance request. The reason for the variance request is that this subdivision has been being developed since 1995 and because Sharyland Water was expanding and the developer was not able get a letter of compliance from Sharyland Water. Since then, the thoroughfare plan has gone into effect and now some of their lots do not meet the required half acre because of the additional right of way required by the Right of Way Department. Lots 2 - 17 are now .45 of an acre, lot 18 is .48 of an acre and lots 55 - 64 is .45 of an acre. Judge Ruiz questioned that fact of how to approve this request being that State Law states that the Court approve subdivisions  $\frac{1}{2}$  an acre or above. He wanted to know if they had the authority to do so. Commissioner Garces attempted to clarify this issue. He stated that he had been to a conference where he met with some people and he stated that the intent of the new regulations was for the Health Department to come in and if there is a concern, then they bring it up to the Court's attention. If there is not, then the approval of the Health Department would suffice for the Court to approve or disapprove the lot sizes. The difference in size should not be to drastic. Commissioner Rosel then made a motion to approve the variance and was seconded by Commissioner Garces. Commissioner Arcaute had some questions concerning this issue. Mr. Garcia also stated that he did not foresee any problem with this request due to the thoroughfare plan reducing the lot sizes. Mr. Garcia also mentioned to the Court that a similar request was approved the previous week for Pct. 1. They also lost some right of way because of that plan. The Commission suggested that maybe the developer go to the Highway Department to ask for a waiver on the right of way but Ms. Walker stated that they will not because this was the plan that was accepted by the County and the Cities. She has tried to ask and they did not budge. Judge Ruiz again reiterated that he does not recommended this because he felt that this would cause future problems in the County with

regards to subdivisions. Commissioner Rosel then withdrew his motion as did Commissioner Garces with his second. He wanted to consult with the developer and try to find another remedy to this situation. During further discussion, Judge Ruiz suggested that some type of certification that a subdivision meets all MPO regulations be on the plat and this be part of the subdivision regulations. After further discussion, **the Commission took no action.**

**NO ACTION  
(EXHIBIT P)**

**11C1**

Mr. Garcia stated that they have received several items concerning this subdivision. Concerning the inspection, no culverts are needed according to the recommendation of Javier Rodriguez. There are still a few other items that need to be done such as the drainage retention on the plat itself along with other notes. This subdivision can be on the agenda the following week for approval. **No action was taken at this time.**

**NO ACTION  
(EXHIBIT P)**

**11D1**

Mr. Garcia stated that this request was to convey some tracts to her family. This is not a subdivision. It is a family tract. This request is because the lots are supposed to do not abut a right of way. The 30 feet that is there is not a public road according to Mrs. Reyes and she would like to use these 30 feet to meet the ½ acre requirement. Mr. Garcia stated that this is not a recorded easement. Mrs. Reyes stated that her attorney had supposedly recorded it but that never happened. Her family are the only ones that use this right of way. She would like to give these to her children so that she may get help with the taxes but there are no services and her children feel that why should she give them this if they cannot get any services being that they would be located in the rear. Judge Ruiz stated that she does not meet the family partition requirements. He doesn't know what action the Court can take. There are several reasons why she doesn't meet the requirements. Just because she says that they will not sell, once they have it, they can sell and once that happens, the County will have to foot the bill if in fact it is sold and the new owners want services provided so that they can move in. The County doesn't feel they should have to do that for something that should have been there in the first place because those are the requirements. She just wants this variance to get some relief from her situation concerning the taxes. It was stated to her that this could not be done because there was no private road. If there was a road there, it was a public road. Commissioner then stated to Mrs. Reyes that the way it is now, he can not recommend it but he can recommend to her that she get together with Mr. Garcia to research another avenue for this issue. After further comments and upon the recommendation of Judge Ruiz, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to reject the request for variance as presented.**

**MOTION CARRIED (REJECTED)  
(EXHIBIT P)**

**ITEM 12. URBAN COUNTY:**

- A. **CITY OF ALAMO - YOUTH CENTERS CONTRACT AWARD**
- B. **PCT. 1 - STREET IMPROVEMENTS - PROF. ENGINEERING SERVICES CONTRACT**
- C. **CITY OF DONNA - HOME/HOUSING REHABILITATION CONSTRUCTION CONTRACT AWARD**
- D. **HOME/HOMEOWNER OCCUPIED HOUSING REHABILITATION APPLICATION**
- E. **DECLARE URBAN COUNTY PROGRAM FIXED ASSETS AS SURPLUS**

**12A**

Anthony Covacevich opened by stating the City of Alamo would like to enter into contract with Moreco Construction for the City's youth center. This is the low bid among 3 bidders. The amount is for \$255,555. In year 7, there is only \$211,285.64 but they are going to transfer \$45,312.50 from year 8 to complete the amount needed. Upon Mr. Covacevich's recommendation, **a motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to approve Moreco Inc. as low bid for the Youth Center in Alamo. Low bid \$255,555.**

**MOTION CARRIED  
(EXHIBIT Q)**

**12B**

Mr. Covacevich stated that this was an Engineering Services Contract for Pct. 1 with Noe Garza Engineers. This will be for a street project in year 9. There are 9 proposed streets as per the exhibit. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to enter into a contractual agreement with Noe Garza Engineering for Professional Services for Pct. 1, Urban County, Year 9.**

**MOTION CARRIED  
(EXHIBIT Q)**

**12C**

Mr. Covacevich stated that this was two contract awards for Housing Rehab with the low bid by Villanueva Construction. They want to award the contracts for The Garcia and the Salinas Homes in the amount of \$12,000 and reject the bids of the Vasquez, Cantu and the Partida homes due to them being higher than the allowed \$12,000. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to award the bid to the low bidders for the Garcia and Salinas construction to Villanueva Construction and to reject all bids on the Vasquez, Cantu and Partida bids.**

**MOTION CARRIED  
(EXHIBIT Q)**

**12D**

Mr. Covacevich stated that this was an application for County wide Housing Rehab Applicants. He recommended the approval of Daniel Salas of Weslaco. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the application of Mr. Daniel Salas of Weslaco to participate in the Home/Homeowner Occupied Housing Rehab Program.**

**MOTION CARRIED  
(EXHIBIT Q)**

**12E**

**A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to authorize these particular assets under Urban County declared surplus and authorize our Purchasing Agent to dispose of said equipment.**

**MOTION CARRIED  
(EXHIBIT Q)**

**ITEM 13. OFFICE OF EMPLOYMENT AND TRAINING:**

- A. **DISCUSSION & POSSIBLE ACTION OF ORGANIZATIONAL CHANGES**
- B. **DISCUSSION & POSSIBLE ACTION/AUTHORIZATION TO PROCEED WITH RFI & RFP FOR PROGRAM RELATED SERVICES FOR FISCAL YEAR 96-97**

**13A**

Dick Dickinson addressed the Court and stated that they would like to make some adjustments to their organizations chart as they relate to the step and grade for personnel. The first change is the re-designation of grade level for the Program Compliance Monitor. Approximately 3 months prior, the Fiscal Monitor was approved to the grade level 13, step 1 thru 8. They were step 9. He is asking that the other 3 monitors that provide the same services be brought up to that level and step. He had asked that these compliance monitors be brought up the previous time, but the Court had felt that it would be a raise if they did so in the middle of the program year. He stated that then, that he would come back at the beginning of the program year and he is doing that now. There are a total of four monitors. 1 is a Fiscal Monitor and the others are Compliance Monitors. There is also an MIS Officer which has been changed by State requirements to a CMS and they would like to designate him as the CMS Supervisor. This will allow for more supervising and this would allow for to be FLSA exempt. This would cut down the amount of overtime. They would also like to change their step from step 9 to a step 11. They would also like to change an MIS Clerk to a CMS reviewer and that grade level be changed from a 2 to a 5. There will not be anymore people added and noone will lose their job. They simply want to re-designate the positions and their responsibilities. There will also be Eligibility Reviewers will have responsibilities added to them. There will be no other changes. They are also re-designating an Operations Coordinator to an Administrative Operations Manager and it would go from a grade 15 to a grade 17 and also a Telephone Operator to a General Office Clerk with no change in level or step. Judge Ruiz stated that he did not think that the MIS Officer to a CMS Supervisor would clear Civil Service because there is an increase in pay. Mr. Dickinson then asked for approval subject to posting and interviewing for the position. They will also test for and they will eliminate the current position or they can change it over whenever the person is designated. **Judge Ruiz then recommended the approval along with the proposed request in step and grade. Commissioner Sanchez so moved with that particular position in question being handled and was seconded by Commissioner Garces.** Mr. Dickinson stated at this point that they would remedy the issue with Civil Service to insure that everything is appropriate.

***MOTION CARRIED  
(EXHIBIT R)***

**A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to re-designate the title of Operations Manager to Program Operations Manager.**

***MOTION CARRIED  
(EXHIBIT R)*****13B**

Mr. Dickinson stated that they would like approval to go ahead with this process for Request for Information and Request for Proposals. He stated that this has been the practice in the past the PIC review these. It is not stated anywhere that this requires prior approval from the PIC. All they approve is activity. In the past, the PIC has participated by giving input but since they have decided that they don't want to conduct any JTPA or OET business until they can re-negotiate the PIC-CEO Agreement. They will not give their approval to any programs for the program year, in which their approval is required. They can go out for these requests for just the approval of the Court. Judge Ruiz wanted to know how Mr. Dickinson knew the PIC's stand on this issue. Mr. Dickinson stated that this was because he was told by Mr. Arriaga, PIC Chairperson. Mr. Arriaga stated to Mr. Dickinson that there would be no meetings conducted and for Mr. Dickinson not to place anything on any agenda. Mr. Dickinson advised him that he could not do that and that he would take any steps necessary to protect the funds and the participants. By the PIC not meeting, this will hold up the process by more than 6 weeks. The Commission expressed this discontent with the PIC. Mr. Dickinson stated that he will write a letter to the representative of the State and ask him to do whatever is necessary to insure that this program

goes forward. These RFI's and RFP's need to go out. It is the sentiments of the PIC Chair that there is no viable agreement in place but there in fact is one and it terminates on the 23<sup>rd</sup> of August. Mr. Dickinson stated to Mr. Arriaga that both Counsel and the State say that there is an agreement in place and that everyone involved must adhere to it until it expires or re-negotiated. They are at an impasse as this time. After further brief comments, **Judge Ruiz recommended that they authorize them to proceed with the Request for Information and Request for Proposals for program related activities for calendar 96-97 program year. Commissioner Rosel so moved and was seconded by Commissioner Garces.**

***MOTION CARRIED  
(NO EXHIBIT)***

**ADD. #1. DISCUSSION AND POSSIBLE ACTION FOR APPROVAL OF FUND ALLOCATION FOR ACTIVITIES - PY 96-97**

Mr. Dickinson stated that this was the fund allocation for the activities for PY 96-97. Mr. Dickinson stated that this allocation requires Commissioner's Court approval as well as PIC approval. Mr. Dickinson stated that this was a breakdown of \$3,397,170 and it is proportionate as called for in the Master Plan. There are other monies that can be carried over from PY 95-96 but this is only the allocation of PY 96-97. The reason for those figures not being included is because they usually wait to close out the books to get a more finalized figure. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve of the allocation of funds for activities relating to year 1996-97 calendar year. JUDGE RUIZ WANTED THIS AS PART OF THE RECORD THAT THE COMMISSIONER'S COURT HAS TAKEN ACTION ON THE ALLOCATION OF FUNDS AND THE AUTHORIZATION TO REQUEST FOR INFORMATION AND REQUEST FOR PROPOSALS BECAUSE THE PRIVATE INDUSTRY COUNCIL HAS NOT TAKEN ACTION AND IF THE PRIVATE INDUSTRY COUNCIL DOES NOT TAKE ACTION, THIS COUNTY WILL BE IN JEOPARDY OF LOSING THESE FUNDS BUT MORE IMPORTANTLY LEAVING THIS COMMUNITY WITHOUT SERVICE.** Upon entering this into the record, the motion was put to a vote and all voted in favor.

***MOTION CARRIED  
(NO EXHIBIT)***

**ITEM 14. BUDGET AMENDMENT:**

**A. COUNTY JUDGE - OFFICE EQUIPMENT - \$15,000**

Judge Ruiz stated that this amendment will be to upgrade their computer system. Paul Vazaldua addressed the Court and stated what they are requesting from the DEL corporation as per the exhibit. **A motion was then made by Commissioner Garces and was seconded by Commissioner Arcaute to approve a budget amendment of \$15,000 for the purchase of Office Equipment.**

***MOTION CARRIED  
(EXHIBIT S)***

**A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to recess Commissioner's Court to take Drainage District.**

***MOTION CARRIED***

**DRAINAGE DISTRICT**

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

**ITEM 1. AUTHORIZATION TO APPLY FOR GRANT FOR FLOOD PLAIN DELINEATION & MAP REVISION**

Vona Walker opened by stating that this was for a Drainage Study. She has found out that there is a State Grant available to conduct this type of study. She is requesting permission to apply for the grant. The grant would require 50% matching funds but they were looking at paying for it completely. Rudy Saucedo stated that this would help identify drainage criteria, drainage district right of way and section requirements and then go on to estimate the Cost of the improvements and help the County delineate a capital improvement program. The estimated cost of the study will be approximately \$105,714 of which 75% will be funded by the grant which amounts to \$79,285. He also stated that there may be other cities that would like to participate in this plan. Nothing has been finalized as of yet. This would increase the cost of the funding but the cities would pay their portion. **Judge Ruiz then recommended that a proposal be submitted for a flood plain delineation and map revision. Commissioner Rosel so moved and was seconded by Commissioner Garces.**

***MOTION CARRIED  
(EXHIBIT T)***

**ITEM 2. PERMITS:**

- A. **UNIVERSAL SEISMIC ACQUISITION, INC.**
- B. **CITY OF EDINBURG**

**2A**

Mrs. Walker stated that this was for some work being done in the area between 493 and F.M. 88 south of Business 83. Because the County has a drain ditch in this area, the Company is wanted to pay \$10 per acre and this amounts to a total of \$237.70. **A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve the permit request.**

***MOTION CARRIED  
(EXHIBIT U)***

**2B**

Mrs. Walker stated that there were two request for the City of Edinburg. One is for Boomtown Subdivision and the other is for GG Subdivision. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the permit request by the City of Edinburg as presented.**

***MOTION CARRIED  
(EXHIBIT U)***

**ITEM 3. REVIEW AND APPROVE INDEPENDENT AUDIT FOR YEAR 1995**

Judge Ruiz asked if anyone has reviewed this audit and noone had. He did not want to approve this audit because he had some concerns with this auditing firm. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to take this audit under advisement.**

***MOTION CARRIED  
(NO EXHIBIT)***

**ITEM 4. AWARD BID:**

- A. **BOOM**

Mrs. Walker stated that there was one bid by Anderson Equipment in the amount of \$24,400. She stated that this has been inspected and they are recommending the award of the bid. Judge Ruiz stated that the Purchasing Agent needed to be present to make this recommendation. **Judge Ruiz decided to take no action on this item.**

***NO ACTION  
(NO EXHIBIT)***

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to adjourn Drainage District No. 1.**

***MOTION CARRIED***

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

**At this time, the Commission returned to the Executive Agenda to continue the interviews for the Purchasing Agent.**

**OPEN SESSION CONT'D:**

Judge Ruiz stated that they have not yet made a decision of the Purchasing Agent. There was only one of two applicants interviewed. They will interview the other applicant the following week under Executive Session. **At this time, there is no action.**

***NO ACTION***

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

***MOTION CARRIED***

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS COMMISSIONER'S COURT, THIS MEETING STANDS ADJOURNED.**