

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, SECTIONS 551.074 & 551.071 TO DISCUSS THE FOLLOWING MATTER:**

- A. **INTERVIEW OF PURCHASING AGENT APPLICANTS**
- B. **DISCUSSION ON MEDICAL DIRECTOR**
- C. **DISCUSSION ON LEGAL COUNSEL**

At this time, the Commission retired into Executive Session.

**ITEM 2. OPEN SESSION:**

- A. **ACTION OF PURCHASING AGENT APPLICANTS**
- B. **DISCUSSION & ACTION ON MEDICAL DIRECTOR**
- C. **DISCUSSION & ACTION OF LEGAL COUNSEL**

At this time, Judge Ruiz stated that they will recess the Executive Session and reconvene after the Regular Agenda. At this time he moved on with the Regular Agenda.

### CONSENT AGENDA

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

GENERAL FUND	- #122683 - #122848	- \$823,890.63
SPECIAL REVENUE FUND	- #122143 - #122340	- \$585,093.99
DEBT SERVICE FUND	- # 1024 - # 1030	- \$834,537.51
TRUST AND AGENCY FUND	- # 5673 - # 5677	- \$503,202.13
ENTERPRISE FUND	- # 2765 - # 2773	- \$ 23,018.06

**(EXHIBIT A)**

**ITEM 2. APPROVAL OF MINUTES - JANUARY 16, 1996**

**ITEM 3. APPROVAL OF ATTORNEY FEES - \$5,210.00**

**(EXHIBIT B)**

**ITEM 4. APPROVAL OF COURT REPORTER FEES:**

- A. SHANA LILES - \$948.66

**(EXHIBIT C)**

**ITEM 5. APPROVAL OF MONTHLY FEE REPORTS:**

**A. JUSTICE OF THE PEACE:**

- 1. E. JACKSON - \$ 6,209.00 - MAY
- 2. E. JACKSON - \$ 5,525.20 - JUNE
- 3. CHARLIE ESPINOZA - \$17,613.00 - JUNE
- 4. ROSA TREVINO - \$11,574.65 - JUNE
- 5. RENE TORRES - \$10,881.00 - JUNE
- 6. ISMAEL OCHOA - \$15,201.61 - JUNE
- 7. ARNALDO CORPUS - \$ 1,900.37 - JUNE
- 8. JESUS MORALES - \$ 6,640.00 - JUNE
- 9. RUBEN RAMOS - \$11,940.26 - JUNE

**B. CONSTABLES:**

1. HORACIO AGUIRRE - \$ 0.00 - JUNE
2. GILBERTO ALANIZ - \$ 60.00 - JUNE
3. MATEO CAVAZOS - \$555.00 - JUNE
4. RUMALDO CERDA - \$195.00 - JUNE
5. EDUARDO BAZAN - \$ 0.00 - JUNE

**(EXHIBIT D)****ITEM 6. PLANNING DEPARTMENT:**

- A. AMENDED PLAT OF TIERRA SANTA GOLF CLUB & COMMUNITY PHASE I  
PCT. 1
- B. CASA DE CAMBIO SAN ISIDRO SUBDIVISION - PCT. 2
- C. EMBASSY TERRACE PHASE II - PCT. 2
- D. LOTS 1A, 2A & 3A - McALLEN PAVILION II - PCT. 2
- E. ORANGEWOOD EAST - PCT. 2
- F. AMENDED PLAT OF LADY LUCK - PCT. 4
- G. AMENDED PLAT OF SOUTHWEST ESTATES PHASE II - PCT. 4
- H. TANGLEWOOD ESTATES PHASE II - PCT. 4

**(EXHIBIT E)****ITEM 7. PERMITS:**

- A. NORTH ALAMO WATER SUPPLY CORPORATION - PCT. 1 & 4
- B. SHARYLAND WATER SUPPLY CORPORATION - PCT. 3

**(EXHIBIT F)****ITEM 8. INTERNAL LINE ITEM TRANSFER:**

- A. PURCHASING DEPARTMENT - \$ 3,500.00
- B. ADULT PROBATION COMMUNITY CORRECTIONS - ST. FUNDS - \$ 400.00
- C. HEALTH DEPARTMENT - ADMINISTRATION - \$ 2,000.00
- D. HEALTH DEPARTMENT - CO-PAY (CORE) - \$ 1,594.00
- E. HEALTH DEPARTMENT - SANITATION - \$ 100.00
- F. HEALTH DEPARTMENT - CORE - \$ 1,397.00
- G. HEALTH DEPARTMENT - CLINICS - \$ 4,000.00
- H. SHERIFF'S DEPARTMENT - \$ 1,000.00
- I. DETENTION CENTER (JAIL) - \$ 2,500.00
- J. GRAND JURY (D.A.) - \$ 250.00
- K. D.A. BAD CHECKS - \$ 250.00
- L. ENTERPRISE FUND - \$ 450.00
- M. WIC - \$13,600.00
- N. CONSTABLE PCT. 3 - \$ 550.00
- O. PCT. 3 - PAVED/UNPAVED - \$35,000.00

**(EXHIBIT G)**

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

**MOTION CARRIED****(EXHIBITS A-G)****REGULAR AGENDA****ITEM 1. INTRODUCTION OF VETERANS SERVICE OFFICER - CHRIS ESCAMILLA**

Judge Ruiz opened by stating that they had appointed Mr. Escamilla as the Veterans Officer the previous week. He would now like to take the time to introduce him to the Court and

the audience present. Mr. Escamilla thanked the Commission for being selected and stated that he would do the best job he knew how. The Commission then went on with the agenda.

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

**ITEM 2. HIDALGO COUNTY CHILD PROTECTIVE SERVICES BOARD:**

**A. APPOINTMENT OF PROSPECTIVE MEMBER TO THE CHILD PROTECTIVE SERVICES BOARD**

**2A**

Judge Ruiz stated that Sergio Gonzalez of Weslaco was being recommended to be appointed to the board. Mr. Gonzalez is presently working for Southwestern Bell. Judge Ruiz recommended the appointment of Mr. Sergio Gonzalez to the Hidalgo County Child Protective Services Board. Commissioner Sanchez so moved and was seconded by Commissioner Garces.

***MOTION CARRIED  
(EXHIBIT H)***

**ITEM 3. TAX ASSESSOR/COLLECTOR:**

**A. TAX REFUND:**

1. PHARR ECONOMIC DEVELOPMENT - \$3,146.40
2. MARGARET COOGAN - \$602.00
3. ROBERTO PEREZ - \$945.05

**3A1,2&3**

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

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

**ITEM 4. DECLARE EQUIPMENT SURPLUS:**

- A. OFFICE EQUIPMENT - COUNTY CLERK
- B. OFFICE EQUIPMENT - DISTRICT ATTORNEY

**4A&B**

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

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

**ITEM 5. ADULT PROBATION DEPARTMENT**

- A. TERMINATION OF PROFESSIONAL SERVICES CONTRACT WITH DAVID CASTRO, PHARMACIST
- B. EXEMPTION OF PROFESSIONAL SERVICES FROM BIDDING REQUIREMENT
- C. APPROVAL OF FY 96-97 CONTRACT WITH ADRIANA ROSALES, BOOT CAMP PHARMACIST

**5A**

The Adult Probation Department representative stated that Mr. Castro had accepted another position with another facility. He stated that State Law prohibits a pharmacist from servicing a facility of more than 150 beds. The facility where Mr. Castro is at now has over

150 consequently he cannot continue with the boot camp facility without being in violation of State Law. This is at his request. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve the termination of a Professional Service Contract with David Castro as Pharmacist.**

***MOTION CARRIED  
(EXHIBIT K)***

**5B&C**

They are now requesting exemption from bidding under Professional Services for the new Pharmacist and also approval of a new contract with Adriana Rosales to maintain services at the Boot Camp. The contract will run from August 1, '96 to August 31, '97. The contract is identical to that of Mr. Castro. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to exempt as Professional Services from the bidding procedure and recommend a contractual agreement with Adriana Rosales as Pharmacist for the Adult Boot Camp and the County of Hidalgo.**

***MOTION CARRIED  
(EXHIBIT K)***

**ITEM 6. APPOINTMENTS TO THE TROPICAL TEXAS CENTER FOR MH/MR BOARD OF TRUSTEES**

Judge Ruiz stated that they have gone through the advertisement procedure and they have reviewed the applicants. There were 19 resumes' received. He would now like to recommend 5 members. They are Dr. Roger R. Heredia, Father Carlos Garza, Eduardo Anaya, Lydia Perkins and Preston Hendrickson. None of these individuals are present members. He felt that all these members would help the function of this board. After further brief comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to appoint Dr. Roger Heredia, Father Carlos Garza, Eduardo Anaya Ms. Lydia Perkins and Preston Hedrickson.**

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

Irma Gomez, present and outgoing member, addressed the Court and thanked them for allowing her the opportunity to serve on this board. She will continue to be an advocate of MH/MR.

**ITEM 7. APPOINTMENTS TO HIDALGO COUNTY HISTORICAL COMMISSION**

Judge Ruiz stated that Kika and Lucille De La Garza have expressed an interest on serving on this Commission. He is now recommending their appointment. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to appoint Congressman Kika De La Garza and Lucille De La Garza to the Hidalgo County Historical Commission.**

***MOTION CARRIED  
(EXHIBIT M)***

**ITEM 8. APPOINTMENTS TO MID-CONTINENT I-69 COMMITTEE**

Judge Ruiz stated that this a continuing effort to promote 281 as part of I-69. Tina Martin is currently serving this Committee. He would at this time, like to recommend the appointment of Anthony Covacevich to this Commission. **A motion was then made by Commissioner Garces**

and was seconded by Commissioner Rosel to appoint Mr. Anthony Covacevich to Mid Continent I-69 Committee as presented.

**MOTION CARRIED  
(NO EXHIBIT)**

**ITEM 9. HEALTH DEPARTMENT:**

- A. **APPROPRIATE BUDGET AMENDMENT IN THE AMOUNT OF \$148,000.00  
APPROVED BY COMMISSIONER'S COURT ON JULY 23, 1996**
- B. **SET SALARIES**
- C. **APPROVAL OF CONTRACT TO PAY FOR MOBILE VAN UTILITIES**

**9A&B**

Rudy De La Vina addressed the Court and stated that this was in relation to trying to keep the clinics open through the end of the year. This is to avoid laying anyone off and also to hire needed R.N. Staff as well as upgrading their salaries. There was a minor change to the Nurse Practitioner's. The present salaries of these individuals is slot 7 at \$49,198 with a proposed increase of \$3,334 and slot 56 at \$48,000 with a proposed increase of \$2,334. This is to be effective for the last four months of the year. The five nurses that are in the exhibit are there because they were under title V which they will not have after September 1. The transferred them to the General Fund. They were not going to lay them off. They were going to lay off less essential personnel. The nurses are needed since they are the ones responsible for care services. Commissioner Sanchez was under the impression that the amendment was for existing filled positions and not vacant ones. Mrs. Serna stated that she thought it was to make the clinics function as efficiently with less staff and more nurses. Judge Ruiz asked if by filling all 9 positions, would it increase the revenue back to increase funding for title V. Mrs. Serna responded by stating that it would depend on the amount of billing. If they meet their criteria for billing, the departments or areas that do will get more funding. If there is no title V monies allocated, the County will have to budget approximately 1/2 million dollars to fund completely for a full year. There will need to be some training due to the fact that most of the applicants that are responding are new graduates who will need to be trained in order to function properly at the clinics. They will need more than 3 months to train but they will be able to function somewhat with 3 months. Mrs. Serna also proceeded to inform the Court how they have been functioning up until now. Commissioner Sanchez wanted to know what type procedures would take 90 days for training. Mrs. Serna stated that there were very few areas that required this type of training but nevertheless there was. During further discussion, Judge Ruiz stated that he felt that there still needed to be a reduction in force prior to committing this amount of money. Mrs. Serna also stated that she foresees an increase in billings therefore, increasing the chance of receiving their title V funding again. There's was some disagreement as to what was causing the under billing. Commissioner Arcaute stated that he had read a report by Dr. Wilson in which it stated that fewer nurses were producing more than when there a more nurses. The Commission did agree that they should wait on the appropriation of there are this many questions concerning the department. Judge Ruiz went on to ask what the savings would be if they went ahead with the reduction in force how much would it save and Mrs. Serna stated that it would save approximately \$200,000 and he stated that this would have to happen to help ease the burden on the budget because he did not know where an extra 1/2 million would come from. If they go ahead with the reduction, they should bring that back to Court for approval and then go ahead and appropriate that money. After further comments, the Commission decided to wait one more week and bring the plan for the reduction and how it will affect some things before they make their final decision. **No action was taken at this time.**

**NO ACTION  
(EXHIBIT N)**

**9C**

Mr. De La Vina stated that this contract was with the Edinburg School District. It will cover 3 months of service from February thru April. This is for using the district's utilities for their mobile clinic. They have been paying an average of \$150 for this service. Steve Crain addressed the Court and stated the agreement that was originally in the packet was amended because the individual who originally signed it was not authorized. Mr. Crain re-submitted a contract with the correct signatures. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the amended contract for the Cooperative Agreement between the Edinburg School District and the County of Hidalgo for the Utilities for the Mobile Van. \$150 per month when used.**

***MOTION CARRIED  
(EXHIBIT N)***

**ITEM 10. INDIGENT HEALTH CARE:**

- A. **APPROVAL TO TRANSFER FUNDS FROM 95-96 FUNDING YEAR INTO 96-97 FUNDING YEAR**
- B. **APPROVAL OF CONTRACT AGREEMENT BETWEEN UTMB GALVESTON AND THE COUNTY OF HIDALGO TO PROVIDE HEALTH CARE SERVICES**

**10A**

Mr. De La Vina attempted to tell the Commission what was being requested at this time. Steve Austin then attempted to clarify. He stated that these monies were budgeted in the 93-94 fiscal year as opposed to the 95-96. This was done when the budget was prepared for this year. The bills have been charged to the 95-96 account but the monies were erroneously placed in the 93-94 account. All that has to be done is move these funds to the 95-96 budget. The Commission did not understand how this could have been done. The amount budgeted was \$3,875,000. Up until now, they have expended \$1,013,000. There is approximately \$25,000 of encumbrance. After further comments, **Judge Ruiz asked for a motion to correct and re-appropriate the fund balances to the correct appropriate line items for Indigent Health Care. Commissioner Arcaute so moved and was seconded by Commissioner Garces.**

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

**10B**

Mr. De La Vina stated that this is an ongoing contract that expires August 31. The rate is the same as the previous years. That rate is \$100,000 per year. This is for people that do not qualify for the indigent program or any other program. UTMB will see them for free in Galveston. This entity provides over a million dollars in health care for County residents. There is absolutely no change. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the Contract between the University of Texas Medical Branch of Galveston and the County of Hidalgo to provide Health Care Services for one year. The cost is \$100,000.**

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

**ITEM 11. COUNTY JUDGE:**

- A. **DISCUSSION AND POSSIBLE ACTION ON DECLARING HIDALGO COUNTY A DISASTER ASSISTANCE AREA**
- B. **DISCUSSION AND POSSIBLE ACTION ON EXTENDED HOURS OF CERTAIN DEPARTMENTS**
- C. **APPROVAL OF HIDALGO COUNTY COMMISSIONER'S COURT POLICIES AND PROCEDURES FOR THE AGENDA PROCESS**

**D. AUTHORIZATION TO REDUCE VACANT POSITION #3 BY \$4,400 IN ACCOUNT #6-010-413-100.03 AND APPROVE LINE ITEM TRANSFER IN THE AMOUNT OF \$4,400**

**11A**

Paul Vazaldua addressed the Court and stated that according to the National Weather Service, all of the State's Climatological Regions have reached the point to which there is no water. It is their prediction that this will continue if not worsen. To declare the County a disaster area, they must follow a certain process. The first step is to provide the County with a flash report. Paul stated that they have been advised by the County Emergency Board that they will come up with this report by today or tomorrow. In that report, there will be indications that the County has suffered crop disasters leading up to loss of jobs. He stated that he would now like to prepare official documentation to send to the Governor and the President of the United States declaring the area a disaster. Judge Ruiz feels that this is necessary. He would now like to declare Hidalgo County a request for a disaster relief from the Governor and the President, pending a flash report. Commissioner Sanchez so moved and was seconded by Commissioner Garces and Rosel. Juanita Cox addressed the Court in reference to some of the conditions that are plaguing the County. She feels that conditions will get worse when migrant workers return being that there will be a decrease in winter crops due to the drought conditions. She just wanted to make sure that the farmers are included in this plan and she is in full support of this. Commissioner Sanchez agreed with Mrs. Cox. **The motion to declare the County of Hidalgo a Disaster Area and further request from the Governor and the President of the United States assistance in our area to relieve that disaster was put to a vote and all voted in favor.**

**MOTION CARRIED  
(NO EXHIBIT)**

**11B**

Judge Ruiz opened by stating that they have received several calls and complaints from residents who are trying to conduct business with the County during their lunch hours. They have come in and found that most departments are closed during lunch completely. He feels that these certain departments should have their service staff as well as their administrative staff working during lunch. They should just split their staff and maybe stagger their lunch hours. The departments that he is referring to are The Judges Office, Voter Registration, Health Department both the Administration and the Service Department, Planning Department, Personnel Department, Community Service Agency, WIC, Urban County, Drainage District, Computer Department, Risk Management, Buildings and Grounds and Purchasing Department and any other departments he may have missed. He would like to get an order from the Court ordering these departments to re-work their schedules and keep their offices open during lunch with sufficient staff. **Commissioner Garces made a motion and was seconded by Commissioner Rosel to approve the extended by order authorize the extended hour of the lunch hour as a working hour for departments listed including administrative offices of Precincts 1, 2, 3 & 4.**

**MOTION CARRIED  
(NO EXHIBIT)**

**11C**

Judge Ruiz stated that this was an effort to streamline the agenda process and also include the decisions to the Court as to what is on the agenda. Lisa Saucedo addressed the Court and stated that there were a couple of agendas made to the public and she had asked the auditor if they can charge a fee for these individuals. The auditor sent her a memo by the General Services Commission giving the authority to charge 10 cents per copy. She also added that it would go up to the Commission where they want this money from the packets to go as far as line items are concerned. There was some discussion to the effect that the Commission thought they had to have their regular meetings on the second Monday of the Month but Ms. Saucedo advised

them to the contrary. They just simply chose that day to be the regular meeting. There was some sentiment among the Commission as to whether to reduce the number of meetings per month. There was some question about having them twice per month such as there being more items, would the meetings be longer. Ms. Saucedo felt that there might be more items but there would be less discussion on the items because of the three signatures required to be on the agenda. During further comments, Judge Ruiz suggested that they continue on a weekly basis and determine how this process is going. Depending on those evaluations, maybe at a later date, they come back and make any necessary changes. Following further comments, **a motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to adopt the Hidalgo County Commissioner's Court Administrative Policies and Procedures and Agenda Process as amended. Deleting Paragraph 3 of page 2 and deleting Legal References after paragraph 6. Set policy to take full effect September 1, 1996.**

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

**11D**

Judge Ruiz stated that this reduction was in the amount of \$4,400 and the line item transfers are in the same amount. Laura Etnire stated that the line item transfers are for office supplies and office equipment. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

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

**ITEM 12. PCT. 1:**

- A. APPROPRIATE 1995 BALANCE INTO 1996 ROAD & BRIDGE BUDGET**
- B. APPROPRIATE 1995 BALANCT INTO 1996 PARK BUDGET**
- C. APPROVAL OF INTERLOCAL GOVERNMENTAL ASSISTANCE AGREEMENT BETWEEN MONTE ALTO ISD & HIDALGO COUNTY**

**12A**

Commissioner Sanchez stated that he wanted to move these monies into object 37 of Road & Bridge. Commissioner Arcaute stated that the amount was \$291,991.87. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to appropriate \$291,991.87 of the 1995 balance into the 1996 Road & Bridge in obj. 37.**

***MOTION CARRIED  
(EXHIBIT Q)***

**12B**

Commissioner Sanchez stated that this was a similar request as the above item. The amount of this appropriation is \$153,802.51 and this is going into object 95 of the Parks line item. He so moved to that effect and was seconded by Commissioner Garces to approve.

***MOTION CARRIED  
(EXHIBIT Q)***

**12C**

Commissioner Sanchez stated that this agreement is for the construction of a parking lot. He stated that he had just spoken with the representatives of the Monte Alto ISD and they asked him if it could be included in the agreement an additional 1200 feet to the parking lot. This will add another \$5,000 to this agreement. He wanted to know if they could change the amount on the contract to reflect the new amount of \$10,000. The ISD will provide the amount

for the materials and the Pct. will provide the manpower. **Judge Ruiz then asked for a motion to approve the Interlocal Government Assistance Agreement between the Monte Alto ISD and the County of Hidalgo through Pct. 1. Commissioner Sanchez so moved and was seconded by Commissioner Arcaute.**

***MOTION CARRIED  
(EXHIBIT Q)***

**ITEM 13. PCT. 3.**

- A. **AUTHORIZATION TO ENTER INTO INTERLOCAL COOPERATION AGREEMENT BETWEEN HIDALGO COUNTY IRRIGATION DISTRICT NO. 6, LA JOYA ISD & HIDALGO COUNTU**
- B. **AUTHORIZATION TO ADVERTISE FOR BRIDGE CONSTRUCTION**
- C. **DISCUSSION AND ACTION ON ACCEPTANCE OF TEMPORARY CONTRACT FOR SECURITY SERVICES**
- D. **DISSCUSSION AND POSSIBLE ACTION TO EXEMPT SECURITY SERVICES FROM COMPETITIVE BIDDING PROCESS**

**13A**

Commissioner Rosel stated that this agreement was between three entities. It is for the purpose of improving a bridge on Abram Road. This agreement will divide the cost of these improvements by three. The Irrigation District No. 6 will contribute a maximum of \$25,000. Any additional charges will be the County's responsibility. He stated that he was advised by an Engineer that it will be within reach with all three participants. It was clarified that the bridge belongs to the County. There was some question regarding this when the County advised the Irrigation District that they would be responsible for the advertising at which time it was taken before their board members and they themselves stated that it was not their bridge. It belonged to the County. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Interlocal Agreement between County of Hidalgo, District No. 6 Irrigation District and La Joya ISD for the improvement of a Road and Bridge Project on Abram Rd. between Expressway 83 and 3 mile line.**

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

**13B**

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the Purchasing Agent to advertise for bids for bridge construction on Abram Rd., Pct. 3.**

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

**13C&D**

Commissioner Rosel stated that they have gone through this contract and made sure that this firm meets all necessary requirements as advertised. At this time, they would like to approve this contract and also exempt it from the bidding process being that they have gone out for bids on several occasions and have not had a successful bidder. He would also like to exempt this because there is only enough room with the cap to provide services for approximately 3 weeks and still be within the \$15,000 limit. Judge Ruiz stated that he has spoken with the Purchasing Agent and this is also her recommendation. He also recommend this contract. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to exempt it from the bidding procedure due to the many times is has been advertised and award a contract to South Texas Temporary Services Inc. in and for the State of Texas to provide security services to the park system of Pct. 3.**

**MOTION CARRIED  
(EXHIBIT R)**

**ITEM 14. PCT. 4:**

- A. AUTHORIZATION TO APPROPRIATE 1995 FUND BALANCE INTO 1996 ADMINISTRATION & ROAD & BRIDGE BUDGET**

**14A**

Commissioner Garces stated that he wanted to appropriate \$156,296.70 in the 1996 Road and Bridge. He would also like to appropriate \$15,000 into 1996 administration. He is placing these monies in the line items as per the exhibit. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the appropriation of 1995 fund balance into 1996 both Administration and Road & Bridge budget as presented.**

**MOTION CARRIED  
(EXHIBIT S)**

**ITEM 15. PURCHASING DEPARTMENT:**

- A. AUTHORIZATION TO APPROVE CONTRACT FOR HAULING SERVICES - PCT. 3**  
**B. AUTHORIZATION TO REJECT BIDS & RE-ADVERTISE - CRUSHED CALICHE (AREA EAST OF ABRAM) - PCT. 3**  
**C. AUTHORIZATION TO EXTEND CURRENT BID FOR CRUSED CALICHE FOR 60 DAYS UNTIL NEW AWARD OF BID - PCT. 3**

**15A**

Darlene Betancourt stated this was a contract with Julian Leal for Hauling Services for Pct. 3. **A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve the contract service agreement for Hauling Services in Pct. 3 by Julian Leal d.b.a. Leal Trucking Services for one year.**

**MOTION CARRIED  
(EXHIBIT T)**

**15B**

Mrs. Betancourt stated that only one bid was received. They would like to reject the bid due to the location of the pit and the bid being too high. They would also like to re-advertise. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to reject all bids received for crushed caliche for Pct. 3 and also authorize the re-advertising for crushed caliche in the area east of Abram.**

**MOTION CARRIED  
(EXHIBIT T)**

**15C**

Mrs. Betancourt stated that they would like to extend the current contract being that the bid was rejected in order to avoid a lapse in service. The length of the extension will be at the same rate as in the past. Valley Caliche is amenable to this extension. This will be for 60 days. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to extend the contract with Valley Caliche under the crushed caliche bid up until the time that a new contract is approved.**

**MOTION CARRIED  
(EXHIBIT T)**

**ITEM 16. PLANNING DEPARTMENT:**

- A. **FINAL PLAT APPROVAL:**
  - 1. **GENARO SUBDIVISION - PCT. 1**
  - 2. **INTERNATIONAL VILLAGE SUBDIVISION - PCT. 3**
  - 3. **FOUR QUEENS - PCT. 4**
  - 4. **GOLDEN NUGGET - PCT. 4**
- B. **FINAL PLAT APPROVAL WITH LETTER OF CREDIT:**
  - 1. **LOS ALAMOS - PCT. 1**
  - 2. **LA HOMA TRACE - PCT. 3**
- C. **PRELIMINARY PLAT APPROVAL:**
  - 1. **JOSHUA TREE HEIGHTS - PCT. 3**
- D. **DISCUSSION AND POSSIBLE ACTION :**
  - 1. **AYALA-BAZAN ESTATES - PCT. 1**

**16A1**

Emilio Garcia opened by stating all requirements had been met with Genaro Subdivision. This was in the ETJ of Weslaco and was approve by them. Upon the recommendation of Mr. Garcia, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give final plat approval to Genaro Subdivision in Pct. 1 as presented.**

**MOTION CARRIED  
(EXHIBIT U)**

**16A2**

Mr. Garcia stated that preliminary approval was granted August 1, 1995. Since then, all improvements have been completed in accordance Mission and County regulation. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve final plat approval for International Village Subdivision in Pct. 3 as presented.**

**MOTION CARRIED  
(EXHIBIT U)**

**16A3**

Mr. Garcia stated that this subdivision was the ETJ of Edinburg. All requirements have met with the approval of the City of Edinburg. Upon his recommendation, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give final plat approval to Four Queens in Pct. 4 as presented.**

**MOTION CARRIED  
(EXHIBIT U)**

**16A4**

Mr. Garcia stated that on June 8, 1996, preliminary approval had been granted by the Court. All improvements have since been made and he recommended the approval. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel give final plat approval to Golden Nugget in Pct. 4 as presented.**

**MOTION CARRIED  
(EXHIBIT U)**

**16B1**

Mr. Garcia stated that this subdivision had been approved by the City of Weslaco. The letter of credit amount was \$99,462 and they would like to release this letter of credit. Mr.

Garcia recommended the approval this subdivision but before the release of the letter of credit, all street signs, traffic control devices, testing of the streets and the final letter from North Alamo as well as the drainage affidavit had to be submitted. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.**

**MOTION CARRIED  
(EXHIBIT U)**

**16B2**

Mr. Garcia stated that this subdivision was approved on May 21, 1996 preliminarily. Since then a letter of credit has been submitted in the amount of \$198,527.53. He is recommending the approval of the subdivision and the release of the letter of credit subject to the street signs, traffic control devices, testing of the streets and the final letter from Sharyland Water being submitted. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval with letter of credit to La Homa Trace Subdivision as presented.**

**MOTION CARRIED  
(EXHIBIT U)**

**16C1**

Mr. Garcia stated that this was presented the previous week with a variance request because some lots were going to be less than ½ acre. It was denied. Since then, the engineer has made all corrections with the lot sizes. There were 66 lots and it is now 60 lots. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve Joshua Tree Heights and give preliminary plat approval as presented.**

**MOTION CARRIED  
(EXHIBIT U)**

**16D**

Mr. Garcia stated that they had submitted a letter to Richard Salinas asking him to show the drainage retention shown on the plat and he has not done so. At this time, he is requesting a **no action at this time.**

**NO ACTION  
(NO EXHIBIT)**

**ITEM 17. URBAN COUNTY:**

- A. HOME/HOMEOWNER HOUSING REHAB. APPLICATION
- B. CITY OF ELSA - TERMINATION OF PROFESSIONAL SERVICES AGREEMENT - ENGINEERING
- C. CITY OF ELSA - TERMINATION OF MANAGEMENT CONSULTANT CONTRACT
- D. CITY OF ELSA - TERMINATION OF TWO PROFESSIONAL SERVICES AGREEMENTS
- E. INCREASE OF HOME OWNER REHAB DEFERRED LOAN/GRANT
- F. HOME - FIRST TIME HOMEBUYER COMMITMENT LETTER

**17A**

Anthony Covacevich stated that this is in the City of Alton and it is case AL-10-95-18 for Guadalupe Rodriguez. **A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve Guadalupe Rodriguez for the Home/Homeowner Housing Rehab. Program as presented.**

**MOTION CARRIED**

**(EXHIBIT V)****17B,C&D**

Mr. Covacevich stated that these were all similar. These are contracts being terminated by the City of Elsa. They are 3 Professional Services Contract and 1 Management Consultant Contract. These were for services rendered by Noe Garza Engineering. There also a contract with Ricardo Gomez and Associates. He stated that he would like a motion to terminate and the provision of notice as required for in the contract, which is a 30 day notice. The problem with these contracts was how much money was going to be paid. Two of the contracts have been completed but the amount will be up to the Engineer and the City of Elsa. Mr. Covacevich stated that they will not enter into another contract for the same type of work until this is settled being that they are a party to the contract. Commissioner Garces stated that there had been a similar type of problem in the past and there was some question as to how much was to be paid. This agreement to terminate is not mutual. Mr. Covacevich stated that they will only pay for work to is put go good use and if they have paid already, they will ask for the money back. There is some question as to whether another engineer will pick up where another left off. Engineers do not want to assume the liability of others. What this would do at this time is authorize Mr. Covacevich to give notice of termination. This does not mean that the payment issue is resolved once the 30 days are up. Judge Ruiz agreed but he assured Mr. Covacevich that if this is done, the Court will not approve any engineering bill or services with anyone until this is resolved. Commissioner Sanchez cannot see any legitimate reason for termination. Commissioner Sanchez asked if this request to terminate be rejected being that they have no reason for this. Mr. Covacevich stated that the reason for this is because they have always gone along with the requests of the cities and it is their recommendation at this time. Commissioner Rosel also does not feel comfortable with this issue. After further brief comments, **Commissioner Sanchez made a motion and was seconded by Commissioner Rosel to reject the request by the City of Elsa to not take any action on the termination of Professional Services and Management Consultant Services.**

**MOTION CARRIED  
(EXHIBIT V)****17E**

Mr. Covacevich stated that this was a request to increase the amount of money that can be made available for individual families to rehab their homes. They have been working with an amount of \$12,000. All the cities are amenable to this issue. They would like to do it on a city by city basis. Once approval is given, each city will contact Mr. Covacevich today upon approval of this request by the Commission, and let him know whether they want to help five families or four families. Each city is allocated \$60,000 for rehabs and Mr. Covacevich will recommend \$15,000 to the cities and help 4 families. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the maximum cap under the homeowner rehab deferred loan grant program to \$15,000.**

**MOTION CARRIED  
(EXHIBIT V)****17F**

Mr. Covacevich stated that they are starting a new year July 1. As soon clearance is received from HUD, they will start the first time homebuyer program. They would like to change the commitment letter to the banks. They would like to add some time limits on this letter. They would like to place a 60 day commitment period in which families can purchase an existing home and 90 days for families that are building a new home. Upon new homes being built, they can extend that time to 120 days upon approval of the Director on a case by case basis. They are canceling some project as of today and if those had been canceled before, other families could have received some help. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to change policy to reflect that when a letter of commitment is issued, the family has 60 days to close when**

they are purchasing an existing home and when they are doing new construction, 90 days to close. In the event that they cannot do so but have shown substantial progress, they have an option to appeal to Commissioner's Court.

**MOTION CARRIED**  
**(EXHIBIT V)**

**ITEM 18. BUDGET AMENDMENTS:**

- A. COUNTY AUDITOR - \$65,854.00 (PERSONNEL)
- B. DISTRICT ATTORNEY \$25,000.00 (PROFESSIONAL SERVICES)
- C. DETENTION CENTER \$50,000.00 (FOOD)

**18A**

Judge Ruiz stated that this had been presented in a budget workshop. This is for two Internal Auditors and one Assistant Payroll Clerk. The effect is \$65,854. Steve Austin stated that this request was made prior to May 1 to become effective May 1. This will be for 4 ½ months. The amount for that time is \$39,562. Judge Ruiz stated that he has not seen the budget for year 1997. So he cannot commit to this until he has seen the budget being that there might be other requests for personnel. Steve Austin stated that there will be a request for a clerk typist the following year. Judge Ruiz again reiterated that they take on this issue when they have some more final figures. He recommended that these be taken under advisement until the budget process. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to take the request for the County Auditor for additional personnel under advisement.**

**MOTION CARRIED**  
**(EXHIBIT W)**

Steve Austin stated that there was also a request for \$5,750 for advertisements and computer equipment. Judge Ruiz did recommend this amendment. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a budget amendment of \$5,750 for the purchase of equipment and advertising in the Auditor's Office.**

**MOTION CARRIED**  
**(EXHIBIT W)**

**18B**

Judge Ruiz stated that this was in the amount of \$25,000. Roy Casarez addressed the Court and stated that this was due to the high demand of Psychological Evaluations being requested by the Courts. The amount budgeted at the beginning of the year was \$25,000. There was some discussion as to what could be causing all of these dramatic increases. Judge Ruiz felt that this was just a tactic being used by the Defense Attorneys to stall the cases. He also stated that the Judges can order the defendant to pay for this service as opposed to having the County pay. Judge Ruiz stated that maybe they send a message to Rene Guerra that not he request an amendment but all that new procedures for this issue be established. Mr. Casarez stated that they are currently working with the Auditor to look into getting reimbursed. The Commission agreed with this issue. Judge Ruiz stated that at this time, he is recommending \$5,000 at this time and that policy be drawn up to collect some of the expenses from the defendants. **A motion was then made by Commissioner Arcaute and was seconded by Commissioner Garces to approve a \$5,000 budget amendment for professional services and request from the District Attorney's Office, Auditor and the Board of Judges to establish a procedure to collect the expenses from defendants for this particular services.**

**MOTION CARRIED  
(EXHIBIT W)**

**18C**

Ramiro Castellano addressed the Court and stated that this amount was going to the food line item. This amount will get through for a month or so. The reason he was doing this was because back in March, he was instructed by the Court that his department use whatever monies possible to pay for out of county prisoners. When they were told this, this was the only line item where they had money to do this with; so consequently they had to use monies from the food line item. This depleted this line item. They currently have a balance of \$24,000 in that line item and they use \$54,570.57 for food on the average. He went on to state that if they did not have to do this line item transfers, they could have possibly made it through the year. He was also under the impression that it was the Court that wanted him to come in as necessary. It would probably take \$200,000 to make it through the year. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve the budget amendment of \$50,000.**

**MOTIONCARRIED  
(EXHIBIT W)**

**ITEM 19. REQUEST FOR BUDGET AMENDMENT FOR TEMPORARY FULL-TIME POSITION  
AT ELECTION DEPARTMENT**

Judge Ruiz stated that this position being requested was for \$18,000 annually. This is for the November election process. It would take \$7,540.00 to see it through the end of the year. This will not replace the need for judges and clerks but it would possibly reduce the overtime. The Commission was not to amenable to this request. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to reject the request.**

**MOTION CARRIED (REJECTED)  
(EXHIBIT X)**

At this time, Judge Ruiz stated that he would like to recess due to them not concluding the executive session which the Commission will return to. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to recess.**

**MOTION CARRIED**

**DRAINAGE DISTRICT**

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

**ITEM 1. AUTHORIZATION TO AWARD BID FOR BOOM**

Darlene Betancourt addressed the Court and is recommending the awarding of the bid to Anderson Equipment and it was the only bid received. The amount was \$24,400. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to award the bid to Anderson Equipment as the sole bidder in the amount of \$24,400.**

**MOTION CARRIED  
(EXHIBIT Y)**

**ITEM 2. LINE ITEM TRANSFER**

Vona Walker addressed the Court and stated that this was in the amount of \$1,000 and it will go into obj. 39. The reason for this is because the Auditor's Office is not putting items between \$100 and \$250 in line item 95, they have items that cost \$150 each. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the \$2,000 line item transfer.**

***MOTION CARRIED  
(EXHIBIT Z)***

### **ITEM 3. DISCUSSION AND APPROVAL OF 1995 INDEPENDENT AUDIT**

Judge Ruiz asked the Commission if they have had a chance to review this but the Commission stated that they have not. After further brief comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the 1995 audit for the Drainage District.**

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

**A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel 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 went back to the executive session.**

### **ITEM 2. OPEN SESSION:**

- A. ACTION OF PURCHASING AGENT APPLICANTS**
- B. DISCUSSION & ACTION ON MEDICAL DIRECTOR**
- C. DISCUSSION & ACTION ON LEGAL COUNSEL**

#### **2A**

Judge Ruiz stated that at this time, they have narrowed down the applicants to 3 and they have now chosen the final candidate for the Purchasing Agent. At this time, he is recommending the appointment of Martha Linda Salazar as the next Purchasing Agent. She has a degree in Business Administration. The Commission agreed with this recommendation. After further brief comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to appoint Martha Salazar as the Purchasing Agent of Hidalgo County.**

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

#### **2B**

Judge Ruiz stated that at this time, they have an Interim Medical Director in Celestino Avila. He has worked with the County off and on. They have spoken with several candidates and they feel that Dr. Avila is the best choice and he is willing to serve in that capacity. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to appoint Dr. Celestino Avila as the permanent Medical Director under contractual services for a period of one year.**

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

At this time, Judge Ruiz is also recommending the approval of the Contract for Services with Dr. Avila for a period of one year. The contract will consist of \$5,580 per month and it will cover all necessary expenses. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the contract.**

***MOTION CARRIED  
(EXHIBIT AA)***

**2C  
NO ACTION**

**At this time, a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to adjourn Commissioner's Court.**

***MOTION CARRIED***

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