

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

Judge Ruiz began by stating that he and Commissioner Arcaute had to catch a flight to Austin to meet with The Department of Labor on OET. They will not be present at the workshop this afternoon. He wanted to know if the rest of the Commission was proposing to stay at this workshop. Commissioner Rosel stated that he felt that they should postpone it until all members were present. He feels that the issues can wait one more week. Commissioner Sanchez stated that has an appointment to keep at 3 p.m. Commissioner Garces felt that they could take up a couple of the issues. Judge Ruiz then stated that they would commence the meeting with the Executive Agenda.

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

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

- A. **MERIDA SANCHEZ ET. AL. VS. COUNTY OF HIDALGO**
- B. **ADCOX VS. COUNTY OF HIDALGO**

At this time, the Commission retired into Executive Session.

ITEM 2. OPEN SESSION

- A. **MERIDA SANCHEZ ET. AL. VS COUNTY OF HIDALGO**
- B. **ADCOX VS. COUNTY OF HIDALGO**

2A

NO ACTION

2B

Judge Ruiz stated that this item was ready for action. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to advise and direct counsel that the County of Hidalgo through a motion and second is willing to settle this issue at a cost not to exceed 3.25 million dollars.**

MOTION CARRIED

CONSENT AGENDA

ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR

GENERAL FUND	- #123056 - #123248 - \$1,358,329.85
SPECIAL REVENUE FUND	- #122449 - #122565 - \$ 516,190.61
DEBT SERVICE FUND	- # 1031 - # 1032 - \$ 405.00
TRUST AND AGENCY FUND	- # 5681 - # 5707 - \$ 276,947.54
ENTERPRISE FUND	- # 2784 - # 2792 - \$ 3,229.90

(EXHIBIT A)

ITEM 2. APPROVAL OF MINUTES - JANUARY 23, 1996

ITEM 3. APPROVAL OF ATTORNEY FEES - \$17,535.00

(EXHIBIT B)

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

- A. DISTRICT CLERK - \$123,776.75 - JULY

(EXHIBIT C)**ITEM 5. PLANNING DEPARTMENT:****A. SUBDIVISIONS:**

- 1. AMENDED PLAT OF WEST-HOL SUBDIVISION - PCT. 1
- 2. RE-SUBDIVISION OF LOT 12, LAS FUENTES - PCT. 2
- 3. LAS VILLAS DEL RIO PHASE II-B - PCT. 2
- 4. MISSION HOSPITAL INN SUBDIVISION PHASE II - PCT. 3

(EXHIBIT D)**ITEM 6. PERMITS:**

- A. NORTH ALAMO WATER SUPPLY CORPORATION - PCT. 1
- B. SOUTHERN UNION GAS COMPANY - PCT. 3
- C. LA JOYA WATER SUPPLY CORPORATION - PCT. 3
- D. SHARYLAND WATER SUPPLY CORPORATION - PCT. 4

(EXHIBIT E)**ITEM 7. URBAN COUNTY:**

- A. 1994 HOME BUDGET AMENDMENT
- B. 1995 HOME BUDGET AMENDMENT
- C. RESOLUTION APPROVAL

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

- A. PARKS - ADMINISTRATION - \$ 5,829.19
- B. ELECTION DEPARTMENT - \$ 449.00
- C. JUVENILE PROBATION - GENERAL FUND - \$ 8,658.00
- D. JUVENILE PROBATION - STATE FUNDS - \$ 2,500.00
- E. J.P. PCT. 2, PL. 2 - \$ 250.00
- F. CONSTABLE PCT. 3 - \$ 650.00
- G. PCT. 3 - PAVED/UNPAVED - \$30,000.00
- H. PCT. 2 - PAVED/UNPAVED - \$ 500.00
- I. ADULT PROBATION - \$ 4,300.00
- J. DISTRICT ATTORNEY - \$ 1,100.00
- K. DETENTION CENTER - \$13,000.00
- L. BUILDINGS AND GROUNDS - \$ 2,750.00
- M. PURCHASING DEPARTMENT - NO ACTION

(EXHIBIT G)

Judge Ruiz stated that there would be no action on Item 8M. **A motion as then made by Commissioner Arcaute and was seconded by Commissioner Rosel to approve the Consent Agenda as amended deleting item 8M under Internal Line Item Transfers Purchasing Department.**

MOTION CARRIED**(EXHIBITS A-G)****REGULAR AGENDA****ITEM 1. COUNTY EXTENSION SERVICE:**

- A. INTRODUCTION OF NEW COUNTY EXTENSION AGENT

Dr. Ida Dromgoole addressed the Court and recognized various individuals for their efforts with the VG Young Institute of County Government. Those individuals will received a certificate for their efforts. Brad Cowen then proceeded with the introduction of the Extension Service' newest employee Brad Abrameit. He proceeded to state the experience that Mr. Abrameit has developed over his schooling. The Commission welcomed the new employee. Brad Cowen then went on to brief the Commission on the drought situation the County is facing at this time. Mr. Cowen proceed to advise the Commission of the estimate of losses this drought has caused the County as per the exhibit. Also there are other areas that will sustain losses as well but those totals have not been tallied as they have yet to be harvested. He stated that there will be a crop but there will be considerable damage to them. They have been using other methods of irrigation in an attempt to conserve water and it has helped some. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces and Arcaute to accept the recommendation of the Extension Service in the hiring of Mr. Bradley Abrameit as Hidalgo County Extension Agent.**

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

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

John Wallace addressed the Court and stated that this check is from revenue sharing. This amount of this check is \$119,109. This is not the full amount the County will receive. It is approximately 65% of the total amount. They Revenue Sharing Act allows for the County to receive this funds in lieu of taxes. This check is based on $\frac{3}{4}$ of 1% of the appraised value of the land. At this time, the Commission thanked Mr. Wallace and proceeded with the agenda.

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

ITEM 3. TAX OFFICE

A. TAX REFUNDS:

1. **MARTIN HERNANDEZ - \$720.20**
2. **MIGUEL MUNOZ - \$633.88**

3A&B

A motion was made by Commissioner Rosel to approve the refunds overpayments as submitted.

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

ITEM 4. ELECTIONS ADMINISTRATIONS:

A. RECOMMENDATION & APPROVAL:

1. **EARLY VOTING SITES**
2. **TWO MOBILE UNITS**
3. **ELECTION DAY VOTING LOCATIONS**
4. **APPROVAL OF OVERTIME**

B. APPROVAL OF BUDGET AMENDMENT - \$17,211.55

4A1

Noe Perez stated that he has met with the Election Commission and they are recommending to the Court the approval of the sites as per the exhibit. St. Joseph the Worker had been replaced with South Texas Community College. Judge Ruiz was real unhappy with the fact that there was not much in the area of South McAllen and he wanted to know how much it

would take to keep St. Joseph the Worker open even if they kept STCC open. Mr. Perez advised him that it would be approximately \$3500. Judge Ruiz felt that they should keep St. Joseph open. The Commission agreed with this expansion. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the early voting sites.**

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

4A2

Mr. Perez stated the he wanted approval of the two mobile units and their perspective locations. This has also been approved by the Election Commission. Six sites have been added to this list to reach more areas. To add these sites, they had to reduce the time from other sites. Judge Ruiz stated that they had not added any in South McAllen and stated that this was their concern the previous time this brought up. Mr. Perez stated that they do have South McAllen sites but they are not highlighted so he cannot pinpoint them. This according to MaryLou Mendez. After further brief comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve all sites for the two mobile units for this General Election.**

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

4A3

Noe Perez stated that there were three changes to this list. The Weslaco Chamber changed locations to the Weslaco Public Library, La Milpas will change to Kelly Elementary School and Pharr City Hall will move to Whitney Elementary School. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the Election Day Voting Locations.**

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

4A4

Mr. Perez stated that this was a breakdown that he feels will cover the amount of overtime that will be worked. He will try to get as much as possible during regular hours but some overtime will be needed regardless. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve overtime anticipated for the Election Department for the General Election.**

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

4B

Judge Ruiz stated that this amount was needed for the actual supplies necessary for this election. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to amend the budget to reflect the \$17,211.55 which was appropriated as revenue from the Democratic Party for the March Election and place it into Office Supplies, Diesel Fuel, Machinery and Contractual Services as recommended by the Department Head.**

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

ITEM 5. DISTRICT ATTORNEY:

- A. APPROPRIATE D.A. STATE SUPPLEMENT FOR THE FISCAL YEAR SEPT. 1**

1996 THROUGH - AUGUST 31, 1997

Roy Casarez addressed the Court and stated that these were monies received by the State. They would like to appropriate it at this time. These monies are supplements to existing salaries. **A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the appropriation of the State Supplement for the District Attorney's Office for calendar year September 1 thru August 31, 1997.**

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

ITEM 6. ADULT PROBATION DEPARTMENT:**A. APPROVAL OF 1997 BUDGETS:**

1. SUPERVISION
2. COMMUNITY CORRECTIONS - BOOT CAMP
3. RESTITUTION CENTER
4. EDUCATION/EMPLOYMENT PROGRAM
5. ELECTRONIC MONITORING

6A1-5

Joe Lopez addressed the Court and stated he was requesting approval of these budgets beginning September 1. He reminded the Court of what he advised them of for fiscal year '96 which was that his funding source has changed to a bi-annual basis which means he will get funded for two years at a time. He stated that CJAD has approved these budgets. He went on to state that as of this time, he is simply seeking approval of the budgets already approved by CJAD and the Board of Judges. There will be some changes to these budgets at which time he will come back before the Commission for final approval. There were some increases to these budgets from year '96 but that is not taken into account at this time. When he comes back to the Court, it will be included. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the budgets for FY '97 as presented.**

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

ITEM 7. JUVENILE PROBATION DEPARTMENT**A. APPROVAL OF 1997 PURCHASE OF JUVENILE JUSTICE ALTERNATIVE GRANT ACCEPTANCE NOTICE****7A**

Judge Ruiz stated that this was a renewal grant and there was a change from the previous year. This grant will be in the amount of \$50,780 and it is an increase of approximately \$8,000 and there is no match required. **A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve the 1997 purchase of Juvenile Justice Alternative Grant Acceptance Notice.**

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

At this time, Judge Ruiz moved on to Item 18A due to the meeting that they must attend in Austin.

ITEM 18. OFFICE OF EMPLOYMENT AND TRAINING**A. DISCUSSION & ACTION ON THE PIC/CEO AGREEMENT**

Adrian Arriaga addressed the Court and stated that they have distributed the CEO Agreement and they had received the response of the Commission. They have responded back to the response of the Commission. He stated that the topic of focus is the expiration of the agreement which is August 23. He went on to state that they are working hard with the Commission to avoid that expiration. If it does, it will hurt the participants. They have more responsibility but they want more power. The power is described by law that the County has the final authority and say so on anything that is done. The reason they want more is because of when they were placed at risk and they had to pay the State \$157,000 back in disallowed costs. Their intentions are to avoid this and not let this happen again. Mr. Arriaga stated that they would have liked to have met with the Judge and the Department of Labor in regards to this disagreement. Judge Ruiz then stated that this meeting had been initiated by the Department of Labor. Judge Ruiz also made light of the fact that no formal action had been taken by the PIC. It had been discussed but that was the extent of it. **He requested from Mr. Arriaga, that a formal vote be taken on this agreement.** The Commission has tried to accommodate the PIC but no more can be done. Mr. Arriaga explained that the reason a vote was not taken was because the agreement was in draft form and they also did not want to give the Commission the impression that they were satisfied with this agreement because they were not. They still want to negotiate this agreement. Mr. Arriaga stated that the agreement is on their agenda for the following day.

**NO ACTION
(EXHIBIT O)**

The Commission returned to order of the agenda.

ITEM 8. WIC:

- A. **AGREEMENT TO RENEW, REVISE & EXTEND LEASE BETWEEN MAGNUM LAND AND INVESTMENTS, INC. & COUNTY OF HIDALGO**
- B. **LEASE AGREEMENT BETWEEN DR. RALPH JACKSON & HIDALGO COUNTY (EDINBURG CLINIC)**
- C. **LEASE AGREEMENT BETWEEN RICHARD GARZA & HIDALGO COUNTY (ADMINISTRATIVE OFFICE)**

8A

Norma Longoria addressed the Court and stated that this was more of a renewal lease and the stipulations remain the same. This is in the amount of \$1,872 per month. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the renew, revise and extend the lease between Magnum Land Investments and the County of Hidalgo.**

**MOTION CARRIED
(EXHIBIT P)**

8B

Ms. Longoria stated that this was a new clinic and it is ready for occupancy. This will be a five year lease at \$2100 per month. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the lease agreement as per bid awarded with Dr. Ralph Jackson and the County of Hidalgo for WIC use as presented.**

**MOTION CARRIED
(EXHIBIT P)**

8C

Ms. Longoria stated that this was also ready to be occupied and it will be for the administrative office. It is also a five year lease with Richard Garza d/b/a Bic Investments. This will amount to \$5,580 per month. **A motion was made by Commissioner Garces and was**

seconded by Commissioner Rosel to approve a lease agreement between Richard Garza and the County of Hidalgo for administrative office rental for WIC.

MOTION CARRIED
(EXHIBIT P)

ITEM 9. SHERIFF'S DEPARTMENT:

- A. **ESTABLISH A CHANGE FUND OF \$100 FOR USE BY CASHIER**
- B. **INTERLOCAL AGREEMENT BETWEEN GOLIAD COUNTY & HIDALGO COUNTY FOR HOUSING OF PRISONERS**
- C. **ADJUSTMENT OF SHERIFF & JAIL BUDGET FOR HOUSING OF INMATES**
- D. **AUTHORIZATION TO PAY SAN PATRICIO COUNTY FOR HOUSING OF INMATES**

9A

Fidel Jasso stated that this request was to be in compliance of the Local Government Code 130.902. This will be just for change purposes. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to establish a change fund in the amount of \$100 for the Sheriff's Department to use for it's cashier.**

MOTION CARRIED
(EXHIBIT Q)

9B

Joe Jackson stated that this contract identical to the other contracts currently in place for housing of inmates. There are no prisoners in this facility at this time. Judge Ruiz asked what the current population at the Jail was at this time. Mr. Jackson stated that that number is 567 but they have 53 inmates being billed for at this time that are out of County. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Intergovernmental Agreement between Goliad County and the County of Hidalgo for the housing of prisoners in Goliad County.**

MOTION CARRIED
(EXHIBIT Q)

9C

Captain Jackson stated that they wanted to transfer funds from the Sheriff's budget to the Jail budget to pay for the housing of inmates as opposed to a budget amendment. They want to take \$96,000 from salaries and place them in room and board of prisoners line item. This will pay for the outstanding bills of Victoria, Atascosa and Nueces Counties. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to make a budget adjustment within the Sheriff's Budget reducing 03, \$96,000 and going into room and board of prisoners in like amount of \$96,000.**

MOTION CARRIED
(EXHIBIT Q)

9D

Capt. Jackson stated that they have been trying to work out an agreement with San Patricio County for the housing of inmates. They have been unable to do so. He went on to state that they do not intend to house anymore prisoners in that County and they will not try to work on that contract anymore. They just want to pay them what is owed to them. They currently owe \$9,520. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize payment to San Patricio County for housing of County prisoners in the tune of \$9,520.**

**MOTION CARRIED
(EXHIBIT Q)**

Judge Ruiz asked the Commission to move on to item 16 at this time.

ITEM 16. PURCHASING DEPARTMENT:

- A. AUTHORIZATION TO CREATE ONE SECRETARIAL POSITION
- B. AMEND BUDGET & APPROPRIATE FUNDS FOR THREE POSITIONS
- C. SET SALARIES
- D. AUTHORIZATION TO ADVERTISE TO LEASE FARM LAND:
 - 1. EXCESS ACREAGE AT LANDFILL APPROXIMATELY 131 ACRES
- E. REMOVE ITEMS FROM INVENTORY ASSET LIST - FINANCIAL DISRUPTION TASKFORCE
- F. APPROVAL TO EXTEND EXISTING CONTRACT ON RENTAL PROPERTY LOCATED AT 1201 DOHERTY, MISSION, TEXAS - AUTO SUB-STATION
- G. DECLARE EQUIPMENT SURPLUS:
 - 1. VEHICLES - PCT. 2
 - 2. TYPEWRITER - COUNTY CLERK
 - 3. MICROFICHE READER & REFRIGERATOR - LIBRARY SYSTEM
 - 4. COPY MACHINE - 139TH DISTRICT COURT
 - 5. VEHICLE & TWO SIRENS - CONSTABLE PCT. 4
 - 6. MISCELLANEOUS - PCT. 3

16A,B&C

Judge Ruiz opened by stating that they have recently hired a Purchasing Agent and they also recently approved an Assistant Purchasing Agent position. Mrs. Salazar is currently in the process of screening for that position. Mrs. Salazar addressed the Court and stated that she is also asking for a position of a secretary. The reason for this is because the clerks that are in her office are overburdened with other duties. The amount for all the positions will be reflected in the amount of the amendment from this time until the end of the year. **Judge Ruiz clarified what this amendment was for. He stated that an amount for the Purchasing Agent had been set but was never allocated. This amendment will call for the salary of the Agent and the Assistant Purchasing Agent and also the clerical position she is requesting at this time which is a new position, thru December 31. There are two vacant clerk positions at this time. The \$15,000 for equipment will be to commence the automation process of her department.** Judge Ruiz stated that this is only part of all the changes that Mrs. Salazar is proposing for the department. She stated that as soon as the Assistant is in place, she will inform the Commission of the various positions needed by her to address different areas. There was some confusion among the Commission but was soon clarified. **Judge Ruiz again attempted to clarify. He stated that they need to fund what was done already which was the Purchasing Agent and the Assistant. They will create a new position of a secretary at \$15,515 per year but this is prorated thru the end of the year. They also need the fringes thru December 31 plus a request of \$15,000 for the equipment. The actual budget amendment is \$26,992.13. Mrs. Salazar has exhausted the funds that were not being used to come up with the shortfall but she was short this amount. Judge Ruiz then requested the authorization to create 1 secretarial position setting the salary for that position \$15,515 annually, reaffirm the setting the salary for the Purchasing Agent at \$50,000 and the Assistant Purchasing Agent at \$35,000 and appropriating a budget amendment to cover salaries, fringes plus \$15,000 for equipment totaling \$26,992.13 and this will cover items A,B&C. Commissioner Garces so moved and was seconded by Commissioner Rosel.**

**MOTION CARRIED
(EXHIBIT R)**

At this point, Judge Ruiz and Commissioner Arcaute departed from the meeting. Commissioner Sanchez is now presiding.

16D1

Mrs. Salazar stated that this was just the excess land that is now being leased by the Luna Brothers. Originally, they were considering the excess at the jail site but this is no longer being looked at. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to advertise for lease lots 1-7 out of tract 1, 131 acres.**

**MOTION CARRIED
(EXHIBIT R)**

16E

Mrs. Salazar that the items as per the exhibit were stolen items and they wanted them removed. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to remove the items from the item from the inventory asset list.**

**MOTION CARRIED
(EXHIBIT R)**

16F

NO ACTION

16G1-6

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to declare equipment surplus.

**MOTION CARRIED
(EXHIBIT R)**

ITEM 15. SOLID WASTE ENFORCEMENT PROGRAM:**A. DISCUSSION OF REIMBURSEMENT FOR THE 1ST & 2ND QUARTERS OF THE 1995-96 PROGRAM****15A**

Mrs. Salazar stated that she had joined the staff in September of 1995 and at that time, she took over this program. They were going to employ new staff. A letter was then received by TNRCC advising the County that 1st and 2nd quarter reports have yet to be received. She then stated that there had been no employees prior to her taking over the program. After searching for activity reports, to her knowledge, there weren't any because there were no employees. They then proceeded to generate reports stating that there had been a moratorium on the program. Mrs. Salazar then received notice from TNRCC that they were not reimburse the County for the 1st and 2nd quarter expenditures on their behalf due to there being no reports and her advising them that there had been a moratorium on the project and that there were no employees in place. She was then informed that there were some employees during the first quarter of 1995, which was Feb., Mar. & Apr. '95. She then looked for reports for that first quarter and she was unable to find them but she was told that there were some generated. She has gone as far back as 3 years. An employee under the program who is now at the Planning Department the proceeded to generate a report for that first quarter to the best of his knowledge and he did submit an affidavit along with that report. There was a response from Mr. Hasse in which they stated that they would need more specifics on the reports. They have still been unable to find any original reports for those two quarterly reports. Commissioner Sanchez wanted to know what options the County had and Mrs. Salazar responded by stating that TNRCC would reconsider the reports if they can be generated a traditional report. **The amount that will not be reimbursed is \$13,847.52. This will have to come from the General Fund. After further comments, the**

Commission then stated that there would be no action at this time, because the agenda did not call for it. It will be brought back the following week for formal action from the General Fund.

NO ACTION
(EXHIBIT S)

ITEM 10. HEALTH DEPARTMENT:

- A. **AUTHORIZATION TO DE-OBLIGATE ON TITLE V PROGRAM INCOME BUDGET POSITION #12 IN THE AMOUNT OF \$11,685.47**

10A
NO ACTION

ITEM 11. PCT. 1:

- A. **AUTHORIZATION TO NAME ROAD**

11A

Commissioner Sanchez stated that he was approached by some residents and they requested that a section of road be named Hopper Road. This family is a pioneer family and has been there many years. The section of road he is referring to is unnamed. It is mile 6 ½ west. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to accept a petition to rename Mile 6 ½ West Hopper Road.**

MOTION CARRIED
(EXHIBIT U)

ITEM 12. PCT. 4:

- A. **RESOLUTION DESIGNATING A COUNTY ROAD INTERSECTION AS A TWO-WAY STOP INTERSECTION**

12A

Commissioner Garces stated that this was Mile 19 where it intersects Sunflower. There have some calls from area residents stating that there has been an increased amount of traffic. Commissioner Garces stated that they have seen this increase for themselves and it is needed. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to set a stop intersection at Mile 19 and Sunflower Rd.**

MOTION CARRIED
(EXHIBIT V)

ITEM 13. TEXAS WATER DEVELOPMENT BOARD:

- A. **AUTHORIZATION FOR BUDGET AMENDMENT \$14,861.91**

13A

Anthony Covacevich stated that this budget amendment is for activities and projects that were approved by this board. Mr. Covacevich reminded the Court that they had committed to matching several cities on the EDAP projects. The total amount of the projects is \$34,861.91. They have \$20,000 already budgeted by that still leaves the remaining amount on the amendment. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the amendment of \$14,861.91 as requested.**

MOTION CARRIED
(EXHIBIT W)

ITEM 14. URBAN COUNTY:

- A. CITY OF ALTON - LOW BID CONTRACTOR HEARING
- B. CITY OF ALTON - CONTRACTOR - PARKS AND RECREATION IMPROVEMENTS - MUNICIPAL PARK
- C. INTERLOCAL AGREEMENT - PCT. 3 WITH CITY OF ALTON
- D. PCT. 3 - STREET IMPROVEMENTS 6 MILE LINE - FENCE INSTALLATION
- E. APPROVAL TO ENTER INTO A CONTRACT WITH PROYECTO AZTECA UNDER COUNTY'S HOME PROGRAM
- F. HOUSING REHABILITATION CONSTRUCTION CONTRACT AWARD

14A

Anthony Covacevich stated that this is done whenever a bid is awarded to a bidder who did not submit the lowest bid, they must have a hearing so that the low bidder can voice his concerns and address this issue. Mr. Covacevich stated that Mr. Leonel Ibanez was the low bid but he failed to submit documents required by the architect and because of that, they are not recommending the low bid. Mr. Eduardo Vela is the architect of this project and the contractor, Mr. Ibanez is also present. Mr. Vela addressed the Court and mentioned the same thing that Mr. Covacevich did. There were some items left out, therefore, the bidder did not meet specs. Mr. Ibanez also addressed the Court and stated that when the advertisements for bids went out, it required a contractor to be able to provide a 5% bid bond to be followed by a performance and payment bond and other requirements. He did not submit a disclosure form. He only submitted a standard AIA Form as a statement of qualifications for a contractor. He did not fill out a non-collusion form because he does not know anyone from County Government. Also the architect always have a clause in the specifications to where the owner reserves the right to wave any irregular formalities if it is to the benefit of the owner. In this case, he is referring to some \$20,000 that will be saved. These forms that were not submitted are not federal requirement forms. They just help the City inquire about whether or not this contractor is qualified to do this work or not. Without it, they cannot confirm and past jobs that he might have worked on to qualify him. After further comments, no further action was taken on this hearing.

NO ACTION
(EXHIBIT X)

14B

Mr. Covacevich stated that this was in relation to the project that was just discussed. The second low bid was Rio Valley Construction in the amount of \$144,041. This will come from Alton's year 7 and year 8 monies and the total for those years is \$135,155.37 and they will provide the \$8,885.63 from local funds. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces accept the recommendation of Mr. Covacevich and award Rio Valley Construction, \$144,041 for the improvements to parks and recreation municipal park in the City of Alton.**

MOTION CARRIED
(EXHIBIT X)

14C

Mr. Covacevich stated that this agreement is for the paving of the parking lot for the headstart building in Alton. Within this agreement, the City of Alton will amend and have a change order to their present street paving contract with A & E Paving which will allow for this paving. Pct. 3 will pay \$6,950 to Alton so that they will in turn pave the parking lot. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Interlocal Agreement with the City of Alton for improvements to the Parking Lot.**

MOTION CARRIED

(EXHIBIT X)**14D**

Mr. Covacevich stated that this was an award for fencing along 6 mile line. There were three quotations and the low quote was \$1,484. They would like to enter into contract with Excellent Fence for this project. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the fence installation of 6 mile line in the amount of \$1,484.**

**MOTION CARRIED
(EXHIBIT X)****14E**

Mr. Covacevich reminded the Court that there were several CHDO contracts terminated because of non-performing non-profit organizations about 3 months prior. They would now like to move those monies to Proyecto Azteca who has been performing up to high standards. They want to move \$300,000 from years '93, '94 & '95. This will assist 15 families build adequate housing, purchasing lots and closing costs. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a contract with Proyecto Azteca in the amount of \$300,000.**

**MOTION CARRIED
(EXHIBIT X)****14F**

Mr. Covacevich is recommending that this contract be awarded to J.D. Villarreal for the housing rehab. of 1 house in Hidalgo and 2 houses in La Villa. The house in Hidalgo is bid option #2 \$11,700 and bid option 2 for \$23,458 in La Villa. They are also recommending the rejection of the bid in Palmview because it was too high. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the housing rehabilitation program in Hidalgo and La Villa and reject the one in Palmview.**

**MOTION CARRIED
(EXHIBIT X)****ITEM 17. PLANNING DEPARTMENT:**

- A. **FINAL PLAT APPROVAL:**
 - 1. **PALMVIEW WEST SUBDIVISION - PCT. 3**
 - 2. **EVERGREEN DEVELOPMENT COMPANY SUBDIVISION UNIT 2 - PCT. 4**
- B. **PRELIMINARY PLAT APPROVAL:**
 - 1. **WESTVIEW ESTATES - PCT. 1**
 - 2. **WEST DOFFING SUBDIVISION - PCT. 3**
- C. **DISCUSSION & POSSIBLE ACTION:**
 - 1. **AYALA-BAZAN ESTATES - PCT. 1**
- D. **PLAT APPROVAL AND VARIANCE REQUEST:**
 - 1. **TONY DIAZ SUBDIVISION - PCT. 3**

17A1**NO ACTION****17A2**

Emilio Garcia addressed the Court and stated that prelim approval had been given the week prior. Since then, all improvements have been made. Mr. Garcia is recommending the approval of this subdivision. **A motion was made by Commissioner Garces**

and was seconded by Commissioner Rosel to give final plat approval to Evergreen Development Company Subdivision Unit 2 in Pct. 4.

***MOTION CARRIED
(EXHIBIT Y)***

17B1

Mr. Garcia stated that this subdivision is in the Weslaco ETJ and it was approved by the City of Weslaco. He is recommending the approval of this subdivision subject to the street signs, traffic control devices, testing of the streets, the final letter from North Alamo and the City of Weslaco on the sewer lines as well as the affidavit of drainage facilities. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give preliminary plat approval to Westview Estates in Pct. 1.**

***MOTION CARRIED
(EXHIBIT Y)***

17B2

Mr. Garcia stated this subdivision had been approved by the City of Mission. It will be used for residential. Upon the recommendation of Mr. Garcia subject to the street signs, traffic control devices, the letter from La Joya Water and the drainage affidavit, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give preliminary plat approval to West Doffing Subdivision in Pct. 3.**

***MOTION CARRIED
(EXHIBIT Y)***

17C1

Mr. Garcia stated that everything is now in order regarding this subdivision and he is recommending the approval. **A motion was made by Commissioner Rosel and was seconded by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval to Ayala-Bazan Estates.**

***MOTION CARRIED
(EXHIBIT Y)***

17D1

Mr. Garcia stated that the reason for this request is to allow him to install the culvert pipes as he sells the lots. Commissioner Sanchez stated that Judge Ruiz had been very strict about allowing these types of requests. He asked Commissioner Rosel if he would mind waiting until the following week so that the all Court members are present. The rest of the members were amenable to waiting for Judge Ruiz and Commissioner Arcaute the following week. Tony Diaz addressed the Court being that he had been their since Court began. He stated that he had been trying to get this approved for about 10 months. He was delayed by the incoming of McAllen in this area of development. He went on to state that he is giving the County over a 75 ft. front which is over 779 ft. He stated that he started out with 12 lots and he is now down to 10 because of what he gave over to the County. Commissioner Garces advised him that this was a part of the MPO Plan. Mr. Diaz responded by stating that he was not questioning the integrity of the law, he was questioning the intent. He went on to state that he can have these pipes installed for \$140 per driveway and he would like to do it this way as opposed to giving the County \$450 for this installation. Commissioner Sanchez that this is done on a case by case basis and it is only done for individuals and not a developer trying to sell a development. After further comments, **Mr. Diaz withdrew his variance request.** Mr. Garcia then recommended the approval of this subdivision subject to the escrow of \$4,500 for culverts. **A motion was made by**

Commissioner Rosel and was seconded by Commissioner Garces to grant final plat approval to Tony Diaz Subdivision in Pct. 3.

***MOTION CARRIED
(EXHIBIT Y)***

Item 18A was taken earlier on the agenda. They will no resume with the rest of item 18.

ITEM 18. OFFICE OF EMPLOYMENT AND TRAINING:

- B. DISCUSSION AND POSSIBLE ACTION ON PROGRAM ACTIVITY ALLOCATIONS**
- C. DISCUSSION AND POSSIBLE ACTION ON YOUTH COMPETENCIES SYSTEM**
- D. REQUEST APPROVAL FOR 1996-97 OPERATIONAL BUDGET FOR THE ADMINISTRATIVE ENTITY (OET)**

18B

Crystal Alsup addressed the Court and stated that **this had been approved previously by the Court** due to the PIC Board not having their meeting. That board has since met and approved these allocations. There was no further action needed for this item.

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

18C

Ms. Alsup stated that the part of the State requirements for participants is that they must obtain competencies before they exit the program. They are now asking that the Court approve 3 competencies which are Work Maturity and Pre-employment Skills, Job Specific Skills and Basic Education Skills. If the participant does not meet two out of three skills, JTPA will not receive credit for those participants. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the 3 competencies as indicated.**

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

18D

Ms. Woodard stated that they took into account several different areas in preparing this budget to stay in compliance and meet expenditure levels. She proceeded to brief the Commission on what the breakdown of these monies was as per the exhibit. During the further comments that followed, the Commission expressed some reservations over the line item for legal services which amounted to \$100,000 and also travel. The total overall budget stands at \$8,883,645. Mrs. Etnire questioned the reason why their insurance line items were not covered for in this budget proposal. Marion Dearmon addressed that situation and stated that the reason for that is because they don't know what the insurance will be until billing is received. As of right now, they have a line item for liability insurance which is line item 27 and that has \$30,000 and this figure exceeds what they will need for insurance purposes. A further brief comments, **a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the OET Administrative Entity Budget for 1996-97 in the amount \$8,883,645.**

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

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

MOTION CARRIED

The Honorable Samuel Sanchez, Precinct 1 Commissioner, called this Drainage District Board Meeting to order, whereupon the following items were had to wit:

DRAINAGE DISTRICT

ITEM 1. AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS - SPRAY RIG

Vona Walker stated that this spray rig was involved in an accident. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to declare equipment surplus in Drainage District, specifically a spray rig.**

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

ITEM 2. LINE ITEM TRANSFER

Ms. Walker stated that this transfer was in the amount of \$10,510.63 and it was to pay the insurance bill. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the line item transfer as requested, specifically \$10,510.63.**

***MOTION CARRIED
(EXHIBIT BB)***

A motion was made by Commissioner Garces 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 STANDS ADJOURNED.