

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

CONSENT AGENDA

ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR

GENERAL FUND - #123590 - #123793 - \$1,161,944.00
 SPECIAL REVENUE FUND - #122922 - #123087 - \$1,506,531.19
 TRUST AND AGENCY FUND - # 5742 - # 5745 - \$ 473,633.47
 ENTERPRISE FUND - # 2811 - # 2819 - \$ 20,056.78

(EXHIBIT A)

ITEM 2. APPROVAL OF MINUTES - FEBRUARY 6, 1996

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

A. JUSTICE OF THE PEACE:
 1. ISMAEL OCHOA - \$19,767.02 - JULY

(EXHIBIT B)

ITEM 4. APPROVAL OF COURT REPORTER FEES:

A. JENNIFER K. O'NEAL - \$55.00

(EXHIBIT C)

ITEM 5. PLANNING DEPARTMENT:

A. SUBDIVISIONS:
 1. ALAMO FAMILY MEDICAL CENTER SUBDIVISION - PCT. 2
 2. AZIZ SUBDIVISION - PCT. 2
 3. MAGANA SUBDIVISION - PCT. 2
 4. MAYFAIR BUSINESS PARK - PCT. 2
 5. LOTS 16A & 16B - MISSION ACRES - PCT. 3
 6. DISCOVERY SCHOOL SUBDIVISION #2 - PCT. 4

(EXHIBIT D)

ITEM 6. PERMITS:

A. NORTH ALAMO WATER SUPPLY - PCT. 1 & 4
 B. VALLEY TELEPHONE COOPERATIVE - PCT. 4

(EXHIBIT E)

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

A. WIC - \$252,500.00
 B. 93RD DISTRICT COURT - \$ 800.00
 C. CONSTABLE PCT. 5 - \$ 100.00
 D. AUDITOR'S OFFICE - \$ 55.00
 E. BUILDINGS AND GROUNDS - \$ 5,700.00
 F. HEALTH DEPARTMENT - CLINICS - \$ 900.00
 G. HEALTH DEPARTMENT - SANITATION - \$ 1,000.00
 H. HIDALGO COUNTY LIBRARY SYSTEM - \$ 2,620.00
 I. COUNTY COURT AT LAW #2 - \$ 125.00
 J. COUNTY COURT AT LAW #3 - NO ACTION
 K. ENTERPRISE FUND - \$ 6,744.00
 L. YOUTH VILLAGE - \$ 5,813.89

(EXHIBIT F)

Judge Ruiz opened by stating that's there would be no action on item 7J. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the Consent Agenda as amended.**

***MOTION CARRIED
(EXHIBITS A-F)***

REGULAR AGENDA

ITEM 1. APPROVAL OF INTERLOCAL AGREEMENT FOR TAX ASSESSMENT AND COLLECTIONS FOR THE CITY OF LA VILLA AND McALLEN ISD

Ciro Trevino opened by stating that they have been working with these two entities. These two agreements are basically the same as other agreements. These contracts have it reviewed by legal counsel. The fees for the McAllen ISD will be \$124,901 and the fees for the City of La Villa is \$2600. After further comments, **a motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Interlocal Agreement for tax assessment and collection with the City of La Villa, contract amount \$2600 and McAllen ISD contract, \$124,901.**

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

ITEM 2. SHERIFF'S DEPARTMENT:

- A. CONSIDERATION & POSSIBLE ACTION OF PROVIDER OF SERVICES FOR THE HIDALGO COUNTY SHERIFF DEPARTMENT FROM THE U.S. DEPARTMENT OF JUSTICE - STATE CRIMINAL ALIEN ASSISTANCE PROGRAM**

2A

Fidel Jasso addressed the Court and stated that this was a grant from the State. This grant will be at no cost to the County. This will be for money already spent for the processing of illegal aliens in which the State will reimburse the County for those costs. The total amount spent up to now is \$120,394.83. The State will reimburse some of those monies. The amount that the State will reimburse, will be based upon how the applicants are received. The State has over \$500,000,000 for these reimbursements. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the application to the U.S. Department of Justice State Criminal Alien Assistance Program for \$120,394.83.**

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

ITEM 3. DISTRICT ATTORNEY:

- A. APPROVAL OF STAFF ATTORNEY - NEW VISITING JUDGE JAIL/COURT**
- B. BUDGET AMENDMENT**
- C. SET SALARY**

3A-C

Judge Ruiz stated that this was then attorney for the new visiting judge. This was requested by the District Attorney. The budget amendment will call for \$12,509 into the budget of the District Attorney and the salary will be at \$30,500 with a \$900 auto allowance. This amount for the budget amendment is prorated through Dec.31st. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a budget amendment,**

approving a staff attorney at the salary of \$30,500 plus \$900 auto allowance. The budget amendment is for \$12,509 prorated to Dec. 31,1996.

**MOTION CARRIED
(EXHIBIT I)**

ITEM 4. OFFICE OF EMPLOYMENT AND TRAINING:

- A. **DISCUSSION & POSSIBLE ACTION PIC/CEO AGREEMENT**
- B. **NOMINATIONS TO PRIVATE INDUSTRY COUNCIL**

4A

Judge Ruiz opened by stating that they had approved an agreement the previous week and submitted it to the Private Industry Council. They then had a meeting in which Commissioner Arcaute attended and there were still some requests by the PIC. Judge Ruiz stated that he had read in the newspaper that the Chairman had quoted that this was their final draft and they would not meet on another draft. Commissioner Arcaute stated that at the meeting, there was no discussion concerning this comment. **They did however, state that they have no intention of meeting again until their next scheduled regular session.** Judge Ruiz stated that there were 9 proposed wording changes to the agreement. Paul Vazaldua addressed the Court and stated that **the bold and italicized writing as per the exhibit are the proposed changes that the PIC is requesting. Commissioner Arcaute interrupted Mr. Vazaldua and stated that when he was at the meeting, there was no majority vote. There were fully 14 members present and out of those 14, only eight voted. That count was 6 to 2 on the agreement that was submitted by the Commission and concur or not concur on the recommendations made by the Court. They did not concur fully. There were also 4 abstentions and 2 no votes.** There was also the seven to five vote to cease debate. Commissioner Arcaute wanted to know if there was anything in the process that requires a majority vote of the full board or is it just a majority vote of the members present. It seemed to be established that as long as there was a quorum, then it would be 50% plus 1. Commissioner Arcaute stated that there are some issues that require a majority vote of the full board. Commissioners Garces and Sanchez questioned the issue of whether they should go through the proposed changes if formal approval has not been given by the board. The proposed changes were voted on with a majority vote on all the changes. Judge Ruiz felt that if the changes were voted on and majority ruled, then they could discuss these changes. **The first change is that they would like is that the agreement read Hidalgo County Judge and Willacy County Judge.** Judge Ruiz was in favor of this because he would like for the Willacy County Judge to take some of the responsibility being that there is an Interlocal Agreement with Willacy County. Judge Ruiz wanted to know how or if they would both have to sign on everything. Mr. Vazaldua stated that there would be two agreements in place. Mr. Vazaldua stated that they have been looking for a document that gives full signature authority to Hidalgo County and the State is in concurrence that that document gives the County sole signature authority on all matters concerning the funds for this service delivery area. **The next proposed change was as follows: The agreement may be reviewed and or amended by joint consent of the PIC and CEOs at any time. This agreement may be terminated by any of the parties by giving a 90 day written notice with "Intent to Terminate".** The Commission did not agree with this change. **The next change is in reference to the primary responsibilities of the SDA and the CEOs. The board is asking that a line be included to state that the CHOET will act in accordance with policy guidelines specified by the PIC.** Judge Ruiz stated that everyone involved should act in accordance to policy guidelines. This according to State regulations. **The next proposal given by the board was the participation of the selection of the Executive Director.** The court did not have a problem with this. **The next proposal dealt with the County allowing funding for legal counsel independent of the County's Attorney on an as needed basis. Commissioner Arcaute did not feel that an attorney was needed for them. Dick Dickinson stated that the reason for this request was to have an attorney present at their meetings to help interpret some of the language. Mr. Dickinson stated that he had advised the board that this was not allowable for general**

purposes. It was however, allowable for a specific need. Their last proposed change was the addition of the signature of the Willacy County Judge. Commissioner Arcaute asked about the seven day extension granted from Aug.23rd to Aug.30th. Mr. Dickinson stated that there was a letter written to the Judge by Mr. Kapche stating that the County would have until the 10th of September to be in compliance or the would impose the mandatory binding arbitration aspect as discussed in Austin. Mr. Dickinson stated that he was told by the chairman that there would be no more changes. Mr. Dickinson went on to state that because of this disagreement, the PIC has been unable to approve the programs for the new program year and they are running out of time to approve these programs. During further discussion, the Commission expressed their views on these proposals in which they did not agree with whole heartedly. **Judge Ruiz then requested a motion to approve a PIC / CEO as amended, amending page 9 paragraph 1 to and the sentence, the PIC will participate in the pre-screening committee for selection of the Executive Director, deleting all other bold italicized recommendations by the Private Industry Council and sending it back to them saying that they have reviewed all recommendations and they concur with only one of them.** Commissioner Arcaute stated that prior to the deadline, the board only had two recommended changes. Those changes were voted on by the PIC. Following more comments, **a motion was made by Commissioner Rosel and seconded by Commissioner Garces to include that the PIC will participate in the pre-screening committee for the selection of OET Executive Director and reject all the other recommendations by the PIC.**

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

4B

Judge Ruiz stated that there were vacancies on the education, labor and one on the private sector. Judge Ruiz is recommending Maria Luisa Garcia for the education vacancy, David Arismendi for the labor vacancy and Robert Lozano for the private sector. After further brief comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the education nominee for the Private Industry Council, Maria Luisa Garcia, for labor, David Arismendi and for the private sector, Robert Lozano from Dairy Queen.**

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

ADD. #1. APPROVAL OF ARCHITECT FEES - CONSTRUCTION 13TH COURT OF APPEALS

Judge Ruiz stated that this was the final payment and it is only for the architect. The amount of this payment is \$7,298.41. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the final payment for architectural fees for the construction of the 13th Court of Appeals on the fifth floor.**

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

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

MOTION CARRIED

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

DRAINAGE DISTRICT CONSENT

ITEM 1. PERMIT:

A. FORD SASSER

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

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

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to adjourn Drainage District #1.

MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS DRAINAGE DISTRICT BOARD, THIS MEETING STANDS ADJOURNED.