

The Honorable J. Edgar Ruiz, County Judge, called this Commissioner's Court Meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR

GENERAL FUND - #126865 - #127006 - \$997,216.14
 SPECIAL REVENUE FUND - #126382 - #126521 - \$613,910.81
 TRUST AND AGENCY FUND - # 6020 - # 6020 - \$298,680.44
 ENTERPRISE FUND - # 3011 - # 3018 - \$ 11,855.38

(EXHIBIT A)

ITEM 2. APPROVAL OF MONTHLY FEE REPORTS:

A. DISTRICT CLERK - \$146,387.23 - DECEMBER 1996
 B. COUNTY CLERK PART I - \$ 97,604.54
 PART II - \$117,996.47

(EXHIBIT B)

ITEM 3. PLANNING DEPARTMENT:

A. SUBDIVISIONS:
 1. DOVE POINTE UNIT 3 - PCT. 2
 2. RIVER OAKS PLAZA - PCT. 3

(EXHIBIT C)

ITEM 4. PERMITS:

A. NORTH ALAMO WATER SUPPLY - PCT. 1, 2 & 4
 B. CITY OF MISSION - PCT. 3
 C. SOUTHWESTERN BELL TELEPHONE COMPANY - PCT. 4

(EXHIBIT D)

ITEM 5. INTERNAL LINE ITEM TRANSFERS: (1996)

A. TAX OFFICE - \$16,100.00
 B. COUNTY JUDGE - \$ 1,700.00
 C. COUNTY COURT AT LAW #2 - \$ 634.77
 D. COUNTY JUDGE ADMINISTRATION - \$ 500.00
 E. 275TH DISTRICT COURT - \$ 1,029.00
 F. JUVENILE PROBATION - \$ 2,371.00
 G. PCT. 3 - PARK - \$ 954.99
 H. PCT. 1 - ROAD & BRIDGE - \$ 9,200.00
 I. PCT. 4 - ROAD & BRIDGE - \$ 150.00
 J. COURTHOUSE SECURITY - \$ 2,820.12
 K. FINANCIAL DISRUPTION TASK FORCE - \$ 4,100.00
 L. SHERIFF'S INVESTIGATION FUND - \$ 5,229.00
 M. BUILDINGS AND GROUNDS - \$45,857.40

(EXHIBIT E)

ITEM 6. INTERNAL LINE ITEM TRANSFERS: (1997)

A. J.P. PCT. 2, PL. 1 - \$ 130.00
 B. 206TH DISTRICT COURT - \$1,040.00

(EXHIBIT E)

Judge Ruiz opened by stating that there would be some corrections on the agenda. Item 5K is in the wrong year and it should be listed in the '97 year as opposed to the '96 year. On item 6B, the account number should be 460 instead of 412. **A motion was then made by**

Commissioner Arcaute and was seconded by Commissioner Handy to approve the Consent Agenda as amended.

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

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

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

A. LITIGATION:

- 1. STATUS REPORT ON LEGAL AUTHORITY ON THE INSTALLATION OF UTILITY LINES CROSSING COUNTY ROADS**

At this time, the Commission retired into executive session.

ITEM 2. OPEN SESSION:

A. LITIGATION:

- 1. STATUS REPORT ON LEGAL AUTHORITY ON THE INSTALLATION OF UTILITY LINES CROSSING COUNTY ROADS**

**2A
NO ACTION
(NO EXHIBIT)**

REGULAR AGENDA

ITEM 1. APPROVAL OF OFFICIAL BOND:

- A. JUAN ROSEL - COUNTY COMMISSIONER PCT. 3**

A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to approve the official bond of Commissioner Pct. 3, Juan Rosel.

***MOTION CARRIED
(EXHIBIT F)***

ITEM 2. SELECTION OF GRIEVANCE COMMITTEE FOR THE YEAR 1997

Judge Ruiz stated that this committee is responsible for hearing grievances on the salary of elected officials only. There are two different ways this issue can be done. They can have 9 members from the public who have previously been on the grand jury or they can have the sheriff, tax assessor / collector, treasurer, Co. clerk, district clerk, Co. and district attorney along with the County Judge as the chair and then the remaining members will be individuals from the public. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to select a grievance committee for the county that are all public members.**

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

Commissioner Arcaute proceeded to name off the 9 members of this committee as per exhibit G. **A motion was made by Commissioner Garces and was seconded by**

Commissioner Rosel to appoint all nine members to the grievance committee as presented.

**MOTION CARRIED
(EXHIBIT G)**

ITEM 3. COUNTY EXTENSION SERVICE:

A. AUTHORIZATION TO ADJUST TWO POSITIONS TO CONFORM TO THE STATE'S REQUEST

3A

Ida Dromgoole addressed the Court and stated that this was a request by the State of Texas. This request will not affect the total amount of the budget in any way. Doyle Warren stated that they were trying to eliminate what had happened in 1995 when some individuals had to be laid off. They feel that if this staffing pattern is approved, it will eliminate that possibility. During further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the adjustment increasing Elizabeth Rivera by \$3,200 and decreasing Bradley Abrameit by \$800 as adjustments to their salaries.**

**MOTION CARRIED
(EXHIBIT H)**

ITEM 4. TAX OFFICE:

A. APPROVAL OF SALARY ADJUSTMENT FOR YEAR 1997

4A

Judge Ruiz stated that this was on the agenda the previous week where no action was taken. It has since been clarified that these are just adjustments to salaries and there are no changes in job descriptions or responsibilities. This was done within their budget. Mr. Barrera stated that he has discussed this with Mrs. Cortez and it has been cleared by her. **A motion was then made by Commissioner Handy and was seconded by Commissioner Garces to approve the salary adjustments as presented by our Tax Assessor/Collector for the year 1997.** After further questions and comments by the Commission, **the motion was put to a vote and all voted in favor.**

**MOTION CARRIED
(EXHIBIT I)**

ITEM 5. JUVENILE PROBATION DEPARTMENT:

A. BUDGET AMENDMENT - STATE FUNDS

B. LINE ITEM TRANSFERS FOR EMPLOYMENT OF PART TIME WORKERS

5A

Buddy Silva opened by stating that this request for \$6,000 will be coming from was from the interest earned account from state funds. They will be used to upgrade the computer system in his department. After it was clarified by Steve Austin that these monies could be used in this manner, **a motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve a budget amendment of \$6,000 for the purchase of equipment for the Juvenile Probation Department.**

**MOTION CARRIED
(EXHIBIT J)**

5B

Mr. Silva stated that this was a renewal of what was done the previous year where \$20,000 was approved in the contractual services line item to hire part time help. With this money, they will be able to hire 3 individuals at 15 hours per week at \$5 per hour. Judge Ruiz asked why this issue was not taken care of through the budget. Mr. Silva stated that they were not approved as paid part time positions through this year's budget. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve the budget line item transfer creating 4 temporary part time positions at the rate of \$5 per hour; one position at 18 hours and the other 3 at 15 hours.**

**MOTION CARRIED
(EXHIBIT J)**

ITEM 6. COUNTY AUDITOR:

A. APPROVAL TO DISPOSE OF PUBLIC RECORDS

6A

Steve Austin addressed the court and stated that he would like to destroy these records that are over 10 years old. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the disposal of the records over 10 years old at the county auditor's office.**

**MOTION CARRIED
(EXHIBIT K)**

ITEM 7. PCT. 3:

A. APPROVAL TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT WITH HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

B. AUTHORIZATION TO EXTEND AND/OR EXEMPT SECURITY SERVICE AGREEMENT FOR ANZALDUAS PARK

7A

Commissioner Rosel stated that this was for a closure of a bridge in which they plan to share in the cost of repairing it. This agreement will be with irrigation district #1. Through this agreement, they will each pay 50% of the cost. **He then made a motion and was seconded by Commissioner Garces to approve and interlocal cooperative agreement with Hidalgo County Irrigation District #1 for the repair and restoration and improvement of this bridge.**

**MOTION CARRIED
(EXHIBIT L)**

7B

Commissioner Rosel stated that this contract was entered into after advertising several different times and not getting a qualified response. They then came to the Court with a vendor who did meet the specifications and they exempted the contract because of public safety. He is now considering to go out on bids once again but until then, he would like to approve the exemption and / or the extension of this contract. Judge Ruiz agreed with this request, but he wanted to know if this contract allowed for an extension. During further comments, Judge Ruiz felt that it was necessary to extend this contract for authority to advertise. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Arcaute to authorize the exemption and extension of an agreement between the County of Hidalgo and south Texas temporary services inc. for security services for the Anzalduas park for 90 days effective January 1, 1997 on the same terms in conditions as this contract.**

**MOTION CARRIED
(EXHIBIT L)**

ITEM 9. PURCHASING DEPARTMENT:

- A. **AUTHORIZATION TO ADVERTISE:**
 - 1. **BANK DEPOSITORY**
 - 2. **INDUSTRIAL CHEMICALS**
 - 3. **AUCTIONEER SERVICES**
- B. **AUTHORIZATION TO EXTEND BANK DEPOSITORY & INDUSTRIAL CHEMICALS CONTRACTS WHILE BID PROCESS IS COMPLETED**
- C. **AUTHORIZATION TO DECLARE VARIOUS ITEMS SURPLUS - SHERIFF DEPARTMENT**

9A1

NO ACTION

9A2

Mrs. Salazar opened by stating that she is requesting a 30 day extension on this contract. She has received an approval from the vendor to do so. **A motion was then made by Commissioner Garces and was seconded by Commissioner Handy to authorize the extension of the contract for 30 days with Astro, Gulf Coast and Blue Star.**

**MOTION CARRIED
(EXHIBIT M)**

A motion was made by Commissioner Handy and was seconded by Commissioner Rosel to authorize the advertisements for bids for industrial chemicals county wide.

**MOTION CARRIED
(EXHIBIT M)**

9A3

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

**MOTION CARRIED
(EXHIBIT M)**

9B

NO ACTION

9C

A motion was made by Commissioner Handy and was seconded by Commissioner Garces to authorize the declaration of equipment surplus from the Sheriff's Department and authorize our Purchasing Agent to dispose of said equipment.

**MOTION CARRIED
(EXHIBIT M)**

ITEM 8. URBAN COUNTY:

- A. **PCT. 3 - INTERLOCAL AGREEMENT FOR THE CITY OF PENITAS - YEAR 1996**
- B. **CITY OF PENITAS - NEIGHBORHOOD FACILITY - CONSTRUCTION CONTRACT AWARDED TO APRON GENERAL CONTRACTORS**
- C. **APPROVAL OF RESOLUTION AUTHORIZING URBAN COUNTY PROGRAM TO APPLY AND OBTAIN AN AMERICAN EXPRESS CARD**

8A

Anthony Covacevich stated that this agreement had been approved the previous meeting for \$50,000. There was a typo and Mr. Covacevich's agenda read \$50,000 and the Commission's read \$40,000. What he would like at this time, is rescind the previous agreement of \$50,000 and approve the agreement for \$40,000. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the rescinding of the previous motion last week approving an interlocal agreement with the City of Penitas, \$50,000 and moving to approve an interlocal agreement in the same category but for \$40,000.**

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

8B

Mr. Covacevich stated that this was in relation to the action that was just taken. This contract will be with Apcon General Contractors in the amount of \$349,365. The city along with Pct. 3 will be able to cover this project. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the low bid of Apcon General Contractors in the amount of \$349,365.**

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

8C

Mr. Covacevich stated that this card will be for the use establishing and e-mail address and access certain bulletin boards on the internet. This is a requirement by HUD. This will not be used for travel or anything else. **A motion was made by Commissioner Handy and was seconded by Commissioner Garces to authorize a resolution authorizing the obtaining of an American Express Corporate Credit Card with the exclusive understanding that this particular card will be used solely of internet purposes and definitely excluding any travel costs on the card itself.**

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

ITEM 10. PLANNING DEPARTMENTS:

A. PRELIMINARY PLAT APPROVAL:

1. THE HILLS SUBDIVISION - PCT. 4

10A1

Emilio Garcia stated that all prelim requirements have been met in accordance with the County. He is recommending the preliminary approval subject to item 18a,b&c as per the exhibit. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give preliminary plat approval with the condition that there is a defined area where the common areas are being platted.**

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

ITEM 11. RIGHT OF WAY DEPARTMENT:

A. RESOLUTION DECLARING PROPERTY SURPLUS & APPOINTING SPECIAL COMMISSIONER TO SELL PROPERTY

11A

Vona Walker stated that the financial disruption task force has seized two properties and they would like them to be auctioned and have Ms. Walker appointed Special

Commissioner to sell them. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve resolution on declaring this particular properties surplus and appointing Vona Walker as Special Commissioner to sell said properties.**

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

ITEM 12. OFFICE OF EMPLOYMENT AND TRAINING:

A. DISCUSSION & POSSIBLE ACTION ON AWARDS TO RESPONDING SUBCONTRACTORS FOR REQUEST FOR PROPOSAL FOR PROGRAM YEAR 96 TITLE IIC, IIA & III

12A

Greg Ayala addressed the Court and stated that they had come before the Commission for recommendations for the subcontractors as instructed by the Commission. They have since negotiated and they are now presenting the results of those negotiations. OET is recommending 7 proposals. There are two in title IIA for \$133,256.20 which serve 44 participants. In title IIC, there are 4 proposals in the amount of \$274,761.29 and will serve 306 participants and in title III, they are recommending 1 proposal for \$61,280. The combined total is \$469,297.69 and serving a total of 370 participants. This will service youths, adults and dislocated workers. Judge Ruiz asked why this states possible GED and remedial education. Mr. Ayala stated that this was because it would depend on the assessment done on these individuals. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve and award 7 sub-contractors responding to RFP's in title IIC, IIA & III, Lyford ISD, Serve Corp., Region One, La Joya, Serve Corp. under III and McAllen ISD and IRRA.**

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

ITEM 13. COURT REPORTERS - DISTRICT COURT & COUNTY COURTS AT LAW:

**A. DISCUSSION & ACTION ON COURT ORDER
B. BUDGET AMENDMENTS
C. SET SALARIES**

13A,B&C

Judge Ruiz opened by asking the Auditor what the appropriated fund balance for 1997 was. Steve Austin stated that the Court would be safe in appropriated up to \$173,000. The cost of this amendment to pay this increase would be \$61,830.24. Judge Ruiz asked what the Commission wanted to do and Comm. Arcaute stated that they should obey the Court Order but only because it is a Court Order. **He so moved to that effect. The motion was seconded by Commissioner Handy to accept the Court Order to do a budget amendment of \$61,830 and authorize the salary increase at 10% to all Court Reporters.**

***MOTION DENIED (JUDGE RUIZ, COMM. ROSEL & GARCES OPPOSE)
(EXHIBIT R)***

The Commission continued to discuss this matter where the Commission expressed their discontent with this issue. Commissioner Handy voiced her opinion as it relates to her favoring this increase. She stated that the Cameron County Court Reporter's pay more therefore, this County loses reporters to other Counties due to this difference in pay. Judge Ruiz then responded by stating that there are several other positions in the County the pay less then other Counties but this all has to do with the budget. He feels that there should be some other type of system such as maybe having some type of pool of reporters as opposed to just giving them more and more money. He felt that some of these reporters may or may not even work a 40 hour

week. Commissioner Arcaute suggested that the previous action be rescinded so that they might show some solidarity against this decision as opposed to them being divided. Most of the Commission was in favor of this except for Comm. Handy. Commissioner Arcaute stated that the prevailing side has to be the ones to rescind action. On that note, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to rescind.**

***MOTION CARRIED (COMM. HANDY OPPOSED)
(EXHIBIT R)***

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces not to accept the Court Order and authorize a meeting with the District Judges to discuss this salary.

***MOTION CARRIED (COMM. HANDY OPPOSED)
(EXHIBIT R)***

**ITEM 14. SET & APPROVE AMOUNT OF COMPENSATION, OFFICE & AUTO ALLOWANCE
& OTHER ALLOWANCE FOR COUNTY & PRECINCT OFFICERS & EMPLOYEES**

NO ACTION

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to adjourn Commissioner’s Court agenda.

MOTION CARRIED

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

DRAINAGE DISTRICT

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

CONSENT AGENDA

**ITEM 1. PERMIT - CITY OF MISSION
(EXHIBIT S)**

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize a permit to the City of Mission for drainage south of Inspiration Road for Inspiration Plaza Subdivision.

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

REGULAR AGENDA

ITEM 1. DECLARE EQUIPMENT SURPLUS

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

MOTION CARRIED

(EXHIBIT T)**ITEM 2. AUTHORIZATION TO ADVERTISE FOR BIDS FOR WESLACO PROJECT**

Judge Ruiz stated that this project was similar to a project that was undertaken by the County with the City of Pharr. This project will be a development along expressway between FM 88 and Mile 6. This is to relocate the drainage ditch and place it underground. The City of Weslaco will commit \$25,000 which will cover 14% of the project. The developer has already placed a portion underground which has an estimated cost of \$28,000 which is another 16%. The total amount of the estimated cost is \$155,385. It was established that this ditch in question was not county owned. It belongs to Hidalgo & Cameron Counties Irrigation District #9. They have no problem with this as long as they don't pay anything. After further comments, where it was established that the County would be 70% or approximately \$100,000, the Commission felt that they would like to look into this further. **No further action was taken.**

**NO ACTION
(EXHIBIT U)**

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.