

The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS/BILLS - COUNTY AUDITOR
(EXHIBIT A)

ITEM 2. MONTHLY COLLECTION REPORTS:

A. J.P. Dario Martinez -	March, 1997	\$ 7,887.79
B. J.P. Ismael "Melo" Ochoa	March, 1997	\$21,178.73
C. J.P. Gilberto Saenz	February, 1997	\$10,438.20
D. J.P. Gilberto Saenz	March, 1997	\$12,226.60
E. Sheriff Henry Escalon	February, 1997	\$30,072.30
F. County Clerk (revised)	February, 1997	\$97,338.90
G. J.P. Rosa Trevino	March, 1997	\$21,733.01
H. J.P. Espiridion Jackson	March, 1997	\$12,174.40
I. J.P. Rene O. Torres	March, 1997	\$ 9,133.55
J. J.P. Charlie Espinosa	March, 1997	\$18,897.11
K. J.P. Jesus E. Morales	March, 1997	\$ 7,934.00

(EXHIBIT B)

ITEM 3. COURT REPORTERS FEES:

A. Meanette J. Salgado, SCR RPR		
1. State of Texas vs. Stephen Guajardo		\$114.00
2. State of Texas vs. Juan Diaz		\$949.00
B. Annette Escobar		
1. State of Texas vs. Olivia Olivarez		\$272.00
2. State of Texas vs. Ismael Cantu Gonzalez		\$1,024.00

(EXHIBIT C)

ITEM 4. PLANNING DEPARTMENT:

A. SUBDIVISIONS

1. Precinct #1:
 - a. Cadena Subdivision
2. Precinct #3:
 - a. Shary Palms Unit VI
3. Precinct #4:
 - a. Dove Commercial Park
 - b. Re-subdivision of Waterwalk Phase II Lot 44A & Lot 45A

(EXHIBIT D)

ITEM 5. RIGHT OF WAY:

A. Permits - Precinct #2

1. C P & L - Permit for Alamo Headstart Center

B. Permits - Precinct #3:

1. Southwestern Bell - to lay a cable along Stewart Road between the 4 and 5 Mile and to along Trosper Road North of Mile 2
2. Valley Telephone Cooperative - to go along McCook Acres Subdivision North of FM 681

C. Permits - Precinct #4:

1. Southwestern Bell Telephone - to go along the east side of Doolittle Road

(EXHIBIT E)

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. Youth Village - \$1,500.00
- B. 93rd District Court - \$125.00
- C. Tax Office - \$11,500.00
- D. Precinct #4 - \$12.70
- E. 370th District Court - \$200.00
- F. County Judge - \$250.00
- G. Veteran's Service Office - \$5,221.79
- H. Precinct #3 - \$700.00
- I. Sheriff's Department - \$2,301.83
- J. Precinct #1 - \$2,500.00
- K. Planning - \$818.00
- L. Precinct #2 - \$11,415.00

(EXHIBIT F)

Judge Ruiz opened the meeting by informing the Court that this would be a long meeting. He then began with the Consent Agenda and asked the Commissioners if they had any questions and/or comments. Commissioner Rosel then noted that the JP's revenues were steadily increasing. There being no further comments a motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve the Consent Agenda as presented.

MOTION CARRIED.
SEE EXHIBITS A-F

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:

- A. Litigation:
 - 1. Consultation with Attorney

Item 2. OPEN SESSION:

- A. Litigation:
 - 1. Possible Action regarding Sanchez-Ochoa vs. County of Hidalgo

Item 3. CLOSED SESSION:

Commissioners' Court may reconvene into Closed Session for the discussion regarding agenda items listed

Item 4. OPEN SESSION:

Commissioners' Court may reconvene into Open Session for the discussion regarding agenda items listed.

1-4

Judge Ruiz informed the Commissioners that the legal counsel for Sanchez and Ochoa had to leave early and he would like their consensus to go into Executive Session at this time. He then called for Commissioners' Court to go into Executive Session pursuant to Chapter 551 to discuss litigation.

After the Executive Session, Judge Ruiz opened up the meeting by saying that the legal counsel had made a recommendation, in terms of offering a settlement or agreeing to a settlement of \$11,000.00 on the Carlos Sanchez-Ochoa vs. County of Hidalgo lawsuit.

Commissioner Garces then made a motion to accept the settlement of \$11,000.00 and this was seconded by Commissioner Rosel. At the vote it carried unanimously.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. CANVASSING OF VOTES - SULLIVAN CITY SPECIAL ELECTION FOR INCORPORATION AND ELECTION OF CITY OFFICERS

Judge Ruiz informed the Court that this was for the canvassing of votes for the City of Sullivan City, after the third try. Commissioner Arcaute asked if the name of the city was "Sullivan" or "Sullivan City". Noe Perez announced that the County of Hidalgo had added its twentieth city. Judge Ruiz then went back to Commissioner Arcaute's question and Commissioner Garces asked what it had indicated on the petition and Mr. Perez stated that on the petition it had stated "Sullivan City". Commissioner Rosel pointed out that Alicia Garza was in the audience and both he and Judge Ruiz asked her to clarify and she indicated that it was "Sullivan City". Judge Ruiz continued by stating that there were 436 votes for the incorporation and 135 against the incorporation. He went on to state that there was also an election for mayor between Gumaro "Maro" Flores and Zaragosa "Nacho" Flores, the victor being Gumaro "Maro" Flores with 347 to 308 votes. For the Commissioners at-large, there were three persons on the ballot with the two high vote-getters being seated as Commissioners, these being Reynaldo Ruiz with 389 and Alicia Garza with 319. He then asked the Commissioners if there were any questions, there being none he asked for a motion. Upon a motion by Commissioner Rosel and a second by Commissioner Handy the results were approved.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 2. SHERIFF'S DEPARTMENT/JAIL:

- A. Authorization to transfer and appropriate \$1,700.00 to Jail Budget Account \$7-010-423.100.95 (machinery & equipment) - monies were received from TAC for storm damage sustained on air conditioning compressor

Emilia Uriegas, from the Sheriff's Department, came before the Court requesting the transfer of \$1,700.00 into the Jail budget, line item 95. Judge Ruiz asked her where this money was coming from and she reported that it was coming from the insurance company for damages that they had on air conditioner and compressor. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a transfer and appropriation of \$1,700.00 into item 95 under the Sheriff's Department/Jail.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 4. RIGHT OF WAY:

- A. Authorization to enter into Bridge Load Posting Agreement with Texas Department of Transportation. TDT will provide all signs and hardware and the County will install and maintain the signs (8 bridges needed to be posted)

Vona Walker, Right of Way Director, indicated that every two years the Highway Department did an inspection of off-system bridges and this year there were eight bridges that needed to be load posted. The Highway Department would provide the County with all the hardware and signs and the County would install them. The Judge asked if this was the extent of our maintenance liability and Ms. Walker responded that it was and also pointed out that most of

these bridges were in Precinct One and there were two in Precinct Four. Judge Ruiz then noted that after the postings the Commissioners would be liable for maintaining the postings from then on. A motion was made by Commissioner Garces and seconded by Commissioner Rosel for authorization to enter into the bridge load posting agreement with TxDot.

MOTION CARRIED
SEE "EXHIBIT J"

ITEM 3. ADULT PROBATION:

- a. Acceptance of Grant monies awarded to Hidalgo County by CJAD, Treatment Alternatives to Incarceration Program (TAIP) Funding in the amount of \$122,315.00 - to be used for out patient substance abuse
- b. Budget Adjustments/Amendments as approved by CJAD & Board of Judges
 1. Supervision (\$- 9,183.00)
 2. Restitution Center (\$34,166.00)
 3. Community Corrections (\$70,032.00)
 4. Education & Employment (\$ 888.00)

3/A

Joe Lopez, Adult Probation Director, came before the Court for acceptance of a grant in the amount of \$122,315.00 which was given to them by CJAD and this was to run substance groups and individual counseling for their clients. Judge Ruiz asked if this was an amendment or if this was a new grant and Mr. Lopez stated that it was a new grant which was going to be a separate budget and would be set up on its own. This grant was classified as "Treatment Alternatives to Incarceration Program Money". A motion was made by Commissioner Rosel and seconded by Commissioner Garces to accept this grant of \$122,315.00 along with the "Treatment Alternatives to Incarcerated" program rules and regulations. And accept the budget as presented which is contractual services \$121,397.00 and other \$918.00.

MOTION CARRIED
SEE "EXHIBIT I"

3/B

Mr. Lopez indicated that on budget adjustments he had four of them and these were the monies that they were able to carry over from the end of fiscal year 1996. He explained that the reason that the supervision line item showed a negative \$9,183.00 was because when he calculated this carry-over he included his September payment for pre-sentence investigations that are funded separately and he overlooked the fact that the September payment does not come in until sometime in October or November and this is incorporated into the '97 budget. Judge Ruiz asked him how he makes this amount up and Mr. Lopez stated that he came in before and carried over the Supervision monies, but he carried over \$9,000.00 too much so all this does is it reduces the carry-over from '96 by \$9,000.00. For the Restitution Center there was a surplus funding of \$34,166.00 that needed to be carried over; Community Corrections the amount was \$70,032.00 and for Education & Employment the amount was \$888.00. Judge Ruiz clarified that the Supervision budget was obviously not a negative, but a bookkeeping entry. A motion was then made by Commissioner Garces and seconded by Commissioner Rosel to approve budget adjustments and amendments, as presented, for Supervision, Restitution Center, Community Corrections and Education & Employment budgets.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 5. HEALTH DEPARTMENT:

- A. Approve Immunization - IAP Grant No. 746000176-98 attachment No. 2 in the amount of \$112,202.00 Contract term 1-1-97 thru 12-31-97
- B. Set Salaries in Immunization - IAP Grant as funded by the State Health Department

5/A

Dr. James Michael Keenan, Health Administrator, came before the Court requesting approval of a renewal of the Immunization Action Plan grant from the Texas Department of Health. He stated that it was funded the same as last year \$112,202.00 and there was a fringe benefit shortfall of \$12,040.00 and they would make that up from their program income. He said that the State was hoping that they would give a hundred thousand doses of vaccine, that being the goal of this contract. He also added that he was working with the Immunization division in Austin in trying to get the grant increased to cover the whole cost of the personnel and fringe. Judge Ruiz asked him to clarify on the \$12,000.00 shortfall and Mr. Keenan, pointed that the grants had fallen behind and they have funded the same amount for the last three years and fringe benefit costs have increased, so they have substantial income generated by this contract so they can supplement the contract with this income. Judge Ruiz informed him that he just wanted to make sure that he was not budgeting a deficit. He then indicated that they were budgeting the grant amount of \$112,202.00 at this time. A motion was made by Commissioner Garces and seconded by Commissioner Handy, to authorize the grant of \$112,202.00 and accept the appropriation by explaining revenues and expenditures of \$112,202.00

MOTION CARRIED.
SEE "EXHIBIT K"

5/B

Mr. Keenan explained that the supplement was budgeted. Judge Ruiz asked him if these salaries were consistent with the salaries that he was giving all the other RNs and Mr. Keenan said that it was close and this was a matter that he was also presently discussing with Austin. A motion was made by Commissioner Handy and seconded by Commissioner Garces to set salaries for assistant Program Manager, three LVNs and two Immunization Clerks, as presented.

MOTION CARRIED.
SEE "EXHIBIT K"

ADDENDUM. HEALTH DEPARTMENT:

- 1. Authorization to apply for a Family Planning Grant from Texas Department of Health - Federal pass-through funds total funding \$1,000,000.00 - this is a fee for service reimbursement grant no matching funds required

Mr. Keenan informed the Court that he had received word from the Texas Department of Health that there were \$30,000,000.00 available for Title 20 Providers in the State of Texas. He explained that this would be for services that are already being done. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to authorize the submittal of an application of \$1,000,000.00 for the Family Planning Grant to the Texas Department of Health.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 6. COUNTY CLERK:

- A. Authorization to eliminate 1 vacant position Microfilm Clerk Slot #22 and utilize the money to increase salaries within the County Clerk's Office

- B. Approval of proposed salary increase and set salaries for position # - 3, 9, 12, 15, 16, 17, 18, 20, 21, 24, 25, 27
- C. Records Management - Approval of salary increases to position # - 4, 7 & 6, by utilizing surplus funds within slot #'s 3 & 2 and set salaries

6/A&B

Jose Eloy Pulido, County Clerk, came before the Court requesting approval to increase salaries, by using the monies from a vacant position. Judge Ruiz asked Mr. Pulido why they could do without this position and Mr. Pulido replied that he was streamlining some of the operations and some of his employees were taking on additional duties, not to mention that he had a cross-training program within the office where people were not just limited to expertise in one single area. Judge Ruiz asked him if he had requested additional slots in his budget, and Mr. Pulido responded that he did not. Judge Ruiz then asked him what type of salary increases he was considering and Mr. Pulido responded that it was about \$900.00 for the lowest to the highest being \$1,900.00. Judge Ruiz pointed that it ran from about a 3% to about an 18% percent increase. Judge Ruiz reminded him that this Court had adjusted his salaries some time back, either the early part of this year or the latter part of last year and Mr. Pulido responded that it was true and that had been done through the elimination of another position. Mr. Pulido then added that this was the second position that he has eliminated and basically he felt that the office was a training ground because the moment he trained the employees, law firms and title companies were hiring these employees. The reason for this was that these other firms were paying higher salaries and he was hoping to keep the employees longer. Commissioner Rosel indicated that he wanted to agree with him, but he did not feel that it was their position to compete with the private sector and he felt that this should be addressed as a general issue. The Commissioner also reminded him that when Mr. Pulido first came in he had appropriated some funds for salaries and again last year he did the same thing and now he was coming back to do it again. Judge Ruiz then added that the Commissioners' Court was not in a position to assess Mr. Pulido's staff, but his concern was that salaries were not given to the large majority of county employees this last budget year, and he felt that inequality might come in when the Commissioner's Court decides to give a 5% increase. He did not think it was fair when you have an employee who has not gotten a salary increase throughout the year and you have an employee who has and their 5% is higher, unless the department head could remember that he gave these increases when the time came for an overall adjustment. Mr. Pulido then addressed Commissioner Rosel's statement and added that the first time that he came for salary increases, it was for nine employees that were upgraded, the second time it was eleven. He pointed out that he had forty employees and in his opinion all the forty employees had been neglected when he took office, so it was something that he wanted to take a systematic approach to without touching the General Fund of the County. He again indicated that he had the monies within his own budget and he was wanting to eliminate this budget rather than fill the slot and have someone with no duties, as the streamlining had accomplished this. Commissioner Handy asked Mr. Pulido that on the microfilm clerk, the position that he was eliminating, she wanted to know who would be doing this work and Mr. Pulido pointed out that someone was already taking care of this job. Commissioner Handy then asked him if this person was one of the ones getting an increase and Mr. Pulido stated that she was not, but he believed that this was one of the people that got an increase the last time. He said that they were not neglecting employees by position, but in essence what they were doing was trying to increase the people who were at the bottom and bring them up taking into consideration the duties and responsibilities of the individuals and they had some people that had a lot of responsibility and these were the people that they were wanting to take care of. Judge Ruiz then asked him if any of the slots that he had listed there, if any of them had received an adjustment previously and Mr. Pulido replied that none that he could remember, however there might be one individual, his accountant, who is getting ready to receive her master's degree in accounting and he pointed out that he and Mr. Jerry Farias, his Chief Deputy, had addressed this issue together. Judge Ruiz asked Mr. Farias if any of these people were on the previous list and Mr. Farias replied that they were not. Commissioner Garces mentioned that there was a possibility that some of these people might have gotten an increase in 1995 and Mr. Pulido and Mr. Farias concurred. Commissioner Garces indicated that he was pleased with the idea of streamlining but voiced a concern about the

status of the other employees of the County. Judge Ruiz then asked what the wish of the Commissioners was and Commissioner Handy made a motion to eliminate the vacancy of microfilm clerk and to take that salary and allow the salary increases and set the salaries for the positions indicated. Upon a second by Commissioner Garces, Commissioner Arcaute asked for discussion and he wanted to clarify if these were upgrades or salary increases and Judge Ruiz and Mr. Pulido replied that they were adjustments. Commissioner Arcaute indicated that they were salary increases no matter what you called it and Mr. Pulido pointed out that similar action had been taken with regards to the County Judge's Office and again this was not coming from the General Fund. Commissioner Rosel brought up the fact that Mr. Pulido mentioned the County Judge's Office and he felt that they had to go back and look at that action and that one had not been done for a couple of years and this present action had been done not too long ago in the County Clerk's Office. Upon a vote, Commissioners Garces and Handy voted in favor and Commissioners Arcaute and Rosel voted against the motion. Judge Ruiz voted against the motion.

MOTION DENIED
SEE "EXHIBIT L"

6/C

After Mr. Pulido walked out, Judge Ruiz asked Mr. Farias if he wanted to address this item and Mr. Farias replied that he did. He then indicated that they were wanting to do the same thing as the previous item and they did have the money in the slots and they were wanting to upgrade them. Judge Ruiz asked him where the surplus was coming from and Mr. Farias said that slot #3 had about \$4,500.00 and employee was presenting getting paid about \$13,000.00 and he was wanting to move this surplus around. Judge Ruiz asked if this employees had previously received a salary increase and Mr. Farias replied that they had not but they would through change of status. Commissioner Arcaute asked what the Personnel Departments views were on this and Mr. Farias indicated that his understanding was that Personnel had signed off on this. Commissioner Arcaute pointed out that the Commissioners' Court had adopted a system whereby all these items had to be cleared before they were allowed to go on the agenda and the Personnel Department would have been able to answer their questions. Commissioner Garces told Commissioner Arcaute that when Mr. Farias approached him for the agenda placement he did check out on the Personnel issue and if they wanted the Personnel Director to comment on it, then she could. Mr. Pulido apologized for walking out, but he felt that since items A and b were denied he felt that this item was also denied. Judge Ruiz pointed out that he had a concern over the job descriptions and the Records Management Fund was a special use fund and basically it was for records management. Mr. Pulido then indicated that this was not done under the previous administration and at one of the workshops that were held when he first came in this issued was addressed and the people that he has working and getting paid under records management are working and legally getting paid by records management because of their description. Judge Ruiz then went through the job descriptions and he felt that some of the positions were not records management related. Mr. Pulido then explained that due to an aggressive cross-training program these people were doing various duties. Again Judge Ruiz indicated that this was a special use fund and he had to check the legality whether these people can do these duties under the Records Management Fund. Commissioner Garces then asked if he was trying to imply that this fund called for more specialty positions and Judge Ruiz indicated that they were. Mr. Pulido pointed that they were because they could take care of marriage licenses or deed records. Judge Ruiz then told him that Records Management was a special use fund for Records Management and Mr. Pulido was telling this Commissioners' Court that he not only cross-trained but also used them for deed records, used them for issuing marriage licenses, used them for mortgage records and he felt that Mr. Pulido should check and find out if he can do this. Mr. Pulido then stated that due to the duties and responsibilities of the County Clerk's Office he can utilize personnel within that office as the need arises and he felt that because of this, he was legally within his bounds. Judge Ruiz then directed Steve Crain, the County Legal Counsel to check into that. Judge Ruiz asked if there was a motion for the request of salary increases for slots 4, 7 and 6 by using surplus funds in slots 3 and 2. There being no motion the item died.

MOTION DIED FOR LACK OF MOTION.
SEE "EXHIBIT L"

ITEM 7. PRECINCT #1:

- A. Acceptance of contribution in the amount of \$2,610.44 for paving project - Mile 12 ½ North
- B. Approval of Interlocal Agreement with the City of Weslaco for paving of Mile 7

7/A

Judge Ruiz informed the Court that he had filed an affidavit indicating his conflict of interest on this particular issue and he was thereby relinquishing the chair to Commissioner Arcaute. Raul Lozano then indicated that this item was for the acceptance of a contribution in the amount of \$2,610.44 for paving project of Mile 12 ½ North. He pointed out that part of this road runs adjacent to a new development, which is approximately 1280 linear feet. The proposed improvements had been scheduled by Precinct #1 for one mile and based on the engineering cost estimates 1/3 of the cost of the first 1280 linear feet would be the \$2,610.44, which they are requesting to accept as contribution for the improvements to that road. Commissioner Rosel made a motion and Commissioner Handy seconded for the sake of discussion. Commissioner Rosel asked on the contribution with respect to the subdivider escrowing 1/3 of the amount and he wanted to clarify that this was not part of the 1/3 since this was put in place before the change in the subdivision regulations became effective May 1st, but rather a contribution. After a vote the motion carried unanimously to accept the contribution.

MOTION CARRIED.
SEE "EXHIBIT M"

7/B

Raul Lozano informed the Court that this was for a ½ mile stretch between FM 1015 and the Expressway on Mile 7. He mentioned that the City of Weslaco had annexed all property around this street, except for this particular street. Some developers were doing some development out there and the City had approached the Commissioner for Precinct One and they were requesting permission to pave this road through an agreement with the County. The City will be doing the improvements to this road, drainage, paving, curb gutter. Judge Ruiz also pointed out that the City wants this street within their city limits so that they can maintain it and he has asked that legal counsel look for the simplest way to give this property back into the City as it was inadvertently left out during the annexation procedure. A motion was then made by Commissioner Handy and seconded by Commissioner Garces to approve the inter-local cooperative agreement authorizing the City of Weslaco to improve Mile 7 Road, commencing at the intersection of FM 1015 eastward to its intersection with the City limit line, better known as the Expressway.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 8. PRECINCT #2:

- A. Authorization to create four (4) temporary full-time positions to operate Swimming Pool Parks

Commissioner Arcaute made a motion to authorize to hire four lifeguards for the summer swimming at the swimming pool at Valley View Park. Upon a second by Commissioner Rosel, who indicated that this was done on a yearly basis, the motion carried. Judge Ruiz then rephrased the motion to authorize the creation of four temporary full-time positions to operate the

swimming pool in Precinct Two; anticipated approximate work week 36 hours for approximately 11 weeks at a rate of \$6.00/hour.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 9. PRECINCT #3:

- A. Approval of Interlocal Agreements with the following:
1. City of Mission - Paving a specific section of Trinity Rd. & re-surfacing of 2 Mile Rd. from Shary to Bryan Roads - Paved Unpaved Road Funds
 2. City of Penitas - Reconstruction of ball park fence, walking track, renovation of back stops & of east side gates of ball park, demolition of existing structure & construction of an outdoor pavilion - Park Funds
 3. City of La Joya - Paving of parking lot for the Housing Authority - Park Funds
 4. City of Granjeno - Paving of City Hall parking lot -Park Funds

Commissioner Rosel informed the Commissioners' Court that legal counsel would like more time to review these agreements and therefore he requests that no action be taken at this time.

NO ACTION ON ANY OF THE ITEMS.
SEE "EXHIBIT O"

ITEM 10. OFFICE OF EMPLOYMENT AND TRAINING:

- A. Approval of PY 97-98 Operational Budget for the County of Hidalgo Office of Employment and Training
- B. Authorization to create 27 new positions and set salaries
- C. Approval of Amended Organizational Chart (amended chart reflects the new positions)

10/B

Dick Dickinson approached Court and indicated that back in January 1996 there was a reduction in force due to the recessions in the budget from \$13,000,000.00 to \$7,000,000.00 and at that time there were 137 slots which were reduced to approximately 78 slots. This year the total money budget including carry-overs for the Office of Employment and Training was \$17,867,399.00. This increase, he stated, has put the department in a position where they need additional help. The additional positions would raise the number of employees to 102 and he feels that this is more than justified as they have about \$10 million more in funding. Commissioner Garces asked him on the carry-overs, if they, by policy, had to use these monies by a certain amount of time before they lost them and Mr. Dickinson replied that this was correct and they were allowed to carry-over 15%. He also pointed out that on the exhibit, he took the conservative approach and carried over 15% into the next year, and he budgeted no more than 85% with a 25% reserve in administrative monies. Judge Ruiz then informed the Court that they had checked the budget and they are consistent with their administrative maximum and minimum, the job descriptions have been look at, in terms of how they fall in the step in grade and they are consistent with previous policies and he recommended approval. Commissioner Rosel made a motion and Commissioner Garces seconded to authorize the creation of twenty-seven (27) new positions and set salaries and he asked that they be made a part of the record. The twenty-seven (27) positions and their salaries are as follows:

- | | |
|-------------------------------|---------------------|
| 1. Accountant III | (28,836 - \$36,000) |
| 2. Accountant II | (22,188 - 27,924) |
| 3. IIB Operations Coordinator | (25,296 - 31,848) |
| 4. Contracts Admin Assistant | (25,296 - 31,848) |
| 5. Assistant Planner | (28,836 - 36,000) |

6. Program Monitor	(22,188 - 27,924)
7. Program Monitor	(22,188 - 27,924)
8. Case Manager	(19,464 - 24,492)
9. Case Manager	(19,464 - 24,492)
10. Case Manager	(19,464 - 24,492)
11. Case Manager	(19,464 - 24,492)
12. Case Manager	(19,464 - 24,492)
13. Case Manager	(19,464 - 24,492)
14. Case Manager Aide	(11,292 - 13,824)
15. Case Manager Aide	(11,292 - 13,824)
16. Case Manager Aide	(11,292 - 13,824)
17. CMS Reviewer	(13,428 - 16,620)
18. Job Developer	(20,772 - 26,160)
19. Job Developer	(20,772 - 26,160)
20. Secretary III	(17,148 - 21,468)
21. Secretary II	(14,256 - 17,688)
22. Intake Specialist	(11,292 - 13,824)
23. Intake Specialist	(11,292 - 13,824)
24. Assessment Specialist	(19,464 - 24,492)
25. Intake/Assessment Specialist	(19,464 - 24,492)
26. Courier	(11,292 - 13,824)
27. Bldg & Grounds	(11,292 - 13,824)

MOTION CARRIED.
SEE "EXHIBIT P"

10/A

Mr. Dickinson then asked that the Commissioners look at the proposed budget which reflected the twenty-seven (27) additional positions and it showed that they were well within the minimums and the requirements in order to meet their expenditure benchmarks and their fiscal responsibility as it related to their authority to expend administrative and training dollars. He indicated that they are anticipating an excess of \$2,375,855.00 which would put them in the 15% reserve that they try to do each year in the event that there is not a IIB next year, in order that the programs continue without any drastic change. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the operational budget for the years 97-98 totaling \$17,867,399.00.

MOTION CARRIED.
SEE "EXHIBIT P"

10/C

Mr. Dickinson asked that the Court approve the amendment of the Organizational Chart which reflects the new positions and also shows the elimination of the Steward position, which is no longer needed, since they are no longer a high risk. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the amended organizational chart increasing the organizational chart by twenty-six positions and decreasing it by one, which is the Steward position.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 11. URBAN COUNTY:

- A. City of Hidalgo - Approval of Change Order No. 2 with Pueblo Construction for a (FY 1994, 1996) PFI - Street Improvements Projects

- B. City of La Villa - Approval of Professional Service Agreement (Engineering) with R.E. Garcia and Associates for a (FY 1995) PFI - Water Sewer Improvements Project
- C. emergency Shelter Grant - Approval of 1996 Budget Modification for the Salvation Army
- D. HOME/Homeowner Occupied Housing Rehab Application
- E. HOME "First-time Homebuyer Contract Agreement " and Letter of Commitment to Mortgage Company (2 families)
- F. Approval of HOME Program Budget Amendment

11/A

Anthony Covacevich, Urban County Director, informed the Court that the City of Hidalgo was asking for approval of change order number two with Pueblo Construction Company. This was for a street improvement project and it will be the final quantitative adjustment and also the change order to include items required by the State Highway Department in the relocation of lines on Tejano Road, which was part of a State Highway Project. He added that this change order would not exceed the 25% limitation. After a motion was made by Commissioner Arcaute and seconded by Commissioner Garces, Judge Ruiz asked about the 33 days that were being requested and Mr. Covacevich clarified that they were requesting an amount of \$37,454.53 and an additional 33 days due to rain. The motion then carried to accept change order number two increasing the contract by \$37,454.53 and also extending the contract by 33 days

MOTION CARRIED
SEE "EXHIBIT Q"

11/B

Mr. Covacevich stated that the City of La Villa was asking for approval of a professional services contract with R.E. Garcia and Associates. The engineering contract was for an amount of \$7,500.00, with the amount budgeted being \$90,000.00 and in the exhibits is a list of projects that La Villa is proposing. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to award a contract for professional services with R.E. Garcia and Associates for the City of La Villa and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/C

Mr. Covacevich informed the Court that this was approval of the 1996 budget modification for the Salvation Army. The Salvation Army had been allocated \$75,905.00 for maintenance and operations of their new shelter in McAllen and due to increased costs of the construction, they are asking that this money be moved into rehab and major renovations category as they still needed to complete the building. This was in addition to the \$100,000.00 that was given to them in 1995. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to the approve 1996 budget modification of the Salvation Army for renovation of their building in the amount of \$75,905.00.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/D

Mr. Covacevich stated that he had a rehab application that needed to be approved. The City of Alton submitted the name that was enclosed in case AL-1096-02 for \$12,000.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve a housing rehab application case no. AL-1096-02 which is \$12,000.00.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/E

Mr. Covacevich indicated that under First-time Homebuyers they had two families that were listed on the exhibit and they had qualified for the contract agreement and approval was recommended along with approval of the letters of commitment. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve two first-time Homebuyer contracts and issue letters of commitment to mortgage companies as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/F

Mr. Covacevich was requesting approval of a budget amendment of the 1995 HOME Program. This request was necessary so that they could move the money as they need to have all the monies obligated within two years. They are taking \$8,000.00 from the rental rehab program and moving it over to the Homeowners Occupied Rehab Program where they have a need for additional funds and the bottom line remains the same except that they will be increasing Home-owner occupied rehab and reducing Rental Rehab line item. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the 1995 HOME Program budget amendment as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

Mr. Covacevich then informed the Commissioners that he had provided them with a tentative agenda for the Urban County conference, and they have established all of their speakers, along with Representative Hinojosa who will be the luncheon speaker on Friday and they hope that they can all make it. Judge Ruiz then announced that this conference would be held on May 23-24 at Bahia Mar in South Padre Island.

ITEM 12. PLANNING DEPARTMENT:

- A. Final Plat Approval:
 - 1. Catarina Subdivision - Pct. #1
 - 2. El Sendero Subdivision - Pct. #3
- B. Partial Release of Letter of Credit:
 - 1. Cardinal Point Subdivision - Pct. #4
- C. Preliminary Approval:
 - 1. Summer View Subdivision No. 2 - Pct. #1

12/A/1

Roy Gonzalez, from the Planning Department indicated that Catarina Subdivision was inside the City of Progreso where it was approved by the Progreso planning and zoning and the city council. This subdivision consisted of 69 lots to be used for residential and Military Water Supply would supply the sewer and water for this subdivision. This subdivision is in "Zone B", located on the northwest corner of Baker Street and Catarina Road and it will have curb and gutter. The Planning Department, the Drainage District, the City of Progreso and the Military Water Supply are all recommending approval. Judge Ruiz then asked where the water would be going in this subdivision and Vona Walker replied that it would go to the drain ditch on the northwest corner of the subdivision where it would be re-routed to an underground storm sewer. After further discussion regarding the drainage within this subdivision, Judge Ruiz stated that the Drainage District and the Commissioner might want to consider enlarging the drainage pipe because there was only one culvert and there appeared to be a lot of surface drainage within this subdivision. Judge Ruiz then recommended approval but he pointed out that the Commissioner might want to talk to the developer about this problem. A motion was made by Commissioner

Handy and seconded by Commissioner Garces to give final plat approval to Catarina Subdivision in Precinct One, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

12/A/2

Mr. Gonzalez stated that the developer of El Sendero Subdivision was also requesting final approval. The owners were Zaragosa Hinojosa and Arnoldo Pena and it was located two miles north of Highway 83 on the east side of Pinto Road. It was in the Sullivan City vicinity and it would consist of eighty-eight (88) lots, water will be provided by the La Joya Water Supply and the subdivision will have septic tanks instead of the city sewer. The cost estimate was approved by the engineer for \$88,740.00, for the street which was 3110 feet long. The 2% was paid in the amount of \$1,774.80 and the Planning Department was recommending the approval along with the Right of Way Department, the engineers and the Health Department. This subdivision was given preliminary approval on November 1996. Again the issue of drainage was brought up whereupon the Judge indicated that this subdivision was going to retain water. Commissioner Rosel pointed out that this was the first time he has had an opportunity to look at this subdivision and he would like to go ahead and take no action on this item until he has had an opportunity to let the engineer know that they have to discuss it with him and find out what his ideas are with regards to the potential for flooding.

NO ACTION.
SEE "EXHIBIT R"

12/B/1

Mr. Gonzalez informed the Court that this subdivision was approved by this Court on January 22, 1997 and a letter was submitted in the amount of \$75,225.00. Since its approval the owner is requesting a partial release of the letter of credit in the amount of \$16,875.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the release of \$16,875.00 as recommended by the Planning Department for Cardinal Point Subdivision, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT R"

12/C/1

Judge Ruiz pointed out that he has filed an affidavit on this particular item and he hereby relinquishes the chair to Commissioner Arcaute. Mr. Gonzalez then indicated that this was for a preliminary approval of Summer View Subdivision No. 2. The owner was Rosa Ruiz and this subdivision was in Zone C, located 215 feet of Mile 10 on the east side of Mile 4 West. It was approved by the Weslaco City Council and Planning Department and it will consist of 24 lots which will be used for residential. North Alamo Water Supply will be supplying the water and it will be serviced with septic tanks. A 2% was paid to the County Planning Department in the amount of \$778.30 and this is also the percentage for the street improvements. The County Planning Department is recommending the preliminary approval of this subdivision. A motion was made by Commissioner Handy and seconded by Commissioner Garces, after which Commissioner Garces voiced his concern on the elevations and asked the Drainage District if they had signed off on it and Ms. Walker replied that they had. The motion was then brought to a vote and it carried unanimously.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 13. PURCHASING DEPARTMENT:

- A. Adult Probation:
 - 1. Exempt from competitive bidding requirements - Professional Services/Treatment Services
 - 2. Authority to enter into contract for treatment services with 2 vendors approved by TDCJ - CJAD - Treatment Associates of the Rio Grande Valley and Rio Grande Valley Council on ADA
 - 3. Approval of Contracts
- B. Authority to Advertise for 1990 or newer Motorgrader
- C. Approval of lease contract for office space with S.P. Plaza, L.C. - HIDTA Grant Task Force
- D. Award bid for Library Books to Multiple vendors
- E. Award Bid for remodeling of an existing portion of Health Department Space for a Pulmonary Clinic
- F. Award bid for one (1) 1997 12 passenger van - Health Department
- G. Award bid for Janitorial Supplies to multiple vendors
- H. Award bid for Industrial Chemicals to multiple vendors
- I. Requesting various and sundry items be declared surplus (note - exception item #142 for purpose of trade-in on the purchase of new copier)

13/A/1

Martha Salazar, Purchasing Director, came before the Court requesting approval of an exemption from competitive bidding on two professional service contracts under treatment services for the Adult Probation Department. This was on their "Treatment Alternatives to Incarceration Program" and the contracts had been sanctioned by CJAD and the Texas Department of Criminal Justice. A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize an exemption from the competitive bidding for professional services for Treatment Associates of the Rio Grande Valley and the Rio Grande Valley Council on ADA, exempting these two under medical exemption.

MOTION CARRIED.
SEE "EXHIBIT S"

13/A/2&3

Mrs. Salazar then asked for authority to enter into contract for the two vendors that were mentioned, Treatment Associates of the Rio Grande Valley and Rio Grande Valley Council on ADA. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to accept and approve the contracts for Treatment Associates of the Rio Grande Valley and Rio Grande Valley Council on ADA.

MOTION CARRIED.
SEE "EXHIBIT S"

13/B

Mrs. Salazar stated that this was the request by Precinct No. Four for the authority to advertise for a 1990 or newer motorgrader. She pointed out that on the specifications, there will be a correction, and this will be for Hidalgo County Precinct No. Four and not Drainage District. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the advertising for bids for the purchase of a used motorgrader, 1990 or newer.

MOTION CARRIED.
SEE "EXHIBIT S"

13/C

Mrs. Salazar pointed out that she would be requesting no action on this item as she had just received from the vendor the proposed contract and there were some changes that

the vendor wished to make. She has not had a chance to forward this to the legal counsel and she would ask that no action be taken at this time.

NO ACTION.
SEE "EXHIBIT S"

13/D

Mrs. Salazar stated that there were five categories under which books were bid and her recommended awards are for general trade editions - Brodart Company; under reference and short discounts - Brodart Company; under children's books (library binding) - Escue & Associates; children's books (reinforced bindings) - Ingram Library Services, Inc. and for paperback editions she was recommending Ingram Library Services Inc.. The County Judge asked her if she worked on percentage of discount of the listed price and Mrs. Salazar replied that she did. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to award bid to the highest percentage of discounts for the purchase of library books for the Hidalgo County Library System, which is multiple vendors.

MOTION CARRIED.
SEE "EXHIBIT S"

13/E

Mrs. Salazar noted that she had a hand out on this item. Commissioner Arcaute then asked basically what the delay was on this project. Judge Ruiz responded by stating that they had gone through a series of steps with regards to design, then a budget of \$90,000 had been set and the bids had come in well above this amount. He added that the issue at this time was whether to accept the low bid which was approximately \$175,000.00, then Commissioners' Court would have to budget an additional \$90,000.00 or he would recommend that they accept the bid and pass a resolution to include it in a potential bond issue that may come up in the near future, like they did on the fifth floor of the administration building. Commissioner Garces then asked if it would be appropriate for them to take action on it now and approve the bid and Mrs. Salazar recommended that they do. Commissioner Rosel then asked if the engineers and architects were recommending the low bid of \$175,000.00 and Mrs. Salazar noted that they were. She mentioned that the reason that it was high was because it was a specialty clinic and they had a lot of containment as it was a tuberculosis/pulmonary clinic and the specialty work that would go into it was not anticipated on the initial estimate. Commissioner Rosel continued the discussion turning to the issue of the bond issue, after which Judge Ruiz indicated that he was at this time recommending the award to GAS Enterprises for the construction of the Hidalgo County Health Clinic, pulmonary clinic project at the low bid price of \$175,000.00 and there would be a contract later on to be brought before this Court and a resolution to include this project in a potential bond issue. A motion was then made by Commissioner Rosel and seconded by Commissioner Garces to this effect.

MOTION CARRIED.
SEE "EXHIBIT S"

13/F

Mrs. Salazar indicated that a bid opening was held on April 16th for a 12-passenger van for the Health Department. She mentioned that after the bid opening she had received some concerns and a request from the Health Department, that they have an immediate need for the van and two bids had been received. She continued by saying that of the two bidders Spikes Ford, the low bidder, would have to order the van and Bert Ogden Motors has a van available and the Health Department is in dire need of this vehicle and she is at this time recommending the higher bidder. She added that it was a larger capacity truck and they have looked at both vehicles and she has informed both bidders of the problem and both had agreed to be present if there was any problem. Steve Crain, the County legal counsel, requested that the Court come back to this item, so as to give him time to look at the letter. Judge Ruiz pointed out

that if there was some kind of exemption, such as "the bid most advantageous", but if there was a great need at this time, he felt that this has been declared properly. Commissioner Arcaute asked if the specs specified delivery date and Mrs. Salazar informed him that they did not but there was a space provided for this information. Commissioner Rosel recommended that they bring this item back the following week and declare it an emergency purchase and Commissioner Arcaute indicated that it was not an emergency purchase. Judge Ruiz inquired as to the need for this vehicle and Mr. J.M. Keenan, from the Health Department informed him that they were presently hauling their vaccines, their mail and their personnel in a nine year old compact pickup truck that has been in the shop twice for maintenance and once for breakdown in the short time that he has been with the County. He added that when they carried medical supplies they use large cases that must be carried in the bed of the truck and the hot weather will be bad for the vaccines. Judge Ruiz asked if this was a bid for a passenger van or for a cargo van and Mr. Keenan explained that it was for a passenger van, where the seats come out to accommodate the supplies. Steve Crain voiced his concern about the emergency status of this request and Judge Ruiz then stated that in order to expedite some time he would recommend that they award the low bid in hopes that they can get the van in four to eight weeks. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to award bid to Spikes Ford as the low bid for the purchase of a passenger van.

MOTION CARRIED.
SEE "EXHIBIT S"

13/G

Mrs. Salazar explained that this was a bid that was opened March 12th and they had quite a number of bidders and she was recommending multiple awards and she had placed it on the backup. She was at this time recommending Astro Supply Company for eleven (11) products; AMC chemical for one (1) product; Blue Star Chemical for three (3) products; Clean-Rite for two (2) products; Gulf Coast Paper for six (6) products; Brown & Joiner for eight (8) products and Century National for ten (10) products. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to award janitorial supplies to the multiple vendors as presented, all being low bid.

MOTION CARRIED.
SEE "EXHIBIT S"

13/H

Mrs. Salazar stated that this item also had a bid opening date of March 12th and they had received seven bids. At this time she was recommending Blue Star Chemicals for four (4) products; Century National for six (6) products; Astro Supply for three (3) products; Brown & Joiner for one (1) product and Gulf Coast Paper for one (1) product. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to award bids for the purchase of industrial chemicals to multiple vendors, as presented and bid is for one year.

MOTION CARRIED.
SEE "EXHIBIT S"

13/I

Mrs. Salazar indicated that there were quite a few items and with the exception of item #142 which is to be used for the trade-in of a new copier, she was requesting that they be declared surplus and there would be an upcoming auction. Judge Ruiz pointed out that there were 281 items listed on the surplus list. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to declare equipment surplus and authorize the Purchasing Agent to dispose of said equipment, as presented.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 14. COUNTY JUDGE'S OFFICE:

- A. Approval of Budget amendment and appropriate funds
- B. Authorize payment of unpaid salary

14/A&B

Judge Ruiz informed the Court that he was requesting a budget amendment and the appropriation of funds and authorization to pay his salary which had been suspended by the Judicial Commission in 1995. He noted that he was suspended for a period of approximately ten (10) months and he had approached the Commission several times on this issue. He had gone on trial in federal court, twice and twice he had been cleared in any wrongdoing. He was making his request at this time because of both of these outcomes and the suspension was done so that he could go on trial, which he did and he was cleared of that. He then asked the Commissioners if they had any comments and/or questions on this issue, after which Commissioner Rosel asked him if he was willing to come up with a statement, as far as his future was concerned and if he was willing to make a statement as to what his future intentions were, at this time. Judge Ruiz indicated that as per the media there has been quite a bit of discussion in terms of his resignation and up until today his demise as County Judge has been greatly exaggerated, but he would like to make it a part of this discussion. He then continued by introducing his wife, Rosie, and eldest daughter, Laura, and mentioned that his other two children, son, Edgar and daughter, Yvette, were angry because they could not be here. He reminisced about his time right after the trial, when he was reinstated as County Judge, after he was pronounced innocent of all charges. It was right after this on the drive back home with his family, that his wife asked him if he was going to go back to the County Judge's Office and he responded that he did not know what the process was but that he was. His wife had indicated that she did not want him to go back and his response at that time was that "from this day on, because you don't want me to go back I'll prepare for leaving" and he had been doing that for the past year. He added that he was been doing this for the past year and the one year of preparation has not helped and it was hard; but he felt that it was important to him and to his family and their future, that he announce his resignation to this Commissioners' Court effective May 20, 1997. He then continued by thanking all his family, his friends, elected officials, residents, and staff for the opportunity that he has been given. He pointed out that he had served as County Clerk for four years and as County Judge for approximately ten and a half years he has enjoyed every minute of it. He noted that it had felt very good when this Court had accomplished the things that they had wanted to accomplish and very depressed when he wasn't able to accomplish those that he would have liked for whatever reason. He said that he had always respected this Commissioners' Court and the voice of the community even if they did not coincide with his ideas and then they would move on to the next issue. He stated that he felt good, not about his leaving, but about those things that he was able to accomplish, and if people were to compare the County before and after he became County Judge they would find that the level of service has been greatly improved. He has helped to establish many programs, such as the Urban County Program, the establishment of the subdivision regulations which have helped to control the colonia problem within Hidalgo County. The most important thing that he has accomplished is to open the doors of County government, both of this Commissioners' Court and the County Judge's Office. He hoped that upon his leaving people would remember that he helped to make this County a better place to live. He again thanked the public, after which Commissioner Rosel expressed his congratulations to the County Judge, because he had made the decision for his family's sake and he added that Judge Ruiz had indeed changed the face of county government here in Hidalgo County, in making it a more hands-on approach on how the public was being serviced. He felt that his actions had erased the ten months that he had been suspended and he had come out with a tenure that was very credible in this County, because he had done an excellent job. He added that he had reviewed this item, for the back pay, and there had been no one more critical about the County Judge than he being that the decision of the suspension of the County Judge was beyond his control, he did not feel that he could hold back this back pay. He then stated that unless legal counsel had any objection to the back pay, he would like for legal counsel to say so. Steve Crain responded by

saying that even though there was nothing on point involving the Judicial Conduct Commission, there was an Attorney General's opinion that was analogous to this situation. He added that they had suggested that if they want they may want to request an opinion from the Attorney General's Office on this particular issue. He has, however, been approached by the County Auditor's Office telling him what he is going to have to do and at this point it really doesn't matter what his opinion is. Commissioner Rosel asked Mr. Crain that from the information that they had received from the Commission on Judicial Conduct, they had taken no position on the back pay and Mr. Crain concurred and the letter that was received from the Commission only indicated that the suspension had been "withdrawn" and it did not address the issue of back pay. Commissioner Garces voiced his concern that he felt that since this issue had not been addressed by the Commission on Judicial Conduct he did not feel that it was appropriate for this Commissioners' Court to take any action on this issue. Judge Ruiz informed him that the reinstatement was automatic and they were not afforded to go before the Commission on this issue, his legal counsel did however ask and their response was that it was a local issue. Commissioner Garces replied that if it was a local issue then maybe a judicial commission should consider this issue. The issue of the suspension letter was then brought to the table by Commissioner Arcaute and the County Auditor requested that he would like a written legal opinion from the County District Attorney before he made any payments. A motion was then made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize a budget amendment and appropriate funds and authorize payment of \$57,678.34, contingent on Mr. Cavazos getting an opinion.

MOTION CARRIED. (COMMISSIONER GARCES VOTED AGAINST THE MOTION)
SEE "EXHIBIT T"

There being no further business to come before this Commissioners' Court, a motion was made by Commissioner Arcaute and seconded by Commissioner Rosel that this meeting be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT #1

The Honorable J. Edgar Ruiz, County Judge, called the Drainage District #1 meeting to order whereupon the following proceedings were had, to-wit:

The County Judge called a ten minute recess so that this Commissioners' Court could address some questions from the media regarding his resignation and the issue of the back pay.

ITEM 1. CLOSED SESSION:

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551,074 to discuss the following matter:

- A. Personnel:
 - 1. Drainage District Manager

ITEM 2. OPEN SESSION:

- A. Personnel:
 - 1. Drainage District Manager

ITEM 3. CLOSED SESSION:

Commissioners' Court may reconvene into Closed Session for the discussion regarding agenda items listed.

ITEM 4. OPEN SESSION:

Commissioners' Court may reconvene into Open Session for the discussion regarding agenda items listed.

1-4

Judge Ruiz reconvened the Drainage District meeting and the Commissioners' Court went into Executive Session. He mentioned that they had interviewed two individuals that had been recruited for the potential position of Drainage District Manager. He then opened the issue for discussion, during which Commissioner Rosel concurred that they had indeed recruited these individuals and he was at this time making a motion to appoint Godfrey Garza as Drainage District Manager and set his salary at \$59,000.00. After a second by Commissioner Arcaute it was put to a vote and it carried.

MOTION CARRIED. (JUDGE RUIZ OPPOSED THE MOTION)

Commissioner Rosel noted that they had neglected to indicate in the motion when the position would become effective and Godfrey Garza indicated that he would need at least a weeks notice. After a brief discussion it was settled that May 15th would be the effective date.

ITEM 5. PURCHASING DEPARTMENT:

A. Authority to Advertise for drainage project in the Weslaco Area

Martha Salazar, the Purchasing Director, informed the Court that this was a project that had been requested by the Drainage District. She mentioned that the project was a flood related construction project and there was an inter-local agreement with the City of Weslaco on this project. A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the advertising for bids for the drainage project in Weslaco, which is a putting pipe underground along Expressway 83 between Mile 6 and Mile 5.

MOTION CARRIED.
SEE EXHIBIT U"

ADDENDUM 1. APPROVAL OF A BUDGET AMENDMENT IN THE AMOUNT OF \$1,002.96

Judge Ruiz explained that this is for an portion that he would have normally received for the ten months that he was suspended. The amount requested is \$1,002.96. A discussion ensued with regards to what this payment would be considered. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute, to approve a budget amendment, as presented.

MOTION CARRIED. (COMMISSIONER VOTED AGAINST THE MOTION)
SEE "EXHIBIT V"

There being no further business to come before the Commission a motion was made by Commissioner Arcaute and seconded by Commissioner Garces to adjourn this meeting of the Drainage District No. One.

MOTION CARRIED.