



Texas Department of Transportation

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN, TEXAS 78779-0001 • (512) 465-7611

April 12, 1996

The Honorable **Ciro Trevino**
Tax Assessor-Collector
Hidalgo County
P O BOX 178
EDINBURG TX 78539

Dear Mr. Trevino:

We appreciate you returning the signed "Agreement For The Use Of State Of Texas Automation Equipment" covering the registration and titling system equipment. Jim Bisson, the department's Assistant Executive Director for Motorist Services, has signed the agreement in accordance with TAC Letter 52-94. This completes all necessary signatures. A copy of the fully signed agreement is attached for your files.

If you have any questions, please contact me at 512/465-7970.

Sincerely,

Robert W. Tanner
Director, Registration and Title
System Project

Attachment

cc: Pharr Regional Office

Office of Tax Assessor-Collector

COUNTY of HIDALGO

Ciro Trevino CTA/RTA

ASSESSOR AND COLLECTOR

EDINBURG, TEXAS 78540-0178

P.O. BOX 178
PHONE: (210) 318-2160
FAX: (210) 318-2733



December 19, 1995

Jerry Dike, Director
Vehicle Title & Registration Division
Registration and Title System Project
4000 Jackson Ave.
Austin, Texas 78731

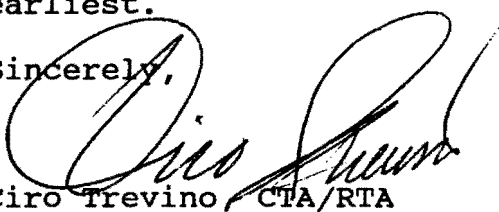
Dear Mr. Dike:

Attached please find signed agreement for the use of State of Texas Automation Equipment and TxDot Equipment Inventory listing.

Upon completion by your Assistant Executive Director, please forward a copy of this agreement for our records.

If you have any questions, please be sure and contact me at your earliest.

Sincerely,


Ciro Trevino CTA/RTA

CT:nc
Encl.

STATE OF TEXAS *
COUNTY OF TRAVIS *

AGREEMENT FOR THE USE OF STATE
OF TEXAS AUTOMATION EQUIPMENT

THIS AGREEMENT, is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State", and the County of Hidalgo, Texas, acting by and through its duly authorized officials, hereinafter called the "County".

W I T N E S S E T H

WHEREAS, the State is statutorily responsible for administering motor vehicle titles and registration pursuant to Texas Civil Statutes, Articles 6675a-1 et seq and 6687-1; and

WHEREAS, the County Tax-Assessor Collector acts as agent for the State in the processing of motor vehicle titles and registration; and

WHEREAS, the State has designed and will furnish an automated system for the uniform registration and titling of motor vehicles, hereinafter identified as the automated registration and title system (RTS); and

WHEREAS, automation equipment is necessary for the processing of motor vehicle titles and registration; and

WHEREAS, the State and the County desire that automation equipment procured by the State, hereinafter identified as the "Equipment", be installed and operated at location(s) under the jurisdiction of the County; and

WHEREAS, associated policies and procedures for the County use of the Equipment are codified in Title 43, Texas Administrative Code (TAC), Section 17.53 - 17.55; and

WHEREAS, the State will furnish the Equipment to the County provided the County agrees to adhere to and comply with those policies and procedures and the requirements established in this Agreement; and

WHEREAS, on the 13TH day of NOVEMBER, 1995, the HIDALGO County Commissioners Court Order or Resolution No. _____, attached hereto and identified as "EXHIBIT A", authorizing the County's execution of this Agreement; and

A G R E E M E N T

NOW, THEREFORE, in consideration of the mutual promises in this Agreement, the parties agree as follows:

1. AGREEMENT TERMS

This Agreement shall become effective on the date of final execution by the State and shall terminate when all Equipment is removed from the County office(s) unless sooner terminated pursuant to Section 16 of this Agreement.

2. EQUIPMENT

The Equipment to be furnished by the State to the County is listed in "Exhibit B", attached hereto and made a part of this Agreement. The State retains full and complete title in the Equipment and nothing in this Agreement shall grant to the County, its officers or employees ownership in the Equipment.

3. EQUIPMENT PROCUREMENT

The State shall purchase all hardware and software that it determines is initially needed to support the RTS in approved County tax office locations.

The State shall purchase all telecommunications cable initially needed to attach the approved County tax office locations to the RTS telecommunications network.

The State shall purchase all telephone lines and equipment initially needed to attach the approved County tax office locations to the RTS network.

4. ADDITIONAL WORKSTATIONS

If a County desires additional workstations (in addition to the Equipment allocated by the State) for the initial implementation of RTS, they may be procured at County expense through the State. The cost of each additional workstation at a site previously designated by the county for initial RTS implementation is listed on the attached schedule (EXHIBIT C, Item 1.).

The cost of the first additional workstation for a County site not previously designated by the County for initial RTS implementation is listed on the attached schedule (EXHIBIT C, Item 2). After the purchase of the first additional workstation for a new county site, the cost of any other workstations for the site is listed on the attached schedule (EXHIBIT C, Item 2.).

There will be an ongoing annual cost to the County for installation, maintenance support, RTS software and network charges for each additional workstation purchased by the County and added to the RTS system. The associated costs for the equipment or services are listed on the attached schedule (EXHIBIT C, Item 3.).

Workstations purchased by the County are the property of the County. However, the loading of any software other than the RTS application or software expressly approved by the State on any workstation used for RTS may cause system problems or workstation processing failure. Service costs incurred for problems resulting from such software being loaded on the workstations are the responsibility of the County.

5. EQUIPMENT INSTALLATION

The State will pay for the costs incurred for the installation of the Equipment as listed in EXHIBIT B, Part 1 in the approved County tax office locations for the automated registration and title system. This payment does not include, nor will the State pay for any County employee time expended, any physical alterations the County may make to its offices to accommodate the Equipment, or for the installation of additional workstations purchased through the State by the County.

The State will pay for installation costs of telecommunications cable and lines as needed to attach to the automated registration and title system network in the approved County tax office locations.

The State will pay for teleprocessing costs associated with the use of the telecommunications network for the Equipment.

6. PROGRAMMING

The State shall perform all computer programming needed for the development and continued support of the automated registration and title system.

7. SECURITY

The County shall be responsible for the physical security and protection of the Equipment installed in its office(s).

8. MAINTENANCE

The State will pay maintenance costs required for the automated registration and title system for at least five (5) years (one year of warranty coverage and four years of maintenance coverage) from the date of installation. This maintenance contract will provide for the technical maintenance support of the Equipment purchased by the State and placed in the approved County tax office locations.

Provision will be made by the State for timely repair or replacement of the Equipment purchased by the State and placed in the approved County tax office locations. The timeframe for such repair/replacement will be as specified in the maintenance clause of the hardware equipment contract.

The State will provide the County with ongoing basic maintenance support for the automated registration and title system Equipment and software.

The County must purchase ongoing basic maintenance support through the State for the additional workstations purchased by the County. The maintenance support provided under this purchase will be the same as that provided by the State. This purchase cost is included in the figure listed in EXHIBIT C, Item 3.

9. EQUIPMENT REPAIR AND REPLACEMENT

The County shall be responsible for full repair or replacement costs for the Equipment in the event the Equipment under State contract that is placed under County control is damaged or lost. The repair cost shall be determined by the Equipment service vendor under contract to the State to provide maintenance service for the Equipment. The replacement cost shall be determined by the cost of equivalent equipment under State contract at the time the damage or loss occurs. In addition, the County shall be responsible for any service costs resulting from problems caused by unauthorized software or hardware residing on the workstations. The Equipment will be monitored electronically. Any unauthorized software detected on the Equipment will be removed electronically.

The County's payment for repair or replacement costs for damaged or lost Equipment, or service costs resulting from problems caused by unauthorized software residing on the workstations, or installation of unauthorized hardware on the State equipment, shall be remitted to the State by the County within 30 days of written request by the State.

10. EQUIPMENT MOVEMENT

The County shall notify the State of its intent to add, move, close, or remodel (if equipment or cabling is affected) any County office in which the Equipment is currently installed, or will need to be installed or removed.

Notification must be in writing and shall be submitted prior to the anticipated date the change will occur. Minimum notification periods:

- . 30 days in the case of an office closing or remodeling,
- . 90 days in the case of an office location change, or
- . 180 days in the case of an additional office location.

The County shall notify the State prior to incidental movement of the workstation equipment within the office in which it is currently housed. A telephone call to the State is sufficient notification in this situation. All calls of this type will be documented by the State and kept on file.

Failure to notify and receive instructions from the State for such equipment moves exposes the County to liability if the Equipment is damaged in the move (see 7. SECURITY). The county shall be liable to the State for all such costs in the event the county fails to notify the State and receive instructions concerning movement of the workstation equipment.

11. UNAUTHORIZED USE OF STATE EQUIPMENT

Unauthorized entry into the Equipment for any reason, including but not limited to attempts to repair the hardware, or to load unapproved software, is expressly prohibited.

The County usage of the Equipment to access County automated systems is subject to prior approval by the State in writing.

The attachment or installation of any unauthorized equipment onto the automated registration and title system network is expressly prohibited.

12. ELECTRICAL REQUIREMENTS

The County shall meet and maintain minimum office electrical requirements as specified by the State for operation of the Equipment.

The County shall be responsible for the payment of all electrical power costs resulting from the operation of the Equipment.

Unless otherwise specified by the State, the Equipment shall remain on 24 hours a day, 7 days a week.

13. INVENTORY OF EQUIPMENT

The State is authorized access to the Equipment to perform a physical inventory at the County office locations during regular county business hours.

In order to maintain an accurate inventory of the Equipment, the County shall notify the State in writing of any equipment replacement.

14. TRAINING

The State shall provide on-site initial training for the County's employees on the automated registration and title system. The training plan must be reviewed and agreed to by the County prior to the implementation of the system. Training of deputies on the RTS after implementation of the automated system in the County will be the responsibility of the County.

The State will provide the counties with reference manuals for the automated registration and title system.

The State will provide the County with continuing training/advisory support on the automated registration and title system.

15. SUPPLIES

The State will provide the County with an adequate supply of continuous form paper to be used solely in conjunction with the automated registration and title system.

16. TERMINATION

This Agreement may be terminated by any of the following conditions:

- A. By mutual consent and Agreement of the parties hereto.
- B. By either party, upon thirty (30) days written notice to the other party.
- C. By the State, should it determine that the County, at any time, has failed to comply with the requirements of this Agreement.

Should the Agreement be terminated for any of the above conditions, the County shall allow removal of the Equipment by the State within a period established by the State.

17. AMENDMENTS

Any changes in the terms and conditions of this Agreement must be enacted by a written amendment executed by State and the County.

18. PRIOR AGREEMENTS SUPERSEDED

This Agreement constitutes the sole and only Agreement of the parties hereto and supersedes any prior understandings and/or written agreements between the State and the County respecting the subject matter described herein.

EXHIBIT A

IN TESTIMONY HEREOF, the parties to this Agreement have caused these presents to be executed in duplicate counterparts.

THE COUNTY OF Hidalgo, TEXAS

By: _____
County Judge

Date: NOVEMBER 13, 1995

By: _____
County Tax Assessor-Collector

Date: _____

ATTEST: _____
County Clerk



THE STATE OF TEXAS

Executed for the Executive Director and approved by the Texas Transportation Commission under the authority of Minute Order No. 100002 and Administrative Circular 15-93, for the purpose and effect of activating and carrying out the orders, established policies or work programs heretofore approved by the Texas Transportation Commission.

By: _____
Assistant Executive Director for Motorist Services

Date: 1 Apr 96

**EXHIBIT B
PART 1**

TxDOT EQUIPMENT INVENTORY ALLOCATION

County: _____

Date: _____

County Office Locations:

LOCATION 1: _____

TxDOT Equipment Workstations _____

LOCATION 2: _____

TxDOT Equipment Workstations _____

LOCATION 3: _____

TxDOT Equipment Workstations _____

Total TxDOT Equipment Workstations _____

◆◆◆ SEE ATTACHED TxDOT EQUIPMENT LISTING ◆◆◆

"See Attached"

EXHIBIT B

Part 1

TxDOT EQUIPMENT INVENTORY ALLOCATION

County: HIDALGO

Date: OCTOBER 11, 1995

County Office Locations:

LOCATION 1: EDINBURG OFFICE

TxDOT Equipment Workstations 9

LOCATION 2: MCALLEN OFFICE

TxDOT Equipment Workstations 12

LOCATION 3: MISSION OFFICE

TxDOT Equipment Workstations 6

LOCATION 4: WESLACO OFFICE

TxDOT Equipment Workstations 7

Total TxDOT Equipment Workstations 34

III SEE ATTACHED TxDOT EQUIPMENT LISTING III

RTS HARDWARE INVENTORY 11-Oct-95

RTS EQUIPMENT LOCATIONS

471139	CASH DRAWER	N/A	EDINBURG
471148	CASH DRAWER	N/A	EDINBURG
471149	CASH DRAWER	N/A	EDINBURG
471150	CASH DRAWER	N/A	EDINBURG
471152	CASH DRAWER	N/A	EDINBURG
471156	CASH DRAWER	N/A	EDINBURG
471157	CASH DRAWER	N/A	EDINBURG
473452	CITIZEN GSX 240	AKBH030679	EDINBURG
473699	CITIZEN GSX 240	AKBH023701	EDINBURG
473700	CITIZEN GSX 240	AKBH023702	EDINBURG
473701	CITIZEN GSX 240	AKBH023703	EDINBURG
473702	CITIZEN GSX 240	AKBH023704	EDINBURG
473707	CITIZEN GSX 240	AKBH023784	EDINBURG
473709	CITIZEN GSX 240	AKBH023796	EDINBURG
473711	CITIZEN GSX 240	AKBH023798	EDINBURG
473987	CITIZEN GSX 240	AKBH012818	EDINBURG
468259	MICROSOFT MOUSE	1056128	EDINBURG
467191	NCR 3325 486	1529484263	EDINBURG (R1080300)
467275	NCR 3325 486	1529484367	EDINBURG (R1080301)
467278	NCR 3325 486	1529484372	EDINBURG (R1080250)
467290	NCR 3325 486	1529484389	EDINBURG (R1080200)
470013	NCR 3325 486	1529082665	EDINBURG (R1080000)
470094	NCR 3325 486	1529083522	EDINBURG (R1080304)
470099	NCR 3325 486	1529083519	EDINBURG (R1080100)
470585	NCR 3325 486	1529498359	EDINBURG (R1080303)
470591	NCR 3325 486	1529099686	EDINBURG (R1080302)
472260	SVGA MONITOR	1725697818	EDINBURG
472265	SVGA MONITOR	1725697697	EDINBURG
472267	SVGA MONITOR	1725697814	EDINBURG
472270	SVGA MONITOR	1725697806	EDINBURG
472272	SVGA MONITOR	1725697827	EDINBURG
472273	SVGA MONITOR	1725697831	EDINBURG
541863	SVGA MONITOR	1726940416	EDINBURG
541868	SVGA MONITOR	1726940421	EDINBURG
541869	SVGA MONITOR	1726940422	EDINBURG
468732	UPS	LI17KF04618	EDINBURG

HARDWARE INVENTORY 11-Oct-95

RTS EQUIPMENT LOCATIONS

471140	CASH DRAWER	N/A	MCALLEN
471142	CASH DRAWER	N/A	MCALLEN
471185	CASH DRAWER	N/A	MCALLEN
471186	CASH DRAWER	N/A	MCALLEN
471187	CASH DRAWER	N/A	MCALLEN
471188	CASH DRAWER	N/A	MCALLEN
471189	CASH DRAWER	N/A	MCALLEN
471190	CASH DRAWER	N/A	MCALLEN
471191	CASH DRAWER	N/A	MCALLEN
471192	CASH DRAWER	N/A	MCALLEN
471193	CASH DRAWER	N/A	MCALLEN
471194	CASH DRAWER	N/A	MCALLEN
471195	CASH DRAWER	N/A	MCALLEN
471196	CASH DRAWER	N/A	MCALLEN
473829	CITIZEN GSX 240	AKBH030651	MCALLEN
473830	CITIZEN GSX 240	AKBH030652	MCALLEN
473831	CITIZEN GSX 240	AKBH030653	MCALLEN
473832	CITIZEN GSX 240	AKBH030654	MCALLEN
473834	CITIZEN GSX 240	AKBH030655	MCALLEN
473840	CITIZEN GSX 240	AKBH030646	MCALLEN
473841	CITIZEN GSX 240	AKBH030647	MCALLEN
473842	CITIZEN GSX 240	AKBH030648	MCALLEN
473846	CITIZEN GSX 240	AKBH030842	MCALLEN
473847	CITIZEN GSX 240	AKBH030843	MCALLEN
473848	CITIZEN GSX 240	AKBH030844	MCALLEN
473849	CITIZEN GSX 240	AKBH030845	MCALLEN
468298	MICROSOFT MOUSE	1056175	MCALLEN
470176	NCR 3325 486	1529090386	MCALLEN (R1082314)
470178	NCR 3325 486	1529094280	MCALLEN (R1082312)
470184	NCR 3325 486	1529094295	MCALLEN (R1082316)
470186	NCR 3325 486	1529094296	MCALLEN (R1082318)
470187	NCR 3325 486	1529094299	MCALLEN (R1082313)
470192	NCR 3325 486	1529094293	MCALLEN (R1082311)
470200	NCR 3325 486	1529090407	MCALLEN (R1082317)
541608	NCR 3325 486	1529308680	MCALLEN (R1082102)
541611	NCR 3325 486	1529308684	MCALLEN (R1082202)
541630	NCR 3325 486	1529308703	MCALLEN (R1082002)
541633	NCR 3325 486	1529308706	MCALLEN (R1082315)
541671	NCR 3325 486	1529308744	MCALLEN (R1082252)
541839	SVGA MONITOR	1726940354	MCALLEN
541847	SVGA MONITOR	1726940319	MCALLEN
541851	SVGA MONITOR	1726940314	MCALLEN
541885	SVGA MONITOR	1726940461	MCALLEN
541926	SVGA MONITOR	1726940324	MCALLEN
541955	SVGA MONITOR	1726940653	MCALLEN
541956	SVGA MONITOR	1726940655	MCALLEN
541959	SVGA MONITOR	1726940690	MCALLEN
541960	SVGA MONITOR	1726940691	MCALLEN
541962	SVGA MONITOR	1726940294	MCALLEN
541971	SVGA MONITOR	1726940709	MCALLEN
541972	SVGA MONITOR	1726940710	MCALLEN
541710	UPS	LI17KF05152	MCALLEN

RTS HARDWARE INVENTORY 11-Oct-95

RTS EQUIPMENT LOCATIONS

471164	CASH DRAWER	N/A	MISSION
471166	CASH DRAWER	N/A	MISSION
471167	CASH DRAWER	N/A	MISSION
471169	CASH DRAWER	N/A	MISSION
471170	CASH DRAWER	N/A	MISSION
471171	CASH DRAWER	N/A	MISSION
473824	CITIZEN GSX 240	AKBH030626	MISSION
473826	CITIZEN GSX 240	AKBH030628	MISSION
473827	CITIZEN GSX 240	AKBH030629	MISSION
473828	CITIZEN GSX 240	AKBH030630	MISSION
473843	CITIZEN GSX 240	AKBH030649	MISSION
473844	CITIZEN GSX 240	AKBH030650	MISSION
468251	MICROSOFT MOUSE	1056139	MISSION
470179	NCR 3325 486	1529094281	MISSION (R1081201)
470185	NCR 3325 486	1529094292	MISSION (R1081251)
470193	NCR 3325 486	1529094287	MISSION (R1081306)
470195	NCR 3325 486	1529094290	MISSION (R1081307)
541606	NCR 3325 486	1529308678	MISSION (R1081101)
541666	NCR 3325 486	1529308739	MISSION (R1081001)
541852	SVGA MONITOR	1726940293	MISSION
541884	SVGA MONITOR	1726940460	MISSION
541913	SVGA MONITOR	1726940329	MISSION
541914	SVGA MONITOR	1726940507	MISSION
541938	SVGA MONITOR	1726940327	MISSION
541965	SVGA MONITOR	1726940320	MISSION
541708	UPS	LI17KF05150	MISSION

HARDWARE INVENTORY 11-Oct-95

RTS EQUIPMENT LOCATIONS

471198	CASH DRAWER	N/A	WESLACO
471207	CASH DRAWER	N/A	WESLACO
471210	CASH DRAWER	N/A	WESLACO
471213	CASH DRAWER	N/A	WESLACO
471214	CASH DRAWER	N/A	WESLACO
471215	CASH DRAWER	N/A	WESLACO
471217	CASH DRAWER	N/A	WESLACO
473815	CITIZEN GSX 240	AKBH030632	WESLACO
473819	CITIZEN GSX 240	AKBH027386	WESLACO
473820	CITIZEN GSX 240	AKBH027387	WESLACO
473821	CITIZEN GSX 240	AKBH027388	WESLACO
473822	CITIZEN GSX 240	AKBH027389	WESLACO
473823	CITIZEN GSX 240	AKBH027390	WESLACO
473845	CITIZEN GSX 240	AKBH030841	WESLACO
468297	MICROSOFT MOUSE	1056171	WESLACO
470182	NCR 3325 486	1529094288	WESLACO (R1083323)
470194	NCR 3325 486	1529094298	WESLACO (R1083253)
541294	NCR 3325 486	1529308764	WESLACO (R1083322)
541609	NCR 3325 486	1529308681	WESLACO (R1083003)
541634	NCR 3325 486	1529308707	WESLACO (R1083103)
541668	NCR 3325 486	1529308741	WESLACO (R1083321)
541669	NCR 3325 486	1529308742	WESLACO (R1083203)
541840	SVGA MONITOR	1726940356	WESLACO
541841	SVGA MONITOR	1726940357	WESLACO
541843	SVGA MONITOR	1726940364	WESLACO
541844	SVGA MONITOR	1726940365	WESLACO
541845	SVGA MONITOR	1726940366	WESLACO
541879	SVGA MONITOR	1726940449	WESLACO
541881	SVGA MONITOR	1726940452	WESLACO
474512	UPS	LI17KF04135	WESLACO

EXHIBIT C

1. If a County desires additional workstations (in addition to the Equipment allocated by the State) for the initial implementation of RTS, they may be procured at County expense through the department. The cost of each additional workstation at a site previously designated by the county for initial RTS implementation is \$7,500.
2. The cost of the first additional workstation for a County site not previously designated by the County for initial RTS implementation is \$10,000.

After the purchase of the first additional workstation for a new county site, the cost of any other workstations for the site is \$7,500 per workstation.

3. There will be an ongoing annual cost to the County for installation, maintenance support, RTS software and network charges for each additional workstation purchased by the County and added to the RTS system. The cost for these areas is \$1,000 per year for each workstation.



Texas Department of Transportation

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN, TEXAS 78779-0001 • (512) 465-7611

October 3, 1994

TAC LTR 52-94

TO: ALL COUNTY TAX ASSESSOR-COLLECTORS

SUBJECT: REGISTRATION AND TITLE SYSTEM (RTS) AGREEMENT FORM

Implementation of the automated Registration and Title System (RTS) begins with the Austin Region in late November, 1994. The conditions for installation and operation of the RTS automated equipment in the counties, and the requirement that an agreement form be signed by the department and counties are set forth under Title 43, Texas Administrative Code (TAC), Section 17.53 -17.55 (see attached).

Please review the attached AGREEMENT FOR THE USE OF STATE OF TEXAS AUTOMATION EQUIPMENT form carefully. To ensure a full understanding of its provisions, we suggest that you and the county judge meet to discuss the document. Completion of the form will involve a two step process.

STEP 1 - APPROVAL AND SIGNING OF THE AGREEMENT FORM: Once the county agrees to the terms and conditions defined in the agreement form, the County Commissioners Court is directed by the Texas Administrative Code to signify such approval through passage of an Order or Resolution authorizing the County's execution of this agreement (Section 17.55).

We request that you initiate this process at the earliest opportunity. Once the agreement form is signed by the County Judge, and County Tax Assessor-Collector, and attested to by the County Clerk, the original or certified copy of the enabling Order or Resolution and the original copy of the signed agreement form should be forwarded to the department as soon as possible, but no later than 60 days prior to the scheduled RTS implementation date for the county.

The mailing address for these documents is:

Vehicle Titles and Registration Division
Registration and Title System Project
4000 Jackson Ave.
Austin, Tx 78731

Once received from the county and signed by the department's Assistant Executive Director for Motorist Services, the original copy of the completed agreement form will be retained by the department, and a copy will be returned to the county.

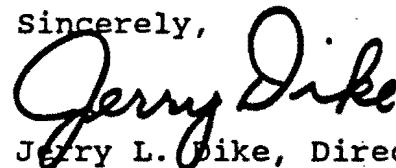
*all
envelope
in
all*

October 3, 1994

STEP 2 - SIGNING OF EXHIBIT B, Part 2: Upon installation of the state-procured RTS equipment, the EXHIBIT B, Part 2, TxDOT EQUIPMENT INVENTORY LISTING section of the agreement form will be completed by the department. Upon verification by the county that the listed equipment is in place, the County Tax Assessor-Collector and Vehicle Titles and Registration Division representative shall sign as indicated. A copy of this completed section will be retained by the county and the original forwarded to the department at the address shown above for attachment to the department's copy of the signed agreement form submitted by the county.

We appreciate your cooperation and prompt response on this very important matter. Should you have any questions regarding this document you may contact me or Lawrance Smith at 512/465-7570, or Bob Braden and Mike Craig at 465-7970.

Sincerely,



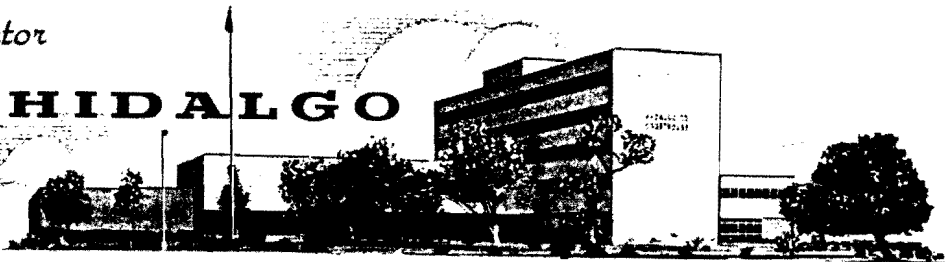
Jerry L. Dike, Director
Vehicle Titles and
Registration Division

JLD:MC:cs

Attachments

Office of Tax Assessor-Collector

COUNTY of HIDALGO



Ciro Trevino CJA/RPA

ASSESSOR AND COLLECTOR

EDINBURG, TEXAS 78540-0178

Automobile License Dept.

P.O. Box 178

(210) 318-2158

FAX (210) 318-2733

March 11, 1996

Jerry Dike, Director
Vehicle Title And Registration Division
Registration And Title System Project
4000 Jackson Avenue
Austin, Texas 78731


Att'n: Danny Garza
Acting Chief Of Field Operations

Dear Mr. Garza:

Attached is a certified copy of the Hidalgo County Board Minutes wherein the Agreement for the use of State Of Texas Automotion Equipment was approved. The signed agreement was previously transmitted on December 19, 1995 to Mr. Jerry Dike, Director.

Upon completion by your Assistant Executive Director, please forward a copy of this agreement for our records. If you have any questions, please be sure and contact me at your earliest.

Sincerely,


Ciro Trevino - CJA/RTA
Tax Assessor & Collector

CT:cd
Attachments

cc: Mr. Arnaldo Morin, Department Supervisor

C E R T I F I C A T E

I, JOSE ELOY PULIDO, County Clerk of Hidalgo County, Texas and Ex-officio Clerk of the Commissioners' Court of said County do hereby certify that the above and foregoing is a true and correct copy of the MINUTES adopted by the Commissioners' Court of Hidalgo County, Texas on the 13TH day of NOVEMBER, 1995, at a REGULAR MEETING of the Court, and which adoption appears in the Minutes of the Commissioners' Court of Record in my office.

WITNESS my Hand and the Seal of said Office at Edinburg, Texas this 11TH day of MARCH, 1995.

JOSE ELOY PULIDO, COUNTY CLERK
and Ex-officio Clerk of the
Commissioners' Court

By:

Aaron Betancourt
AARON BETANCOURT, Deputy



THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 13TH day of NOVEMBER, 1995, after due notice having been given, there was begun and holden, a REGULAR MEETING of the Commissioners' Court and the Drainage District, in the Commissioners' Courtroom of the Administration Building in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. Richard H. Garcia
Interim County Judge

Hon. Samuel Sanchez
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Juan Rosel
County Commissioner, Precinct #3

Hon. Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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EMBER 13, 1995

The Honorable Richard H. Garcia, Interim 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 - #114903 - #115093 - \$243,849.33
SPECIAL REVENUE FUND - #115169 - #115284 - \$260,566.72
TRUST AND AGENCY FUND - # 5106 - # 5108 - \$ 27,349.80
ENTERPRISE FUND - # 2457 - # 2460 - \$ 122.60

(SEE EXHIBIT A)

ITEM 2. APPROVAL OF MINUTES - JULY 18, 1995

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

1. JUSTICE OF THE PEACE:

A. RUBEN RAMOS - \$10,144.51

(SEE EXHIBIT B)

ITEM 4. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

1. AMENDED PLAT OF LOTS 1 & 2, PHASE I, SUNRISE SUBDIVISION - PCT. #4

(SEE EXHIBIT C)

ITEM 5. INTERNAL LINE ITEM TRANSFERS:

- A. CONSTABLE - PCT. #5
- B. PLANNING DEPARTMENT
- C. LIBRARY SYSTEM
- D. COUNTY COURT AT LAW #1
- E. TREASURER
- F. LANDFILL
- G. HUMAN SERVICES
- H. DISTRICT CLERK
- I. WARRANT OFFICERS DIVISION
- J. SOLID WASTE ENFORCEMENT
- K. CONSTABLE - PCT. #2
- L. SHERIFF'S DEPARTMENT (JAIL)

(SEE EXHIBIT D)

ITEM 6. PERMITS:

- A. NORTH ALAMO WATER SUPPLY - PCT. #1 & #4
- B. SOUTHWESTERN BELL - PCT. #4

(SEE EXHIBIT E)

Judge Garcia opened by stating that the only correction was the addition of the Approval of Bills by the County Auditor. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to accept and approve the Consent Agenda.

MOTION CARRIED

(SEE EXHIBITS A-E)

REGULAR AGENDA

=====

ITEM 1. PRESENTATION OF SERVICE AWARD PLAQUES - HIDALGO COUNTY HISTORICAL COMMISSION - DENICE KEMP

Denice Kemp stated that she wanted to present these plaques to the Commission. She stated that in the past 2 years, there have been great accomplishments. They are on the verge of establishing 100 historical markers in Hidalgo County. She also stated that they work in concert with other historical organizations. After further comments from Ms. Kemp, she presented the Distinguished Service Award for '93 and '94.

NO ACTION
(NO EXHIBIT)

ITEM 2. VOTE ON THE APPRAISAL DISTRICT BOARD OF DIRECTORS

Mando Barrera opened by stating that these were the official votes that have been casted at the Appraisal District. Ken Crews had 915 votes, Ricardo Cuellar had 80, Mario Dominguez had 130, Richard Garza had 650, Amador Requenez had 520 and Ruben Yzaguirre had 95. This is a Talley Sheet as of 3:30 p.m. He stated that prior to this meeting, he had gotten some additional information which he had to deem unofficial since he has not been able to verify it. Mr. Barrera stated that a total of 816 votes were needed to be on the Board of Directors. It is possible to get on the Board with less. After further comments regarding who needed how many votes to get on to the Board and who was currently on it, Mr. Yzaguirre, Chairman of the Board, stated that the last time this was voted on, the Commission had split the votes among five candidates because the City of McAllen had enough votes to vote their own representative. Commissioner Garces stated the figures including the unofficial figures that had been received prior to the meeting. Ken Crews was already over the amount needed, Ricardo Cuellar unofficially had 440, Mario Dominguez had 390, Amador Requenez has 690, Richard Garza had 650 and Ruben Yzaguirre has 95. With the extra 935 votes, Richard Garza, Amador Requenez and Mario Dominguez would have the number of votes needed to be selected to the Board of Directors. These numbers are not yet official. They are still some cities that have yet to vote. The Commission is trying to have more than one representative on this Board as opposed to the previous year when they only had one representative. After further comments from the Commission, Commissioner Garces moved to accept the break of the votes that we have as a County as mentioned. 426 for Mr. Dominguez, 166 for Richard Garza, 126 for Amador Requenez and the balance 222 for Ruben Yzaguirre. Commissioner Rosel seconded the motion. There was some discussion and some questions regarding how to distribute the County votes in which there was some uncertainty as to how to distribute them. Commissioner Arcaute then suggested that they leave this matter for the end of the meeting. At this time Commissioner Garces withdrew his motion. They moved on to the next item.

ITEM 3. CANVASSING OF THE NOVEMBER 7, 1995 SULLIVAN CITY ELECTION

Noe Perez opened by stating that the total number of votes casted in the November 7 election was 626. 259 were in favor and 358 were against. A motion was then made by Commissioner Rosel and was

seconded by Commissioner Garces to accept the canvassing as announced by Noe Perez.

MOTION CARRIED
(SEE EXHIBIT G)

ITEM 4. PRESENTAION ON THE TEX-CARE HEALTH NETWORKS PROPOSAL FOR HIDALGO COUNTY - MELISSA SOLIS

V. Kumar opened by stating that this Association had submitted a bid to the Texas Department of Health for the Medicaid Manage Care Program. The figures he was showing on the overhead projector were the number of people elegeible for medicaid. That number was 1.9 million. This figure was the 1993 figure. There are 109,000 members in Hidalgo County alone and the County is spending \$169,000,000. Mr. Swami feels that if some type of entity is formed between the County and the Department of Health, the cost that is currently being expended would decrease. He believes that this would work because it has worked in other states. After further questions and comments, Judge Garcia moved on to the next item.

NO ACTION
(SEE EXHIBIT G)

ITEM 5. AUTHORIZAITON AND APPROVAL OF APPOINTMENTS TO THE HIDALGO COUNTY CHILD PROTECTIVE SERVICES BOARD

Jose Borrego, Vice Chariperson of the Hidalgo Child Protective Services Board and Diana Gonzalez, Department Head, introduced themselves to the Commission. They are seeking the appointment of three board members. Currently, they are six short and these are three of those six. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the names of Maricelda Garcia from Mission, Maria Alicia De Leon also from Mission and Osbaldo Quintanilla as the new members of the Child Protective Services Board.

MOTION CARRIED
(SEE EXHIBIT H)

ITEM 6. TAX ASSESSOR/COLLECTOR:
A. APPROVAL OF AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF HIDALGO - AUTOMATED REGISTRATION AND TITLE SYSTEM (RTS)

Arnoldo Morin stated that this was an agreement between the State Highway Department and the County of Hidalgo for an Automated Registration and Title System. He stated that the Highway Department had installed 34 work stations in the Hidalgo County Auto License Department. This equipment will be taken care of by the Auto License Department. This system will facilitate the process of receiving vehicle titles in a shorter amount of time. The systems are in various locations are complete with everything that is needed for this system to operate. He also stated that they are on line with the State. Mr. Crain addressed the Court and informed them that there were some additions. The state will provide for the initial stations including the cost of the hardware and they will provide maintenance for those initial stations for a five year period afterwhich, that expense will

be resumed by the County. Any additional station that the County may want in future will have to be paid for and maintained by the County. The cost may not be the same as it is right now. If they are acquired in the future, they will have to pay whatever the cost may be at that time. This agreement will help the Tax Office in the sense that the equipment that was being used the Auto License Department for this purpose, will now be able to be utilized by the Tax Office for tax purposes. There will be no expense to the County per this agreement, unless the County decides to add additional work stations. The County will be responsible for their safety, their security and any damages to the machines. If any of these things occur, then we are liable to the State for replacement. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Agreement between Texas Department of Transportation and the County of Hidalgo for the Automated Registration and Title System.

MOTION CARRIED
(SEE EXHIBIT I)

ITEM 7. URBAN COUNTY:

- A. CITY OF PENITAS - BUDGET AMENDMENT
- B. PCT. 1, 2, 3 & 4 AND COUNTY WIDE - SUBRECEPIENT AGREEMENT/
CASA
- C. HOME - FIRST TIME HOMEBUYER CONTRACT AGREEMENTS AND LETTER
OF COMMITMENT TO MORTGAGE COMPANY
- D. PCT. #4 - YEAR 8 CONTRACT AWARD - STREET IMPROVEMENTS PRO-
JECT

7A

Mr. Covacevich stated that this was a budget amendment to move \$32,333.33 from unprogrammed funds to the water and sewer improvement line item. This is for the project of upgrading water lines and adding fire hydrants. Commissioner Rosel so moved and was seconded by Commissioner Garces to approve the budget amendment.

MOTION CARRIED
(SEE EXHIBIT J)

7B

Mr. Covacevich stated that this was an agreement with the Court Appointed Special Advocate Program. This is a \$10,000 contract for abused and neglected children. This will reflect a \$2,000 debit to each precinct and County Wide. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces and Sanchez to approve the subreceptient agreement.

MOTION CARRIED
(SEE EXHIBIT J)

7C

Anthony Covacevich stated that all of these families (10) qualified for the First Time Homebuyer Program and he recommended approval. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the agreements and grant permission to issue the letters of commitment.

MOTION CARRIED

(SEE EXHIBIT J)

7D

Mr. Covacevich informed the Court that Mission Paving was the low bidder among three bidders. The amount of the contract is \$144,477.85 and there is \$166,505.59 in this line item. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to award the contract to Mission Paving.

MOTION CARRIED
(SEE EXHIBIT J)

ITEM 8. ADULT PROBATION:

- A. APPROVAL OF FY - 96 CONTRACTS:
1. DR. MARIN GARZA - RESTITUTION CENTER
 2. DR. OMAR GARZA - BOOT CAMP
 3. DR. GREGORIO PINA - SEX OFFENDER PROGRAM
 4. DAVID CASTRO - BOOT CAMP PHARMACIST

8A1

Joe Lopez opened by stating that this was for Physicals required for residents going into the restitution center. The reimbursement for this contract is \$50 per physical which is paid by the resident and not by the County or not with State funds. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve the contract with Dr. Marin Garza and also to exempt it from the normal bidding procedures for professional services.

MOTION CARRIED
(SEE EXHIBIT K)

8A2

Commissioner Rosel asked if there was a conflict of interest with this contract since Dr. Omar Garza is the Health Director. There was some question as to whether Dr. Garza could conduct these services and legal counsel stated that it could be done if the Commission so desired because of the fact that Dr. Garza was under contract for the position of Medical Director and not directly employed by the County. The Commission did not feel that this should occur because Dr. Garza would be getting two checks from the County. Judge Garcia then stated that no action would be taken at this time.

NO ACTION
(SEE EXHIBIT K)

8A3

Mr. Lopez stated that this contract was for the purpose of counseling and that it would not exceed \$24,000 and it may be even less. This is just a renewal from the previous year. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve the contract with Dr. Pina and exempt it from the bidding process.

MOTION CARRIED
(SEE EXHIBIT K)

8A4

Mr. Lopez stated that Dr. Castro is the one that performs the services in the infirmary. He orders the prescription drugs and issues them. He also prepares and enforces the guidelines for the operation of the infirmary. His pay is \$800 per month at an annual salary of \$9,600. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the contract with David Castro and exempt it from the bidding procedure.

MOTION CARRIED
(SEE EXHIBIT K)

ITEM 9. BUILDINGS AND GROUNDS:

- A. REQUEST TO ADVERTISE - ELEVATOR REPAIRS
- B. AUTHORIZATION AND APPROVAL TO CREATE AN ASSISTANT SUPERINTENDENT POSITION
- C. SET SALARY
- D. BUDGET AMENDMENT
- E. AUTHORIZATION AND APPROVAL TO EXEMPT FROM THE PURCHASING POLICY REPAIRS FOR LIGHTS AT THE ADMINISTRATION PARKING LOT AREA
- F. AUTHORIZATION AND APPROVAL OF PAYMENT TO McCLELLAND ELECTRIC CO.

9A

Dick Dickinson opened by stating that the contract for elevator repairs had been reviewed and that contract was for day to day services and not for specific repairs. This contract had been reviewed by Legal Counsel and he is the one that made the determination. After further comments, a motion was made by Commissioner Arcuate and was seconded by Commissioner Sanchez to approve the request.

MOTION CARRIED
(SEE EXHIBIT L)

9B,C&D

Mr. Dickinson opened by stating that the 96 Fiscal Year was the last year to comply with the Americans with Disabilities Act. In order to comply with this act, it is estimated that it will cost the County 1/2 million to 1 million dollars to make necessary adjustments to all County buildings. It is for this reason that they are seeking the position of Assistant Superintendent. They want someone to look out for the County's best interest. Mr. Dickinson felt that the People that were in Building and Grounds at this time, were not quite capable enough to cover the area of expertise that he is describing at this time. They are very capable in their particular areas but not in every thing he is describing at this time. Mr. Hernandez stated that he was not aware of this new position Mr. Dickinson was seeking and he was under the impression that they were going to contract with someone for compliance with ADA. Mr. Hernandez felt that his people were also capable of conducting such a task. The Commission did not feel that this position was needed at this time. After further comments, Judge Garcia stated that no action was to be taken at this time concerning items B, C & D.

NO ACTION

9E&F

Mr. Dickinson opened by stating that they had requested that McClelland Electric come and give an estimate as to how much the lights that were inoperable in the Administration Parking Lot would be to repair. These were the instructions handed down by the County Judge's Office. Somewhere along the line, there was a breakdown in communications and McClelland Electric went ahead and conducted the repairs to the lights. The amount of the work done before they were told to stop after it was discovered that they were indeed repairing the lights, is \$1,080 and the estimated total is \$1,328. Commissioner Rosel made a motion for approval to exempt from the General Policy for repairs of the Administration Parking Lot in the amount of \$1,328. Mr. Hernandez then intervened and informed the Court that they had this problem in the past and it was rectified for \$22 per bulb. The total amount was approximately \$300 to \$400. There is also a scaffold that can reach these lights they are referring to at this time. The motion was seconded by Commissioner Garces. There were some concerns as to the price of the light bulbs that were installed for the price of \$308 and Judge Garcia wanted to know why these items cost so much. It was clarified by Mr. Hernandez that the reason for this is because they are a special type of bulb. He did state however, that the problem was corrected in the past with the \$22 light bulbs. Mr. Quintanilla then addressed the Court with regards to how the misunderstanding occurred, where he stated that the misunderstanding occurred somewhere between the Judge's Office and the electric company. After further comments regarding work order forms and repair order forms being created to avoid this in the future and how the process should have gone, Commissioner Rosel withdrew his motion and Judge Garcia stated that there was no action at this time. There was also no action for item F.

NO ACTION
(SEE EXHIBIT L)

ITEM 10. SHERIFF'S DEPARTMENT:

- A. AUTHORIZATION AND APPROVAL TO PAY AN INVOICE IN THE AMOUNT OF \$4,375.52 FOR THE PURCHASE OF TIRES NOT UNDER STATE BID IN ACCORDANCE WITH COUNTY PURCHASING POLICIES AND PROCEDURES

Ramiro Castellano addressed the Court and stated that he was requesting payment on this invoice in the amount of \$4,375.52 to Good-year service Center. He stated that the Auditor had denied payment due to the fact that these tires are not on the State bid contract. He mentioned that they overlooked the fact that these tires were not under state bid. He stated that this was not the first time these tires had been purchased. Everytime that they have been purchased in the past, the Auditor did pay them. He also stated that this problem was also on the part of the General Services Administration and the reason for this was because the wrong product code was on the list. He also stated, after being asked by Commissioner Rosel, that they did not have three quotes due to the fact they were under the impression that it was under state bid. After further comments with regards to where the confusion lied, A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize and approve to pay an invoice in the amount of \$4,375.52 for the purchase of tires not under state bid but tires that needed to be purchased to comply with the previous purchases of the Sheriff's Department needs and purposes.

MOTION CARRIED
(SEE EXHIBIT M)

- ITEM 11. COUNTY JUDGE:
- A. AUTHORIZATION AND APPROVAL TO CREATE NEW POSITION
 - B. SET SALARY
 - C. BUDGET AMENDMENT

11A, B&C

Commissioner Rosel stated that he had talked with all the Commissioners and he felt that it was their wish to delay this action until they had more time to evaluate the needs of this department. At this time, Judge Garcia stated that there be no action at this time, until they've had time to reevaluate the situation.

NO ACTION
(SEE EXHIBIT N)

- ITEM 12. BUDGET AMENDMENT:
- A. DISTRICT CLERK

Marti Salazar opened this item by stating that the deputy for the District Clerk was mistaken on the date of this Commissioner's Court Meeting. She stated that this was a budget amendment for the line item of postage. After further comments among the Commission, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the budget amendment as requested by the District Clerk's Office in the amount of \$5,855.14 for postage.

MOTION CARRIED
(SEE EXHIBIT O)

- ITEM 13. DECLARE EQUIPMENT SURPLUS:
- A. OFFICE EQUIPMENT - MASTER COURT #1

A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to declare equipment surplus out of Master Court No. 1 as listed on the transfer form.

MOTION CARRIED
(SEE EXHIBIT P)

- ITEM 14. PCT. 2:
- A. AUTHORIZATION AND APPROVAL TO APPROPRIATE \$17,441.76 INTO ACCT. #5-040-431-210 FROM THE UNAPPROPRIATED FUND BALANCE

Commissioner Arcaute stated that this amount came from the Culvert Pipe reimbursement from the monies that are escrowed or so he thought. Valde Guerra stated that he had spoken with a representative from the Auditor's Office and they informed him that this money came from the unappropriated fund balance. After some comments as to where this money was from, Commissioner Arcaute made a motion which was seconded by Commissioner Rosel to approve the appropriation.

MOTION CARRIED
(SEE EXHIBIT Q)

ITEM 15. PCT. 3:

1. APPROVAL OF LEASE AGREEMENT BETWEEN HIDALGO COUNTY AND HIDALGO COUNTY HEADSTART PROGRAM
2. AUTHORIZATION TO CONTINUE ON A MONTH TO MONTH BASIS WITH THE ANZALDUAS PARK SECURITY CONTRACT UNTIL ADVERTISING AND AWARDING OF NEW CONTRACT
3. LINE ITEM TRANSFERS:
 - A. ADMINISTRATION
 - B. PAVED/UNPAVED
 - C. LATERAL ROADS
 - D. PARKS
4. AUTHORIZATION TO ADVERTISE FOR FARM LEASE

15/1

Commissioner Rosel opened by stating that there was currently being built, a Headstart structure. This is for the approval of a lease agreement between the County and Headstart. This lease will be for a term of 10 years for \$1 per month. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve the lease agreement between the County of Hidalgo and the Headstart Program in Sullivan City of the leasing of property of 1.17 acres for \$1 per month for a term not to exceed 10 years.

MOTION CARRIED
(SEE EXHIBIT R)

15/2

Commissioner Rosel stated that the current contract for security had expired and he wanted to continue this one on a month to month basis until a new contract was awarded. There were some questions and comments as to the name of the current company; after which, Commissioner Rosel made a motion and was seconded by Commissioner Arcaute to continue the current contract on a month to month basis.

MOTION CARRIED
(SEE EXHIBIT R)

15/3B

Commissioner Rosel stated that the total amount of this transfer was \$11,500. Most of this amount would be moved into line item #36 and the rest into line item #37. Commissioner Rosel made a motion and was seconded by Commissioner Garces to approve the transfer.

MOTION CARRIED
(SEE EXHIBIT R)

15/3C

Commissioner Rosel stated that this was coming out of Lateral Roads and being moved into new roads. The total was \$20,000. He then made a motion which was seconded by Commissioner Sanchez to approve the transfer.

MOTION CARRIED
(SEE EXHIBIT R)

15/3A

Commissioner Rosel stated that this was coming from

Telephone and Travel and it was being moved into Office equipment and rent in the amount of \$1,200. Commissioner Rosel then made motion and was seconded by Commissioner Garces to approve the transfer.

MOTION CARRIED
(SEE EXHIBIT R)

15/3D

Commissioner Rosel stated that \$3,500 was being moved from the line item of other structures & office equipment and going to cleaning supplies and build & maintenance supplies line item. Commissioner Rosel made a motion and was seconded by Commissioner Garces to approve the transfer.

MOTION CARRIED
(SEE EXHIBIT R)

15/4

Vona Walker stated that someone had come forward and mentioned to her that they were interested in leasing the farmland by the landfill and the jailsite. If they do acquire this land, the lease will expire August of '96. A motion was made by Commissioner Rosel and was seconded by Commissioner Rosel to authorize the advertisement.

MOTION CARRIED
(SEE EXHIBIT R)

ITEM 16. PLANNING DEPARTMENT:

A. SUBDIVISION:

1. ABRAM NORTH SUBDIVISION - PCT. 3
2. ALAMO ESTATES UNIT NO. 2 - PCT. 4

B. FINAL PLAT APPROVAL:

1. FLORES DE SOL SUBDIVISION - PCT. 1
2. TIERRA LINDA NO. 14 - PCT. 14

C. PRELIMINARY PLAT APPROVAL:

1. SANTA LUCIA PHASE I - PCT. 1
2. MERCED SUBDIVISION UNIT 1 - PCT. 3

16A1

Emilio Garcia opened by stating that this subdivision lots 32 thru 62 did not require culvert pipes. There was a letter substantiating this claim. The reason for this is because the drop from the road to the east is steep enough and the water will naturally run off. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces. At this time Commissioner Arcuate had some questions regarding this subdivision. He wanted to know the size of the lots. The reasons for his questions were because of the map. He was unable to make out the map that was drawn up. Mr. Garcia informed Commissioner Arcuate that Melden & Hunt had inspected the Drainage and it did meet their specifications and standards. The motion was then put to a vote in which all voted in favor with the exception of Commissioner Arcuate.

MOTION CARRIED (COMM. ARCAUTE VOTED AGAINST)
(SEE EXHIBIT S)

16A2

After being briefed by Mr. Garcia, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve Alamo Estates Unit No. 2.

MOTION CARRIED
(SEE EXHIBIT S)

16B1

Emilio Garcia stated that all requirements had been met and the recommended approval of this subdivision. Following the recommendation of the Chief Planner, a motion was made by Commissioner Sanchez and seconded by Commissioner Garces to approve Flores De Sol Subdivision as presented.

MOTION CARRIED
(SEE EXHIBIT S)

16B2

A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to give final plat approval to Tierra Linda.

MOTION CARRIED
(SEE EXHIBIT S)

16C1

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to give preliminary plat approval to Santa Lucia Phase I as presented.

MOTION CARRIED
(SEE EXHIBIT S)

16C2

After Mr. Garcia, Chief Planner gave his recommendation, a motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to give preliminary plat approval to Merced Subdivision Unit 1.

MOTION CARRIED
(SEE EXHIBIT S)

ITEM 17. PURCHASING DEPARTMENT:

A. REQUEST TO ADVERTISE:

1. JANITORIAL SUPPLY - HIDALGO COUNTY

B. REQUEST AND AUTHORIZATION TO EXTEND GASOLINE & DIESEL FUEL CONTRACT WITH DISCOUNT OILS, LUBRICANTS & FUELS PENDING NEW BID AWARD

17A1

Mary Maldonado addressed the Court and stated that she was requesting permission to advertise for Janitorial Supplies. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the request to advertise. Bid opening Dec. 6 and bid award Dec. 11.

MOTION CARRIED
(SEE EXHIBIT T)

17B

Ms. Maldonado stated that this had expired October 30. She will be opening bids November 22 and awarding November 28. She is requesting to extend the contract until this bid is awarded. She also stated that she had spoken to a Mr. Gutierrez and he informed her that he would honor the same prices of the expired bid. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the extension.

MOTION CARRIED
(SEE EXHIBIT T)

ITEM 18. STATUS REPORT ON TDOC REVIEW - OFFICE OF EMPLOYMENT AND TRAINING

Maria Luke opened by stating that TDOC representatives had visited the Office of Employment and Training from Nov. 6-9. They had verbally informed OET that upon review of PY '95 contracts, they would be negotiated on their prescribed guidelines. They also recommended that OET continue with services on contracts with some exceptions. OET would be receiving a letter with detailed recommendations on the contracts. OET will then request to be placed on the agenda to request and additional \$204,000 to continue operating. A conversation ensued concerning the initial \$250,000 and how the revolving fund would work. Commissioner Sanchez did not feel that they would be able to run the County the rest of the year if they advanced the additional \$204,000 because there was only \$250,000 remaining in the funds for the rest of the year. The Commission also inquired about the participant wages and why they continued to work knowing that funds were very limited. Ms. Luke stated that they really did not want to suspend the program unless absolutely necessary. Lisa Saucedo then addressed the court and stated that they were still looking at certain contracts because there are still some questions. The conversation continued with regards to the participants and the Commission felt that regardless of the situation, they needed to be paid. The Commission also questioned the fact that if all the contracts are modified and approved, when could they see the money advanced back in the General Fund and the answer to that was when the high risk designation was lifted, which could be as late as March. Ms. Saucedo also informed the Court that TDOC was very impressed at how hard OET was working at getting this problem resolved. After further comments, Judge Garcia moved to the Addendum concerning OET.

NO ACTION
(SEE EXHIBIT U)

ADD. 1. LEGAL REPRESENTATION FOR THE OFFICE OF EMPLOYMENT AND TRAINING

Steve Crain addressed the Court and stated that he had met with Joseph Mendiola. OET at this time is without legal counsel. He also met with representatives of TDOC. He stated that OET would be advertising for proposals for legal services to OET. In the meantime there are pending legal matters against OET. He stated that these matters need immediate attention. OET does have permission to go out for proposals no to exceed \$25,000. Anything above that cannot be afforded. Mr. Crain stated that the bottom line of this item is that if the legal services they acquire exceed \$25,000, then they are request-

ing that the County pay the excess amount of \$25,000. They also might be able to use Federal monies to pay for the services. After further comments from the Commission and Mr. Crain regarding how to go about getting representation for OET, The Commission directed Mr. Crain to review the files to prioritize them in an order of precedence with regards to deadlines and in the meanwhile OET will go through the quotation process to obtain legal services.

ITEM 2 CONTINUED

AT THIS TIME, THE COMMISSION PROCEEDED BACK TO ITEM 2. VOTE OF THE APPRAISAL DISTRICT BOARD OF DIRECTORS

Mando Barrera addressed the Court and stated that if Richard Garza was given 166 votes, Amador Requenez 126 votes and split the other two between Ruben Yzaguirre and Mario Dominguez. He stated that he had made a summary of the way he projected that candidates would obtain votes. Mario Dominguez should be getting the Cities of Weslaco and Mercedes and also both ISD's. Mr. Requenez has the sharyland votes and he would also be getting 170 votes from Mission. If that's the case, that's how Mr. Requenez would need 126 votes and 311 to Mr. Dominguez, which would give the balance of 337 to Mr. Yzaguirre. This talley would also use 115 of the 230 votes from Drainage District for Mr. Yzaguirre. A conversation ensued concerning how the breakdowns were going to go. Commissioner Arcaute just wanted to be assured a position for the County and the Drainage District. After further comments, Judge Garcia stated that no further action needed to be taken.

ITEM 19. EXECUTIVE SESSION:

COMMISSIONER'S COURT MAY GO INTO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 TEXAS LOCAL GOVERNMENT CODE SECTION 551.074 TO DISCUSS THE FOLLOWING ITEM:

- A. CONSIDERATION AND APPROVAL OF SALARY ADJUSTMENTS TO EQUALIZE POSITIONS

At this time Commissioner's Court went into executive session.

Upon the return of the Commission, Judge Garcia stated that this matter was not discussed in executive session and proceeded with item 20.

ITEM 20. OPEN SESSION:

- A. CONSIDERATION AND APPROVAL OF SALARY ADJUSTMENTS TO EQUALIZE POSITIONS

Dick Dickinson stated that they were requesting that all housekeepers be paid the same amount of \$11,924.24. This would need an adjustment of \$5,651.74 for the rest of the year + benefits. He stated that there would be enough money in 03 to do so. There was some confusion as to whether this item could be discussed due to the open session which should be a result of an executive session which did not occur. Mr. Crain, however, stated this item could be discussed because it was on the agenda to be discussed in the open. At this time, Judge Garcia stated that there will be no action on this item.

NO ACTION

Commissioner Arcaute made a motion and was seconded by Commissioner Rosel to adjourn.

MOTION CARRIED

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

DRAINAGE DISTRICT
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The Honorable Richard H. Garcia, Interim County Judge called this meeting to order whereupon the following items were had to wit:

ITEM 1: VOTE ON THE APPRAISAL DISTRICT BOARD OF DIRECTORS

Mando Barrera stated that the 230 votes for Drainage District were going to be distributed equally at 115 for both Mario Dominguez and Ruben Yzaguirre. Commissioner Sanchez made a motion and was seconded by Commissioner Garces that the Drainage District votes for the Appraisal District be distributed equally between Ruben Yzaguirre and Mario Dominguez.

MOTION CARRIED
(SEE EXHIBIT F)

ITEM 2. LINE ITEM TRANSFER:

Vona Walker stated that this was from 03 into 56 in the amount of \$11,193.59 and from 03 into 55 in the amount of \$1,874. This is because they did not allot the money properly for incoming bills and the money is in the fund. After some comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the line item transfers.

MOTION CARRIED
(SEE EXHIBIT V)

ADD 2. DRAINAGE DISTRICT-REINSTATEMENT OF EMPLOYEE

Commissioner Sanchez opened by stating that this is Imelda Villarreal. He stated that he would like to make a motion to lift the suspension that was then imposed on Ms. Villarreal and reinstate her fully in her previous position and Commissioner Arcaute seconded the motion. Commissioner Rosel then stated that he felt that there were some situations that needed to be resolved before she came back in. He wanted to see this item postponed until the following week. Commissioner Sanchez then stated that the only action that needed to be taken was to lift the suspension because she was never terminated and once that was done, then her supervisor could then deal with whatever problems Commissioner Rosel felt he needed to address. Commissioner Rosel then mentioned the fact that she was still being paid and felt that it shouldn't be much of a problem. Again, Commissioner Sanchez stated that the only action that needed to be taken was the lifting of the

suspension. Commissioner Rosel then stated that his reasoning for waiting another week, was that he would like to address some issues with legal counsel and did not want to mention them in open public. Commissioner Arcaute then mentioned the fact that Commissioner Rosel had no reason to vote against the motion and Commissioner Sanchez again mentioned that all they were doing was lifting the suspension. Commissioner Rosel then reiterated the fact that he had some concerns that needed to be addressed and he felt that it should be done in executive session; therefore, he would vote against the motion. Commissioner Garces also felt that it should wait one more week. The question was not whether to bring her back or not but he felt that they needed a little more time to address the issue. Mr. Crain then intervened and stated that Personnel matters would be closed session matters. Judge Garcia then mentioned that this would need to be discussed in a closed session. After a few more comments from both sides reiterating their points of view, the motion was put to a vote.

MOTION DENIED

COMM. GARCES, COMM. ROSEL AND JUDGE GARCIA OPPOSED.
COMM. SANCHEZ AND COMM. ARCAUTE VOTED IN FAVOR.

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

MOTION CARRIED

There being no further business to come before this Drainage District Board, this meeting hereby stands adjourned.

THERE BEING NO FURTHER BUSINESS TO COME
BEFORE SAID COURT, the meetings of the Commissioners' Court and
the Drainage District were hereby adjourned.

Richard H. Garcia
Interim County Judge

Samuel Sanchez
County Commissioner, Precinct #1

Lalo Arcaute
County Commissioner, Precinct #2

Juan Rosel
County Commissioner, Precinct #3

Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

Dated this 13TH day of NOVEMBER, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas

By: Aaron Betancourt
AARON BETANCOURT, Deputy

