

## **COUNTY OF HIDALGO COMMISSIONERS' COURT**

**BE IT REMEMBERED that on the 5<sup>th</sup> day of January, 1999 after notice duly having been given, a Special Meeting of the**

**Commissioners' Court and Drainage District #1 was begun and holden**

**in the Commissioners' Courtroom, in the County Administration**

**Building, in the City of Edinburg, County of Hidalgo, State of Texas,**

**with the following being members of said court :**

**HONORABLE JOSE ELOY PULIDO  
COUNTY JUDGE**

**HONORABLE SYLVIA HANDY  
COUNTY COMMISSIONER, PRECINCT 1**

**HONORABLE HECTOR (TITO) PALACIOS  
COUNTY COMMISSIONER, PRECINCT 2**

**HONORABLE JUAN ROSEL  
COUNTY COMMISSIONER, PRECINCT 3**

**HONORABLE OSCAR L. GARZA . JR.  
COUNTY COMMISSIONER, PRECINCT 4**

**and where the following proceedings were had to wit :**

## **COMMISSIONERS' COURT**

The Honorable Jose Eloy Pulido, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

The County Judge called the roll and announced that all Commissioners were present.. He then asked that Commissioner Garza lead the Court in the pledge of allegiance and this was followed by a prayer lead by Pastor Jim Vinita.

## **REGULAR AGENDA**

### **ITEM 1 OPEN FORUM :**

Judge Pulido announced that there was one item under Open Forum and he asked that George Snodgrass approach the Court. Mr. Snodgrass indicated that he would like to state that he had come in to ask that this Court vote to withdraw the lawsuit that the County had filed against the City of Edinburg to force the location of the County jail, to vote to consider moving the location of that jail and also to reaffirm that he was willing to purchase the property back from the County for what the County paid, which was \$200,000.00.

NO ACTION.

**ITEM 2 URBAN COUNTY:**

- A. City of Granjeno - HOME Housing Rehabilitation Program - Construction Contract Award
- B. Approval of Budget Amendment to pay for the County Clerk fees
- C. Approval of Budget Amendment for Colonia Development Interest Expense

2/A

On behalf of the Construction Contract Rehabilitation Program, Mr. Anthony Covacevich was requesting that all bids received for this project be rejected. He explained that all the bids received were 18% over the estimate. He was therefore requesting that all bids be rejected and for authorization to rebid the premises. The County Judge voiced his disapproval of this request. A motion was then made by Commissioner Rosel and seconded by Commissioner Handy to reject all bids received and to rebid.

MOTION CARRIED.  
(See Exhibit A)

2/B&C

Mr. Covacevich indicated that this next item had been resolved and he was requesting that no action be taken.

NO ACTION .  
(See Exhibit A)

**ITEM 3. COUNTY AUDITOR:**

- A . Approval of the budget amendment

Manuel Cavazos, County Auditor, explained that this budget amendment was needed because of the way the salaries were prepared for the first pay period by the previous Commissioners' Court.. It was

recommended that a budget amendment be made in order to pay the overtime necessary for the employees. The amount of the budget amendment is \$1,896.34. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approved the request as presented.

MOTION CARRIED.  
(See Exhibit B)

**ITEM 4. HUMAN SERVICES:**

- A. Amend budget and appropriate funds for four hospital based eligibility worker positions and clerical support positions for 1999

Rudy De La Viña came before Commissioners' Court and explained that this contract was previously approved by the Court. The total amendment request was \$107,694.00 which includes a 5% cost of living adjudgement for the employees. He continued by presenting the Commission with a list of salaries and added that this amount would be reimbursed 100% by the particapping hospitals. This contract was been reviewed by Legal Counsel. Mr. De La Vina indicated that they would be billing on a quarterly basis to be paid at the end of the month by the hospitals. Each hospital will pay for the person in their hospital. On the clerical support, all four hospitals will share equally because that person will be housed at the central office. That person will gather all the data and information summitted by the workers at the hospital site. A motion was made by Commissioner Palacios and second by Commissioner Garza for approve the request as presented.

MOTION CARRIED.  
(See Exhibit C)

**ITEM 5. PURCHASING DEPARTMENT:**

**A. REQUESTING APPROVAL OF SERVICE CONTRACT WITH  
TERMINIX PEST CONTROL FOR "PEST CONTROL  
SERVICES"**

Martha Salazar, County Purchasing Director, came before the Court requesting approval of a service contract. She explained that this was a bid that is being awarded on a three-quote basis with Terminix Pest Control, being the low bidder, and also having proven in their ability to meet all needs of the contract, including insurance. A motion was made by Commissioner Rosel and seconded by Commissioner Garza for approval of the service contract as presented.

**MOTION CARRIED.**  
(See Exhibit D)

**ITEM 6. DISCUSSION REGARDING DIRECTOR OF RIGHT OF  
WAY FOR HIDALGO  
COUNTY**

Godfrey Garza, Drainage District Manager, came before the Court to discuss the issue of the Director for Right of Way Department for Hidalgo County. He explained that this position has been vacated since Ms. Walker left about six months ago. Mr. Garza indicated that he will continue to perform the duties of this position until this Court acquires a new director for this department. A discussion ensued, during which Commissioner Rosel asked that this item be resolved as soon as possible. Commissioner Palacios then asked Mr. Garza what duties were being handled at this time. After further discussion, the Commissioners recommended that a professional engineer be hired for the position of Right of Way Director for Hidalgo County. They also recommended a salary in the area of \$45,000.00. Commissioner Garza indicated that he was willing to head a committee to look into all possibilities. Judge Pulido proceeded to appoint a committee headed by Commissioner Oscar L. Garza and to include Ronnie Cruz of McAllen, Javier Hinojosa of Mission, Eddie Sanchez of Edinburg, Randy Winston of Weslaco and Valde Guerra, from the County Judge's Office.

NO ACTION.  
(See Exhibit E)

**ITEM 7. COUNTY JUDGE**

- A. Approval of Proclamation Proclaiming February 2, 1999 as “Ground-Hog Job Shadow Day”
- B. Approval of Countywide budget freeze on some or all operational line items 12 through 95
- C. Approval of Countywide hiring freeze on all newly created positions budgeted for 1999
- D. Approval to decrease salaries in the following departments
  - 1. Planning Department
    - a. Slot #1
    - b. Slot #2
    - c. Slot #3
    - d. Slot #4
    - e. Slot #8
  - 2. Purchasing Department
    - a. Slot #3
  - 3. Auxiliary Court
    - a. Slot #8
  - 4. Constable Pct. #1
    - a. Slot #2
    - b. Slot #3
    - c. Slot #4
    - d. Slot #5
    - e. Slot #6
    - f. Slot #7
  - 5. Constable Pct. #2
    - a. Slot #2
    - b. Slot #3
    - c. Slot #4
  - 6. Constable Pct. #3
    - a. Slot #2
    - b. Slot #3
    - c. Slot #4

- d. Slot #5
- e. Slot #6
- f. Slot #7
- 7. Constable Pct. #4
  - a. Slot #2
  - b. Slot #3
  - c. Slot #4
- 8. Constable Pct. #5
  - a. Slot #2
  - b. Slot #3
  - c. Slot #4
- 9. County Judge
  - a. Slot #7
  - b. Slot #9
  - c. Slot #10
- 10. Sanitation
  - a. Slot #3
  - b. Slot #13
- 11. Computer Department
  - a. Slot #1
- 12. Pct. #1 Parks
  - a. Slot #3
  - b. Slot #8
  - c. Slot #9
  - d. Slot #11
  - e. Slot #12
  - f. Slot #13
  - g. Slot #14
- 13. Pct. #2 Parks
  - a. Slot #2
  - b. Slot #4
- 14. Pct. #2 Road & Bridge
  - a. Slot #20
  - b. Slot #22
- 15. Pct. #3 Road & Bridge
  - a. Slot #3
  - b. Slot #8
  - c. Slot #11

- d. Slot #19
  - e. Slot #20
  - f. Slot #21
  - g. Slot #22
  - h. Slot #23
  - i. Slot #24
  - j. Slot #25
  - k. Slot #29
  - l. Slot #31
  - m. Slot #32
  - n. Slot #33
16. Pct. #3 Parks
- a. Slot #1
  - b. Slot #2
  - c. Slot #3
  - d. Slot #6
  - e. Slot #7
  - f. Slot #8
  - g. Slot #9
  - h. Slot #10
  - i. Slot #11
  - j. Slot #12
17. Pct. #4 Road & Bridge
- a. Slot #1
  - b. Slot #2
  - c. Slot #3
  - d. Slot #5

7/A

Mr. Hollis Rutledge appeared before the Court to request approval of a proclamation proclaiming February 2, 1999 as "Groundhog Job Shadow Day". He then proceeded to summarize the Tech Prep of the Rio Grande Valley, Inc., Program which is a non-profit educational organization here in the Valley. Mr. Rutledge indicated that through this proclamation they were trying to connect the students with real work experience through mentoring situations. He added that they were anticipating the participation of over half a million students. He also stated that Tech Prep from RGV consisted of

a construction membership of thirty-one (31) school districts in the Valley including colleges. We ask for your consideration and participation with the rest of the Valley. Commissioner Handy then proceeded to read the proclamation. A motion was made by Commissioner Palacios and seconded by Commissioner Handy for approval.

MOTION CARRIED.  
(See Exhibit F)

7/B

Valde Guerra informed the Court that the County Judge's Office was recommending an operational freeze from objects 12 through 95. He added that this Commission would be having budget workshops scheduled for this afternoon, tomorrow and Thursday. This freeze was only until the end of the workshops. Commissioner Rosel indicated that this request was not feasible and he recommended that they hold the workshops first and then come back next week and take this item into consideration at that time. Steve Crain, the County legal counsel, indicated that he had a problem with the way the workshop was posted. After some discussion, it was recommended that no action be taken on this item at this time.

NO ACTION.  
(See Exhibit F)

7/C

Dairen Cedillo, Chief Administrative Assistant, came before the Court to propose a freeze on all newly created positions. She explained that this was being recommended in order to try to acquire a healthy fund balance. She continued by saying that all the new positions that were allocated or appropriated for 1999, in the General Fund alone with the salaries and fringe benefits would total \$1.67 million. This was for forty-one (41) new positions within the General Fund. IN the Special Revenue Fund, the salaries an fringe benefits totaled \$321,204.00. A motion was made by Commissioner Palacios to approve the freeze on all newly created positions, until further notice. Commissioner Rosel seconded the motion for sake of discussion. He

then asked for clarification on what positions this would affect and if there was a list of these positions and the salaries. Commissioner Palacios asked legal counsel if this Commissioners' Court had to verify any action that was taken by the previous Commissioners' Court. Mr. Crain indicated that he did not think there was any action that needed to be ratified, but they did have the authority to amend the budget as they saw fit. Mr. Crain did add that once action was taken, it was considered final action, especially when it came to contracts and such. Commissioner Rosel asked Mr. Crain, what were the consequences, as far as liability, if a department had already advertised for any of these positions and had agreed to hire an individual as of January 1, 1999. After further discussion, the motion was put to a vote and it carried unanimously.

MOTION CARRIED.  
(See Exhibit F)

7/D

Commissioner Palacios indicated for the record that effective January 1<sup>st</sup>, his action was to reduce his salary, as he had promised from \$58,800.00 to \$51,802.08. Commissioner Garza noted that he had also filed an affidavit with the payroll clerk to reduce his salary from \$58,800.00 to \$51,806.48. Judge Pulido indicated for the record that he had also attempted to do the same but his wife would not allow him. Manuel Cavazos, the County Auditor, reported that J.D. Salinas, the County Clerk, had also given up his auto allowance and would submit mileage reports whenever he travels. Valde Guerra then proceeded to announce which slots would be decreased. A motion was made by Commissioner Palacios and seconded by Commissioner Garza to decrease those salaries, as indicated. Commissioner Rosel noted that this was only going to affect those individuals that were given above a 5% increase. He continued by discussing the issue of the Planning Department, and added that Commissioners' Court had agreed to give them an increase after researching what inspectors were getting paid in other counties. Commissioner Rosel also pointed out that deputy constables were getting paid between \$4,000.00 and \$5,000.00 less than what a jailer was getting paid and they had agreed to pay these employees at least what a jailer was getting paid. He then continued

with discussing the reason behind the increases for his department and this resulted in a discussion with comments from the County Judge, Commissioner Palacios, Commissioner Handy and Commissioner Garza regarding how this would affect all the other employees whose salaries were not compatible with the number of years they had been with the County. Commissioner Garza asked legal counsel if there was any liability if this Court decided to freeze these increases and come back later and increase all those salaries that were at or near minimum wage. Mr. Crain indicated that there may be some liability but he did not recommend that this be discussed in open forum. Rene Guerra, District Attorney, also had some comments regarding the proposed freeze. After further discussion, Commissioner Garza withdrew his second to the motion. Judge Pulido then indicated that he would second the motion made by Commissioner Palacios to decrease those salaries, as noted to 5%.

**MOTION CARRIED.** (Commissioners Handy, Palacios, Garza and the County Judge voted in favor; Commissioner Rosel voted against)  
(See Exhibit F)

## **ITEM 8. JAIL PROJECT:**

### **A. Discussion and possible action on Jail Project**

Mrs. Martha Salazar, County Purchasing Director, announced the last visit from the architect was on December 22, 1998 at which point the design and development phase was approved by Commissioners' Court. She stated that they had compensated the attorneys from the Capital Projects for two phases of the jail project; phase one being the schematics phase and phase two being the design and development phase. They have paid them a total of \$624,000.00 in two payments of \$313,000.00 each, which is based on a budget estimate of \$32 million for the jail, at 6.5% toward the architect. Mrs. Salazar reported that she had checked in with an assistant at Santo Petro and the draftsmen are currently working on the construction document phase which will be completed in August of this year. At that point there will be a 40% request of the payment. She noted that to her knowledge there has

been no communication with the architect and Sheriff's Department since December 22 meeting.

NO ACTION.  
(See Exhibit G)

## **CONSENT AGENDA**

### **ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS AND BILLS**

#### **- COUNTY AUDITOR**

(See Exhibit H)

### **ITEM 2. INTERNAL LINE ITEM TRANSFERS:**

- A. 93<sup>RD</sup> District Court - \$95.00
- B. County Treasurer - \$121.54
- C. County Judge - \$4,100.00
- D. Commissioner Pct . #4 -Landfill - \$50.00
- E. Commissioner Pct .#4 -R & B Paved/Unpaved - \$20,276.67
- F. District Attorney - D .A . Investigation Fund - \$2,000.00
- G. District Attorney - General Funds - \$550.00
- H. District Attorney - D .A . Investigation Fund - \$6,000.00
- I. County Auditor - \$2,819.98
- J. County Court at Law #2 - \$1,350.00

(See Exhibit I)

### **ITEM 3. URBAN COUNTY:**

- A. HOME/ Homeowner Occupied Housing Rehab Application (1 Family)

(See Exhibit J)

### **ITEM 4. COUNTY CLERK'S OFFICE**

- A. Approval of Monthly Fee Report for the month of November, 1998-Total \$287,518.00
- B. Approval of the Elected Official Bonds
  - 1. Pauline Gonzalez, District Clerk
  - 2. Jesus Morales, J .P . Pct .1 Pl .2

3. Rodolfo Delgado, County Court at Law #1

The County Judge introduced the Consent Agenda and asked if there were any questions. There being none, a motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the Consent Agenda, as presented.

MOTION CARRIED.

**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

matters

**A. Litigation**

1. County of Hidalgo vs City of Edinburg - Cause No. C-6299-98-F.

The County Judge and County Commissioners went into Executive Session .

NO ACTION.

**ITEM 2. OPEN SESSION:**

**A. Litigation**

1. County of Hidalgo vs City of Edinburg - Cause No. C-6299-98-F.

A motion was made by Commissioner Garza and seconded by Commissioner Handy to withdraw and dismiss the lawsuit against Edinburg without prejudice.

MOTION CARRIED.

(See Exhibit L)

There being no further business to come before the Commissioners' Court, a motion was made by Commissioner Handy and seconded by Commissioner Garza that said meeting be hereby adjourned.

MOTION CARRIED.

## **DRAINAGE DISTRICT #1**

The Honorable Jose Eloy Pulido, County Judge, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had, to -wit :

### **CONSENT AGENDA**

#### **ITEM 1. Approval of check register and payment of claims and bills - County Auditor.**

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the Consent Agenda for the Drainage District, as presented.

MOTION CARRIED.

(See Exhibit M)

There being no further business to come before the Drainage District #1 Board, a motion was made by County Judge Pulido and seconded by Commissioner Handy to adjourn said meeting.

MOTION CARRIED.

**There being no further business to come before said Court, the meetings of the Commissioner's Court and the Drainage District #1 are hereby adjourned.**

**JOSE ELOY PULIDO** \_\_\_\_\_  
**COUNTY JUDGE**

**SYLVIA HANDY** \_\_\_\_\_  
**COUNTY COMMISSIONER, PRECINCT 1**

**HECTOR (TITO) PALACIOS** \_\_\_\_\_  
**COUNTY COMMISSIONER, PRECINCT 2**

**JUAN ROSEL** \_\_\_\_\_  
**COUNTY COMMISSIONER, PRECINCT 3**

**OSCAR L . GARZA** \_\_\_\_\_  
**COUNTY COMMISSIONER, PRECINCT 4**

**DATED THIS 1<sup>ST</sup> DAY OF SEPTEMBER, 1999.**

**BY : \_\_\_\_\_**  
**Jennifer Castillo, Deputy**

**Meeting approved by Commissioners' Court and Drainage  
District #1 on 7<sup>th</sup> day of September, 1999.**