

COUNTY OF HIDALGO COMMISSIONERS'
COURT

BE IT REMEMBERED that on 11th day of January, 1999 after notice duly having been given, a Regular 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 announced that there was a quorum with all members of the Commissioners' Court being present. He then asked Commissioner Handy to lead the Court in the pledge of allegiance and this was followed by a prayer by Father Bart.

REGULAR AGENDA

ITEM 1. OPEN FORUM :

Judge Pulido indicated that under the Open Forum the first request was from Lydia Torres and Father Jerry Frank. Mrs. Torres began by saying that they were here today to work together to establish a living wage policy for Hidalgo County. She then went on to give a presentation on the need for this policy in the County. Father Jerry Frank continued the presentation by explaining some of the effects that have been created as a result of the lack of this kind of policy. He also noted some of the changes that his organization has helped in remedying this issue. This was followed by a brief discussion with comments by the County Judge, Commissioner Handy and Commissioner Palacios.

Judge Pulido then reported that the second request under the Open Forum was from George Snodgrass. Mr. George Snodgrass came before the Court to address the issue of the jail and the property that was purchased adjacent to the existing County Jail for possible

expansion. He indicated that he was strongly opposed to any construction and/or expansion to the County Jail at its present location. He then proceeded to bring the Commissioners up to date on what has transpired as far as action taken by the City of Edinburg and the Edinburg Consolidated Independent School District on this issue.

CONSENT AGENDA

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS AND BILLS - COUNTY AUDITOR

ITEM 2. LINE ITEM TRANSFER :

- A. Pct. #2-paved/unpaved - \$100.00
- B. Health Department -clinics - \$1,000.00
- C. Purchasing Department - \$14,200.00
- D. County Court #1 - \$122.00
- E. Pct. #4 - Landfill - \$25.00
- F. Tax Office - \$4,400.00
- G. J.P. Pct. 1 ,Pl. 1 - \$150.00
- H. Health Department - Adm. - \$494.00
- I. Pct. #1 -paved/unpaved - \$22,946.52
- J. Building & Grounds - \$1,600.00
- K. Library System - \$24.00

(See Exhibit A)

ITEM 3. Urban County :

- A. HOME "First -Time Homebuyer Contract Agreement " and Letter of Commitment to Mortgage Company (4 families)

(See Exhibit B)

Judge Pulido indicated that he did not feel that there was a need for a consent agenda. He felt that all items should be placed on the regular agenda for proper consideration. After a brief discussion, he stated that he had some questions on some of the items on the Consent Agenda and he proceeded to get them clarified. The County Judge then presented the Consent Agenda and a motion was made by Commissioner Garza and seconded by Commissioner Handy to approve the Consent Agenda as presented.

MOTION CARRIED.

REGULAR MEETING

ITEM 9. PCT#1 :

- A. Acceptance and approval of the Interlocal Contract (SOLID WASTE ENFORCEMENT GRANT) between the Lower Rio Grande Valley Development Council of Governments and Hidalgo County for the fiscal period of 12/01/98 to 08/31/99 in the amount of \$50,000.00
- B. Request the approval to appropriate the Solid Waste Enforcement Grant Budget in the amount of \$50,000.00
- C. Set salaries
- D. Request approval of resolution authorizing the submittal of a grant application to the Governor Criminal Justice Division TNCP Program

9/A

Mr. Raul Lozano, Administrative Assistance for Pct #1, came before the Court to request acceptance and approval of the interlocal contract for Solid Waste Enforcement with the Lower Rio Grande Valley Development Council of Governments in the amount of \$50,000.00. He indicated that this was the second year of funding and it was effective December 1, 1998 through August 31, 1999. A motion was made by Commissioner Handy and seconded by Commissioner Palacios to accept and approve the interlocal contract between the Lower Rio Grande Valley Development Council of Governments and Hidalgo County for the fiscal period of 12/01/98 to 08/31/99 in the amount of \$50,000.00.

MOTION CARRIED
(See Exhibit C)

9/B

Mr. Lozano indicated that the next request was for approval to appropriate the Solid Waste Enforcement Grant Budget in the amount of 50,000,00. He stated that this amount would be used

specifically for salaries and fringe benefits. The two positions funded by this budget will be Litter Abatement Officer and the Office Manager. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to appropriate the Solid Waste Enforcement Grant Budget in the amount of \$50,000.00.

MOTION CARRIED.
(See Exhibit C)

9/C

Mr. Lozano reported that they were setting salaries at \$21,360.00 for the Litter Abatement Officer and \$16,940.00 for the Office Manager. He did add that the Litter Abatement Officer has to be certified Peace Officer and they are staying consistent with the constables salaries. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the request as presented.

MOTION CARRIED.
(See Exhibit C)

9/D

Mr. Lozano stated that they were requesting approval of a resolution authorizing the submittal of a grant application to the Governor Criminal Justice Division TNCP Program for an amount of \$321,250.00. This would include a match of \$80,312.50 and the project was called Project Recover. This grant will serve two hundred (200) under-privileged english speaking participants in eastern Hidalgo County. The three major components of the project will be intervention and recovery, technology and communications skills and part of the budget will include purchasing the necessary equipment to provide the communication schools in technology and computer training. In our new building will have the facility to comadate this type of training . He added that they had letters of support from all of the cities within Precinct One. Commissioner Handy then proceeded to read the resolution. A brief discussion ensued with regards to where the matching funds would be paid from and Commissioner Handy indicated that the matching funds would not have to be appropriated until June. A motion was then made by Commissioner Handy and seconded by Commissioner Garza to approve the resolution authorizing

the submittal of a grant application to the Governor of Criminal Justice Division TNCP Program.

MOTION CARRIED.

(See Exhibit C)

ITEM 2. COUNTY CLERK :

A. Selection of 1999 Grievance Committee

Mr. J.D. Salinas, Hidalgo County Clerk, came before the Commissioners' Court to request the selection of the 1999 Grievance Committee. He stated that in previous years this Committee was selected out of grand jury people who served during 1998. These names are drawn randomly and it includes nine (9) members and three (3) alternates. This Committee will hear grievances by elected officials. The following individuals were selected to serve on the 1999 Grievance Committee:

1. Araceli Briones - McAllen, TX
2. Amy Aguirre - McAllen, TX
3. George Escobar - Edcouch, TX
4. Ramiro Flores - McAllen, TX
5. Lucy Robles - Weslaco, TX
6. Juan Antonio Soto, Jr. - Mission, TX
7. Rosalva Martinez - McAllen, TX
8. P.K. Griggs - McAllen, TX
9. Emelia Cisneros - McAllen, TX

A motion was made by Commissioner Handy and seconded by Commissioner Palacios to approve the 1999 Grievance Committee, as presented.

MOTION CARRIED

(See Exhibit D)

ITEM 3. TAX OFFICE :

A. Ministerial Approval of Appropriation in the Special Vehicle Inventory Fund

Armando Barrera, County Tax Assessor/Collector, began by explaining what the Special Vehicle Inventory Fund was. He indicated that this was tax money collected from car dealers every month and he was wanting to allocate some of this money into his budget in order to hire extra help and also to buy supplies, postage, rental of some equipment that they are currently using. Mr. Barrera reported that there was \$60,000.00 in the fund and he was currently asking for \$12,000.00. A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit E)

ITEM 4. VETERANS WAR MEMORIAL PROJECT :

- A. Approval to carry over encumbered funds from 1998 year to 1999 budget year in the amount of \$ 83,000.00 for the Medal of Honor Plaza

Dairen Cedillo indicated that she was requesting no action on this item. She stated that there were some outstanding invoices and they would like for those to come in order to get a better idea of that budget.

NO ACTION.

(See Exhibit F)

ITEM 5. COUNTY JUDGE :

- A. Discussion of Indigent Health Care Contract
- B. Approval to lift hiring freeze for newly created positions in 1999
- C. Discussion on Jail Project
- D. Authorization and approval to amend 1999 budget as discussed, agreed and approved at the budget workshops of January 05, 06, 7TH, 1999.

5/A

Judge Pulido asked Martha Salazar, the Purchasing Director, if this contract was advertised and she replied that it was not advertised because it was less than \$15,000.00. She also added that it was authorized under exemption for personal services and it was a direct result of a workshop that Mrs. Sepulveda represented from her first contract with the County Assessment of a Agency Children Program. A discussion ensued with regards to what duties were done by this individual and whether these duties could be done by present staff. A motion was then made by Commissioner Garza and seconded by Commissioner Rosel to terminate the contract for professional services under Indigent Health Care with Beverly Sepulveda..

MOTION CARRIED .
(See Exhibit G)

5/B

The County Judge stated that the next item was to lift the hiring freeze on newly created positions in 1999, effective today. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented. Commissioner Rosel asked which positions were the ones that were being "unfrozen" and the County Judge indicated that it was only those that were discussed during the workshops. Commissioner Garza then asked that a list of the affected salaries be read into the record and Dairen Cedillo informed the Court that she had that list in her office. Judge Pulido then stated that they would be coming back to this item later on in the agenda.

5/E&F

The County Judge reported that no action would be required on this item at this time.

NO ACTION .
(See Exhibit G)

5/J

Judge Pulido also reported that no action would be required on this item at this time.

NO ACTION
(See Exhibit G)

5/G

Dairen Cedillo informed the Court that during the budget workshop they had asked to create a Risk Manager position at a salary of \$45,000.00. She stated that a copy of the requirements were furnished to the Commissioners and they had changed the educational experience to read "and/or" a minimum of years as had been requested. Commissioner Rosel indicated that he agreed that the position was needed, however he did not agree with the salary that was being recommended. Judge Pulido agreed that they should leave it open and set it as per qualifications. A motion was then made by Commissioner Handy and seconded by Commissioner Rosel to approve the creation of the Risk Manager position.

MOTION CARRIED.
(See Exhibit G)

5/H

Judge Pulido continued by saying that the next item was for approval to decrease slot #6 by \$5,540.00 and increase slot #7 by \$5,540.00 and set salary. Mrs. Cedillo stated that these slots were Administrative Assistant positions. She added that these funds were not being used by slot #6 and slot #7 was a vacant position and they were wanting to upgrade the salary to \$32,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit G)

5/I

The County Judge stated that the next item was for approval to adjust slot #4 by \$7,311.31 and set salary for Pct #4 Road and Bridge. Last year this salary was set at \$30,772.67 but during the Budget Process that position was brought down to \$25,000.00 and approved at that rate. The request was to increase this position to its original \$30,772.67 plus 5% which would set it at \$32,311.30; an

increase of \$7,311.30. A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve the request, as presented.

MOTION CARRIED .

(See Exhibit G)

ITEM 6. LIBRARY SYSTEM :

- A. Appointment of representative from City of Pharr to the Board of Hidalgo County Library System to finish uncompleted term

William McGee, County Library System Director, came before the Court requesting the appointment of a representative from the City of Pharr to the Hidalgo County Library System Board. He reported that representative LaVerne Neilson has resigned due to personal reasons. Mr. McGee continued by saying that the Pharr Memorial Library has submitted the names of the following three (3) people from which the Commissioners' court could appoint a representative: Mrs. Frances Riley, Mrs. Selma Burandt and Mrs. Catheryn E. Stout. A motion was made by Commissioner Palacios and seconded by Commissioner Handy to appoint Mrs. Frances Riley as representative for City of Pharr to the Hidalgo County Library System.

MOTION CARRIED.

(See Exhibit H)

ITEM 7. PURCHASING DEPARTMENT:

HIDALGO COUNTY

- A. Requesting approval of order waiving the requirement of the County Judge to sign certain documents pursuant to Texas Local Government Code 113.901(C) and Section 5.06 of the Hidalgo County Purchasing Policies and Procedures
- B. Requesting exemption from competitive bidding requirements for a lease to house the staff of Texas Department of Public Safety in the City of Weslaco
- C. Recommending approval of lease with Larry Dittburner(present lessor)

TAX OFFICE

- D. Requesting authority to advertise and approval of specifications as attached hereto for "Providing Tax Roll Information for Hidalgo County Tax Office on the Internet" PCT. #3
- E. Recommending bid award for "Paving Mile 14 Road."
- F. Recommending approval of contract for "Paving Mile 14 Road" LIBRARY SYSTEM:
- G. Recommending award of bid for "Computer Equipment" Low Bidder

7/A

Martha Salazar, County Purchasing Director, informed the Court that this was something that was done for each County Judge as they come in and it is the option to waive the requirements that they signed all requisitions and purchase orders. As a result of this, all claims are brought to court on a weekly basis and it is the duty of Commissioners' Court to take action to approve those claims. A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve the request, as presented.

MOTION CARRIED.
(See Exhibit I)

7/B

Mrs. Salazar stated that this was an annual lease for the DPS Office in Weslaco. The lease is for a rate of \$550.00 per month for a total of \$6,600.00 annually. She did indicate that she was requesting the exemption from the competitive bidding requirements for this lease. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request, as presented.

MOTION CARRIED.
(See Exhibit I)

7/C

Mrs. Salazar informed the Court that this next request was for approval of a lease with Mr. Larry Dittburner to house the DPS Office in the City of Weslaco. She pointed out that there was a termination clause and it was at the option of the County every year. A

motion was made by Commissioner Handy and second by Commissioner Rosel to approve the request, as presented.

MOTION CARRIED.

(See Exhibit I)

7/D

Mrs. Salazar stated that the next item was to request authority to advertise and approval of specifications as attached hereto for "Providing Tax Roll Information for Hidalgo County Tax Office on the Internet". This would be only access for view information only by the public at no charge to the County. A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve the request, as presented.

MOTION CARRIED.

(See Exhibit I)

7/E

Mrs. Salazar reported that this was a bid opening that was held on December 20 and they received one bid, which was from Mission Paving. This was for the bid award for the paving of Mile 14 Road and they are recommending approval of this bid at \$52,714.66. A motion was made by Commissioner Rosel and seconded by Commissioner Handy for approval.

MOTION CARRIED.

(See Exhibit I)

7/F

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the contract with Mission Paving for the "Paving [of] Mile 14 Road".

MOTION CARRIED.

(See Exhibit I)

7/G

Mrs. Salazar reported that this was a project that was approved in 1998. They had opened the bids in 1998 and they had received three bids and there was a lot of evaluation and tabulation that had to be done. She had a question on this item since this Court had agreed to freeze the budget, specifically line items 12 through 95. Mrs. Salazar then proceeded to read out the bids, which were as follows:

C.D.W. Government at - \$26,340

Computer Network Technology at - \$26,729.00

C.P.U. Data Incorporated at - \$27,067.00

Computer Maintenance Service at - \$27,122.00

A motion was made by Commissioner Handy and seconded by Commissioner Garza to award to the low bidder being C.D.W. Government at \$26,340.00.

MOTION CARRIED.

(See Exhibit I)

The Court went back to Item 5.

5/B

Dairen Cedillo stated that she had a list of all the positions that were being eliminated. She then proceeded to read these into the record:

Public Defense Attorney - \$42,000.00

Public Defense Attorney - \$35,000.00

Public Defense Attorney - \$35,000.00

Public Defense Attorney - \$35,000.00

Public Defense Attorney - \$30,000.00

Auditors Department Internal Auditor -\$25,250.00

County Clerk Department Civil Clerk - \$18,500.00

County Clerk Department Civil Clerk decreased -\$15,000.00

Computer Department Tech 1 - \$23,000.00

Planning Department Inspector - \$15,000.00

Planning Department Inspector - \$15,000.00

Jail - 10 Detention Officers - \$20,740.23 each

Veteran's Memorial Project Assistance Service Office for - \$20,000

These are the positions that are going to affect the General Fund and it is a total of \$504,652.30 in salaries only. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to unfreeze the positions that this Commissioners' Court froze last week with the exception of the one's that Mrs. Cedillo just read.

MOTION CARRIED.
(Seen Exhibit G)

5/D

Mrs. Cedillo explained that they were wanting to un-appropriate 50% of object 49 with was Travel in the General Fund for all departments for \$170,219.50. She was also requesting to un-appropriate over-budgeted Computer Department objects 14, 38, 47, 64 and 82, for \$100,000.00. The next request was to un-appropriate object #12 Office Equipment by 100% from the General Fund in the amount of \$162,649.63; to un-appropriate Object #95 Machinery & Equipment 100% from the General Fund \$958,962.00; to un-appropriate Object #94 Other Structures from the Veteran's Memorial Project by \$65,000.00; to un-appropriate over-budgeted jail salaries in General Fund by \$162,023.40. to un-appropriate transfer out Capital Improvement Projects for \$450,000.00; to appropriate objects #3, #6, #7, #8, #10 and #11 in County Judge's Office to create the Risk Manager position at \$45,000.00 and with fringes at \$54,000.00. She did mention that this Court had agreed to leave this salary open. She continued by saying that they were also wanting to un-appropriate objects #3, #6, #7, #8, #10 and #11 to decrease salaries over the 5% in the General Fund which totals \$110,850.25.

Mrs. Cedillo indicated that the total adjustments per budget workshops held January 5, 6, 7, 1999 were \$2,747,334.39 and they do include the \$627,190.10. Mrs. Cedillo added that they were also requesting the appropriation of \$140,000.00 to Jury Fees, which is under-funded as per the County Auditor, and also to appropriate \$600,000.00 to the Public Defense Department, which is also under-funded. Valde Guerra noted that during budget workshops it was discussed that Indigent Health Care will be funded the 10% which totals to \$4,752,044.87, which is based in, total adjusted general tax levy for year 1997 of \$47,520,448.70. A motion was made by Commissioner Rosel and seconded by Commissioner Handy for

authorization and approval to amend the 1999 budget as discussed at the budget workshops of January 5th, 6th and 7th, 1999, as presented.

MOTION CARRIED.

(See Exhibit G)

ITEM 8. HEALTH DEPARTMENT:

- A. Authorization and approval to create seven (7) temporary full-time outreach worker positions
- B. Authorization to set salaries

8/A

J.M. Keenan, County Health Director, requesting authorization and approval to create seven (7) temporary full-time outreach worker positions. He added that they had been offered funding from the Texas Department of Health to hire these seven (7) people to go primarily to schools and neighborhoods and try to enlist, enroll and re-enroll children who were either enrolled in Medicaid at one time and became too old. This will cover children who are at less than 100% of poverty between the ages of 15 through 18 years old. This amount is 100% reimbursable. A motion was made by Commissioner Handy and seconded by Commissioner Garza to approve the request as presented.

MOTION CARRIED.

(See Exhibit J)

8/B

Dr. Keenan then stated that he was wanting to set salaries at \$ 7.85 per hour. He indicated that he was using all of the money for salaries with the exception of \$200.00 per month, which was used for travel. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to set the salaries as presented.

MOTION CARRIED.

(See Exhibit J)

ITEM 10. PCT. #2:

- A. Discussion and approval of revised agreement between Hidalgo County and Texas Department of Transportation regarding Dicker Road

Godfrey Garza, Drainage District Director, came on behalf of the Hidalgo County Right of Way Department and Precinct. Two. He briefed the Commission by saying that during the previous year Hidalgo County had entered into a contract with an engineering firm for the design of Dicker Road and an interlocal agreement with Texas Highway Department for their part of improvement of Dicker Road. He continued by saying that by revising this agreement the County will be getting back approximately \$100,000.00. These funds will be going back to Precinct Two's budget. A motion was made by Commissioner Palacios and seconded by Commissioners Handy and Rosel to revise the agreement between the County of Hidalgo and the Texas Department of Transportation for the Dicker Road project.

MOTION CARRIED.

(See Exhibit K)

ITEM 11. COUNTY AUDITOR:

- A. Line item transfer - 206th District Court

Gilbert Garza, from the County Auditor's Office, informed the Court that a line item transfer was needed from the 1998 budget to cover the purchase order that was issued for computers for the 206th District Court. He noted that these computers have already been received but there were not enough funds in the 1998 budget to cover this purchase order. He was requesting a line item transfer of \$9,100.00 from un-appropriated salary funds to cover this expense. A motion was made by Commissioner Garza and seconded by Commissioner Rosel to approve the request, as presented.

MOTION CARRIED.

(See Exhibit L)

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

Commissioners Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.072 to discuss the following:

A. Jail Project

1. Possible Real Estate Acquisition

The County Judge and County Commissioners went into Executive Session.

NO ACTION.

ITEM 2. OPEN SESSION:

A. Jail Project

1. Possible Real Estate Acquisition

A motion was made by Commissioner Handy and seconded by Commissioner Palacios to convene back into Open Session.

MOTION CARRIED.

The County Judge indicated that no action would be required on this item at this time.

NO ACTION.

(See Exhibit M)

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

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 :

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

A motion was made by Commissioner Rosel and a seconded by Commissioner Handy to approve the check register and payment of claims and bills for Drainage District #1.

MOTION CARRIED.

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Handy and seconded by Commissioner Rosel that said meeting be hereby adjourned.

MOTION CARRIED.

There being no further business to come before said Court, the meetings of the Commissioner's Court and 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 2ND DAY OF SEPTEMBER, 1999.

BY : _____
Jennifer Castillo, Deputy

**Minutes approved by Commissioners' Court and Drainage
District #1 on 13th day of September, 1999.**