



**AGENDA  
CC REGULAR  
HIDALGO COUNTY  
COMMISSIONERS COURT MEETING  
March 3, 2015  
9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. **Roll Call**  
All members of the Court were counted present.
2. **Pledge of Allegiance - Veterans of Foreign Wars Sgt. Benito Alaniz Post 7473 Color Guard**
3. **Prayer**  
Virginia Townsend led the Court and Audience in Prayer. Judge Garcia requested a moment of silence in honor and memory of Mrs. Nelva Salinas, mother of Monica Badillo.
4. **Approval of Consent Agenda**  
The Court moved to approve the Consent Agenda for the exception of Items 4.D, 4.Y, 9.A, and 9.E to be pulled for discussion.
5. **Open Forum**  
Fern McClaugherty expressed her concern on how the new courthouse, the hospital district, and new educational centers will affect the taxpayers.  
Opal Billman stated that the court took her community property and all they owned and sold it when her husband passed away prior to their divorce being final.  
Virginia Townsend implored the Court not to raise taxes.  
Marta Sanchez , LUPE and ARISE, expressed her gratitude for the commitment of the Court and all the departments whom have helped in the colonia improvement efforts.  
*The Court proceeded to Item 23.A.5.*
6. **County Judge's Office:**
  - A. **AI -48689** Resolution in honor of Eugene Gutierrez, a member of the first Special Service Force during World War II, for receiving a Congressional Gold Medal  
Mr. Eugene Gutierrez was saluted for being awarded the Congressional Gold Medal for meritorious service to the United States of America as a member of the first commando unit. The medal was awarded to Mr. Gutierrez and Canadian Charles Mann, who together accepted the medal on behalf of their fellow Forcemen, at a special ceremony held on Tuesday, Feb. 3, at the U.S. Capitol, Emancipation Hall, in Washington D.C. The Congressional Gold Medal is the highest civilian honor the United States Congress can bestow. He was honored by the Court for being a hero of World War II who helped free the world of tyranny as a member of the 1st Special Service Force. He thanked the servicemen from various veterans organizations that attended the meeting in support of his recognition.  
On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.  
Vote: 5 - 0 - Unanimously
  - B. **AI -48691** Resolution supporting a proposed affordable housing community - Project La Palmilla  
On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.  
Vote: 5 - 0 - Unanimously
  - C. **AI -48693** Resolution supporting a proposed affordable housing community - The Heights  
On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

Vote: 5 - 0 - Unanimously

- D. AI -48707 Resolution in support of Senator Juan Hinojosa's Border Security Plan

Commissioner Joseph Palacios stepped away from the meeting.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

- E. AI -48700 1. Approval to rescind action taken on 2/17/15 appointment of board member to the Tropical Texas Behavioral Center Board of Trustees for a two year term (Pct. #2 appointment only)

NO ACTION taken on this Item.

Commissioner Joseph Palacios joined the meeting.

2. Appointment of board member to the Tropical Texas Behavioral Center Board of Trustees for a two year term, effective March 3, 2015.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval to reappoint Sandra Solis on behalf of Precinct 4.

Vote: 5 - 0 - Unanimously



AI -48701

- F. Discussion, consideration, and approval of the creation of the Hidalgo County Literacy Program, as authorized under Section 381.004(b)(6) of the Texas Local Government Code.



On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 5 - 0 - Unanimously

- G. AI -48708 Discussion regarding communication from Texas Department of Housing & Community Affairs in reference to grant funding for Community Service Agency (CSA)

Mr. Jaime Longoria, County Judge's Office, informed the Court and Public of a notification from Texas Department of Housing & Community Affairs (TDHC) regarding the Community Energy Assistance Program (CEAP) and the Community Services Block Grant (CSBG). He explained that the CEAP enables the County to assist residents with utility bills and were informed that the funding was underutilized, subsequently being returned to TDHC. They also addressed the CSBG funding which is rolling over from year to year. TDHC has asked that the county to develop a plan with the Director of the Community Service Agency (CSA), Ms. Maribel Navarro, to utilize the funding to it's potential. Judge Garcia asked Ms. Navarro what factors are affecting the lack of expending the funds and what needed to be done to prevent the under-utilization. She explained that although they have spent nearly over 4 to 5 million dollars each year in the past 3 years, they have been unable to expend all the funds due to the inability to reach out and identify all needy citizens. She stated that the program needs to expand to other areas to be able to service citizens from all parts of the county. Judge Garcia suggested that Ms. Navarro contact the precincts to assist in identifying those families in need. She stated that staff retention is also an issue due to workload and low salaries. Ms. Virginia Townsend asked if the program has a committee and Ms. Navarro replied that there is an advisory board. Judge Garcia commented that perhaps a advisory committee or members of each precinct should be come together to produce outreach efforts in all areas of the county. Ms. Navarro informed the Court that they do have a satellite office in Precinct 3 that functions very well and hoped she could do the same in the other precincts. Mr. Longoria stated that Ms. Chris Trevino will be gathering County staff to join in the efforts of finding a solution for the Community Service Agency.

- H. AI -48709 Discussion, consideration, and action authorizing the County Judge to submit a notice of intent to Texas Historical Commission and/or applicable office/agency to demolish the existing 1954 Hidalgo County Courthouse after the completion of a new Hidalgo County Courthouse.

Judge Garcia stated that is only a letter notifying the Texas Historical Commission of the possible demolition of the current building once the new Courthouse has been constructed if that is the decision the Court makes at a later time.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 5 - 0 - Unanimously

*The Court proceeded to the Consent Agenda.*

- 7. District Courts:

AI -48701

County Judge's Office 6. F.

CC - REGULAR

Meeting Date: 03/03/2015

Submitted For: Robert  
Villarreal,  
COUNTY  
JUDGE

Submitted By: Michael Leo, COUNTY JUDGE

Department: COUNTY JUDGE

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**Information**

**CAPTION**

Discussion, consideration, and approval of the creation of the Hidalgo County Literacy Program, as authorized under Section 381.004(b)(6) of the Texas Local Government Code.

**BACKGROUND**

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**Fiscal Impact**

**Attachments**

Legal approval

Hidalgo County Literacy Program

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**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Budget & Management	Veronica Ortiz	02/27/2015 03:02 PM
Purchasing Department	Monica Badillo	02/27/2015 05:55 PM
Form Started By: Michael Leo		Started On: 02/27/2015 02:21 PM
Final Approval Date: 02/27/2015		

# Texas Local Government Code 381.004 – Community and Economic Development Programs in Certain Counties

(a) In this section:

(1) “Another entity” includes the federal government, the State of Texas, a municipality, school or other special district, finance corporation, institution of higher education, charitable or nonprofit organization, foundation, board, council, commission, or any other person.

(2) “Minority” includes blacks, Hispanics, Asian Americans, American Indians, and Alaska natives.

(3) “Minority business” means a business concern, more than 50 percent of which is owned and controlled in management and daily operations by members of one or more minorities.

(4) “Women-owned business” means a business concern, more than 50 percent of which is owned and controlled in management and daily operations by one or more women.

(b) To stimulate business and commercial activity in a county, the commissioners court of the county may develop and administer a program:

(1) for state or local economic development;

(2) for small or disadvantaged business development;

(3) to stimulate, encourage, and develop business location and commercial activity in the county;

(4) to promote or advertise the county and its vicinity or conduct a solicitation program to attract conventions, visitors, and businesses;

(5) to improve the extent to which women and minority businesses are awarded county contracts;

(6) to support comprehensive literacy programs for the benefit of county residents; or

(7) for the encouragement, promotion, improvement, and application of the arts.

(c) The commissioners court may:

(1) contract with another entity for the administration of the program;

(2) authorize the program to be administered on the basis of county commissioner precincts;

(3) use county employees or funds for the program; and

(4) accept contributions, gifts, or other resources to develop and administer the program.

(d) A program established under this section may be designed to reasonably increase participation by minority and women-owned businesses in public contract awards by the county by establishing a contract percentage goal for those businesses.

(e) The legislature may appropriate unclaimed money the comptroller receives under Chapter 74, Property Code, for a county to use in carrying out a program established under this section. To receive money for that purpose for any fiscal year, the county must request the money for that fiscal year. The amount a county may receive under this subsection

for a fiscal year may not exceed an amount equal to the value of the capital credits the comptroller receives from an electric cooperative corporation on behalf of the corporation's members in the county requesting the money less an amount sufficient to pay anticipated expenses and claims. The comptroller shall transfer money in response to a request after deducting the amount the comptroller determines to be sufficient to pay anticipated expenses and claims.

(f) The commissioners court of a county may support a children's advocacy center that provides services to abused children.

(g) The commissioners court may develop and administer a program authorized by Subsection (b) for entering into a tax abatement agreement with an owner or lessee of a property interest subject to ad valorem taxation. The execution, duration, and other terms of the agreement are governed, to the extent practicable, by the provisions of Sections 312.204, 312.205, and 312.211, Tax Code, as if the commissioners court were a governing body of a municipality.

(h) The commissioners court may develop and administer a program authorized by Subsection (b) for making loans and grants of public money and providing personnel and services of the county.

# Texas Local Government Code 262.024 – Discretionary Exemptions

(a) A contract for the purchase of any of the following items is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption:

- (1) an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county;
- (2) an item necessary to preserve or protect the public health or safety of the residents of the county;
- (3) an item necessary because of unforeseen damage to public property;
- (4) a personal or professional service;
- (5) any individual work performed and paid for by the day, as the work progresses, provided that no individual is compensated under this subsection for more than 20 working days in any three month period;
- (6) any land or right-of-way;
- (7) an item that can be obtained from only one source, including:
  - (A) items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies;
  - (B) films, manuscripts, or books;
  - (C) electric power, gas, water, and other utility services; and
  - (D) captive replacement parts or components for equipment;
- (8) an item of food;
- (9) personal property sold:
  - (A) at an auction by a state licensed auctioneer;
  - (B) at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code; or
  - (C) by a political subdivision of this state, a state agency of this state, or an entity of the federal government;
- (10) any work performed under a contract for community and economic development made by a county under Section 381.004; or
- (11) vehicle and equipment repairs.