

REGULAR MEETING - August 25, 2020

BE IT REMEMBERED, that on this 25th day of August A.D., 2020 there was begun and held a **REGULAR MEETING** of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RICHARD F. CORTEZ	HIDALGO COUNTY JUDGE
HONORABLE DAVID FUENTES	COMMISSIONER, PRECINCT NO. 1
HONORABLE EDUARDO "EDDIE" CANTU	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE M. FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE ELLIE TORRES	COMMISSIONER, PRECINCT NO. 4

and **ARTURO GUAJARDO, JR., COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:



AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT
MEETING
August 25, 2020
2:00 P.M.

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners Court will be held in the Commissioners Courtroom of the Administration Building, 100 E. Cano, 1st floor, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

In accordance with section 418.016 of the Texas Government Code, Govenor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. As a result, all or some government officials may participate via videoconference. Additionally, members of the public are encouraged to watch the meetings online, at:
www.hidalgocounty.us/HClive

To participate in public comment, please call: (956) 292-7630 and you will be given further instruction and be provided with a toll free number at that time.

1. **Roll Call** (Audio Reference 16m:07s)
 Judge Richard Cortez called the meeting to order at 2:12 P.M.
 All members of the Court were counted present during the roll call.
2. **Pledge of Allegiance** (Audio Reference 16m:24s)
 Judge Cortez led the court in reciting the Pledge of Allegiance.
3. **Prayer** (Audio Reference 16m:38s)
 Judge Cortez offered the prayer.
4. **Approval of Consent Agenda** (Audio Reference 17m:34s)
 Consent Agenda items 3.B, 8.B.1, 8.B.2, 9.B, & 9.F. were pulled for further discussion. The court proceeded to approve the remainder of the Consent Agenda.
 On motion by COMMISSIONER PCT. 1, DAVID FUENTES, seconded by COMMISSIONER PCT. 4, ELLIE TORRES, the Court made a UNANIMOUS vote of approval of the Consent Agenda, excluding item 3.B, 8.B.1, 8.B.2, 9.B, & 9.F.
Vote: 5 - 0 – Unanimously
 The court proceeded to the Consent Agenda to further discuss the Consent Agenda items pulled.
5. **Open Forum** (Audio Reference 22m:00s)
 There were two participants under Open Forum.
 First Participant, Fern McClagherty, expressed her concerns with agenda items 19.C.1, 18.E, 19.D & 19.H.1, and the county's administration of the taxpayers monies.
 Second participant, Arturo Ortiz expressed his concerns with his CPS case, and asked the court to assist him in the right direction for assistance.
 No action was taken on item 5 - Open Forum.
6. **County Judge's Office:**

- A. AI-77046 Approval of Proclamation recognizing Palm Valley Animal Society on receiving the Transformational Change Lifesaving Award (Audio Reference 27m:57s)
- Judge Cortez recognized Palm Valley Animal Society on receiving the Transformational Change Lifesaving Award, and their dedication to saving animals in the county.
- Donna Casamento and staff, expressed their gratitude towards the court for the recognition and continued support of the organization.
- No record vote was taken on item 6.A.
- B. AI-77041 Discussion, consideration and action regarding the Moody Grant distribution of funds (Audio Reference 32m:42s)
- Judge Cortez stated that the funds are to be allocated for emergency management and first responder assistance in response to the COVID-19 pandemic.
- On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU seconded by COMMISSIONER PCT. 4, ELLIE TORRES, the Court made a UNANIMOUS vote of approval on item 6.B.
- Vote: 5 - 0 – Unanimously**
7. **District Attorney's Office:** (Audio Reference - #34:24)
- A. AI-76925 DA's-State Supplement (1281): (Audio Reference 34m:23s)
1. Requesting approval to accept the FY 2020-2021 D.A. State Supplement in the amount of \$22,500.00 (09/01/2020 to 08/31/2020).
 2. Approval of Certification of Revenues as certified by the County Auditor for FY 2020-2021 D.A. State Supplement Grant in the amount of \$22,500.00 and appropriation of the same.
- On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU seconded by COMMISSIONER PCT. 1, DAVID FUENTES, the Court made a UNANIMOUS vote of approval on items 7.A.1 & 2.
- Vote: 5 - 0 – Unanimously**
- B. AI-76904 Domestic Violence Specialty Prosecutor Grant (DVSP)(1281): (Audio Reference 35m:11s)
- Approval to continue the payment of salaries for one (1) Assistant District Attorney, currently being paid by the DVSP grant pending the award of the 2020 Fiscal Year grant.
- On motion by COMMISSIONER PCT. 4, ELLIE TORRES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 7.B.
- Vote: 5 - 0 – Unanimously**
- C. AI-76918 DA-Victim Coordinator and Liaison Grant (VCLG)(1281): (Audio Reference 35m:39s)
- Approval to continue the payment of salaries for one (1) Victim Assistance Coordinator currently being paid by the VCLG grant pending the award of the FY 2020-2021 grant.
- On motion by COMMISSIONER PCT. 4, ELLIE TORRES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 7.C.
- Vote: 5 - 0 – Unanimously**
8. **County Treasurer - Lita Leo:**
- A. AI-77047
1. Approval of Hidalgo County Investment Policy;
 2. Approval of resolution for Texas Fixed Income Trust Investment Pools;
 3. Approval of Hidalgo County Authorized Dealer list. (Audio Reference 36m:08s)
- Hidalgo County Treasurer, Lita Leo, informed the court that all of the items were submitted to legal and have been reviewed and approved. Ms. Leo further stated that there were no changes made to the investment policy. Lastly, Ms. Leo stated that a new broker has been added, Kent Koch, with Water Walker Investments, from Tampa, Florida.
- Commissioner Cantu stated for the record that he abstained from any discussion and/or action on item 8.A.
- On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, DAVID FUENTES, the Court made a UNANIMOUS vote to approve items 8.A. 1, 2 & 3.
- Vote: 4 - 0 – Unanimously**

1. AI-77059 Pursuant to Texas Local Government Code 111.070, approval of emergency appropriation from the General Fund - Fund Balance in the amount of \$2,000,000.00 for emergency related expenditures. (Audio Reference 1h:22m 21s)

Commissioner Flores rejoined the meeting.

Sergio Cruz, with the Budget and Management Department stated that the amount of \$2M was going to be revised to \$1M for emergency related expenditures related to Hurricane Hanna.

Commissioner Fuentes stepped away from the meeting.

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU seconded by COMMISSIONER PCT. 4, ELLIE TORRES, the Court made a UNANIMOUS vote of approval on item 18.J.1, with the revised amount of \$1M.

Vote: 4 - 0 – Unanimously

2. AI-76970 Approval to undesignate funds in 2020 for expenditures related to the following program(s) and appropriation of the same:

Program#	Program	Amount
200-010	CC & DC E-Filing	\$66,186.59

(Audio Reference 1h:23m 10s)

On motion by COMMISSIONER PCT. 4, ELLIE TORRES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 18.J.2.

Vote: 4 - 0 – Unanimously

19.

Purchasing Department - Notes:

A. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE AVAILABLE ON THE COUNTY INTRA-NET WEBSITE AND WILL BE FORWARDED VIA E-MAIL, FAX OR HAND DELIVERED TO HIDALGO COUNTY AUDITOR'S OFFICE.

B. ANY AND ALL REQUESTS FOR PAYMENT(S) APPROVED WILL BE SUBJECT TO COUNTY AUDITORS PROCESSING PROCEDURES INCLUDING AUTHORITY FOR COUNTY TREASURER TO ISSUE PAYMENT(S)/CHECK(S).

A. **Hidalgo County**

1. AI-76980 A. "Discussion, consideration and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation, for the "COVID Radio Public Service Announcements , in order to assist with County actions to facilitate compliance with public health measures and with provisions of economic support in connection with addressing the ongoing COVID-19 emergency; the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is necessary for the intended use.";

The Court stated that action will be taken on all items listed under 19.A.1 after Closed Session, and continued with item 19.A.2. (Audio Reference 1h:23m 49s)

(Audio Reference 1h:45m 27s)

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, seconded by COMMISSIONER PCT. 1, DAVID FUENTES, the Court made a UNANIMOUS vote of approval on item 19.A.1.A.

Vote: 4 - 0 -Unanimously

B. Requesting exemption for competitive bidding requirement under Texas Local Government Code 262.024 (a)(1: an item that must be purchased in case of a public calamity; (2) an item necessary to preserve the protect the public health and safety of the citizens of the county; (Audio Reference 1h:46m 20s)

On motion by COMMISSIONER PCT. 1, DAVID FUENTES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 19.A.1.B.

Vote: 4 - 0 – Unanimously

C. Ratification of PO #s 820126/Univision/\$2,940.00 and #820184/Entravision Radio/\$11,700.00 for urgent and necessary Public Service Announcements to disseminate COVID-19 information on public health and economic support initiatives and programs;(Audio Reference 1h:46m 51s)

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, seconded by COMMISSIONER PCT. 1, DAVID FUENTES, the Court made a UNANIMOUS vote of approval on item 19.A.1.C.

Vote: 4 - 0 -Unanimously

D. Discussion, consideration and action to approve a budget for the Communication Strategy/Campaign [through multi-media platforms] at the amount of \$150K per month through 12-31-20. (Audio Reference 1h:47m 28s)

Judge Cortez stated that the amount of \$150K has been changed to \$75K.

On motion by COMMISSIONER PCT. 1, DAVID FUENTES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 19.A.1.D., with the modified amount of \$75K.

Vote: 4 - 0 – Unanimously

The court proceeded to item 21. (Audio Reference 1h:48m 09s)

2. AI-77034 A. Acceptance and approval to execute the final form of a professional engineering service agreement (subject to legal counsel's review) for the provision of: Structural Engineering with Halff Associates, Inc. for the Automatic Doors at Main and Secondary Entrances, aka, Countywide Facilities Upgrades and Retrofit/Improvements Project [approved for negotiations CC 7/14/20]. (Audio Reference 1h:24m 45s)

Commissioner Flores stepped away from the meeting.

On motion by COMMISSIONER PCT. 4, ELLIE TORRES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 19.A.2.

Vote: 3 - 0 – Unanimously

B. Requesting approval of Work Authorization No. 1 (with an estimated cost of \$7,524.00) as submitted by the project engineer, Halff Associates, Inc. to provide structural engineering for Automatic Doors at Main and Secondary Entrances, aka, Countywide Facilities Upgrades and Retrofit/Improvements Project. (Audio Reference 1h:25m 22s)

On motion by COMMISSIONER PCT. 4, ELLIE TORRES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 19.A.2.B.

Vote: 3 - 0 – Unanimously

3. AI-76968 Approval to exercise the County's option to extend the first of two/1 year terms [as permitted under contract # C-19-101-08-25] with Frontera Materials for "Flexible Base Material for Hidalgo County Precinct's 1, 2, 3, & 4, and Colonia Access Program" on an as-needed basis under the same rates, terms & conditions, (Audio Reference 1h:25m 49s)

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU seconded by COMMISSIONER PCT. 4, ELLIE TORRES, the Court made a UNANIMOUS vote of approval on item 19.A.3.

Vote: 3 - 0 – Unanimously

4. AI-76995 A. Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for the current budget and cannot be lawfully funded by line item, allotment or allocation, for Hidalgo County in order to assist with County functions and compliance with public health measures related to the ongoing COVID-19 public health emergency with establishing a WIFI Project to assist the citizens with distance learning, including technology improvements, as well as improving telework capability; the Court having reviewed the Agenda Item Briefing herein find that such expenditure is reasonable and necessary for the intended use.; (Audio Reference 1h:26m 14s)

On motion by COMMISSIONER PCT. 4, ELLIE TORRES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval on item 19.A.4.A

Vote: 3 - 0 – Unanimously

B. Requesting exemption from competitive bidding/procurement requirements under Texas Local Government Code, 262.024(a)(1) and (2); (Audio Reference 1h:27m 08s)

Commissioner Fuentes rejoined the meeting.

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU seconded by COMMISSIONER PCT. 4, ELLIE TORRES, the Court made a UNANIMOUS vote of approval on item 19.A.4.B.

August 25, 2020

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

Dated this the 25th day of August, 2020

ARTURO GUAJARDO, JR., County Clerk
Hidalgo County, Texas

By: _____
Carolyn Thornton, Deputy

I, ARTURO GUAJARDO, JR., County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on August 25, 2020.

Signed this 1st day of September 2020

ATTEST:
ARTURO GUAJARDO, JR.
County Clerk and Ex-Officio Clerk
Of the Commissioners' Court of
Hidalgo County

By: _____
(Seal) Carolyn Thornton, Deputy