

**SPECIAL MEETING – AUGUST 16, 2011**

**BE IT REMEMBERED, that on this 16<sup>TH</sup> day of August A.D., 2011, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:**

<b>HONORABLE RAMON GARCIA</b>	<b>HIDALGO COUNTY JUDGE</b>
<b>HONORABLE JOEL QUINTANILLA</b>	<b>COMMISSIONER, PRECINCT NO. 1</b>
<b>HONORABLE HECTOR (TITO) PALACIOS</b>	<b>COMMISSIONER, PRECINCT NO. 2</b>
<b>HONORABLE JOE FLORES</b>	<b>COMMISSIONER, PRECINCT NO. 3</b>
<b>HONORABLE JOSEPH PALACIOS</b>	<b>COMMISSIONER, PRECINCT NO. 4</b>

**and ARTURO GUAJARDO, JR., COUNTY CLERK & EX-OFICIO 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 16, 2011**

**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 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:**

**2. Roll Call**

All members of the Court were counted present.

**3. Pledge of Allegiance**

Judge Garcia led the Court and Audience in reciting the Pledge of Allegiance.

**4. Prayer**

Commissioner Quintanilla led the Court and Audience in the Pledge of Allegiance.

**5. Approval of Consent Agenda**

The Court proceeded with the Pledge of Allegiance at this point.

**6. Open Forum**

(Audio Tape # 1, Tracking # 487)

-Jim Barnes made comments on the budget process, redistricting and politics.

-Frank Traver discussed the feasibility study.

-Beth Barnes expressed concerns with the Planned Parenthood Agreement.

-Virginia Townsend questioned monies being spent on the border wall, limit travel across the Board, asked about the financial advisor.

-Bea Whitlock discussed the possibility of centralizing purchasing and/or standardizing supplies, GPS on county vehicles and employees taking vehicles home.

-Fern McClaugherty talked about the County's tax rate and construction in Pct. 1.

-Norma Aldape came before the court to ask what plans the county had in her area reference to drainage.

- Daniel Diaz who resides in Los Olivarez had issues with drainage and public lighting.

-Dr. Dorothy Adams discussed the narrowing/widening of roads, trash, Santa Clara Estates.

-Commissioner Joel Quintanilla congratulated Mr. Sesin, discussed budgetary issues, flooding, Los Olivarez, and nepotism. Commissioner Quintanilla for the Record: My brother has worked for Hidalgo County now for probably about two years before I got elected. He did not get a raise, he did not get a promotion and I don't think he's intimidating anybody because, I don't think, because that's not his nature. I understand that everybody has an opinion, and I respect your opinions. I would ask that you do look into matters before you actually come out here and critic like that. It is your right and I respect it, but no. There's nothing in that process and there's nothing of that nature going on.

-Mike Robledo thanked the Court and employees for contributing their time, money and efforts for making the back to school Family Festival a success.

The Court proceeded with item 7.D. at this point.

**7. Executive Officer - Valde Guerra:** (Exhibit N)

(Audio Tape # 1, Tracking # 1884)

**A. 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024(A) (4) "a Professional Service" for the "provision of legal services/representation in connection with litigation."**

NO ACTION taken on this item.

**2. Requesting engagement with the firm of \_\_\_\_\_ for the "Provision of Legal Services/Representation in connection with Litigation"**

NO ACTION taken on this item.

**B. AI-27827 Presentation & Acceptance of Independent Audit Report for the year ended December 31, 2010.**

Presentation by Ricky Longoria, Independent Financial Auditor.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to accept the Independent Audit Report. .

Commissioner Quintanilla stepped away.

**C. AI-28035 Approval to accept a settlement check from Endeavor General Agency in the amount of \$884.00 to settle auto accident with County vehicle. (Sheriff Office)**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**D. AI-28063 Recognition of newly elected District 12 4-H Council Officers**

(Audio Tape # 1, Tracking # 1646)

Ms. Barbara Storz informed the Court of recent elections for Council Officers and thanked them for their support. She also praised Ms. Yvonne Ramon and her staff for their assistance with the election process.

The new Council Officers, Kailey Nicole Ricks, David Saldana, Ruben Saldana and Ana Lisa Garza, presented themselves.

**E. AI-27777 Discussion, consideration, and approval of First Amendment to Economic Development Agreement with First Hartford Realty and the City of Edinburg regarding Reinvestment Zone Number One, City of Edinburg, TX and the development known generally as "The Shoppes at Rio Grande Valley".**

(Audio Tape # 1, Tracking # 2833)

Ms. Nelda Ramirez, with the Economic Economic Cooperation asked that the Court approve the amendment with a two year extension in time so that the developer can continue to complete their portion of the work.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**F. AI-28054 Health and Human Services Dept (1100):  
Requesting approval to advertise position of Eligibility Specialist I.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**G. AI-28051 IT Dept (1100):**

**1. Approval to create two (2) temporary full time LUCA Program Clerk positions, slot no.'s 033, & 034, budgeted salary \$18,720.00 per yr/ \$9.00 per hour.**

**2. Approval of interdepartmental transfer**

**3. Approval of revised salary schedule.**

NO ACTION taken on items 7.G.1, 2 & 3.

Commissioner Quintanilla joined the meeting.

**H. AI-28042 Fire Marshal's Office:**

**Approval of application for Official County travel to the 13th Annual Texas Fire Marshal's Conference in Austin, Texas for Fire Marshal Juan Martinez.**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**I. AI-28067 Fire Marshal's Office:**

**Requesting approval for Fire Marshal to travel to Austin, Texas on August 30-September 1, 2011 to attend Texas Forest Service Annual Team Laser & Steering Committee Meeting.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**J. AI-28066 Request from the Edinburg Police Department to use the Town Square Parking Lot on Saturday, September 17, 2011 from 9:30 a.m. to 12:30 p.m. for a rabies clinic.**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Commissioner Hector Palacios stepped away.

The Court went back to the Consent Agenda at this point for corrections/clarifications.

**8. County Judge's Office: (Exhibit O)**

(Audio Tape # 1, Tracking # 3314)

**A. AI-27961 Discussion, consideration, and approval of a Resolution of Support for the Rio South Texas Regional Planning Consortium to apply for grant funding from the U.S. Department of Housing and Urban Development.**

Jaime Longoria informed the Court that the MPO is not asking for financial requirement, at this time, on behalf of the county. Mr. Longoria then read the Resolution into the record.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**9. Health & Human Services Department - Eddie Olivarez (Exhibit P)**

(Audio Tape # 1, Tracking # 3435)

**A. Discussion and/or action, including but not limited to Indigent Health Care Program and/or Expenditures**

NO ACTION taken on this item.

**B. AI-28014 Requesting approval of the attached agreement between Hidalgo County (Health & Human Services Dept.) and La Joya I.S.D. The Health & Human Services Dept. staff will provide training and certification on food handling to employees from La Joya I.S.D.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**C. AI-27959 Discussion, consideration and approval to transfer \$2,125,000 to the County of Hidalgo Medicaid Supplemental Program Escrow Account for Indigent Health Care expenditures for the 3rd Quarter of Fiscal Year 2011.**

Mr. Olivarez clarified that this would be for the 3<sup>rd</sup> quarter State Fiscal Year 2011.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**10. Urban County - Diana Serna: (Exhibit Q)**

(Audio Tape # 1, Tracking # 3506)

**A. AI-28013 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineering services.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**2. Presentation of the scoring grid for the purpose of ranking by Commissioner’s Court of at least three (3) engineering firms from the County’s approved “pool” as graded and evaluated by the Urban County Program staff, Hidalgo County Purchasing Department and Precinct No. 2 in connection with and funded through the Texas General Land Office.**

FIRM	GRADE	RANK
R. Gutierrez Engineering Corporation	95.34%	1
Salinas Engineering & Associates	90.67%	2
Noe Garza Engineers, Inc	89.34%	3

**3. Authority to negotiate a professional engineering service contract with No. 1 ranked firm R. Gutierrez Engineering Corporation for an Urban County Program Precinct No. 2 Flood Drainage Improvements-Project utilizing the Texas General Land Office Funds.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve in the order as ranked and authorize item 10.A.3 to negotiate with the top ranked firm R. Gutierrez.

**B. AI-28026 The Urban County Program (UCP) is requesting approval of an Amendment to a Professional Engineering Service contract with Dos Logistics, Inc. The Amendment will increase the contract amount of \$94,850.00 by \$73,701.25, for a total amount of \$168,551.25 to be utilized for geotechnical testing and a full-time on-site construction inspector.**

Tony Barco explained that this was part of the Disaster Recovery Program, La Villa, Pct. 1 area. The additional cost was as a result of hiring a full time inspector to be there on a daily basis, as per request by the IBWWC.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**C. AI-28024 The Urban County Program (UCP) is requesting approval of an Amendment to a Professional Engineering Service contract with R. Gutierrez Engineering Corporation which will increase the contract amount of \$112,661.00 by \$16,556.68 to a total amount of \$129,217.68 to be utilized for construction material testing.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**D. AI-28034 The Urban County Program is requesting approval of a best and final negotiated contract with Alcocer Garcia Associates, Inc., in the amount of \$9,668.00 utilizing Years 22-24 (2009-2011)**

**funds for a Professional Architectural Service Contract for the Parks, Recreational Facility Improvements Project in the City of Donna.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

- E. AI-28033 Urban County Program on behalf of the City of Donna is requesting authority to purchase Fire Station Equipment through Hidalgo County's membership and participation with Buy Board, approved vendor Dooley Tackaberry, (contract #363-10) in the amount of \$5,228.00 (quote attached hereto) to include delivery fees as requested by the City of Donna. UCP Year 21 (2008) Donna – Fire Station Equipment funds will be utilized along with City of Donna General Funds.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**11. Elections Administration - Yvonne Ramon: (Exhibit R)**

Commissioner Hector Palacios joined the meeting.

(Audio Tape # 2, Tracking # 107)

Thanked the 4-H Club for the certificate of appreciation awarded to the Elections Department. Ms. Ramon thanked Joaquin Garcia and her staff for a job well done.

- A. AI-27938 Approval of Contract for Election Services between Hidalgo County and Mission Consolidated Independent School District for their election to be held on September 17, 2011.**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

Ms. Ramon recapped her proposed plans of action as discussed during last week's workshop.

Estimate A: proposed plan of action with least minimum aspect to budget

Estimate B: To stay at the status quo. Continue to serve the community.

Estimate C: To have the even numbered elections that take place in May moved to November. Those that are even numbered elections moved to the odd numbered years.

**12. Auditor's Office - Ray Eufrazio: (Exhibit S)**

(Audio Tape # 1, Tracking # 221)

- A. AI-28028 Requesting approval to waive new employee enrollment procedures to fill Accountant I position, slot no. 0044.**

Mr. Eufrazio expressed that this position is a Grant Accountant and this individual would handle all the grant funding requirements and reports. If position is not filled, they might not be able to get funding from the grantor agencies.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval.

**13. Planning Department - Raul Sesin: (Exhibit T)**

(Audio Tape # 2, Tracking # 326)

**A. AI-28021 Final Approval:**

Commissioner Joseph Palacios joined the meeting.

**1. Mile 6 Acres Subdivision – Pct. 1 (Jorge Gonzalez)**

On motion of Commissioner Hector Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**B. AI-27913 1. Appointment of Member for the Hidalgo County Subdivision Advisory Board**

**a. County Judge**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to appoint Ms. Emily S. Rickers

**2. Appointment of Member for the Hidalgo County Board of Building Line Adjustment**

**a. County Judge**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to appoint Ms. Emily S. Rickers

**14. Budget & Management - Sergio Cruz: (Exhibit U)**

(Audio Tape # 2, Tracking # 396)

**A. AI-28065 Presentation and discussion on 2012 Budget Process status.**

Presentation by Sergio Cruz on the 2012 Budget which he provided a few options as to how to proceed with the budget.

Commissioner Joseph Palacios stepped away from the Court.

**B. AI-27984 Discussion, consideration and approval to submit an Economically Disadvantaged Counties Program (EDCP) application and affidavit for consideration of local participation reduction for a bridge replacement project (CR 229 Mile 17 1/2 Rd @ Drainage Ditch - STR # A02-29-002).**

(Audio Tape # 2, Tracking # 1697)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**C. AI-27432 1. Discussion, consideration and action to enter into The Texas VINE Annual Maintenance Grant Contract - fiscal year 2012 with the Office of the Attorney General of Texas and authorization for County Judge to sign the required documents.**

**2. Approval of Certification of Revenues as certified by the County Auditor for the Texas VINE Annual Maintenance Grant.**

**3. Approval of appropriation of funds for the Texas VINE Program in the amount of \$30,710.00.**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 14.C.1, 2 & 3.

**4. Discussion, consideration and action to enter into a Service Agreement Renewal between Appriss and Hidalgo County for the period of September 1, 2011 to August 31, 2012 in the amount of \$30,710.00 and authorization for County Judge to sign the required documents.**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**D. Budget Appropriations:**

**1. AI-27937 Constable Precinct No. 2 (1284):**

**Approval of appropriation of the FY2010 Operation Stonegarden Grant funds for the Constable Precinct No. 2 in the total amount of \$7,812.48.**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**2. AI-28016 Constable Precinct No. 3 (1284):**

**Approval of appropriation of the FY2010 Operation Stonegarden Grant funds for the Constable Precinct No. 3 in the total amount of \$20,090.11.**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval.

**3. AI-28046 Pct. #1 Drainage Improvement (1200):**

**a. Approval of certification of revenues as certified by the County Auditor for Pct. 1 Drainage Improvement labor reimbursements.**

**b. Approval of 2011 appropriation of funds for the Pct. 1 Drainage Improvement (fund 1200, program 052) in the amount of \$103,271.75 to fund payroll expenditures in relation to the Pct. 1 Drainage Improvement Project.**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 14.D.3.a & b.

**15. Purchasing Department - Marty Salazar: (Exhibit V)**

(Audio Tape # 2, Tracking # 1794)

**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 FOWARDED 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. Current inter-local(s) and/or contract(s) for the "Housing of Inmates"**

**2. Presentation for discussion, consideration and action**

**Including, but not limited to, the following items in connection with New Adult Detention Center:**

**a) Detention Facility Law Enforcement Center Design- Build Contract with including action regarding Landmark Application for payment, final punch list and release of retainage**

**b) Construction of additional pod(s)**

**c) Selection and engagement of an architect for the construction of additional pods**

**3. Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:**

**a) Renovations of administration building**

**b) Other ongoing county owned building construction, renovation repair projects**

**c) Emergency situations occurring since last agenda meeting**

NO ACTION taken on items 15.A.1, 2 & 3.a, b & c.

**4. AI-28029 Presentation of bid(s) received as contained herein for the purpose of multiple awards and approval of contract(s) by CC meeting all specifications and/or requirements for: Hidalgo County - "Purchase of Mosquito Control Chemicals" RFB: 2011-168-06-22-NMC**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve with Adapco Inc. and Univar USA.

Commissioner Hector Palacios joined the meeting.

**5. AI-27947 Requesting authority to advertise and approval to auction Abandoned and Unclaimed (pursuant to Texas Local Government Code 263.152 (a)(1)) the items detailed on the A & U List #35 contained herein and eligible for such action in accordance with Texas Code of Criminal Procedures (Article 18.17) conducted, completed and followed by the Hidalgo County Sheriff's Office.**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval.

Judge Garcia stepped away.

**6. AI-27915 Presentation of bids received for the purposes of award by CC from vendors meeting all specifications, and requirements (item by item in each category/i.e. multiple awards) with approval of contracts for: "FIBERGLASS MANHOLES" (RFSQ No. 2011-080-06-08-YSI) with effective dates of September 12, 2011 to September 11, 2012.**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to award to Fiberglass Manholes.

**B. Pct. 1**

**1. AI-28037 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional surveyor services;**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval of the exemption.

**b. Presentation of scoring grid (for the purpose of ranking by CC) of the firms graded and evaluated through the County’s approved “pool” of Engineers for Surveying Services for all of Precinct No. 1 R\*B/CIP and other projects in general “On an as Needed Basis”**

<b>Evaluators</b>	<b>Guzman &amp; Munoz</b>	<b>Sam Engineering</b>	<b>Rio Delta Surveying</b>
<b>Evaluator 1</b>	<b>97</b>	<b>90</b>	<b>84</b>
<b>Evaluator 2</b>	<b>98</b>	<b>96</b>	<b>91</b>
<b>Evaluator 3</b>	<b>90</b>	<b>77</b>	<b>70</b>
<b>Scores</b>	<b>285</b>	<b>263</b>	<b>245</b>
<b>Average</b>	<b>95</b>	<b>87.6</b>	<b>81.6</b>
<b>Ranking</b>	<b>1</b>	<b>2</b>	<b>3</b>

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to score in the order of their grades.

**c. Authority for the Purchasing Department to negotiate a professional (Surveying Services) contract with the No. 1 ranked firm of Guzman & Munoz For: the provision of Surveying Services for (all of Precinct No. 1 R&B/CIP and other projects in general “ON an as Needed Basis”).**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**2. AI-28041 Requesting approval of Work Authorization #4 in the amount of \$4,496.64 from L&G Engineering Laboratory, LLC to provide Construction Materials Testing Services for Mile 12½ North Road (between FM 88 & Mile 4) Project in Hidalgo County Precinct 1 in connection with Contract #C-10-319-10-19 (approved by CC on 10/19/10).**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**3. AI-27957 a. Pursuant to current contract with L&G (Article 14 of Contract #C-11-054-04-12), a request by engineer to permit the subcontracting of Ergonomic Transportation Solution Inc. in connection to request for action on Work Authorization #2 of the Multi-Way Stop Control Warrant Study at intersection of Old La Blanca and Sioux Road In Precinct 1; and**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**b. Acceptance and approval of Work Authorization #2-in the amount of \$5,900.00 to conduct a Multi-Way Stop Control Warrant Study at intersection of Old La Blanca and Sioux Road in Precinct 1 as submitted by the project Engineer L&G Engineering in connection with Contract #C-11-054-04-12-Professional Engineering Services On-Call Services-MPO and HCRMA, Traffic Studies County Wide Projects.**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**C. Pct. 3**

- 1. AI-28008 a. Acceptance and approval to execute a Professional Engineer contract/agreement for the provision of general engineering services for, "Mile 2 Road Project (Moorefield Road to La Homa Road) for Precinct No. 3," with L & G Consulting Engineers Inc., as authorized & approved for negotiations by CC on 06/29/11.**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

**b. Acceptance and approval of Work Authorization No. 1 (estimated cost of \$490,606.33) for provision of engineering services required by Pct. #3 consisting of: ROW Mapping, Surveying, Right-of-Way Acquisition and Roadway Design for Mile 2 North Project from Moorefield Rd West to SH 364 (La Homa Rd)" with L&G Engineering under contract No. C-11-195-08-16**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval.

- 2. AI-28007 Approval to execute contract awarded by CC on 07/19/11 to Valley Boring Service, LLC., in the amount of \$73,160.00 for the ""Drainage Improvements to 2 Mile Line Abram Rd." 36" Dry Bore Method under H.C.I.D. No. 6 Canal," and authorize project engineer, Javier Hinojosa Engineering, to issue and forward "Notice to Proceed" to contractor.,**

Commissioner Joseph Palacios joined the meeting.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval.

- 3. AI-27948 Requesting approval of a professional architectural services contract with ERO Architects for the purposes of an "On-Call" (and on an as needed basis) for County - Owned Buildings/Structures located within Precinct No. 3 area in connection with necessary/needed repairs/renovations/remodeling and/or additions on a per project basis through AIA forms of Agreements and as selected for negotiations through County's protocol from the "POOL" of Architects (C.C. on 06/21/11).**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval.

- 4. AI-28006 Acceptance and approval to execute a Construction Material Testing Services contract with L&G Engineering Laboratory LLC for Precinct No. 3 (on an as needed basis) Projects as approved by CC for negotiations on CC 07/12/11.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**D. Health & Human Services Dept.**

- 1. AI-27956 Requesting approval of Change Order No. 3 increasing number of days for completion of project: "Hidalgo County Primary Care and Substance Abuse Facility Site and Utility Improvements", awarded to The 5125 Company Contract No. C-10-050-03-23 with authority for County Judge or Court Member to execute document.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**E. WIC**

- 1. AI-27487 Presentation of bid(s) received as detailed in tabulation sheet contained herein meeting all specifications and/or requirements for the purpose of award and approval of contract by Commissioners Court for the Request for Bid titled: Hidalgo County WIC Program-"Lease Office Space-City of Donna" through project No.: 2011-151-07-06-SGS.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**F. Community Service Agency**

- 1. AI-27839 Presentation by Community Service Agency of grid of responses received with recommendation for the purpose of award and approval of contract by CC to the most qualified proposal received meeting all specifications/requirements/criteria as attached hereto for "Hidalgo County Community Service Agency–Purchase and Disposal of Window Units" RFP #2011-126-05-25-YSI.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to award to Air Plus Heating & Cooling.

**G. Sheriff's Office**

- 1. AI-27942 Presentation of bid(s) received for the purpose of award and approval of contract(s) by CC to vendors submitting lowest pricing and meeting all specifications and/or requirements as attached hereto for: Hidalgo County Sheriff's Office-Commissary Supplies through RFB No. 2011-083-06-15-SMA.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to award to R&R Distributing and Keith Supply.

- 2. AI-28020 Requesting approval of Supplemental Agreement No. 1 to C-08-223-11-04, (an increase in the amount of \$7,620.80),for current contract with Dos Logistics, Inc. for the Hidalgo County Sheriff's Office Substation in the Precinct No. 1 Area, to reflect additional construction staking required.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval.

**16. Closed Session: (Exhibit W)**

(Audio Tape # 2, Tracking # 2129)

Judge Garcia joined the meeting.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to proceed into Closed Session.

**Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:**

- A. Real Estate Acquisition**
- B. Cause No. C-3123-03-I; Hidalgo County, Texas v. Landmark Organization, L.P. et al**
- C. Pending and/or potential litigation**
- D. AI-27986 Claim of Elvia Rodriguez**
- E. AI-27988 Claim of City of Penitas**
- F. AI-28050 CL-11-2386-A; Arturo & Erica Garza v. Justice Court Pct. 3 Pl.1, Hidalgo County, et.al**  
NO ACTION taken on items 16.A through F.

**17. Open Session: (Exhibit X)**

(Audio Tape # 2, Tracking # 2152)

As of this point, Commissioner Quintanilla did not return after resuming Open Session.

**A. Real Estate Acquisition and appropriation for same**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the settlement demand in the amount of \$8,000.00 for Parcel #4 on El Gato Road Project.

**B. Cause No. C-3123-03-I; Hidalgo County, Texas v. Landmark Organization, L.P. et al**

Commissioner Joel Quintanilla joined the meeting.

NO ACTION taken on this item.

**C. Pending and/or potential litigation**

NO ACTION taken on this item.

**D. AI-27987 Claim of Elvia Rodriguez**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$125.00.

**E. AI-27989 Claim of City of Penitas**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$155.00.

**F. AI-28052 CL-11-2386-A; Arturo & Erica Garza v. Justice Court Pct. 3 Pl.1, Hidalgo County, et.al**

Valde Guerra stated for the Record: This is being facilitated by Josie Ramirez.

NO ACTION taken on this item.

**18. Closed Session:**

**Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

**19. Open Session:**

**Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

**20. Adjourn**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to Adjourn.

**AGENDA  
CC CONSENT  
HIDALGO COUNTY  
COMMISSIONERS COURT MEETING  
August 16, 2011  
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 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:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

**The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.**

(Audio Tape # 1, Tracking # 432)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of items 13.I.2. and 7.A.

NO ACTION taken on item 13.I.2.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 7.A. as it pertains to employee # 023167.

NO ACTION taken on item 7.A. as it pertains to employee # 105805.

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**Corrections to Consent Agenda.**

(Audio Tape # 1, Tracking # 3135)

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to rescind all action taken on the Commissioners' Court Consent Agenda.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of items 13.C, 13.I.2. and 7.A.other than Employee # 023167.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 13.C. Judge Garcia Abstained.

NO ACTION taken on items 13.I.2.

- 1. Approval of check register and payment of claims and bills - (Payments from Juvenile Probation, Adult Probation, LEOSE Fund, DA Motor Vehicle Theft Fund, DA Bad Check Processing Fund, DA Forfeiture Fund, Sheriff Forfeiture Funds, Constable Forfeiture Funds, HIDTA Forfeiture Funds and VIT Interest Fund are presented for recording purposes only.) (Exhibit A)**
  
- 2. 2011 Intradepartmental Transfers: (Exhibit B)**
  - A. AI-27973 2011 - BCAP (1200)**
  - B. AI-27958 2011 - Pct. #1 BCAP (1312)**
  - C. AI-27972 2011 - Pct. #1 BCAP (1312)**
  - D. AI-27970 2011 - Pct. #1 BCAP (1312)**
  - E. AI-27971 2011 - Pct. #1 BCAP (1312)**
  - F. AI-27967 2011 - Pct. #1 BCAP (1312)**
  - G. AI-27966 2011 - Pct. #1 BCAP (1312)**
  - H. AI-27963 2011 - Pct. #1 BCAP (1312)**
  - I. AI-27965 2011 - Pct. #1 BCAP (1312)**
  - J. AI-27968 2011 - Pct. #1 BCAP (1312)**
  - K. AI-27969 2011 - Pct. #1 BCAP (1312)**
  - L. AI-27964 2011 - Pct. #1 BCAP (1312)**
  - M. AI-27977 2011 - Pct. #1 Adm. (1200)**
  - N. AI-28005 2011 - Pct. #1 Sanitation (1100)**
  - O. AI-28004 2011 - Pct # 1 CIP (1342)**
  - P. AI-28025 2011 - Pct. #2 BCAP (1311)**
  - Q. AI-28000 2011 - Pct #3 Sanitation (1100)**
  - R. AI-27974 2011 - Pct. 4 TXDOT "I" Rd. (1315)**
  - S. AI-27975 2011 - Pct. 4 Rd. Maint. (1200)**

- T. AI-28031 2011 - County Clerks (1100)
- U. AI-27950 2011 - County Auditor's Office (1100)
- V. AI-27982 2011 - Veterans Services (1100)
- W. AI-28010 2011 - Texas Agrilife Extension (1100)
- X. AI-28018 2011 - Health & Human Services Dept. (1100)
- Y. AI-27992 2011 - Sheriff's Office (1100)
- Z. AI-27993 2011 - Sheriff's Office (1100)
- AA. AI-27994 2011 - Facilities Management (1100)
- BB. AI-28003 2011 - Planning Dept. (1100)
- CC. AI-27962 2011 - 370th District Court (1100)
- DD. AI-27976 2011 - Constable Pct. 2 (1100)
- EE. AI-27926 2011 - Constable Pct. 3 (1100)
- FF. AI-27935 2011 - Constable Pct #4 (1100)

**3. 2011 Interdepartmental transfers: (Exhibit C)**

**A. AI-28019 Pct. #1 CO's 2009 (1339):**

**Approval of 2011 interdepartmental transfer from Pct. 1 Drain. Improv., program #052, to Bar Ditches, program #087, in the amount of \$6,016.15 to fund Pct. 1 Drainage Improvement labor reimbursements for the month of June 2011 (PP #11 & 12).**

**B. AI-28022 Pct. #1 BCAP Round II (1311):**

**Approval of 2011 interdepartmental transfer from Round II Contingency, program #000, to Mel Gray Subdivision, program #897, and El Monte Subdivision, program #245, in the total amount of \$1,453.65 to fund indirect cost expenditures.**

**C. AI-27981 Pct. #2 RD Maintenance (1200)**

**Approval of 2011 interdepartmental transfer within Precinct #2 fund (1200) from Rd Maint. (program 006) to Border Colonia Access Program Esperanza Estates Subdivision Project (program 262) in the amount of \$3,000.00 to fund project expenditures.**

**D. AI-28044 Pct. #3 C.O. 2009 (1339):**

**Approval of 2011 interdepartmental transfer from C.O. 2009 - Pct #3 Acevedo Subd. 4/Monte Bonito (program 083) to C.O. 2009 Drainage Improvement (program 049) in the amount \$152,088.39.**

**E. AI-27927 Pct. #3 Golf View Estates:**

**Approval of 2011 interdepartmental transfer from Precinct #3 Paved Unpaved Road to Precinct #3 Golf View Est. Phase I & II in the amount of \$12,500.00.**

**F. AI-28017 Pct. #3 BCAP (1311):**

**Approval of 2011 interdepartmental transfer from BCAP Walton Subdivision, program #837, to BCAP El Sol Subdivision No.1, program #250 in the total amount of \$571.57.**

**G. AI-28038 Constable Pct. 4 (1100):**

**Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to Constable Pct. 4 in the amount of \$4,000.00 to fund fuel expenditures.**

**4. Planning Department: (Exhibit D)**

**A. AI-27996 1. Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)**

**2. Certificate of Water Service Availability under Texas Local Government Code Section 232.029 (c) (2)**

**5. Monthly Fee Reports: (Exhibit E)**

**A. AI-27954 District Clerk**

**Approval of July 2011 Monthly Fee Report.**

**6. Right of Way - Permits: (Exhibit F)**

**A. AI-27978 North Alamo Water Supply:**

**1. Hargill (SEC Gill Ave/ 9th)- Possible Street Open Cuts- Proposed 4" Sewer taps**

**7. Executive Officer - Valde Guerra: (Exhibit G)**

**A. AI-27985 Approval of 457 plan hardship withdrawal request for employee #023167 & 105805.**

**8. Tax Refunds: (Exhibit H)**

**A. AI-27995**

Acct#	Payer	Amt
C7883.99.000.0004.21	Conn's Appliances	\$7,239.25
G7000.03.000.001A.00	Conn's	\$10,276.46
G7000.03.000.001A.00	Conn's	\$4,697.89
R3294.00.000.0030.00	Corelogic/Chase	\$3,160.35
P2000.00.041.0006.00	Herlinda Vega (Price)	\$6,192.48
W3800.00.811.0000.00	Sheriff Trust Fund	\$3,667.92

**9. Membership Dues: (Exhibit I)****A. AI-27833 Auditor's Office:**

Requesting approval to pay 2011 - 2012 membership dues to the Government Finance Officers Association in the amount of \$1,775.00 (Requisition 200202).

**B. AI-27979 County Clerk:**

Requesting approval to pay the 2011 Property Records Industry Association (PRIA) membership dues in the total amount of \$385.00 for Arturo Guajardo, Jr., with authority for the County Treasurer to issue check after review, audit, and processing procedures are completed by the County Auditor.

**10. Urban County: (Exhibit J)****A. AI-28027 Request for approval of one (1) applicant in the City of Elsa under the HOME Homeowner Occupied Housing Rehabilitation Program.****11. Auditor's Office: (Exhibit K)****A. AI-27936 Monthly collection reports for September 2010, and May and June 2011.**

<u>OFFICE</u>	<u>FEES &amp; COST</u>	<u>MONTH</u>
The Hon. Ismael "Melo" Ochoa, Justice of the Peace	\$ 98,501.09	September 2010
The Hon. Armando Barrera, Tax Assessor/Collector	\$ 3,228,543.58	May 2011
The Hon. Guadalupe Trevino, Hidalgo County Sheriff	\$ 62,764.08	May 2011
The Hon. Guadalupe Trevino, Hidalgo County Sheriff	\$ 180,685.75	June 2011
The Hon. Gilberto Saenz, Justice of the Peace	\$ 48,401.30	June 2011
The Hon. Bobby Contreras, Justice of the Peace	\$ 91,473.85	June 2011
The Hon. Rosa E. Trevino, Justice of the Peace	\$ 100,856.97	June 2011
The Hon. Luis Garza, Justice of the Peace	\$ 89,473.36	June 2011
The Hon. Ismael Ochoa, Justice of the Peace	\$ 80,143.63	June 2011
The Hon. Charlie Espinoza, Justice of the Peace	\$ 163,764.40	June 2011

<b>The Hon. Espiridion Jackson, Justice of the Peace</b>	<b>\$ 19,853.52</b>	<b>June 2011</b>
<b>The Hon. Arturo Guajardo Jr., County Clerk</b>	<b>\$ 515,183.18</b>	<b>June 2011</b>
<b>The Hon. Joel Quintanilla, Comm. Pct 1, Delta Lake</b>	<b>\$ 932.00</b>	<b>June 2011</b>
<b>Juan Martinez, Fire Marshal</b>	<b>\$ 5,464.25</b>	<b>June 2011</b>
<b>Angie Chapa, Law Librarian</b>	<b>\$ 1,392.00</b>	<b>June 2011</b>
<b>The Hon. Celestino Avila, Constable Precinct No. 1</b>	<b>\$ 2,160.00</b>	<b>June 2011</b>
<b>The Hon. Gilberto Alaniz, Constable Precinct No. 2</b>	<b>\$ 1,220.00</b>	<b>June 2011</b>
<b>The Hon. Larry Gallardo, Constable Precinct No. 3</b>	<b>\$ 2,880.00</b>	<b>June 2011</b>
<b>The Hon. Eddie Guerra, Constable Precinct. No. 4</b>	<b>\$ 950.00</b>	<b>June 2011</b>
<b>Chief Deputy Daniel Marichalar, Constable Precinct No. 5</b>	<b>\$ 750.00</b>	<b>June 2011</b>

- B. AI-28011 Discussion, consideration and approval to process the City of Edinburg TIRZ payment for tax year 2009 and 2010 in the amount of \$32,261.20 pursuant to the interlocal agreement between the City of Edinburg, Hidalgo County, Tax Increment Reinvestment Zone No. 3 and Burns Brothers, Ltd.**

**12. Budget & Management: (Exhibit L)**

- A. AI-27997 1. Approval to transfer \$ 588,219.99 to the Hidalgo County Claims Bank Account for Blue Cross Blue Shield Insurance Claims paid for period 07/23/2011 to 08/05/2011.**

<b>07/23-29/2011</b>	<b>\$ 294,181.26</b>
<b>08/01-05/2011</b>	<b>\$ 294,038.73</b>
<b>TOTAL:</b>	<b>\$ 588,219.99</b>

- 2. Approval of wire transfer to cover claims paid.**

**13. Purchasing Dept: (Exhibit M)**

**Notes:**

**A. FOR ANY CONTRACTS(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 FOWARDED 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. AI-27951 Request authorization to remove assets from Juvenile Probation Department's Asset Inventory due to items cannot be located and possess no value as detailed in attached schedule Exhibit "A".**

**B. AI-28040 Acceptance and approval of request for payment of Invoice #U1445-03 in the amount of \$916,571.00 as submitted by S&B, LTD., project engineer for "Raymondville Drain Project-County Wide" in connection with Contract #C-10-164-04-20- PO#642615 for invoice period thru April 30, 2011 with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.**

**C. AI-28009 Pct #2:**

**Request approval for Application for Payment No.1 in the amount of \$107,829.00 from O. G. Construction Co., Inc., awarded contractor for the, "LJ Lateral Drainage Improvements Phase II Project, and as certified for payment by project engineer, Raul E. Sesin, PE; contract #C-10-360-12-13.**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 13.C. Judge Garcia Abstained.

**D. AI-28023 Requesting authority to exercise the extensions as provided in current contracts for Hidalgo County Sheriff's Office, under the same rates, terms and conditions with the following vendors for:**

**1. "Water Softner System Maintenance Service" with Hydro Systems, Inc.-E-10-298-08-10, Third (3rd) year of the additional three (3) one (1) year options (commencing, 08/26/11, expiring, 08/25/12);**

**2. "Drug Testing Services" - N.T.C. Drug Testing Services, Inc. d/b/a Nurses, Technicians and Collectors, C-09-160-07-14, First (1st) year of the additional two (2) one (1) year options (commencing, 08/22/11, expiring, 08/21/12).**

**E. AI-27999 Pct #2:**

**Request approval for Application for Payment No.2 in the amount of \$84,525.22 from Mission Paving Company, Inc., awarded contractor for the, "Tower Road Phase II Road & Drainage Improvement Project, and as certified for payment by project engineer, Raul E. Sesin, PE through contract #C-10-363-01-11.**

**F. AI-27960 Cooperative Agreements:**

**Approval to utilize the following cooperative purchasing vendors (as listed in detailed revised Exhibit(s) attached) for purchases on an "AS NEEDED BASIS" through our membership/participation with Texas Procurement and Support Services (TPASS), (DIR) Department of Information Resources, (TCPN) The Cooperative Purchasing Network, (HGAC), US Communities, (GSA) General Service Administration, (TASB-Buy Board) Texas Association of School Board, (TIPS) The Interlocal Purchasing System, (HCDE) Harris County Department of Education/Choice Facility Partners, (NJPA) National Joint Powers Alliance awarded pricing including, but not limited to, Precincts, Department, Programs, Agencies, etc. with term of authority to purchase from contract detailed herein commencing upon approval and expiring December 31, 2011.:**

**G. AI-27953 Approval of ongoing annual software renewal with BigWebApps for the IT and Facilities Management Department through the following requisition #200518 in the amount of \$6,854.40 for the following licenses, effective upon approval (1-1100-415-00-200-002-0-336):**

**(20) Technical Licenses at \$308.00/each total \$6,160.00/year**

**(1) Asset Manager at \$1,848.00/year**

**(1) Email Parser at \$616.00/year**

**(1) LDAP Replicator at \$1,232.00/year**

**(1) Remote Assistance at \$616.00/year**

**(1) Additional Departments at \$2,094.40**

**H. AI-27952 Approval for Comdata Corporation/Transmontaigne Product Services, Inc. to add additional fuel card(s) and/or driver(s) for the following departments:**

**a. County Judge**

**b. District Attorney**

**c. Elections**

**d. WIC Department**

**I. AI-27941 1. Requesting authority to exercise the additional sixty (60)day grace period extension as provided under current contract for: Hidalgo County-Laboratory Services, under the same rates, terms and conditions with Quest Diagnostics Inc., E-10-330-08-31, so as to have no lapse in while procurement process is completed and awarded;**

**2. Requesting authority to re-advertise (due to no bids received) and approval of procurement packet (i.e. specifications/requirements, legal notice & draft service contract) as attached hereto for: "Hidalgo County-Laboratory Services" Bid No.: 2011-144A-09-07-SMA**

**NO ACTION taken on items 13.I.2.**

- J. AI-27946 Requesting approval of Application for Payment No. 1 in the amount of \$45,630.00 from Asago Construction, contracted vendor for La Suena Subdivision as reviewed and submitted by project engineer, Javier Hinojosa Engineering (C-CAP-10-379-05-17).**
- K. AI-27940 Authority to advertise and approval of procurement packet (i.e. legal notice, requirements, scope of services, etc.) as attached hereto for a request for bids for "Specialty Printing Services & Related Supplies" including approval to re-advertise project in the event no bids or partial bids received-RFB No.: 2011-152-MEG.**
- L. AI-27934 Sheriff's Office**  
**Requesting authority to upgrade the UFED Software System and to continue existing support with CelleBrite USA, Corp. through requisition #200401 at \$999.00/year commencing upon approval (acct. #1-1100-421-00-280-001-0-336)**
- M. AI-27923 Requesting authority to exercise additional sixty (60) day grace period extension as provided in current contract for "Credit Card Payment Services" for Hidalgo County under the same rates, terms and conditions with Easy Access Inc. effective September 22, 2011 through November 20, 2011 while procurement process is completed and awarded.**
- N. AI-27900 Requesting approval of Application for Payment No. 1 in the amount of \$117,807.03 from Saenz Utility Contractors, Ltd., contracted vendor for Colonia Whalen as reviewed and submitted by project engineer TEDSI Infrastructure Group, Inc. (C-CAP-10-375-03-01).**

**AGENDA  
DRAINAGE DISTRICT  
BOARD OF DIRECTORS  
August 16, 2011  
9:00 A.M.**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

(Exhibit Y)

**1. Roll Call**

All members of the Board were counted present, with the exception of Commissioner Hector Palacios and Joseph Palacios. Commissioner Hector Palacios and Commissioner Joseph Palacios arrived shortly after commencement of the meeting.

**2. Open Forum**

No presentations were made under Open Forum.

**3. Approval of Consent Agenda**

The Board continued with the Consent Agenda this point.

**4. A. Submission of 2011 effective and rollback tax rates.**

(Audio Tape # 1, Tracking # 22)

Commissioner Hector Palacios and Commissioner Joseph Palacios joined the meeting.

Commissioner Flores stepped away.

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote to approve the effective tax rate of \$0.0733, based on the recommendation of Godfrey Garza.

**B. Discussion of 2011 planning calendar.**

Presentation made.

NO ACTION taken on this item.

**C. Discussion of 2011 tax rates.**

Presentation made.

NO ACTION taken on this item.

**D. Record vote on proposed 2011 tax rate and schedule two (2) public hearings if proposed tax rate exceeds the lower of the effective or rollback rates.**

NO ACTION taken on this item.

The Court discussed the possibility of having Commissioners Court on Monday for next week.

**5. Closed Session:**

(Audio Tape # 1, Tracking # 384)

**Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:**

**A. Real Estate Acquisition**

**B. Pending and/or Potential Litigation**

NO ACTION taken on items 5.A & B

**6. Open Session:**

**A. Real Estate Acquisition**

**B. Pending and/or Potential Litigation**

NO ACTION taken on item 6.A & B.

**7. Closed Session:**

**Board of Directors may reconvene into Closed Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

**8. Open Session:**

**Board of Directors may reconvene into Open Session for the discussion regarding the agenda items listed**

NO ACTION taken on this item.

**9. Adjourn**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote of approval to Adjourn the Drainage District Agenda.

**DRAINAGE DISTRICT- CONSENT  
HIDALGO COUNTY  
BOARD OF DIRECTORS  
August 16, 2011  
9:00 A.M.**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

**The following items are of a routine or administrative nature. The Drainage District #1 Board has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Board Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.**

(Exhibit Z)

(Audio Tape # 1, Tracking # 15)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Treasurer**

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 16<sup>th</sup> day of August 2011

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

By: \_\_\_\_\_  
Priscilla Torres, Deputy

I, ARTURO GUAJARDO, JR., County Clerk attest that this is an accurate accounting of a proceeding of the Commissioners' Court held on August 16, 2011.

Signed this 23<sup>rd</sup> day of August 2011

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

(Seal)

By: \_\_\_\_\_  
Priscilla Torres, Deputy