

SPECIAL MEETING – NOVEMBER 08, 2011

BE IT REMEMBERED, that on this 8th day of November 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:

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

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
November 08, 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 at 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, with the exception of Commissioner Quintanilla. Commissioner Quintanilla joined the meeting shortly after commencement of the meeting.

2. Pledge of Allegiance

Judge Ramon led the

3. Prayer

Monica Badillo led the Court and Audience in Prayer.

Commissioner Quintanilla joined the meeting.

4. Approval of Consent Agenda

The Court moved to approve the Consent Agenda.

5. Open Forum (Audio Tape #1, Tracking # 835)

-Johnny Torres, of Hidalgo County Crime Stoppers, advised the Court that the County had received an award for the greatest dollar recovery and the most cases cleared in a county with a population of 500,000 to 100,000.

-Cindy Martinez, President of the Texas Postal Workers Union, advised the Court of the Feasibility study to determine if it is more economical and reliable to move the mail processing of mail to Corpus Christi and its impact on the lower Rio Grande Valley.

-Sylvia Olivo, President of McAllen Area Local, encouraged the citizens and community leaders to join in an information picket on November 16, 2011 from 3-6 p.m. at the post office on McColl & Pecan.

-Virginia Townsend discussed Precinct 5 and the excess monies being spent in the area, and not being used efficiently.

-Fern McClaugherty questioned the Bond of the Precinct 5 Deputy Constable Officer.

-Karina Cardoza updated the Court on Operation Clean Slate.

-Yvonne Ramon provided the Court an update on the Election Deadlines. Ms. Ramon also advised that the deadline for anyone interested in running for any county office, state wide office or elected official is November 28, 2011.

-Commissioner Quintanilla invited the Court and Audience to their Veterans Day Event to be held on November 11, 2011. Commissioner Quintanilla also thanked The Owls for visiting with him.

The Court took item 6.F. out of order at this point.

6. Executive Officer - Valde Guerra: (Exhibit J)

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."

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

NO ACTION taken on items 6.A.1 & 2.

B. AI-29537 Public Defender's Office: (Audio Tape #2, Tracking # 553)

Requesting permission to advertise/hire for the following position:

Public Defender II

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

C. AI-29474 Health & Human Services:

Requesting authorization for Health & Human Services Department Chief Administrative Officer to travel to Austin, Tx on November 13 and 14 (2011) to attend the DSRIP Planning Conference hosted by the Texas Health & Human Services Commission.

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

D. AI-29480 Health & Human Services:

Requesting authorization to allow three employees from the Health & Human Services Dept. (Environmental Division) attend an Animal Control Officer Basic Training Course scheduled for December 7-8, 2011.

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

E. AI-29450 Discussion and possible action on an Order authorizing the Resale of Foreclosed Real Estate Properties pursuant to Texas Property Tax Code Section 34.05 (a), (c) and (d).

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

F. AI-29491 Constable Pct. #5:

Discussion, consideration and appropriate action regarding Constable Pct. #5 Office including but not limited to:

- 1. Payment of salary and fringe benefits to Chief Deputy Constable, Daniel Marichalar**
- 2. Office Operations**
- 3. Other Constable Pct. #5 items as applicable**

Mr. Rene Guerra, District Attorney, provided a timeline and additional information regarding the Constable Precinct 5. Commissioner Quintanilla rationalized his views that Marichalar is a holdover Constable since he did not submit his letter of resignation, which wasn't approved through Commissioners' Court.

Judge Garcia asked Mr. Crain about the holdover statute, and who is holding office as of today? Mr. Crain explained that information is in the Constitution. Commissioner Flores then asked about the bond. Mr. Crain then explained that to his knowledge, Marichalar's bond is still valid. Mr. Crain explained that if he was the last person to qualify for office, no one else has qualified. He stated that the last person stays in office until his successor is duly appointed and qualified.

Chief Deputy Marichalar came before the Court and clarified that he did have a bond and nodded "No" in response to Commissioner Quintanilla that he had not submitted a letter of resignation, nor was it approved by the Court. Commissioner Quintanilla expressed that he felt that Marichalar is the holdover Constable.

Ms. Norma Longoria asked for direction from the Court as to how to proceed with Chief Deputy Marichalar's pay since the Auditor advised her that he would not approve his pay.

District Attorney felt that the Chief Deputies in Constable Pct. 5 are not properly bonded, which has been approved through Court. Mr. Guerra asked that the deputies continue to report to work, without their uniform and weapon.

NO ACTION taken on this item.

7. County Judge's Office: (Exhibit K)

A. AI-29524 Resolution in honor of Sgt. Leonel Trevino (Audio Tape #1, Tracking # 650)

Presentation by Karina Cardoza.

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

B. AI-29519 Presentation of “Friend of County Government Award” honoring State Senator Juan “Chuy” Hinojosa by the Texas Association of Counties (Audio Tape #1, Tracking # 448)

Judge Garcia read the Award into the Record.

The “Friend of County Government Award” was given to the Honorable Juan “Chuy” Hinojosa.

Commissioner Hector Palacios stepped away.

C. AI-29517 1. Discussion and action on proposed resolution in support of the proposed development budget for the TCC, IBTC, La Joya Relief Route and the Military Highway Connector Road Systems.

(Audio Tape #1, Tracking # 280)

NO ACTION taken on this item.

(Audio Tape #2, Tracking # 1133)

Dennis Burlson discussed the ground breaking for next year and groundbreaking for La Joya in 2013.

2. Discussion, consideration, and action to call a Public Hearing on the creation of Hidalgo County Transportation Reinvestment Zone Number 2 to be located on property impacted by the projects of the Hidalgo County RMA Roadway System, to wit: the Trade Corridor Connector, the International Bridge Trade Corridor, and the La Joya Relief Route.

Presentation by Dennis Burlson and Louie Jones. During discussion, they requested a Public Hearing be scheduled for November 22, 2011.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to call a Public Hearing so that after the Public Hearing they can adopt Zone 2.

D. AI-29541 1. Discussion, consideration, and approval of Second Amendment to Economic Development Agreement with First Hartford Realty Corporation, the City of Edinburg, the Edinburg Economic Development Corporation, and the City of Edinburg, Texas Local Government Corporation regarding Reinvestment Zone Number One, City of Edinburg, TX and the development known generally as “The Shoppes at Rio Grande Valley”.

(Audio Tape #2, Tracking #1319)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to extend from 20 to 25 years.

2. Discussion, consideration, and approval of Interlocal Agreement by and among City of Edinburg and Hidalgo County relating to Tax Increment Reinvestment Zone Number One, City of Edinburg.

(Audio Tape #1, Tracking # 288)

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, subject to Legal Counsel and Auditor’s approval.

8. District Attorney's Office - Roy Cazares: (Exhibit L)

(Audio Tape #2, Tracking # 1420)

A. AI-29466 Requesting authorization for the County Judge to execute the Chapter 59 Asset Forfeiture for the fiscal year 201 1, as required by the Office of the Attorney General.

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

Commissioner Hector Palacios joined the meeting.

9. Sheriff's Office - Chief Martinez: (Exhibit M)

(Audio Tape #2, Tracking # 1475)

A. AI-29473 Authorization and approval to accept the State Criminal Alien Assistance Program (SCAAP) 2011 Grant in the amount of \$200,395.00

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

10. Health & Human Services Department - Eddie Olivarez (Exhibit N)

(Audio Tape #2, Tracking # 1495)

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-29482 Requesting approval to process the following invoice as a claim for the purpose of Euthinazation Court Registration Fee, with authority for the County Treasurer to issue payment after review, audit and processing procedures are completed by the County Auditor.

Vendor	Invoice #	Date:	Amount
City of La Feria	00291888	09/27-28/11	\$150.00

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

11. Fire Marshal's Office - Juan Martinez: (Exhibit O)

(Audio Tape #2, Tracking # 1516)

A. AI-29437 Discussion and approval of the following 2011 Rural Emergency Services Interlocal Agreement(s) with:

1. Linn-San Manuel

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

12. HIDTA - Task Force - Dora Munoz: (Exhibit P)

(Audio Tape #2, Tracking # 1524)

A. AI-29440 1. Requesting approval to accept Award No. G10SS0002A Supplement Number 5 between Hidalgo County and the Executive Office of the President Office of National Drug Control Policy-HIDTA Task Force Grant, increasing the award amount by \$61,000.00.

2. Approval of certification of revenues, as certified by the County Auditor for the HIDTA Task Force Grant.

3. Approval of appropriation of funds for the HIDTA Task Force-South Texas McAllen Initiative in the amount of \$61,000.00 (Acct#1-1291-412-00-270-003-0-XXX)

4. Approval of Overtime pay under the HIDTA Task Force-South Texas McAllen Initiative Grant.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 13.A.1, 2, 3 & 4.

B. AI-29438 1. Requesting approval to accept Award no. G09SS0002A Supplement Number 4 between Hidalgo County and the Executive Office of the President Office of National Drug Control Policy-HIDTA Task Force Grant, increasing the award amount by \$21,000.00.

2. Approval of certification of revenues, as certified by the County Auditor for the HIDTA Task Force Grant.

3. Approval of appropriation of funds for the HIDTA Task Force-South Texas McAllen Initiative in the amount of \$21,000.00 (Acct#1-1291-412-00-270-003-9-xxx).

4. Approval of Overtime pay under the HIDTA Task Force-South Texas McAllen Initiative Grant.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 13.B.1, 2, 3 & 4.

C. AI-29464 Approval to declare Asset # 38831, (Emergency Light System w/siren) as Salvage Property for the purpose of destruction, pursuant to Texas Local Government code 263.151, including authority to remove from the Hidalgo County HIDTA Task Force inventory.

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

D. AI-29445 1. Approval to accept Award No. G11SS0002A Supplement Number 2 between Hidalgo County and the Executive Office of the President Office of National Drug Control Policy-HIDTA Task Force Grant, reducing the award amount by (\$45,217.00)

2. Approval to unappropriate funds for the HIDTA Task Force-South Texas McAllen Initiative in the amount of (\$45,217.00) under account number 1-1291-412-00-270-016-1-XXX

3. Approval to delete one (1) vacant full-time Administrative Assistant IV position, slot no. G001, grade 10.

4. Approval of revised salary schedule.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 13.D.1, 2, 3 & 4.

13. Urban County - Diana Serna: (Exhibit Q)

(Audio Tape #2, Tracking # 1588)

Commissioner Joseph Palacios stepped away.

- A. AI-29374 Hidalgo County Precinct No. 3 requests approval from Hidalgo County Commissioners' Court to enter into an Interlocal Agreement with the City of Sullivan for Street Improvements in Sullivan City and surrounding Precinct No. 3 areas which includes the purchase of materials in the total amount of \$1,399,436.13 for the overlaying of streets utilizing FY 18, 20, 23, & 24 (2005, 2007, 2010 & 2011) UCP funding.**

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

- B. AI-29414 The Urban County Program is requesting approval of a best and final negotiated contract with Dannenbaum Engineering Company – McAllen, LLC in the amount of \$21,338.31 utilizing Year 24 (2011) City of Progreso funds for professional engineering services for the Parks, Recreational Facility Improvements at the Progreso Municipal Park.**

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

- C. AI-29413 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) a professional service;**

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

Commissioner Joseph Palacios joined the meeting.

- 2. Presentation of the scoring grid for the purpose of ranking by Hidalgo County Commissioners' Court of at least three (3) Material Testing Service firms from the County's approved "pool" as graded and evaluated by City of Elsa, Urban County Program and Hidalgo County Purchasing Department in connection with and funded through Hidalgo County Urban County Program Year 22 (2009) City of Elsa Park Improvements line item.**

Firm	Grade	Ranked
L & G Engineering Laboratory	94.33%	1
Earth Co.	92.33%	2
Terracon	91.33%	3

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve in the order of their scores.

- 3. Authority to negotiate a Material Testing Service contract with the No. 1 ranked firm of L & G Engineering for the provision of testing services for City of Elsa Park Improvements (Mario Leal).**

- D. AI-29412 Urban County Program is requesting a one hundred (100) day contract extension on the contract with ASAGO for the construction of sewer improvements in Colonia De Anda & Saenz in**

Pct. # 1 under the Texas Department of Agriculture Office of Rural Affairs Colonia Construction Grant # 729055.

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

Commissioner Quintanilla excused himself from the remainder of the meeting.

E. AI-29407 Request approval to declare and dispose of surplus equipment and clear inventory list.

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

F. AI-29411 Urban County Program on behalf of the City of Mercedes is requesting authority to purchase Library Equipment/Furniture through Hidalgo County's membership and participation with Buy Board, approved vendor Gaylord Bros., Inc. (contract #337-10) in the amount of \$7,534.68 (quote attached hereto) to include shipping fees requested by the City of Mercedes. UCP Year 24 (2011) Mercedes Public Services (General) funds will be utilized.

NO ACTION taken on this item.

14. Elections Administration - Yvonne Ramon: (Exhibit R)

(Audio Tape #2, Tracking # 1707)

A. AI-29496 Discussion and Approval of Early Voting Sites for the Primary Elections, March 6, 2012

NO ACTION taken on this item.

15. Planning Department - Raul Sesin: (Exhibit S)

(Audio Tape #2, Tracking # 1788)

A. AI-29470 Discussion and possible action to waive \$30 Utility Certificate Fee for the U.S. Fish and Wildlife Service.

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

16. Precinct #1 - Comm. Quintanilla: (Exhibit T)

(Audio Tape #2, Tracking # 1805)

A. AI-29514 Requesting approval to rename East Side FM 493, North of Mile 15 1/2 before Everhard St. to Jesus J. Medrano SR for 9-1-1 purposes only.

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

17. Precinct #3 - Comm. Flores: (Exhibit U)

(Audio Tape #2, Tracking # 1820)

A. AI-29534 Approval of Interlocal Agreement between the City of Palmhurst and the County of Hidalgo (North Glasscock and 2 1/2 Mile Line Road Project).

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

18. Budget & Management - Sergio Cruz: (Exhibit V)

(Audio Tape #2, Tracking # 1845)

A. AI-29522 Discussion, consideration, and action to transfer (LIT) \$250,000.00 within CO2009B&C - J-09 (fund 1341) from Other to Drainage Ditches.

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

B. Salary Schedule Changes:

1. AI-29408 Various Departments (1100):

a. Approval to delete the following vacant full-time positions:

Dept.	Slot No.	Position Title	Grade
Co. Treasurer	0014	Financial Data Specialist II	11
Health Adm.	0036	Outreach Specialist I	04
Health Clinics	0015	Registered Nurse III	14
Health Clinics	0052	Clinic Aide II	03
Human Resources	0010	Clerk I	01
Purchasing	0002	Assistant Purchasing Agent	17
Tax Office	0046	Deputy Clerk I	05
Information Technology	0024	Technician III	08

b. Approval of interdepartmental transfer.

c. Approval of revised salary schedules.

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

19. Purchasing Department - Marty Salazar: (Exhibit W)

(Audio Tape #2, Tracking # 1896)

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 item 19.A.1, 2 & 3.a, b & c.

4. AI-29492 a. Requesting and recommending for Hidalgo County to immediately terminate the current contract between Hidalgo County and Stewart & Stevenson awarded under AI#28001 on 8-22-11 as yet not executed by vendor (due to non-acceptance of HC's idemnification terms and conditions) in connection with the RFB for: Service/Repair and Maintenance of County Generators";

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

b. Authority to re-advertise the Request for Bids (RFB): Service/Repair and Maintenance of County Generators with approval of procurement packet. (RFB No. 2011-297-12-07-MSS)

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

5. **AI-29388 Approval of an AMENDMENT (reflecting the substitution of a revised Appendix A-1 and revised Exhibit B) to the current agreement between Hidalgo County and Vazaldua and Associates for the provision of consulting services in connection with Consulting Services for Energy Efficiency & Conservation Strategy for Hidalgo County(C-10-339-05-17).**

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

6. **AI-29530 a. Requesting exemption from competitive bidding requirements under Texas Local Government Code, 262.024(a)(7)(A)"an item that can be obtained from only one source;**

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

b. Requesting approval of a "Sole Source Proprietary" for "T-Comm" (Local authorized service center) for the replacement, repair, maintenance and subscriber fees.

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

7. **AI-29170 Presentation of sole bid received as detailed in tabulation sheet contained herein meeting all specifications and/or requirements for the purpose of award and approval of contract for Request of Sealed Quotes titled: "Concrete Mix and Delivery Services: through project No.: 2011-228-09-28-SGS but in no event to exceed \$50K.**

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

B. Pct. 2

1. **AI-29543 Acceptance and approval of Work Authorization No. 7 for R. Gutierrez Engineering Corporation with estimated fee of \$ _____ for Lopezville Park Expansion Project . (Contract #C-10-376-12-14)**

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

C. Pct. 3

1. **AI-29528 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional service;**

On motion by Commissioner Joseph Palacios, 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 Surveying Services Providers in connection with an "On Call & As Needed Services" contract for County-owned property/land located within Hidalgo County Precinct #3;

On motion by Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve with CVQ Land Surveyors.

c. Authority for the Purchasing Department to negotiate a professional "On Call & As Needed Services" agreement with the No. 1 ranked firm of _____ for the provision of professional surveying services for County within Hidalgo County Precinct # 3.

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

D. Pct. 4

- 1. AI-29533 a. Requesting authority to surplus approximately 55,880 cubic yards of FILL DIRT/Loose material from So. J-09 Drainage Improvement Project located on North Monte Cristo Rd. between Wallace and Bryan Rd. for the purposes of disposition through sealed bids (for sale or exchange) in connection with on-going "Precinct No. 4 Drainage Improvements Project" #2011-298-OGG;(approximated by TEDSI Infrastructure Group);**

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

b. Requesting authority to advertise and approval of procurement packet (i.e. legal notice, specifications and draft requirements agreement) as attached hereto for the: "Sale or Exchange, Removal and Hauling of Fill Dirt/Loose materials to be Excavated" as described in section (A) in connection with the "Precinct No. 4 Drainage Improvements" project #2011-298-OGG.

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

E. Co. Wide

- 1. AI-29425 Approval to accept third (3rd) quarter rebate checks from Comdata Product Services (fuel purchases) in the amount of \$1,015.46.**

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

20. Closed Session: (Exhibit X)

(Audio Tape #2, Tracking # 2074)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to go 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-29426 Claim of Jose F. Garcia**
- E. AI-29468 CL-09-2510-A; Margarito Torres v. Hidalgo County Sheriff's Department**
- F. AI-29467 C-3911-10-D; Oscar Pizanno v. County of Hidalgo, et al**

G. AI-29507 Deliberation regarding the following Economic Development Negotiations pursuant to Chapter 551, Texas Government Code, Section 551.087: Project Alaska - Tax Abatement.

NO ACTION taken on items 20.A through G.

21. Open Session: (Exhibit Y)

(Audio Tape #2, Tracking # 2113)

A. Real Estate Acquisition and appropriation for same

Joe Pena announced to the Court of an easement sale to Magic Valley in the amount of \$12,215.00 for .349 acres. Mr. Pena advised that he would place this item on the Agenda next week for approval.

NO ACTION taken on this item.

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

Steve Crain, Legal Counsel, announced that a settlement had been reached with Green Hicks for \$35,000.00, Hinojosa Engineering for \$5,000.00 and Childress Engineering for \$250,000.00.

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

C. Pending and/or potential litigation

NO ACTION taken on this item.

D. AI-29427 Claim of Jose F. Garcia

On motion of Commissioner Flores, seconded by Commissioner Hector, the Court made a UNANIMOUS vote of approval to make an offer in the amount of \$1,275.00.

E. AI-29469 CL-09-2510-A; Margarito Torres v. Hidalgo County Sheriff's Department

Valde Guerra advised the Court that if the Court accepts the \$36,500.00 recommendation that they would have to issue two checks. One check to be made to Carpenter and Shoemaker, PC in the amount of \$1,666.67 and the remaining balance in the amount of \$34,833.33 be payable to Margarito Torres and Loncar & Associates, PC.

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the settlement in the amount of \$36,500.00.

F. AI-29465 C-3911-10-D; Oscar Pizanno v. County of Hidalgo, et al

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the settlement in the amount of \$25,000.00.

G. AI-29508 Deliberation regarding the following Economic Development Negotiations pursuant to Chapter 551, Texas Government Code, Section 551.087: Project Alaska - Tax Abatement.

Ms. Erika Reyna advised that she would proceed as directed.

22. Closed Session:

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

23. Open Session:

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

NO ACTION taken on items 22 and 23.

24. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
November 8, 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 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:

**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 # 162)

On motion of Commissioner Hector Palacios, seconded by Joseph Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of items 8.C, 9.E, 9.F.2, 9.H, and 9.J.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 9.E, 9.F.2, 9.H, 9.J.

Valde Guerra for the Record: Any certification and appropriation with respect to the Drainage Project for any of the Commissioners will be on the Regular Agenda.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve item 8.C in the amount of \$54,726.02.

- 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-29538 2011 - Co. Wide Adm. (1100)**
 - B. AI-29432 2011 - County Clerk (1100)**
 - C. AI-29526 2011 - County Clerk (1100)**
 - D. AI-29444 2011 - CCL #1 (1100)**
 - E. AI-29453 2011 - CCL #2 (1100)**
 - F. AI-29418 2011 - CCL #7 (1100)**
 - G. AI-29452 2011 - CCL #7 (1100)**
 - H. AI-29422 2011 - 139th District Court (1100)**
 - I. AI-29475 2011 - 370th District Court (1100)**
 - J. AI-29504 2011 - 430th District Court (1100)**
 - K. AI-29415 2011 - County Auditor's Office (1100)**
 - L. AI-29516 2011 - County Auditor's Office (1100)**
 - M. AI-29485 2011 - Treasurer's Office (1100)**
 - N. AI-29463 2011 - Purchasing (1100)**
 - O. AI-29527 2011 - District Attorney (1100)**
 - P. AI-29494 2011 - District Attorney (1222)**
 - Q. AI-29495 2011 - District Attorney (1223)**
 - R. AI-29513 2011 - I.T. Department (1100)**
 - S. AI-29446 2011 - Health & Human Services Dept. (1293)**
 - T. AI-29409 2011 - Health & Human Services Dept. (1293)**
 - U. AI-29487 2011 - Health & Human Services Dept. (1100)**
 - V. AI-29471 2011 - Sheriff's Office (1100)**
 - W. AI-29434 2011 - Sheriff's Office (1284)**
 - X. AI-29391 2011 - Planning Dept. (1100)**
 - Y. AI-29439 2011 - Fire Marshal (1100)**
 - Z. AI-29443 2011 - Texas Agrilife Extension (1100)**
 - AA. AI-29535 2011 - Insect Eradication (1100)**
 - BB. AI-29435 2011 - WIC (1292)**
 - CC. AI-29436 2011 - WIC (1292)**
 - DD. AI-29462 2011 - Pct. #1 FEMA (1280)**
 - EE. AI-29458 2011 - Pct. #1 FEMA (1280)**

- FF. AI-29460 2011 - Pct. #1 FEMA (1280)**
- GG. AI-29459 2011 - Pct. #1 FEMA (1280)**
- HH. AI-29461 2011 - Pct. #1 FEMA (1280)**
- II. AI-29521 2011 - Pct. #1 Adm. (1200)**
- JJ. AI-29502 2011 - Pct. #1 Sanitaiton (1100)**
- KK. AI-29531 2011 - Pct. #1 Parks (1100)**
- LL. AI-29410 2011 - Pct. #3 Sanitation (1100)**
- MM. AI-29420 2011 - Pct. #3 Parks (1100)**
- NN. AI-29449 2011 - Pct. #4 Rd. Maint. (1200)**

3. 2011 Interdepartmental transfers: (Exhibit C)

A. AI-29499 Pct. #1 CO's 2010 A & B (1342):

Approval of 2011 interdepartmental transfer from Pct. 1 Roads, program #041, to Bar Ditches, program #087, and HCCID #9 Drain Channels, program #092, in the amount of \$17,300.00 to fund the Pct. 1 Drainage Improvement labor reimbursements for the month of October 2011 (PP #20 & 21).

B. AI-29455 Pct. #2 CO 2009 Series (1339):

Approval of 2011 interdepartmental transfer within Certificate of Obligations Series 2009, from the Precinct 2 Cesar Chavez (1M E Tower) (program 039) into Pct. #2 Tower Rd (Gato - Rancho Blanco) Project (program 031) in the amount of \$350,000.00.

C. AI-29539 Pct. #3 Sanitation (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm.-Contingency to Pct. 3 Sanitation in the amount of \$25,000.00 to fund disposal expenditures.

D. AI-29483 Pct. #4 C.O. 2010 A&B Series (1342):

1. Approval of 2011 interdepartmental transfer within Certificate of Obligations Series 2010A&B - Precinct #4 Drainage Improvement Project from (program 036) to Dickerson Pond (program 048 - \$19,340.95), and to North Branch Drain (program 049 - \$17,031.03) in the total amount of \$36,371.98 to fund September and October (PP#18 thru 21) - 2011 Drainage Labor Reimbursements.

2. Approval of 2011 interdepartmental transfer within Certificate of Obligations Series 2010A&B - Precinct #4 Drainage Improvement Project from (program 036) to Dickerson Pond (program 048) in the total amount of \$6,416.32 to fund September - 2011 Drainage Fuel Reimbursements.

E. AI-29448 Sheriff's Office (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to Sheriff's Office in the amount of \$105,000.00 to fund fuel expenditures.

F. AI-29498 Co. Wide Adm. - Contingency (1100):

Approval of 2011 interdepartmental transfer from Insurance-Claims & Judgements Not Covered into Co. Wide Adm - Contingency in the amount of \$100,000.00.

G. AI-29456 430th DC (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to 430th DC in the amount of \$15,739.26 to fund building rental.

H. AI-29500 Facilities Mgmt. (1100):

Approval of interdepartmental transfer from Co. Wide Adm - Contingency to Facilities Mgmt. - Electricity in the amount of \$106,000.00 to fund electricity expenditures.

I. AI-29510 Planning Dept (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm.-Contingency to Planning Dept in the amount of \$520.00.

J. AI-29525 Executive Office (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to Executive Office in the amount of \$1,500.00 to fund vehicle R & M Services.

4. Planning Department: (Exhibit D)

A. AI-29451 Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)

5. Executive Officer - Valde Guerra: (Exhibit E)

A. AI-29506 Approval of 457 plan hardship withdrawal request for Employee #089761

6. Membership Dues: (Exhibit F)

A. AI-29477 398th District Court:

Approval to pay annual membership dues to the National Council of Juvenile and Family Court Judges for the 398th District Court Judge Aida Salinas Flores in the total amount of \$195.00 with authority for County Treasurer to issue check after review, audit, and processing procedures are completed by the County Auditor.

B. AI-29484 398th District Court:

Approval to pay annual membership dues to the College of the State Bar of Texas for Judge Aida Salinas Flores in the total amount of \$60.00 with authority for County Treasurer to issue check after review, audit and processing procedures are completed by County Auditor.

C. AI-29481 398th District Court:

Approval to pay annual membership dues to the American Judges Association for Judge Aida Salinas Flores in the total amount of \$150.00 with authority for County Treasurer to issue check after review, audit and processing procedures are complete by County Auditor.

7. Auditor's Office: (Exhibit G)

A. AI-29417 Monthly collection reports for September 2011.

<u>OFFICE</u>	<u>FEES & COST</u>	<u>MONTH</u>
The Hon. Celestino Avila, Constable Precinct No. 1	\$ 550.00	September 2011
Mr. Juan Martinez, Fire Marshal	\$ 10,325.00	September 2011
Ms. Angie Chapa, Law Librarian	\$ 1,218.50	September 2011
The Hon. Arturo Guajardo, Hidalgo County Clerk	\$ 482,234.16	September 2011

8. Budget & Management: (Exhibit H)

A. AI-29515 Self-Funded Workers' Comp. (2202)

Requesting approval of reimbursement of Hidalgo County Workers' Comp. claims paying account for claims paid by Tristar Risk Management in the amount of \$ 71,211.41 for the period of 10/16-31/2011 and requesting approval of wire transfer.

B. AI-29421 1. Approval to transfer \$598,742.39 to the Hidalgo County Claims Bank Account for Blue Cross Blue Shield Insurance Claims paid for period 10/15/2011 to 10/28/2011.

10/15-21/2011	\$320,716.86
10/22-28/2011	\$278,025.53
TOTAL	\$598,742.39

2. Approval of wire transfer to cover claims paid.

C. AI-29479 Pct #4 Drainage Improvement Project (1200):

1. Approval of Certification of Revenues as certified by the County Auditor for Pct. #4 Drainage Improvement Project Labor Reimbursements.

2. Approval of 2011 appropriation of funds into Precinct #4 Drainage Improvement Project (program 036) in the amount of \$54,726.02 (Labor Reimbursements - June 2011).

9. Purchasing Dept: (Exhibit I)

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-29512 Requesting authority to enter into a 12-month software renewal maintenance agreement with ESI Acquisition Inc. an awarded vendor through our membership/participation with (DIR) Department of Information Resource contract #DIR-SDD-822 for the following services requisition #204856. Effective dates below: (1-1100-441-00-340-003-0-336);

Software Maintenance	Effective	Annually
Web EOC Professional V7 Software Support Silver Level	11/1/2011 - 10/31/2012	\$7,965.00
Web EOC Redundant Server Software Support	11/1/2011 - 10/31/2012	\$708.00

B. AI-29520 Requesting authority to enter into a Regional Insertion Order Agreement and approval to execute required Regional Insertion Order Agreement with National CineMedia for the Hidalgo County Health Department for On Screen Regional Segment Advertisement from 11/25/2011 - 12/29/2011 through the following requisition #205419 in the total amount of \$1,475.00 (1-1293-441-00-340-012-2-540):

C. AI-29493 1. Requesting approval of Work Authorization No. 2 for (\$ 10,937.92) from L&G Engineering for "Professional GEO Technical Services" in connection to Contract #C-11-185-07-19, for the "New Administration Offices/Building for Hidalgo County Precinct No. 4";

2. Requesting approval of payment of Invoice#11323957 in the amount of (\$40,790.00) submitted by L & G Consulting Engineers, Inc. with authority for County Auditor to review and complete processing procedures and for County Treasurer to issue payment in connection to Contract #C-11-234-09-13 (WA#1-PO#663995) for: "FM 1925 Project" within Hidalgo County Precinct No. 4;

3. Requesting approval of payment of Invoice#01.1011 OBWA1 in the amount of (\$17,794.83) submitted by DOS LAND SURVEYING with authority for County Auditor to review and complete processing procedures and for County Treasurer to issue payment in connection contract #C-11-184-07-19-(PO# 663958) for "Surveying Services" (on an as needed basis) for projects located within Hidalgo County Precinct No. 4.

D. AI-29488 Texas DPS Highway Patrol:

Requesting authority of alarm monitoring disconnection for the following locations with authority for County Judge or Court Member to execute pertinent forms.

Address	Account Number
2812 South International, Weslaco, TX 78596	1062
2812 South International, Weslaco, TX 78596	462094

E. AI-29476 139th District Court:

Requesting authority to enter into a 36-month new copier (capital) lease for a WC5225 copier through our membership/participation with (TPSS) Texas Procurement & Support Services awarded vendor, Xerox Corporation contract 985-L2 through requisition #204674 in the amount of \$105.92/month, effective upon approval (1-1100-412-00-003-001-0-780):

F. AI-29489 139th District Court:

1. Approval to waive major purchases deadline order of 11/04/2011 approved by CC due to budgetary transfers necessary to acquire major purchases;

2. Authority to purchase office furniture through our membership/participation with (TXMAS) awarded vendor Gateway Printing and Office Supply, Inc. contract #6-71111-60-11 for the total amount of \$6,356.70 through a requisition to be submitted effective upon approval of Intradepartmental Transfer on 11/8/11 with vendor documentation attached herein assuring of receipt of items prior to 12/31/2011.

G. AI-29423 Acceptance and approval of request for payment of Invoice #U1445-04R in the amount of \$81,622.00 as submitted by S&B Infrastructure, LTD., project engineer for "Raymondville Drain Project-County Wide" in connection with Contract #C-10-164-04-20-PO#642615 invoice period through July 31, 2011 with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.

H. AI-29431 WIC:

Requesting authority to update the 36 month capital lease agreement for Canon IRC 5405WDADF serial model #GPQ55412 by upgrading the inner finisher A1 with a staple finisher C-1 and external hole puncher B1 for the WIC Program through our membership/participation with (TPSS) Texas Procurement & Support Services awarded vendor, Copy Graphics, Inc. contract 985-L2 through (Req#204078) in the amount of \$428.60/month, effective upon approval.

I. AI-29424 Acceptance and approval of request for payment of Invoice #11323948 in the amount of \$89,000.00 as submitted by L & G Consulting Engineers for engineering services provided in October 2011-on FM 493 North-WA #1 Project through Contract #C-07-451-12-26-PO#596375 with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.

J. AI-29478 County Court At Law #7:

Requesting authority to enter into a 36-month new copier (capital) lease for a WorkCenter 7120P copier through our membership/participation with (TPSS) Texas Procurement & Support Services awarded vendor, Xerox Corporation contract 985-L2 through requisition #205478 in the amount of \$252.65/month, effective upon approval (1-1100-412-00-027-001-0-780):

K. AI-29433 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, 2012.

L. AI-29428 Approval for Comdata Corporation/Transmontainge Product Services, Inc. to add additional fuel card(s) and/or driver(s) for the following departments:

1. Elections Department

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
November 8, 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 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:

(Exhibit Z)

1. Roll Call

All members of the Board were counted present, with the exception of Commissioner Quintanilla.

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

The Board moved to approve the Drainage District Consent Agenda.

4. Requesting approval to advertise for the following: (Audio Tape #1, Tracking # 46)

A. RFB No. 11-013-12-07 "Hauling Services for Stone Rip Rap"

B. RFB No. 11-014-12-07 "Hauling Services for Cement Rip Rap"

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

5. Discussion and approval submission to the Texas Commission on Environmental Quality (TCEQ) of Hidalgo County Drainage District No. 1's Year 4 Annual Report for the Texas Pollutant Discharge Elimination System Small MS4 (TPDES General Permit No. TXR040000 and HCDD1 Permit No. TXR040322).

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

6. Requesting approval to Surplus the following:

NEC LCD Monitor Serial No. 52125007YA	Sokkia C3-10 Level Serial No. 346235
Dell Monitor Serial No. 0D5428	Compaq Presario 2500 Lap Top Asset No. 1459
Samsung Monitor Serial No. 300081	HP Pavillion Lap Top Serial No. 1965
Dell Docking Station Model PDO1X Serial No. 2772	Sokkia LP31A Laser Asset No. 1489
Dell Docking Station Model PDO1X Serial No. 0286	Dell Optiplex PC Serial No. H960Q21

Dell Docking Station Model PDO1X Serial No. 1490	NEC LCD Monitor Asset No. 1418
Dell Docking Station Model PDO1X Serial No. 1516	NEC LCD Monitor Asset No. 1420
Brother Fax Machine Serial No. 2748	KTX Monitor Asset No. 1200
Xerox Desk Top Printer Serial No. 8186	Pelco Security Camera Asset No. 1322
AD Flo Air Purifying Respiratory System Mask Asset No. 1546	Johnson Truck Radio Asset No. 1096
Woods 1000 RPM Shredder Serial No. 1015213	Johnson Truck Radio Serial No. 6060
Heat Buster Fan Serial No. B-00	Johnson Truck Radio Serial No. 45325

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

7. Closed Session: (Audio Tape #1, Tracking # 91)

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 7.A & B.

8. Open Session:

- A. Real Estate Acquisition**
- B. Pending and/or Potential Litigation**
NO ACTION taken on items 8.A & B.

9. Closed Session:

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

10. Open Session:

Board of Directors may reconvene into Open Session for the discussion regarding the agenda items listed
NO ACTION taken on items 9 & 10.

11. Adjourn

On motion of Commissioner Joseph Palacio, seconded by Commissioner Flores, the Board made a UNANIMOUS vote to Adjourn the Drainage District Meeting.

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
November 8, 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 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:

**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 AA)

(Audio Tape #1, Tracking # 37)

On motion of Commissioner Joseph Palacios, 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 8th day of November 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 November 8, 2011.

Signed this 14 day of November 2011

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

(Seal) By: _____
Priscilla Torres, Deputy