

**SPECIAL MEETING – NOVEMBER 15, 2011**

**BE IT REMEMBERED, that on this 15<sup>TH</sup> 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:**

<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 M. 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  
November 15, 2011  
9:00 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:**

(Exhibit L)

**1. Roll Call**

All members of the Court were counted present, with the exception of Commissioner Joseph Palacios. Commissioner Palacios joined the meeting shortly after commencement.

**2. Public Comments**

-Virginia Townsend expressed her concerns on the issue of Constable Precinct 5, and asked that the County do what is best for the tax payers.

-Frank Travar discussed the statute for removing a public official.

Commissioner Joseph Palacios joined the meeting.

-Bea Whitlock expressed that the District Attorney is doing what is best for the County.

-Leroy Guerra, Edcouch/Elsa businessman, requested that the Constable Precinct 5 be kept for safety issues.

-Richard Ozuna, School Board Member, requested that the Office of the Constable Precinct 5 be kept open.

-Ramiro Silva expressed that their area is in a geographic disadvantage and discussed the need of patrol service in the area.

-Judge Espiridon "Speedy" Jackson provided Judge Garcia with a signed petition in support of keeping the Precinct 5.

-Eli Rodriguez, Elsa City Commissioner, spoke in support of keeping Precinct 5 and discussed the issue of safety within the city.

-Maria Leach commented that the people of the Edcouch/Elsa area are being misled on the information they are being provided.

-Fern McClaugherty informed the people of the Delta area that they will be gaining

-Ms. Rosario Gallegos Pile, of La Blanca, explained that they are in need of escort services for funerals, etc.

- David Heath also expressed his need of services from the Pct. 5.
- Jaime Gutierrez requested that the Court not make any changes to the Precinct 5 area.
- Eddie Gonzalez spoke against Precinct 5 being abolished.
- Tony Barco expressed his concern with Abolishing Precinct 5 and that the Delta area has been neglected.
- Sonia Acevedo, business person, has concerns of security without anyone to monitor the Delta Area.
- Inocencia Rios is against abolishment of Precinct 5.
- Sandra Beltran discussed the abolishment of Precinct #5.
- Walo Bazan came before the Court to discuss the abolishment of Precinct 5, etc.
- Brenda Marichalar is against abolishment of Precinct 5.
- Greg Trevino Jr. is also against abolishment of Precinct 5.
- Jose Garza has concerns with security in the Delta Area and drainage issues.
- David Alaniz worries about security and drainage issues in the Delta area.

**3. Discussion on redistricting and/or the reduction of Justices of the Peace and Constable Precincts**

Discussion held.

NO ACTION taken on this item.

**4. Adjourn**

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

**AGENDA  
CC REGULAR  
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**1. Roll Call**

All members of the Court were counted present.

**2. Pledge of Allegiance**

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

**3. Prayer**

Commissioner Quintanilla led the Court and Audience in Prayer.

**4. Approval of Consent Agenda**

The Court moved to approve the Consent Agenda.

**5. Open Forum**

-Salvador Garcia and Maria Herrera thanked Commissioner Joseph Palacios for putting lights in their subdivision and paving of roads.

-Virginia Townsend commented that she enjoyed the fact that the people of the Delta area joined for a cause.

-Fern McClaugherty stated that they look into situations from calls received by the general public.

-Tony Sandoval stated that property value is going up, everyone has to pay more taxes, yet the people of the Delta area will have fewer services.

**6. Executive Officer - Valde Guerra: (Exhibit M)**

**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."**

On motion of Commissioner Hector Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the exemptions as they pertain to the Claim of Iris Judith Serna & Rojelio Castillo and the Notice of claim regarding Brian Valadez.

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

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the engagement with the firm of Thorton & Summers as it pertains to the Claim of Iris Judith Serna & Rojelio Castillo.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the engagement with the firm of Gonzalez & Palacios as it pertains to the Notice of claim regarding Brian Valadez.

Commissioner Joseph Palacios Abstained.

**B. AI-29646 Consideration and possible action on Constable Precinct #5:**

(Audio Tape #2, Tracking # 2090)

**1. Acceptance of resignation of Daniel Marichalar, Constable Precinct #5**

NO ACTION taken on this item.

**2. Appointment and/or re-appointment of Constable Precinct #5 (Audio Tape #2, Tracking # 2181)**

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote of approval to appoint Daniel Marichalar Constable Precinct #5.

**3. Discussion and action regarding compensation of Chief Deputy Constable**

(Audio Tape #2, Tracking # 2886)

Valde Guerra, Executive Officer, informed the Court that there is a gap in compensation for Mr. Marichalar. Judge Garcia clarified that Mr. Marichalar is a holdover Constable, is entitled to Constable pay, but that he's willing to accept Chief Deputy Constable pay. In order to resolve the issue, Rene Guerra, District Attorney, explained that Mr. Marichalar can file a claim and an affidavit stating that he was acting as Chief Deputy, the County got the services and that would resolve the issue. Mr. Ray Eufrazio, County Auditor, expressed that if it is in writing he would accept that.

NO ACTION taken on this item.

**C. AI-29664 Consideration and possible action on abolishing Precinct #5:**

**1. Discussion and action on abolishing Precinct #5, Justice of the Peace and Constable**

Commissioner Flores moved to abolish Precinct #5. The motion was seconded by Commissioner Joseph Palacios, and carried as follows:

AYE: Commissioner Flores, Commissioner Joseph Palacios and Commissioner Hector Palacios

NAY: Commissioner Quintanilla and Judge Garcia

**2. Approval of Order abolishing Precinct #5**

Commissioner Joseph Palacios moved to approve the Order Abolishing Precinct #5. The motion was seconded by Commissioner Flores, and carried as follows:

AYE: Commissioner Hector Palacios, Commissioner Flores and Commissioner Joseph Palacios

NAY: Judge Garcia

NO VOTE: Commissioner Quintanilla (Away from the Court)

Discussion continued, and Judge Garcia called for a vote.

Commissioner Joseph Palacios moved to approve the Order Abolishing Precinct #5. The motion was seconded by Commissioner Flores, and carried as follows:

AYE: Commissioner Hector Palacios, Commissioner Flores and Commissioner Joseph Palacios

NAY: Judge Garcia and Commissioner Quintanilla

**D. AI-29547 Discussion, consideration, and appropriate action on the following:**

**1. Redistricting Plans for the following Hidalgo County Precincts:**

**a. Justices of the Peace and Constables**

NO ACTION taken on this item.

**2. Preclearance submission to the United States Department of Justice**

NO ACTION taken on this item.

Commissioner Quintanilla stepped away.

**E. AI-29572 Approval to accept a settlement check from State Farm Insurance Company in the amount of \$1,108.74 to settle auto accident with County vehicle. (Sheriff Office)**

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

**F. AI-29595 Approval to accept a settlement check from Santoy Investments DBA Economy Tires & Wheels in the amount of \$848.24 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.

**G. AI-29380 Approval to submit Form 8038-CP (Return for Credit Payments for Issuers of Qualified Bonds) to the Department of the Treasury for the interest payment due February 15, 2012 on the Certificates of Obligations, Taxable Series 2009C and 2010B (Build America Bonds) with authority for Commissioners' Court Executive Officer to sign form.**

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

**H. AI-29624 Texas Agrilife Extension:**

**Requesting approval/permission to allow employee to travel to Corpus Christi, Texas to attend the Oil and Gas Training on 11/29/11 (no expenses other than fuel for county vehicle)**

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

**I. AI-29630 IT Department:**

**Requesting permission to advertise/hire for the following position:**

**Technician III Slot #0009**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, effective January 01, 2012.

Commissioner Hector Palacios and Commissioner Quintanilla stepped away.

**7. Constable Pct. #4 - Eddie Guerra: (Exhibit N)**

(Audio Tape #1, Tracking # 371)

**A. AI-29632 Constable Pct. #4 (1100):**

**1. Approval of the following personnel actions:**

Action	Slot No.	Position Title/Grade
Delete	0004	Sr. Deputy Constable
Create	0019	Sergeant

**2. Approval to appoint one (1) new reserve Deputy Constable by Jose E. Guerra, Constable Precinct 4 in accordance with Texas Local Government Code 86.012.**

**3. Approval of interdepartmental transfer.**

**4. Approval of revised salary schedule**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 7.A.1, 2, 3 & 4.

Jose Benjamin Congora was named as the new reserve Deputy Constable.

**8. Sheriff's Office - Chief Martinez: (Exhibit O)**

**A. AI-29546 1. Authorization and Approval to accept a donation from Curtis 1000 of twenty (20) check books for the Sheriff's "D" (Discharge) Bank Account.**

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

**2. Approval of Requisition Number 205730 for Curtis 1000 for \$22.00 for freight costs relating to donated items.**

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

**B. AI-29593 Requesting approval from Commissioners' Court to sign renewal application for the Texas Military Surplus Program (Texas 1033), which is set to expire during November.**

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

**C. AI-29551 DOJ-USMS- U.S. Marshal (1284):**

**1. Approval to accept overtime funding from the U.S. Department of Justice, U.S. Marshals Service for two (2) officers in the amount of \$28,400.00.**

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

**2. Approval of Certification of Revenues as certified by the County Auditor for the DOJ-USMS funding.**

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

**3. Approval to appropriate funds in the amount of \$28,400.00 for USMS overtime funding.**

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)**

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

Presentation by Eddie Olivarez.

NO ACTION taken on this item.

**B. AI-29626 Health Division:**

**Proclamation regarding Hidalgo County Diabetes Awareness Month.**

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

**10. Fire Marshal's Office - Juan Martinez: (Exhibit Q)**

**A. AI-29590 Discussion and approval of the following 2011 Rural Emergency Services Interlocal Agreement(s) with:**

**1. City of San Juan**

**2. City of Alton**

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

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

- A. AI-29587 Pursuant to fuel policy, requesting approval to reimburse Yvonne Ramon for purchase of fuel for county owned vehicle (new vehicle with out a gas card) with invoice/claim in the amount detailed herein, with authority for the County Treasurer to issue payment/ check after review, audit, and processing procedures are completed by the county auditor.**

Invoice Date	Vendor	Invoice #	Amount
11/07/11	Aziz	04512B	\$50.00

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

**12. Public Defender's Office - Jaime Gonzalez: (Exhibit S)**

- A. AI-29540 Discussion, consideration, and appropriate action amending Advisory Board Members for the Public Defender's Department.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to appoint Judge Garcia and Commissioner Quintanilla.

Commissioner Quintanilla joined the meeting.

**13. WIC - Norma Longoria: (Exhibit T)**

- A. AI-29588 Nutrition Physical Activity and Obesity Prevention Grant (1292):**

**1. Approval of Research Subaward Agreement between DSHS & Hidalgo County Health & Human Services WIC Department in the amount of \$12,000.00 for the period of 06/30/11-06/29/12.**

Judge Garcia stepped away and Commissioner Quintanilla presided.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, with correction clarifying that this is a research sub-award agreement with Texas A & M.

**2 Approval for County Treasurer to issue check made payable to "The Texas A&M University System Health Science Center" after review, audit, and processing procedures are completed by County Auditor.**

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

**14. Right of Way - Joe Pena:** (Exhibit U)

(Audio Tape #3, Tracking # 752)

**A. AI-29583 1. Authorization for discussion, consideration and/or approval of a proposed easement for Magic Valley Electric Cooperative, Inc. approximately 0.349 acres- Cesar Chavez Drainage Project.**

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

**2. Authorization for County Judge to Execute documents for Cesar Chavez Drainage Project.**

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

**15. Auditor's Office - Ray Eufrazio:** (Exhibit V)

(Audio Tape # 3, Tracking # 800)

**A. AI-29536 Approval to reclassify the following position, effective 10/03/2011, as approved by the Board of Judges on 09/29/2011:**

Slot No.	Current Position Title	Current Position Title	Approved Position Title	Approved Budgeted Salary
0044	Accountant I	\$37,385.00	Accounts Payable Specialist I	\$33,006.00

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve and adjust the Salary Schedule.

**16. Precinct #3 - Comm. Flores:** (Exhibit W)

(Audio Tape #3, Tracking # 822)

**A. AI-29635 Pct. 3 Drainage Improvement Project (1200):**

**1. Approval to create one (1) full-time Pipe Layer/ Fitter position, slot no. 0015, budgeted salary \$28,000.00.**

**2. Approval of revised salary schedule.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 16.A.1 & 2.

**17. Precinct #4 - Comm. J. Palacios:** (Exhibit X)

**A. AI-29631 Approval of Right of Way Easement for North Alamo Water Supply for irrigation purposes for a county park - Ingle Rd.**

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

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

**A. AI-29663 Approval to reset salaries for promotions, demotions and/or transfers as deemed appropriate in order to comply with the Classification and Compensation Pay Plan.**

NO ACTION taken on this item.

**B. AI-29297 Pct. #1 - Pct. #3 BCAP Round III (1312):**

**1. Approval of certification of revenues, as certified by the County Auditor, for the BCAP Grant-3rd Call in the amount of \$3,845,166.52.**

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

**2. Approval to deobligate \$3,124,157.64 from 2nd Call Border Colonia (Fund 1311). Funds in the amount of \$715,311.50 from (Fund 1310) 1st Call Border Colonia do not need to be deobligated due to not being carried over to 2011 and funds in the amount of \$5,697.38 were liquidated damages from LJ#1 (prog 365) not billed to TxDot and do not need to be deobligated.**

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

**3. Approval to appropriate \$3,845,166.52 into 3rd Call Border Colonia (fund 1312) for the following precincts in relation to Round III Colonia projects:**

<b>Pct. #1 BCAP Round III</b>	<b>\$1,007,825.05</b>
<b>Pct. #2 BCAP Round III</b>	<b>\$412,326.45</b>
<b>Pct. #3 BCAP Round III</b>	<b>\$1,223,931.48</b>
<b>BCAP Contingency Account</b>	<b>\$1,201,083.54</b>
<b>Total</b>	<b>\$3,845,166.52</b>

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

**4. Approval to deobligate \$168,438.97 from 3rd Call Border Colonia (Fund 1312) for the following deleted projects:**

<b>La Flor Estates</b>	<b>\$84,220.49</b>
<b>La Flor Gardens</b>	<b>\$84,218.48</b>
<b>Total</b>	<b>\$168,438.97</b>

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

**5. Approval to appropriate \$168,438.97 into 3rd Call Border Colonia Contingency Account.**

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

Judge Garcia joined the meeting.

**C. AI-29659 Discussion, consideration, and approval to reduce the indirect cost allocation rate from 13% to 10% effective 10/1/11 through 9/30/12 for the WIC Program.**

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

**D. AI-29557 Pct. #3 TxDot (1315):**

**1. Discussion, consideration and approval to set up receivable account for TxDot FM 681 (CSJ: 0669-01-043).**

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

**2. Approval of 2011 interfund transfer from TxDot FM 681 (SH107-FM2221/FM492) to C.O. 2010 A&B - Pct3 La Homa in the amount of \$1,920,335.00.**

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

**E. AI-29552 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.**

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

**2. Approval of 2011 appropriation of funds into Precinct #4 Drainage Improvement Project (program 036) in the amount of \$93,048.66 (Labor Reimbursements - July & August 2011).**

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

**F. AI-29562 County Clerk (1100):**

**1. Approval to rescind action taken on 10/12/2010 (AI #23334) in reference to the following position:**

Action	Slot No.	Dept. Name/No	Current Position Title	Current Grade	Proposed Position Title	Proposed Grade	No. of Positions
Reclassification	0009	Co. Clerk (180-001)	Executive Assistant I	11	Executive Assistant II	13	1

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

**2. Approval of revised salary schedule.**

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

**G. AI-29656 1. Status update on Operation Clean Slate - Phase I Online Payment.**

**2. Discussion, consideration and approval of Operation Clean Slate - Phase II**

Commissioner Flores stepped away.

Presentation by Ray Salazar, Sergio Cruz and Mike Robledo.

NO ACTION taken on items 18.G.1 & 2.

**H. AI-29633 1. Discussion regarding the Scofflaw Program, implementation procedures, and designation of fees.**

**2. Discussion, consideration, and approval of the Texas Department of Transportation Service Agreement for the purchase of Texas Motor Vehicle Title and Registration information.**

NO ACTION taken on items 18.H.1 & 2.

Commissioner Hector Palacios joined the meeting.

**I. Budget Appropriations:**

**1. AI-29306 Constable Pct. #3 (1230):**

**Approval of appropriation of funds for Constable Precinct No. 3 in the amount of \$13,596.00 to appropriate auction proceeds attributed to the sale of capital assets.**

Commissioner Flores joined the meeting.

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

**19. Purchasing Department - Marty Salazar: (Exhibit Z)**

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

4. **AI-29598 Requesting approval to exercise the option to terminate lease agreement by and between Tri-County Communications and Hidalgo County Fire Marshal's Office as stated in the current lease agreement #E-10-048-12-09 (C-07-340-07-03)-for: "Lease of Tower Space of Antenna & Cable for use of Repeater".**

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

5. **AI-29550 a. Accept and approve invoice(s) received from Montalvo Insurance (see attached documents) in the amount of \$2,026,021.45 for renewal of "Hidalgo County's Property & Casualty Insurance Policies which includes TPA Services" for 2012-13 with coverage effective January 01, 2012 through January 01, 2013;**

Judge Garcia stepped away.

Mr. Ray Eufrazio, County Auditor, advised the Court that he would not be able to pay these invoices until January 2012 due to lack of funding.

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

**b. Approval for County Treasurer to issue check(s) after review, audit and processing procedures completed by County Auditor with the authority for Court Member or Commissioner's Court Executive Officer to sign any applicable documentation related to item above;**

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

**c. Discussion and applicable action on any options (attached hereto) presented by Montalvo Insurance in connection with Hidalgo County's Property & Casualty Insurance Policies.**

NO ACTION taken on this item.

6. **AI-29575 a. Presentation of the scoring grid for the purposes of ranking proposals received for: Credit Card Payment System for Hidalgo County;**

	EASY ACCESS INC.	FIS - METAVANTE PAY DIRECT SOLUTIONS	ELAVON
EVALUATOR 1	90	87	85
EVALUATOR 2	95	90	85
EVALUATOR 3	96	88	78
EVALUATOR 4	92	88	68
AVERAGE SCORE	93.25	88.25	79
CC RANKING	1	2	3

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

**b. Authority to negotiate a final Credit Card Payment Services Agreement with the number one ranked firm of Easy Access Inc..**

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

- 7. AI-29160 Presentation of lowest 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 the Request for Bid (RFB) titled: Hidalgo County-"CRS-2 (Cationic Rapid Setting) Emulsified Asphalt" through project No.: 2011-225-09-29-SGS.**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval with Dubose Interests, LLC dba Performance Grade Asphalt, LLC (PGA), being the lowest bidder.

Commissioner Joseph Palacios stepped away.

**B. Pct. 1**

- 1. AI-29620 Requesting approval of contract document with L & G Engineering Laboratory (authorized for negotiations by CC 10/18/11) for the provision of Construction Materials Testing for "Hidalgo County Precinct No. 1" on an as needed basis.**

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

- 2. AI-29579 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional service";**

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

**b. Presentation of scoring grid for the purpose of CC designating sole firm providing requested services as "Qualified" to render Review Appraisal Services so as to proceed to the next phase of the procurement process;**

<b>Evaluator(s)</b>	<b>HLH Appraisal Services</b>
<b>Evaluator 1</b>	<b>97</b>
<b>Evaluator 2</b>	<b>94</b>
<b>Average</b>	<b>95.5</b>
<b>Qualified</b>	

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

**c. Authority for the Purchasing Department to negotiate a professional (Review Appraisal Services) contract with "Qualified" firm of HLH Appraisal Services for: the provision of professional review appraisal services on an "as needed basis" for Hidalgo County Precinct #1.**

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

**C. Pct. 2**

- 1. AI-29594 Acceptance and approval of Work Authorization No. 8 for R. Gutierrez Engineering Corporation with estimated fee of \$170,957.18 for, "Minnesota Drain Improvement Project." (Contract# C-10-376-12-14)**

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

- 2. AI-29606 Requesting authorization and approval of proposal received from Rush Truck Houston/ Pharr, TX awarded vendor through Hidalgo County's participation/membership with TASB Buyboard Contract #358-10 for the purchase of One (1) New 2011 800 Gal Hino Fuel Truck Model 258LP in an amount not to exceed \$89,697.00 for Hidalgo County Precinct #2 for Project #11-300-OGG**

Ms. Salazar advised the Court that she would not issue a Purchase Order until everything is verified.

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

**D. Pct. 3**

- 1. AI-29584 a. Presentation for discussion, consideration, acceptance and approval to engage**

**subcontractors for the Mile 2 North (From Moorefield Road to La Homa Rd) pursuant to (article 14) the current agreement with L&G Consulting Engineers and as request by engineer.**

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

**b. Presentation for discussion, consideration, acceptance, and approval of Invoice # 11323969 in the amount of \$19,623.14, from L&G Consulting Engineers, Inc., contracted engineer for the Mile 2 North (From Moorefield Rd to La Homa Rd). C-11-195-08-16**

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

- 2. AI-29611 Acceptance and approval to execute a Professional Surveying Services (On an As Needed Basis) contract/agreement for the provision of surveying services for "Projects located within Hidalgo County Precinct No. 3 ," with CVQ Land Surveyors, LLC, as authorized & approved for negotiations by CC on 11/08/11.**

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

**20. Closed Session: (Exhibit AA)**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, 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-29569 Claim of Lilia G. Montalvo**
- E. AI-29605 Claim of Agustin Villanueva Reyes**
- F. AI-29618 Claim of Eulalia Sanchez**
- G. AI-29628 Claim of Iris Judith Serna & Rojelio Castillo**
- H. AI-29573 Notice of claim regarding Brian Valadez**

NO ACTION taken on items 20.A through H.

**21. Open Session: (Exhibit BB)**

All members were present under Open Session.

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

NO ACTION taken on this item.

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

NO ACTION taken on this item.

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

NO ACTION taken on this item.

**D. AI-29619 Claim of Eulalia Sanchez**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$125.00.

**E. AI-29607 Claim of Agustin Villanueva Reyes**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval in the amount of \$1,150.00.

**F. AI-29570 Claim of Lilia G. Montalvo**

On motion of Commissioner Hector Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$100.00.

**G. AI-29629 Claim of Iris Judith Serna & Rojelio Castillo**

Refer to item 6.A.1 & 2.

**H. AI-29574 Notice of claim regarding Brian Valadez**

Refer to item 6.A.1 & 2.

**22. Closed Session:**

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

NO ACTION taken on this item.

**23. Open Session:**

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

NO ACTION taken on this item.

**24. Adjourn**

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

**AGENDA  
CC CONSENT  
HIDALGO COUNTY  
COMMISSIONERS COURT MEETING  
November 15, 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.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve all items listed on the Consent Agenda, with the exception of items 11.B and 11.M.

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 11.B. and 11.M, subject to receipt of the insurances.

- 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-29613 2011 - Purchasing (1100)**
  - B. AI-29651 2011 - County Clerk (1238)**
  - C. AI-29497 2011 - Elections Department (1100)**

- D. AI-29650 2011 - Co. Wide Mechanic Shop (1200)**
- E. AI-29617 2011 - Co Wide Mech Shop (1200)**
- F. AI-29647 2011 - District Attorney (1100)**
- G. AI-29648 2011 - District Attorney (1222)**
- H. AI-29639 2011 - Health & Human Services Dept. (1293)**
- I. AI-29581 2011 - Health & Human Services Dept. (1293)**
- J. AI-29560 2011 - Health & Human Services Dept. (1293)**
- K. AI-29561 2011 - Health & Human Services Dept. (1293)**
- L. AI-29529 2011 - Sheriff's Investigation HB 65 (1227)**
- M. AI-29567 2011 - Sheriff's Office (1100)**
- N. AI-29544 2011 - Sheriff's Office (1284)**
- O. AI-29532 2011 - Emergency Management (1100)**
- P. AI-29545 2011 - Emergency Management (1100)**
- Q. AI-29548 2011 - County Auditor's Office (1100)**
- R. AI-29558 2011 - Safety Division (1100)**
- S. AI-29586 2011 - Facilities Mgmt. (1100)**
- T. AI-29553 2011 - Public Defender's (1100)**
- U. AI-29601 2011 - Fire Marshal (1100)**
- V. AI-29622 2011 - I.T. Department (1100)**
- W. AI-29637 2011 - 92nd District Court (1100)**
- X. AI-29419 2011 - CCL #4 (1100)**
- Y. AI-29610 2011 - CCL #6 (1100)**
- Z. AI-29621 2011 - CCL #7 (1100)**
- AA. AI-29596 2011 - Pct. #1 Road & Bridge (1200)**
- BB. AI-29600 2011 - Pct. #1 Adm. (1200)**
- CC. AI-29616 2011 - Pct. #2 Sanitation (1100)**
- DD. AI-29614 2011 - Pct. #2 Rd Maintenance (1200)**
- EE. AI-29615 2011 - Pct. #2 Adm. (1200)**
- FF. AI-29568 2011 - Pct. #3 Sanitation (1100)**
- GG. AI-29608 2011 - Pct. #3 Sanitation (1100)**
- HH. AI-29604 2011 - Pct. #3 R&B (1200)**
- II. AI-29641 2011 - Pct. #4 Landfill (1100)**

- JJ. AI-29566 2011 - Pct. #4 Rd. Maint. (1200)**
- KK. AI-29602 2011 - Constable Pct #4 (1100)**
- 3. 2011 Interdepartmental transfers: (Exhibit C)**
- A. AI-29666 Info Tech Dept (1100):**  
Approval of interdepartmental transfer from IT Countywide to Info Tech Dept in the amount \$4,944.16.
- B. AI-29591 Fire Marshal (1100):**  
Approval of 2011 interdepartmental transfer from fire department programs ( 004, 005, 007, 008, 011, 012, 017, and 018) to fire department programs (002, 009, 010, and 013) in the total amount of \$16,800.00 for fire call expenditures.
- C. AI-29649 Pct. #4 C.O. 2010 A&B Series (1342):**  
Approval of 2011 interdepartmental transfer within Certificate of Obligations Series 2010A&B - Precinct #4 Doolittle Building from New Shop (program 075) to New Adm. Bldg #2 (program 078) in the total amount of \$30,000.00.
- 4. Interfund transfers: (Exhibit D)**
- A. AI-29501 Constable Pct No. 3 (1230):**  
Approval 2011 interfund transfer from R&B 3 (1200)-Sale of Capital Assets to Constable Precinct No. 3 Invest (1230)- Sale of Capital Assets in the amount of \$13,596.00 to correct JE-13706 (budget amendment/ Certification of Revenues approved on CC 08/30/11).
- 5. Planning Department: (Exhibit E)**
- A. AI-29585 Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)**
- 6. Right of Way - Permits: (Exhibit F)**
- A. AI-29559 Crystal Gas Storage:**
- 1. Crystal Gas Storage to perform additional groundwater sampling of monitor wells to the west and southeast of the Former Adobe Refinery property located at the southeast corner of FM 493 and a county road bordering the northern Former Adobe Refinery property boundary, referred to as Commercial Avenue.**

**Agua SUD:**

- 1. The contractor proposes to bore and install a 16" steel casing across Minnesota Road for a 8" PVC DR-18 waterline for the proposed subdivision. The bore is located 30.0' south of Jonathan Edward Court. The contractor will also bore & install a 1" service connection for Lot 26. The bore will be located 240.0' south of Jonathan Edward Court.**

**B. AI-29589 North Alamo Water Supply Corporation:**

Approximately 500' from the C/L of 1426 and Wisconsin Rd on the north side- Bore- Roel Pena Jr- 3/4" service connection

**7. Tax Refunds: (Exhibit G)**

**A. AI-29523**

Acct #	Payer	Amt
H2675.00.001.0012.00	Citimortgage	\$6447.91
S3004.08.000.0013.00	Ridge CBF McAllen III LLC	\$23016.40
S3004.08.000.0013.00	Ridge CBF McAllen III LLC	\$23009.43
T0108.00.000.0073.00	Corelogic	\$3025.00

**8. Membership Dues: (Exhibit H)**

**A. AI-29554 WIC:**

Approval to pay annual membership dues to the Texas Association of Local WIC Directors for Norma Longoria, WIC Director in the amount of \$125.00 (Req#205745) with authority for the County Treasurer to issue check after review, audit, and processing procedures are completed by the County Auditor.

**9. Budget & Management: (Exhibit I)**

**A. AI-29665 Salary Sweep (1100):**

Approval to transfer lapsed salaries from various departments to the Countywide Administration-Contingency account.

**10. Auditor's Office: (Exhibit J)**

**A. AI-29542 Monthly collection report for September 2011.**

<u>OFFICE</u>	<u>FEES &amp; COST</u>	<u>MONTH</u>
The Hon. Larry Gallardo, Constable Precinct No. 3	\$ 9,307.20	September 2011

**11. Purchasing Dept: (Exhibit K)**

**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-29563 Approval of Application for Payment No. 3 (Final) in the amount of \$265,405.30 from Saenz Utility Contractors, Ltd., contracted vendor for Loma Linda Heights Subdivision as submitted by Javier Hinojosa Engineering, project engineer (C-CAP-11-129-05-23).**
- B. AI-29555 Requesting authority to renew and extend the lease contract for an additional one (1) year as provided in Article 1.2 of the lease agreement for the "Lease Of Parcel For Citizen Collection Site(s)-1 In Mercedes And 1 In Donna" for Hidalgo County Precinct No. 1 with the same rates, terms and conditions with the following:**
- 1. C-09-215-11-10-Ray Jones-Mercedes Collection Site**
  - 2. C-09-215A-11-10-Richard Cohrs-Donna Collection Site**
- C. AI-29599 Requesting acceptance and approval of Invoice No. 4 in the amount of \$7,875.00, from contracted vendor, Prodigy Construction Management, LLC in connection with contract C-11-032B-06-14 Construction Management services for Sheriff's Office Substation in the Precinct No. 1 Area, with authorization for Auditor process and County Treasurer issue payment/check.**
- D. AI-29597 Acceptance and approval of Invoice #11323965 in the amount of \$6,982.68, from L&G Consulting Engineers, Inc. contracted engineer for "On Call Services for MPO and HCRMA Representation," C-11-054-04-12.**
- E. AI-29634 J.P. Pct. 2, PL 2:**
- Pursuant to Commissioner's Court action consent agenda item #AI-25874 on 3/29/11 requesting approval to correct monthly copier capital lease to reflect the equipment rental amount of \$116.00/month plus maintenance in the amount of \$18.50/month for a total of \$134.15/month for awarded vendor IKON Office Solutions, Inc. Buyboard Contract #299-08 through PO #655416. (1-1100-412-00-064-001-0-432/780).**
- F. AI-29612 Requesting authority to exercise the first (1st) year of the additional Two (2) One (1) year options to extend/renew as provided in the current contract for:"LEGEND and NON-LEGEND PHARMACEUTICALS" for Hidalgo County Sheriff's Office, under the same rates, terms and conditions with MAO WESTWOOD PHARMACY d/b/a WESTWOOD PHARMACY effective 11/17/11.**

- G. AI-29592** Acceptance and approval of request for payment on invoice No. 11100 in the amount of \$13,158.00 submitted by Javier Hinojosa Engineering, contracted project engineer for "Mile 4 North Road (Tom Gil Rd to Liberty Rd)".
- H. AI-29576** 1. Acceptance and approval of Invoice #062411 (PO#663667) in the amount of \$46.94 as submitted by D & M Coffee Company in connection with luncheon meeting held on June 24, 2011 at the Human Resources Department for review of pending personnel issues which was originally intended to meet the provisions set forth in the County's Policies and Procedures related to Non Travel Meals, Refreshments and Related Expenses;
2. Acceptance and approval of Invoice #30022 (PO#660823) in the amount of \$110.87 as submitted by D & M Coffee Company in connection with Agenda Workshop held on July 19, 2011 at the Commissioner's Courtroom of the Administration Building for presentation and discussion of 2012 Budget Initiatives which was originally intended to meet the provisions set forth in the County's Policies and Procedures related to Non-Travel Meals, Refreshments and Related Expenses;
- I. AI-29582** Requesting authority to advertise with approval of procurement packet (i.e. legal notice, requirements/specifications, etc. as drafted and developed by the Auditors Office using the GFOA guidelines and working with the Purchasing Department) a request for proposal (RFP) as attached hereto for "Hidalgo County-Professional Auditing Services" RFP No.: 2011-160-SMA
- J. AI-29565** Requesting authority to purchase a one (1) year annual preventive maintenance service product through a processed Purchase Order (as acceptable to vendor) for security electronic and control system services for the Juvenile Probation Department from ISI\*MCS, LTD "Metroplex" (as solicited through quoted proposals with due diligence results of one sole response) as indicated in requisition #198852 at \$3,759.00/year with two (2) additional one (1) year extensions under the same rates (as indicated and committed by vendor in response)-1-1100-423-32-330-001-0-432.
- K. AI-29564** Requesting approval of Application for Payment No. 4 in the amount of \$67,433.40 from Asago LLC dba Asago Construction, contracted vendor for La Suena Subdivision as reviewed and submitted by project engineer Javier Hinojosa Engineering (C-CAP-10-379-05-17).
- L. AI-29442** Precinct 4:  
Authority to purchase heavy machinery and/or equipment detailed herein from Vemeer Equipment Of Texas, Inc. awarded vendor through Hidalgo County's participation/membership with TASB Buyboard Contract #345-10 in an amount not to exceed \$22,080.00 which includes freight and prep; (1-1200-431-00-124-007-0-748).
- M. AI-29654** Approval for Comdata Corporation/Transmountainage Product Services, Inc. to add additional fuel card(s) and/or driver(s) for: Department of Environmental Compliance .
- N. AI-29657** WIC Clinic in Progreso:  
Requesting authorization for payment of PO# 664250 in the final amount of \$25,344.20 to Alpha Building Corp awarded JOC through HCDE-Choice Facility Partners; Pursuant to action taken by CC on 9/27/2011 for proposed Repairs & Renovations to WIC Clinic in Progreso Project #2011-098-09-01-OGG.

**AGENDA  
DRAINAGE DISTRICT  
BOARD OF DIRECTORS  
November 15, 2011  
8:30 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 CC)

**1. Roll Call**

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

**2. Open Forum**

No presentations under Open Forum.

**3. Approval of Consent Agenda**

The Board moved to approve the Drainage District Consent Agenda.

**4. A. Request approval of Payment Request No. 22 to SER Construction Partners, LTD. for Construction on DHS Segment 0-7 (0.9 miles). (DVD Tracking # 0:1:32)**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval in the amount of \$21,702.94.

**B. Request approval to process manual check to SER Construction Partners, LTD. for the above mentioned projects pending the approval of County Auditor and Department of Homeland Security (DHS) and pending the electronic transfer of funds from the Department of Payment Management (DPM).**

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

**5. Requesting approval to surplus the following:**

**A. Dell Latitude D800 Lap Top Asset No. 1443**

**B. Kohler 14HP Lawn Mower Serial No. 5429**

**C. Toro Lawn Mower Serial No. 3388**

**D. Quincy 5.5 HP Compressor Serial No. 26A8**

**E. Frigidaire Refrigerator Serial No. 2963**

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to surplus items 5.A through E.

**6. Discussion and action on Amendment To Interlocal Cooperation Agreement Between The County Of Hidalgo and Hidalgo County Drainage District #1. (regarding obligations of party using manpower and equipment)**

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

**7. Closed Session:**

(DVD Tracking # 0:4:19)

**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 7.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 Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to Adjourn the Drainage District Agenda.

**AGENDA  
DRAINAGE DISTRICT- CONSENT  
BOARD OF DIRECTORS  
November 15, 2011  
8:30 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 DD)

(DVD Tracking # 0:1:21)

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. Discharge Permit:  
City of McAllen - Villa Valencia Subdivision**

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 15<sup>th</sup> 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 15, 2011.

Signed this 22<sup>nd</sup> 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