

REGULAR MEETING – NOVEMBER 22, 2011

BE IT REMEMBERED, that on this 22nd day of November A.D., 2011, there was begun and held a REGULAR MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

| | |
|---|-------------------------------------|
| HONORABLE 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-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
November 22, 2011
9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR 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 Joseph Palacios. Commissioner Joseph Palacios joined the meeting shortly after commencement.

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 at this point.

5. Open Forum

-Ford Sasser with Camp University provided a video on assistance for individuals with disabilities.

-Manuela Luna, resides in the area of Spanish Palms thanked Commissioner Quintanilla and asked about further Drainage issues/updates.

-Mr. Diaz provided the Court updates on the disaster recovery funds, how it's being implemented and how the funds are being used in assisting residents affected by hurricane Dolly.

-Mr. Dennis Wade and Ms. Janice Diaz came before the Court to thank the employees with their donations to the United Way.

Commissioner Quintanilla and Commissioner Hector Palacios stepped away.

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

(Audio Tape # 1, Tracking # 2283)

- 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-29725 Executive Office - Environmental Compliance:

Requesting permission for two (2) employees to travel to San Antonio, Texas on 12/5/11 - 12/7/11 to attend the Stormwater Management Permitting and Regulatory Overview

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

C. AI-29783 Environmental Compliance:

Approval to submit Hidalgo County's MS4 Storm Water Permit Annual Report for Year 4 to TCEQ with authority for County Judge to sign appropriate document(s)

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

D. AI-29786 Discussion, consideration, and appropriate action on the following:

(Audio Tape # 1, Tracking # 922)

1. Redistricting Plans for the following Hidalgo County Precincts:

a. Justices of the Peace and Constables

Mr. Richard Alvarez provided the Court information the differences in Plan A and Plan B. He explained that Plan A was passed on September 27, 2011, which included the boundary lines for the Commissioners' Court Precincts. Mr. Alvarez stated that Plan A allows the J.P.'s and Constables to be coterminous with the precinct lines. Plan B, which is slightly modified, allows the J.P. #2 to bring in Alamo into the J.P. area for Pct. #2. Alamo Consists of 5 precincts, being 126, 127, 123, 77, 44

Judge Garcia pointed out that all of the Elected Officials that are here are Constables and JP's and that they are all in support of Plan B. Judge Garcia then asked the Constables if they had a problem with Plan B. The Constables' reply was in audible. Judge Garcia clarified for the Record: "Their answer was No."

Commissioner Flores mentioned that the only precinct that will not have their Commissioners' with their county lines would be Pct. 2 and 1. Discussion ensued on the precinct lines.

Commissioner Hector Palacios moved to approve Plan A.

Commissioner Joseph Palacios commented, "It doesn't affect my precinct whatsoever", but expressed that he was willing to consider readjustments so that they can make it work for the other elected officials. Commissioner Quintanilla continued to express concerns on changing the County Commissioners' lines because of the impact on his precinct.

The motion was seconded by Commissioner Flores to adopt Plan A for being the lines for the Constables, and carried as follows:

AYE: Commissioner Hector Palacios and Commissioner Flores

NAY: Judge Garcia

NO VOTE: Commissioner Quintanilla and Commissioner Joseph Palacios

Commissioner Hector Palacios asked Steve Crain, Legal Counsel, if the motion fails on a 2-1 vote? Mr. Crain explained that the motion needs to have the majority vote of those present. Clarification was made on the vote being 2-1, with two "No Vote", so that motion carries.

Commissioner Quintanilla affirmed that he was in favor of supporting what the Judges and Constables are requesting, but not in entertaining the idea that they would have to move the precinct lines.

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a 3-2 vote of approval to adopt Plan A as the Redistricting Plan for the J.P.'s and Constables.

Vote is as follows:

AYE: Commissioner Hector Palacios, Commissioner Flores and Judge Garcia

NAY: None

NO VOTE: Commissioner Quintanilla and Commissioner Joseph Palacios

2. Preclearance submission to the United States Department of Justice

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

E. AI-29732 Purchasing Department: (Audio Tape # 1, Tracking # 2382)

1. Approval to reset the salary to one regular full time position:

| Slot No. | Position Title | Current Grade & Step | Reset Grade & Step |
|----------|----------------|----------------------|--------------------|
| 031 | Clerk III | G5,S1 | G5,S3 |

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

2. Approval of interdepartmental transfer.

3. Approval of revised salary schedule.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 6.E.2 & 3.

7. County Clerk's Office - Arturo Guajardo, Jr.: (Exhibit L)

(Audio Tape # 2, Tracking # 2393)

Commissioner Quintanilla joined the meeting and Commissioner Joseph Palacios stepped away.

A. AI-29776 Requesting approval of the Official Bond for Constable Pct. 5 Daniel Marichalar - Filed at the Hidalgo County Clerk's Office on November 18, 2011.

Judge Garcia requested that a Bond be brought back next week for the full term.

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

The Court took up item 9.A at this point.

8. Constables: (Exhibit M)

(Audio Tape # 1, Tracking # 2885)

A. AI-29763 Constable Pct. #4 (1100):

Approval to appoint one (1) new Deputy Constable Aaron Luis Moreno (Sergeant grade) by Jose E. Guerra, Constable Precinct No. 4 in accordance with Texas Local Government Code 86.011.

Mr. Valde Guerra informed the Auditor that he would bring this item back next week with the correct salary schedule and grade.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the appointment of Aaron Luis Moreno at the Sergeant Step III.

Commissioner Hector Palacios joined the meeting.

B. AI-29760 Constable Pct. #5:

**Appointment of Deputy Constables as per Section 86.011 of the Local Government Code as follows:
Feliciano Ramos Jr., Victor Manuel Garcia and Fabian Ybarra**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the appointments of Deputy Constables as listed.

9. Elections Administration - Yvonne Ramon: (Exhibit N)

(Audio Tape # 1, Tracking # 2508)

A. AI-29623 Presentation on Class AACT 2012 High School Senior Summit

Presentation made.

NO ACTION taken on this item.

B. AI-29792 Presentation of Interim Texas Legislative Boundaries as approved by a panel of federal judges November 17, 2011.

Presentation by Ms. Yvonne Ramon and Mr. Carrera, with a slide show of the map.

Ms. Ramon explained that she would provide the Court the proposed lines when the information becomes available.

10. County Judge's Office: (Exhibit O)

(Audio Tape # 1, Tracking # 3130)

A. AI-29765 Public hearing on the creation of Hidalgo County Transportation Reinvestment Zone No. 2 to be located on property impacted by the Hidalgo County Loop.

Presentation by Dennis Burlison.

Judge Garcia Opened the Public Hearing.

Fern McClaugherty expressed her concerns on the values, explained that it's the same tax payers that are constantly being burden for various fees.

Judge Garcia Closed the Public Hearing.

All members of the Court are present.

11. Sheriff's Office - Chief Martinez: (Exhibit P)

(Audio Tape # 2, Tracking # 338)

A. AI-29556 1. Approval of the Organized Crime Drug Enforcement Task Forces (OCDETF) Agreement between the Hidalgo County Sheriff's Office and the Drug Enforcement Administration McAllen District/Houston Division Office OCDETF Strike Force Group D-81.

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

2. Approval of Certification of Revenues as certified by the County Auditor for the OCDETF Grant Contract.

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

3. Approval to appropriate OCDETF Grant award in the amount of \$17,195.14 for equipment.

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

12. Health & Human Services Department - Eddie Olivarez (Exhibit Q)

(Audio Tape # 2, Tracking # 372)

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

NO ACTION taken on this item.

13. Fire Marshal's Office - Juan Martinez: (Exhibit R)

(Audio Tape # 2, Tracking # 378)

A. AI-29706 Discussion and approval of the following 2011 Rural Emergency Services Interlocal Agreement(s) with:

1. City of Mercedes

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

14. HIDTA - Dora Munoz: (Exhibit S)

(Audio Tape # 2, Tracking # 392)

A. AI-29784 Requesting authority to enter into a service agreement establishing DNS Parking (e-mail) for HIDTATaskForce.Org for one time setup & registration fee of \$70.00 and \$24.95 monthly service charge.

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

15. Urban County - Diana Serna: (Exhibit T)

(Audio Tape # 2, Tracking # 410)

A. AI-29695 The Urban County Program is requesting approval and award of a best and final negotiated contract with L & G Engineering Laboratory, LLC in the amount of \$8,124.28 utilizing Year 22 (2009) funds for Material Testing Services for the Parks, Recreational Facility Improvements project in the City of Elsa.

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

B. AI-29645 The Urban County Program is requesting approval of a best and final negotiated contract with Raba Kistner Consultants, Inc. in the amount of \$9,929.50 utilizing Year 24 (2011) funds for Material Testing Services for the Parks, Recreational Facility Improvements project in the City of Progreso.

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

C. AI-29707 Urban County Program on behalf of the City of Alton is requesting consideration and action to award and enter into a construction contract with REIM Construction, Inc. (lowest bidder meeting all specifications and/or requirements) for the Street Improvements Project located in the City of Alton in the amount of \$289,459.55 utilizing FY's 22 & 23 (2009 & 2010) street improvement

funds. The project consists of street reconstruction/overlays of existing asphalt pavement for Jefferson, Mahala Roosevelt and Oaxaca Streets.

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

- D. AI-29696 Requesting approval to cancel the application for Juan & Juanita Martinez at the request of HOME Staff. Commissioners' Court approved the application on November 2, 2010 (Agenda item #23677).**

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

- E. AI-29694 Urban County Program on behalf of the City of Palmview is requesting authority to purchase fire protection equipment through Hidalgo County's membership and participation with Buy Board (Texas Association of School Boards) approved vendor Daco Fire Equipment (contract # 363-10) in the amount of \$21,157.00 to include delivery and shipping fees. The City of Palmview UCP Year 23 (2010) Fire Station Equipment funds will be utilized.**

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

- F. AI-29692 The Urban County Program is requesting the award of bids and approval of contract for the demolition and reconstruction of the following:**

1. (1) Units in the Countywide area, (1) Unit in the City of Penitas, (1) Unit in the City of Alamo and (1) Unit in the City of Elsa in the amount of \$181,650.00 to Benchmark Construction.

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

2. (1) Unit in the City of Mercedes, (2) Units in the City of Weslaco, (1) Unit in the City of Edcouch and (1) Unit in the San Juan area in the amount of \$218,120.00 to G&G Contractors.

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

- G. AI-29681 Urban County Program on behalf of Precinct No. 2 is requesting authorization to cancel the Engineering contract with Ramiro Gutierrez in the amount of \$122,490.00 for professional services for a Flood Drainage Improvements Project know as the "Minnesota Drain" through the Texas General Land Office Contract No. 10-5066-000-5043 (formerly TDRA Contract No. DRS010068).**

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

- H. AI-29670 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. UCP Year 24 (2011) Mercedes Public Services (General) funds will be utilized.**

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

16. Head Start Program - Teresa Flores: (Exhibit U)

(Audio Tape # 2, Tracking # 552)

A. AI-29677 Discussion/Approval to Amend Hidalgo County Head Start Program 2011-2012 Program Calendar

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

B. AI-29678 Presentation for Discussion, Consideration and Approval of Interlocal Agreements for Lease of Premises and/or Land between the Hidalgo County Head Start Program and the Following:

| | |
|------------------------------------|---|
| City of Alamo (Land) | City of Mercedes (Land) |
| City of Alton (Land) | Edcouch-Elsa ISD (Building - 2 Locations) |
| City of Donna (Land) | Edinburg Housing Authority (Building - 2 Locations) |
| City of Hidalgo (Land) | City of Elsa (Building) |
| La Joya ISD (Land) | McAllen Housing Authority (Building - 2 Locations) |
| City of Palmview (Land & Building) | City of Mission (Building) |
| City of Pharr (Land - 2 Locations) | Monte Alto ISD (Building) |
| City of Progresso (Land) | City of Weslaco (Building) |
| City of San Juan (Land) | |

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

Commissioner Hector Palacios stepped away.

17. Planning Department - Raul Sesin: (Exhibit V)

(Audio Tape # 2, Tracking # 635)

A. AI-29731 1. Preliminary Approval with Variance Request:

a. San Jose Acres Subdivision – Pct. 4 (Baldemar Balderas)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval, subject to comments by departments prior to Final Approval.

b. Flores Subdivision – Pct. 1 (Desiderio Flores)

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, subject to comments by departments prior to Final Approval.

2. Preliminary Approval:

- a. Aurora Valley Phase I Subdivision – Pct 4 (M. L. Rhodes)**
- b. Juan & Felipa Serna Subdivision – Pct. 2 (Juan Serna)**
- c. Los Gomez Subdivision – Pct. 2 (Julio Gomez)**

Raul Sesin for the Record: We are requiring ¼ Mile drainage outfalls to each subdivision that is within ¼ mile.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 17.A.2.a, b & c, subject to comments by departments prior to Final Approval.

3. Final Approval:

- a. Santa Clara Estates Subdivision – Pct. 1 (Kyndel Bennett)**

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

- b. Miraflores Estates Subdivision – Pct. 1 (Kyndel W. Bennett)**

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

18. Pct. #4 - Comm. J. Palacios: (Exhibit W)

(Audio Tape # 2, Tracking # 907)

A. AI-29774 Road Maintenance (1200):

1. Approval to create the following full-time position:

| Slot No. | Position Title | Budgeted Salary |
|----------|---|-----------------|
| 0069 | Executive Assistant for Community & Intergovernmental Relations | \$58,888.00 |

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

2. Approval of revised salary schedule.

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

19. Budget & Management - Sergio Cruz: (Exhibit X)

(Audio Tape # 2, Tracking # 930)

A. AI-29785 1. Status update on Operation Clean Slate - Phase I Online Payment

Rey Salazar informed the Court that the Online Payment has been very successful on collections.

2. Discussion, consideration and approval of Operation Clean Slate- Phase II- Scofflaw Program (Vehicle Registration Denial)\OmniBase Program(Drivers License Renewal Denial)

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

3. Discussion, consideration and approval of the Texas Dept. of Transportation Service Agreement for the purchase of Texas Motor Vehicle Title and Registration Information.

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

20. Purchasing Department - Marty Salazar: (Exhibit Y)

(Audio Tape # 2, Tracking # 1248)

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 20.A.1, 2, & 3.a, b & c.

4. AI-29735 Recommending award of bid and approval of contract document to sole bidder (Quest Diagnostics Clinical Laboratories Inc.) meeting all specifications and/or requirements as attached hereto for: "Hidalgo County-Laboratory Services" RFB No. 2011-144A-10-26-SMA.

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

5. AI-29700 Acceptance and approval of Supplemental No. 1 Agreement extension request of an additional twenty-four (24) months to Contract #C-10-164-04-20-PO#64215 pursuant and as allowed under Article 8 of the contract with S&B Infrastructure, LTD, Professional Engineer to the "Design and expansion of the Raymondville Outfall System" Project-County Wide, thus bringing the ending date of the contract to December 31, 2013.

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

6. AI-29490 a. Presentation of the scoring/evaluation grid (from the designated grading committee) for the purposes of ranking by Commissioner's Court of the responses received in connection with the Request for Proposals for: Hidalgo County- "Consulting Services to Assist Hidalgo County in Grant Writing and Updating Master Parks Plan;

| | Vazaldua & Associates | Halff Associates, Inc. |
|---------------------------|-----------------------|------------------------|
| Grader #1 | 82 | 93 |
| Grader #2 | 94 | 91 |
| Grader #3 | 87 | 92 |
| Grader #4 | 98 | 90 |
| Grader #5 | 81 | 89 |
| Total Scores: | 442 | 455 |
| Total Avg. Scores: | 88.4 | 91.0 |
| Rank | 2 | 1 |

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to accept the ranking as submitted.

b. Requesting authority to negotiate a professional consulting services contract in connection with Grant Writing and Updating Master Parks Plan Services with the number one ranked firm of Half & Associates, Inc..

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the top ranked firm and enter into negotiations.

7. AI-29662 Acceptance of third (3) quarter rebate checks from Comdata Product Services (fuel purchases) in the amount of \$602.93.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to accept the ranking as submitted.

8. AI-29730 a. Request submitted (through written notifications attached herein and characterized as "errors" by trades) by G.A.S. Enterprises, Inc. numerically lowest bidder for the project: Hidalgo County -"Construction of Sheriff's Office Substation in the Precinct No. 1 Area"; and, if approved;

This item was taken up during Closed Session.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to allow the withdraw of bid number one and proceed to award to bid number two.

b. Presentation of bids received for the purposes of award the base bid for the project: Hidalgo County-"Construction of Sheriff's Office Substation in the Precinct. 1 Area" to second lowest responsive and responsible bidder meeting all specifications D. Wilson Construction Co. in the total amount of \$3,390,000.00, as presented & recommended by project architect GIGNAC & Associates, LLP. (Bid No. 2011-032-11-01-MSS).

This item was taken up during Closed Session.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve D. Wilson with the base bid in the amount of \$3,390,000.00.

B. Pct. 2

1. AI-29578 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional services;

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

Commissioner Joseph Palacios stepped away.

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 Engineering Services providers in connection with an "On Call & As Needed Services" contract for County-owned property/land located within Hidalgo County Precinct # 2:

| | | | |
|--------------------|---|------------------------------------|---------------------------------------|
| Evaluator | Quintanilla, Headley and Associates, Inc., | Hinojosa Engineering, Inc., | R. Gutierrez Engineering Corp. |
| Evaluator 1 | 90 | 90 | 100 |
| Ranking | 2 | 3 | 1 |

Martha Salazar drew lots for 2nd and 3rd place. Second place is Quintanilla, Headley and Associates, Inc., and third place is Hinojosa Engineering, Inc.

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

Commissioner Quintanilla stepped away.

- c. Authority for the Purchasing Department to negotiate a professional "On Call and As Needed Basis" services agreement with the No.1 ranked firm of : R. Gutierrez Engineering Corp. for the provision of professional engineering services for Hidalgo County Precinct No. 2 projects.**

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

Commissioner Joseph Palacios joined the meeting.

- 2. AI-29764 a. Request by Pct. #2 to approve the waiver of "Order" for Major Purchase Deadline of 11-04-11 to acquire park equipment from The Playwell Group, awarded vendor under TASB BuyBoard contract #346-10 through Req.#206059-\$54,381.49 and Req. #206062-\$80,702.56 including authority for continued utilization of said TASB BuyBoard contract #346-10 on a County wide basis;**

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

- b. Ratification of waiver of "Order" for Major Purchase Deadline of 11-04-11 and issuance of PO#666754-\$10,724.94 and PO#666755-\$10,724.94 (inasmuch as authority to utilize The Playwell Group, awarded vendor under HGAC contract #PR11-10 approved by CC-10-25-11) and thus permitting delivery of items prior to 12/31/2011.**

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

- 3. AI-29755 Pct. #2 DIP Project #2011-285-11-16-OGG:**

Pursuant to Texas Local Government Code, Chapter 263.152 (a) (3), requesting Commissioners Court to ...'order the property otherwise disposed...' inasmuch as CC undertook to sell said property under 263.152(a)(1)...'sealed competitive bids' and was unable to do so because no bids were received for the fill dirt/loose materials from Drainage Improvement Project aka So McColl Offsite Drain located at the intersection of McColl Rd & Thomas Rd.

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

4. **AI-29734 Acceptance and approval to execute a contract/agreement (on an as needed basis) for the provision of professional review appraiser services for "Projects located within Hidalgo County Precinct No. 2 ," with Harvey L. Heerssen, dba, HLH Appraisal Review Services, as authorized & approved for negotiations by CC on 09/06/11.**

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

C. Pct. 4

1. **AI-29577 Pursuant to Article 14 of the current agreement-C-11-234-09-13 & WA#1 for: (FM 1925 Project)-Precinct #4, L & G Engineering is requesting acceptance and approval to engage services by Sub-Contractors as set forth below;**

- a. **RODS Surveying, Inc. - Surveying & ROW Mapping Services**
- b. **ETSI - Traffic Engineering Services**
- c. **Leonel Garza & Associates - ROW Appraisal Services**
- d. **HLH Appraisal Services - ROW Appraisal "Review" Services**

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

2. **AI-29743 Precinct No. 4 Project #2011-302-OGG**

Authorization to purchase three (3) units for Pct. #4 from the following vendors:

- a. **Purchase of One (1) 2011 or newer Ford Fusion for a total amount of \$16,439.75 which includes Buyboard Fees through Hidalgo County's membership and participation with TASB/Buyboard's awarded vendor, Phipott Motors Contract #358-10;**
- b. **Purchase of Two (2) 2012 or newer 1500 Silverado Reg Cab through Hidalgo County's membership and participation with HGAC (Houston-Galveston) awarded vendor Caldwell Chevrolet (Contract #VE03-06) for a total amount not to exceed \$33,494.00 which includes delivery and HGAC fees.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 20.C.2.a & b.

D. Facilities Management:

1. **AI-29787 a. Approval to waive major purchases deadline order of 11/04/2011 so as to acquire needed equipment;**

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

- b. **Authority to purchase a new 2011 Genie Trailer Mounted Z-Boom Model TZ-50 - Hybrid (DC an Gas) Chassis from H & V Equipment (lowest responsible bid solicited through written quotes)-Req. #204894 in the amount of \$40,205.00 with assurance from vendor of receipt of items prior to 12/31/2011.**

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

E. WIC

1. **AI-29739 As requested and recommended by the Hidalgo County WIC Program, approval to exercise option to terminate current lease agreement with Starr County Hospital as stated under paragraph E. 7-Termination by providing and forwarding a Sixty (60) Day written notice of termination in connection with Lease of Space in Rio Grande City Project.**

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

Commissioner Flores stepped away.

F. County Clerk

1. **AI-29693 Requesting approval to exercise option to "terminate" agreement by and between Columbia Ultimate, Inc. (RevQ) and Hidalgo County (Clerk's Office) by giving the contractual stated thirty (30) day written notice-C-07-147-09-12 for: "Software Support".**

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

21. Closed Session: (Exhibit Z)

(Audio Tape # 2, Tracking # 1840)

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, 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-29710 Claim of Esther Gamboa**
- E. **AI-29712 Claim of Santiago Espinoza**
- F. **AI-29758 Claim of Daniel Marichalar**

NO ACTION taken on items 21.A through F.

22. Open Session: (Exhibit AA)

(Audio Tape # 3, Tracking # 163)

- A. **Real Estate Acquisition and appropriation for same**
- B. **Cause No. C-3123-03-I; Hidalgo County, Texas v. Landmark Organization, L.P. et al**
- C. **Pending and/or potential litigation**

NO ACTION taken on items 22.A, B & C.

D. AI-29711 Claim of Esther Gamboa

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the offer in the amount of \$1,200.00.

E. AI-29713 Claim of Santiago Espinoza

On motion of Commissioner Flores, seconded by Commissioner Joseph, the Court made a UNANIMOUS vote to approve the offer in the amount of \$250.00.

F. AI-29759 Claim of Daniel Marichalar

Valde Guerra informed the Court that Daniel Marichalar was requesting pay for duties as Chief Deputy Constable from the period of October 31 through November 21.

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

23. Closed Session:

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

NO ACTION taken on this item.

24. Open Session:

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

NO ACTION taken on this item.

25. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
November 22, 2011
9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR 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.

Commissioner Joseph Palacios was not present during approval of the Consent Agenda.

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the Consent agenda, with the exceptions of 3.F, 10.A & B, and 10.K.

Ms. Martha Salazar, Purchasing Agent recommended that the Court approve item 10.A with RGV Steel, Low Bidder, with the assurance that the product would be ready before 12-30-11

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 10.A & B & K, subject to all supporting documentation/insurances.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 3.F.

- 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-29780 2011 - County Clerk (1100)**
 - B. AI-29772 2011 - District Attorney (1100)**
 - C. AI-29708 2011 - Fire Marshal (1100)**
 - D. AI-29729 2011 - I.T. Department (1100)**
 - E. AI-29652 2011- Elections Department (1100)**
 - F. AI-29719 2011 - Treasurer's Office (1100)**
 - G. AI-29627 2011 - Tax Office (1100)**
 - H. AI-29698 2011 - County Auditor's Office (1100)**
 - I. AI-29669 2011 - Health & Human Services Dept. (1293)**
 - J. AI-29671 2011 - Health & Human Services Dept. (1100)**
 - K. AI-29727 2011 - Health & Human Services Dept. (1100)**
 - L. AI-29723 2011 - Executive Office (1100)**
 - M. AI-27316 2011 - District Clerk (1100)**
 - N. AI-29689 2011 - Sheriff's Office (1100)**
 - O. AI-29746 2011 - 93rd District Court (1100)**
 - P. AI-29672 2011 - 206th DC (1100)**
 - Q. AI-29722 2011 - 398th District Court (1100)**
 - R. AI-29781 2011 - 430th District Court (1100)**
 - S. AI-29742 2011 - J.P. 1/2 (1100)**
 - T. AI-29715 2011 - Constable Pct #4 (1100)**
 - U. AI-29429 2011 - Constable Pct #4 (1100)**
 - V. AI-29668 2011 - Constable Pct. #5 (1100)**
 - W. AI-29762 2011 - Pct. #2 San Juan CRC (1100)**
 - X. AI-29761 2011 - Pct. #2 South Tower CRC (1100)**
 - Y. AI-29754 2011 - Pct. #2 Adm. (1200)**
 - Z. AI-29752 2011 - Pct. #2 CWS (1200)**
 - AA. AI-29737 2011 - Pct. #3 Parks (1100)**
 - BB. AI-29736 2011 - Pct. #3 Sanitation (1100)**

CC. AI-29686 2011 - Pct. #4 Rd Maint (1200)

DD. AI-29660 2011 - Pct. #4 BCAP (1312)

EE. AI-29640 2011 - Pct. #4 Parks (1100)

3. 2011 Interdepartmental transfers: (Exhibit C)

A. AI-29791 General Litigation (1100):

Approval of 2011 interdepartmental transfer from Co.Wide Adm.-Contingency to General Litigation in the amount of \$61,500.00 to fund settlement legal expenditures.

B. AI-29790 Adult Probation (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm.-Contingency to Adult Probation in the amount of \$13,000.00 to fund electricity expenditures.

C. AI-29658 2011 Workers Comp (2202):

Approval of 2011 interdepartmental transfer for Workers Comp (2202) from Hidalgo County W/C (program 060), Head Start W/C (program 063), Dept of Budget & Management W/C (program 065), and Claims Servicing (program 066) to Hidalgo County W/C (program 060), Drainage District #1 W/C (program 061), Community Service Agency W/C (program 062), Head Start W/C (program 063), and DBM-W/C Division (program 065) in the total amount of \$608,458.58 to fund negative balances, pending journal entries and future expenditures in 2011.

D. AI-29775 Jail (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to Jail in the amount of \$248,930.00 to fund room & board expenditures.

E. AI-29716 Planning Department (1100):

Approval of 2011 Interdepartmental Transfer from Co. Wide Adm. - Contingency to Planning Dept. in the amount of \$3,250.00 to fund fuel expenditures.

F. AI-29773 Co. Wide Adm. (1100):

Approval of 2011 interdepartmental transfer from Various Depts to Co. Wide Adm-Contingency in the amount of \$635,000.00 to fund pending obligations.

G. AI-29756 Pct. #3 R&B (1200):

Approval of 2011 interdepartmental transfer from Precinct #3 Rd Maintenance to Precinct #3 BCAP in the amount of \$20.00.

H. AI-29753 Pct. #4 C.O. 2010 A&B Series (1342):

Approval of 2011 interdepartmental transfer within Certificate of Obligations Series 2010A&B - Precinct #4 Drainage Improvement Project from North Branch Drain (program 049) to Dickerson Pond (program 048) in the total amount of \$6,950.05 to fund October - 2011 Drainage Fuel Reimbursements.

I. AI-29757 Pct. #4 BCAP:

Approval of 2011 interdepartmental transfer within Pct #4 (1200) from Rd Maint (program 007) to BCAP (program 019) in the amount of \$25.00.

4. Planning Department: (Exhibit D)

- A. AI-29728 1. Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)**
- 2. Certificate of Water Service Availability under Texas Local Government Code Section 232.029 (c) (2)**

5. Monthly Fee Reports: (Exhibit E)

- A. AI-29688 District Clerk**
Approval of October 2011 Monthly Fee Report.
- B. AI-29702 District Attorney's Office**
Approval of October 2011 Monthly Processing Fees Report.

6. Headstart: (Exhibit F)

- A. AI-29673 Approval of Program Financial Report: October 2011**
- B. AI-29676 Approval of Special Services Monthly Report: October 2011**
- C. AI-29675 Approval of Texas Department of Agriculture Meals and Snacks Monthly Report: October 2011**
- D. AI-29674 Approval of Children's Applications for 2011-2012**

7. Urban County: (Exhibit G)

- A. AI-29745 Request for approval of one (1) applicant in the City of Mercedes under the CDBG Disaster Recovery Program.**

8. Auditor's Office: (Exhibit H)

- A. AI-29683 Monthly collection reports for November 2010, and August 2011 and September 2011.**

| <u>OFFICE</u> | <u>FEES & COST</u> | <u>MONTH</u> |
|--|------------------------|----------------|
| The Hon. Rosa E. Trevino, Justice of the Peace | \$ 51,244.95 | November 2010 |
| The Hon. Gilberto Saenz, Justice of the Peace | \$ 64,520.40 | August 2011 |
| The Hon. Bobby Contreras, Justice of the Peace | \$ 88,601.50 | August 2011 |
| The Hon. Rosa E. Trevino, Justice of the Peace | \$ 57,537.30 | August 2011 |
| The Hon. Luis Garza, Justice of the Peace | \$ 70,735.90 | August 2011 |
| The Hon. Ismael "Melo" Ochoa, Justice of the Peace | \$ 78,540.81 | August 2011 |
| The Hon. Charlie Espinoza, Justice of the Peace | \$ 109,141.10 | August 2011 |
| The Hon. Espiridion Jackson, Justice of the Peace | \$ 25,090.90 | August 2011 |
| The Hon. Gilberto Saenz, Justice of the Peace | \$ 63,253.25 | September 2011 |

| | | | |
|--|----|--------------|----------------|
| The Hon. Jesus E. Morales, Justice of the Peace | \$ | 43,610.65 | September 2011 |
| The Hon. Bobby Contreras, Justice of the Peace | \$ | 93,239.06 | September 2011 |
| The Hon. Luis Garza, Justice of the Peace | \$ | 75,598.70 | September 2011 |
| The Hon. Ismael "Melo" Ochoa, Justice of the Peace | \$ | 68,589.66 | September 2011 |
| The Hon. Espiridion Jackson, Justice of the Peace | \$ | 24,743.21 | September 2011 |
| The Hon. Armando Barrera Jr., Tax Assessor/Collector | \$ | 1,420,687.78 | September 2011 |

B. AI-29717 Monthly collection reports for July and October 2011.

| <u>OFFICE</u> | | <u>FEES & COST</u> | <u>MONTH</u> |
|---|----|------------------------|--------------|
| The Hon. Homero A. Jasso, Justice of the Peace | \$ | 22,284.90 | July 2011 |
| The Hon. Jose M. Flores, Comm. Pct. 3, Anzaldua's Park | \$ | 2,240.00 | October 2011 |
| The Hon. Gilberto Alaniz, Constable Precinct No. 2 | \$ | 1,170.00 | October 2011 |
| The Hon. Eddie Guerra, Constable Precinct No. 4 | \$ | 630.00 | October 2011 |
| Chief Deputy Constable, Daniel Marichalar, Prct. No.5 | \$ | 560.00 | October 2011 |
| The Hon. Joel Quintanilla, Comm. Pct.1, Delta Lake Park | \$ | 794.00 | October 2011 |

C. AI-29697 Approval of the monthly financial statements for the month of October 31, 2011.

9. Budget & Management: (Exhibit I)

A. AI-29768 General Fund Fringe Benefits Sweep (1100):

Approval to transfer lapsed General Fund fringe benefits from various departments to the Countywide Adm.-Contingency account.

10. Purchasing Dept: (Exhibit J)

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-29691 Discussion, consideration, and action on request for waiver of the "MAJOR PURCHASES" deadline for the purchase of 50 metal carts to be used to store and deliver Ivotronics/ADA machines and additional supplies used during the election process.

- B. AI-29747** Acceptance and approval of request for payment of Invoice #1102707-1 in the amount of \$43,152.38 as submitted by CAS Companies in connection with the "Hidalgo County Morgue Renovation" Project amid PO#663746 with authority for County Treasurer to issue payment after review, audit, and processing procedures are completed by County Auditor.
- C. AI-29724** Purchasing Dept:
 Requesting authority to enter into a 48-month new copier (capital) lease for a WC7545P copier through our membership/participation with (TPSS) Texas Procurement & Support Services awarded vendor, Xerox contract 985-L2 for the Purchasing Department through Requisition #203334 in the amount of \$447.92/month, effective upon approval;(1-1100-415-18-160-001-0-780).
- D. AI-29741** Acceptance and approval of the following invoices submitted by contracted project engineer, L & G Consulting Engineers, Inc.:
 1. Invoice No. 11323968R- \$20,572.80 for "FM 681 Project; From FM 2221/FM 492"- C-09-192A-06-08.
 2. Invoice No. 11323970R- \$44,919.57 for "FM 681 From FM 2221 to SH 107"-C-09-192-06-08;
- E. AI-29726** Information Technology:
 Requesting approval of the Maintenance/Service Agreement renewal with IBM Corporation for the (IT) Information Technology Department for the remainder of the term of the transaction contract period (09/30/2013) through a pending requisition subject to 2012 funding in the total amount of \$9,793.53/year effective: 01/01/2012 - 12/31/2012 (2-1100-415-00-200-002-0-336):
- F. AI-29603** Requesting authority to advertise and approval of procurement packet (i.e. specifications/requirements, legal notice, draft lease agreement etc.) as attached hereto for: Hidalgo County WIC Program-"Lease Office Space-City of McAllen-South"-RFB No.: 2012-007-12-14-SGS including authority to re-advertise project, if necessary.
- G. AI-29744** Requesting authority to enter into a 12-month software renewal maintenance agreement with (ESRI) Environmental Systems Research Institution for the Health & Human Services Department through the following requisition #204110 for the following services. Effective dates below: (1-1293-441-00-340-008-2-336)(1-1293-441-00-340-005-0-336);

| Software Maintenance | Effective | Quantity | Annually |
|--|--------------------|----------|---------------|
| ArcView Single use Primary Maintenance Agreement | 10/21/11-10/20/12 | 2 | \$400.00/each |
| ArcGis Server Standard Workgroup One Core Additional Migrated Maintenance | 10/21/11- 10/20/12 | 2 | \$500.00/each |
| ArcGis Server Standard Workgroup Up to Two Cores Migrated Maintenance | 10/21/11-10/20/12 | 1 | \$1,000.00 |

- H. AI-29703** Requesting approval to exercise the County's option to renew an additional year extension as provided in the current contracts for the "Janitorial Supplies and Industrial Chemicals and Supplies" for Hidalgo County, under the same rates, terms and conditions with the follow multiple contracted vendors:
- 1. C-10-186-12-13-Gulf Coast Papers**
 - 2. C-10-186A-12-13-Sysco San Antonio**
 - 3. C-10-186B-12-13-Central Poly Corp.**
- I. AI-29720** Requesting authority to exercise the option to extend/renew the additional one (1) year term as provided in the current Contract# C-08-198-11-25 for the purposes of: "FIRE EXTINGUISHER EQUIPMENT and MAINTENANCE SERVICES: (on an as needed basis) for Hidalgo County, under the same rates, terms and conditions with ARB FIRE PROTECTION.
- J. AI-29580 Tax Office:**
- Requesting authority to enter into a 12-month maintenance agreement with (CTCR) Cole's The Cash Register Co. for the Tax Office through requisition #204840 for the amount of \$150.00 ea./year total amount of \$1,050.00/year. Effective upon approval-1-1100-415-15-140-001-0-432.
- K. AI-29718** Acceptance and approval of request for payment of Invoice #1120601-1 in the amount of \$114,872.55 as submitted by CAS Companies in connection with the "Hidalgo County Autopsy Facility Remediation" Project amid PO #661790 with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.
- L. AI-29714** Requesting authority to exercise the first one (1) year extension as provided in the current contract C-10-286-12-07 for "Repairs, Replacement and/or Retrofit of Central Heating and/or Cooling Systems" for Hidalgo County Community Service Agency under the same rates, terms, and conditions with Air-Plus Heating & Cooling, Inc.
- M. AI-29690** Requesting acceptance and approval of:
- 1. Application for Payment No. 2 (Retainage Release) in the amount of \$6,484.05;**
 - 2. "Certificate of Construction Completion" reflecting the completion date of August 22, 2011; from M.J.A. Construction LLC, contracted vendor for Colonia Saenz Subdivision as submitted by Rodriguez Engineering, project engineer (C-CAP-11-057-04-05).**
- N. AI-29705** Requesting authority to exercise the option to extend/renew for the additional one (1) year term as provided in current Contract#C-10-137-10-05 for: "Hauling Services for ALL Road Materials (Excluding Hot Mix)" (on an as needed basis) for Hidalgo County Precinct #4, under the same rates, terms and conditions with ROY'S HAULING SERVICES.
- O. AI-29687** Requesting approval of Application for Payment No. 3 in the amount of \$130,863.21 from Asago LLC, d/b/a Asago Construction, contracted vendor for Balli Estates Subdivision as reviewed and submitted by project engineer TEDSI Infrastructure Group (C-CAP-11-127-05-23).
- P. AI-29685** Requesting approval for Payment Application No.2 in the amount of \$77,449.70 from Asago Construction, awarded contractor for El Gato Road Improvement Project, Contract #C-11-161-07-05 as certified for payment by project engineer, R. Gutierrez Engineering, with the authority for County Treasurer to issue check after review, audit and processing procedures are completed by County Auditor.

- Q. AI-29684** Requesting approval of payment for Invoice No. 5 in the amount of \$1,073.09 (3rd Call, various projects) as submitted by project engineer Rodriguez Engineering.
- R. AI-29682** 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.
- S. AI-29680** Requesting authority to advertise with approval of procurement packet (i.e., legal notice, requirements - specifications, draft contract, etc.) as attached hereto for: Record and Delay Broadcast of Hidalgo County Commissioners' Court RFB No. 2011-146-12-21-YZV including re-advertising same, if necessary.
- T. AI-29655** Requesting acceptance and approval of:
1. Application for Payment No. 4 (Retainage Release) in the amount of \$24,673.22;
 2. "Certificate of Construction Completion" reflecting the completion date of November 02, 2011; 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).
- U. AI-29653** Requesting approval of payment for Invoice No. 11101 in the amount of \$7,329.33 (3rd Call, various subdivisions) as submitted by project engineer Javier Hinojosa Engineer.
- V. AI-29609** Requesting authority to advertise and approval of procurement packet (i.e. specifications/requirements, legal notice, draft lease agreement etc.) as attached hereto for: Hidalgo County WIC Program-"Lease Office Space- Mercedes: RFB No.: 2012-011-12-14-SGS including authority to re-advertise, if necessary.

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
November 22, 2011
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR 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 BB)

1. Roll Call

All members of the Board were counted present.

2. Open Forum

Godfrey Garza informed the Board that the International Boundary and Water Commission is beginning submission of segments of levees to FEMA.

3. Approval of Consent Agenda

The Board proceeded with the Drainage District Consent Agenda.

4. AI-29733 Request approval to issue payment on Roy's Hauling Service, Inc. Invoice no. 7251 (\$135.00), 7240 (\$2,700.00), 7243 (\$1,215.00), 7241 (\$1,890.00), 7225 (\$1,750.00) and 7227 (\$2,000) for the hauling of concrete rip rap during September 7, 2011 through September 19, 2011 totaling \$9,690.00

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

5. AI-29750 A. Presentation of scoring grid for the purpose of ranking by the Hidalgo County Drainage District No.1 Board of Directors in connection with Geo-technical & Construction Material Testing Services for Hidalgo County Master Drain System-Phase II.

| FIRM | SCORE | RANK |
|-----------------------------------|--------------|-------------|
| L&G Engineering | 96 | 1 |
| Raba Kistner | 94 | 2 |
| Millennium Engineers Group | 89 | 3 |

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote to approve with L & G Engineering.

B. Pursuant to the Boards approval requesting authority for Hidalgo County Drainage District No.1 to execute Contract with the number one ranked firm of L & G Engineering for Geo-technical & Construction Material Testing Services for Hidalgo County Master Drain System-Phase II.

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

6. Closed Session: (Audio Tape #1, Tracking # 124)

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote of approval to go into Closed Session.

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**
- C. AI-29748 Claim of Dannenbaum Engineering**

7. Open Session: (Audio Tape #1, Tracking # 124)

- A. Real Estate Acquisition**
NO ACTION taken on this item.
- B. Pending and/or Potential Litigation**
NO ACTION taken on this item.
- C. AI-29749 Claim of Dannenbaum Engineering**
Mr. Godfrey Garza advised the Board that he would Proceed as Directed.

8. Closed Session:

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

9. Open Session:

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

NO ACTION taken on items 8 & 9.

10. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
November 22, 2011
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR 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 CC)

(Audio Tape #1, Tracking # 60)

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 22nd 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 22, 2011.

Signed this 1st day of December 2011

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

(Seal) By: _____
Priscilla Torres, Deputy