

SPECIAL MEETING – DECEMBER 12, 2011

BE IT REMEMBERED, that on this 12TH day of December A.D., 2011, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

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

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

**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
December 12, 2011
9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at Edinburg Council Chambers, 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. Roll Call

All members of the Court were counted present.

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 (Audio Tape # 1, Tracking # 234)

Yvonne Ramon, Elections Administrator, introduced her staff and acknowledged them for their hard work.

-Virginia Townsend Redistricting of lines and possible additional changes and had questions about Right of Way work.

-Fern McLaugherty expressed her concern on employees using County cell phones and discussed item 14.a & B. regarding the boundary lines.

-Karina Cardoza thanked the employees and departments who participated in the County Toy Drive.

-Commissioner Quintanilla also expressed his gratitude to the individuals who attended the County Christmas Party and those who participated in the County Toy Drive.

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

(Audio Tape # 1, Tracking # 871)

- 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-29977 Request by the Edinburg Chamber of Commerce to use the town square for the 44th Annual Fiesta Edinburg Celebrations to be held on Saturday, February 25, 2012

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

C. AI-29903 Appointment of Hidalgo County Fire Marshal

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to appoint Mr. Juan Martinez.

Commissioner Joseph Palacios stepped away from the Court.

D. AI-29871 Texas AgriLife Extension Service:

Requesting approval to appoint one 4H and Youth Development agent Christina L. Perez.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to appoint Christina L. Perez as the 4H and Youth Development Agent.

Commissioner Joseph Palacios joined the meeting.

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

(Audio Tape #1, Tracking # 1068)

A. AI-30013 Discussion, consideration, and approval of Hidalgo County Comprehensive Economic Development Strategy (CEDS).

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adopt the Hidalgo County Comprehensive Economic Development Strategy Plan.

B. AI-30014 1. Presentation from the City of La Villa, as required by Section 311.003(f) Texas Tax Code, relating to the creation of City of La Villa, Tax Increment Reinvestment Zone Number One.

Presentation made.

NO ACTION taken on this item.

Commissioner Hector Palacios stepped away.

2. Approval to allow the City of La Villa a waiver of the sixty (60) day notice requirement of the public hearing required for the creation of "Proposed City of La Villa, Tax Increment Reinvestment Zone Number One" under Section 311.003 of the Texas Tax Code and authorize County Judge to sign the waiver.

Mr. Ryan Murphy came before the Court requesting a waiver to continue to approve the plan.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the waiver of the 60 day notice.

Ms. Erika Reyna reaffirmed the Court that this does not obligate the County to any monies.

3. Approval to appoint a representative on behalf of Hidalgo County to meet with the governing body of the City of La Villa concerning "Proposed City of La Villa, Tax Increment Reinvestment Zone Number One".

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to appoint Ms. Erika Reyna as representative.

Commissioner Hector Palacios joined the meeting.

C. AI-30062 Discussion, consideration, and possible action regarding the county's Cellular Telephone Policy and option to implement a cellular telephone allowance in lieu of a county provided cellular telephone. (Audio Tape #1, Tracking # 3350)

Presentation by Renan Ramirez, during which time he did ask the Court for additional time to review the Pre-Paid Plans and the Stipend Plan.

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

(Audio Tape # 2, Tracking # 13)

A. AI-29994 Requesting approval of payment for invoice # 04200457 to Hobart in the amount of \$167.00 for labor on dishwasher.

NO ACTION taken on this item.

Judge Garcia stepped away.

B. AI-30044 Sheriff's Department-ICE Overtime (1284):

1. Approval to accept overtime funding from the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE) in the amount of \$15,000.00.

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

2. Approval of certification of revenues, as certified by County Auditor, for ICE overtime funding.

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

3. Approval of appropriation of funds in the amount of \$15,000.00.

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

C. AI-30074 1. Approval of Certification of Revenues by County Auditor for the FY2011 State Criminal

Alien Assistance Program (SCAAP).

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

2. Approval of budget amendment to appropriate the grant award for \$200,395.00.

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

Judge Garcia joined the meeting.

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

(Audio Tape # 2, Tracking # 156)

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

Eddie Olivarez provided the Court updates on the UPL Workshops and requested a Workshop in order to have the State provide additional information.

NO ACTION taken on this item.

Commissioner Flores stepped away.

B. AI-29999 Consideration and approval of Contract for Outstationed Assigned Specialists in the Health Care Facilities at:

- 1. Knapp Medical Center**
- 2. Mission Hospital, Inc.**
- 3. Rio Grande Regional Hospital**
- 4. McAllen Hospitals LP**
- 5. Doctors Hospital at Renaissance**

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 9.b.1 through 5.

C. AI-29995 Requesting authorization to reimburse employee for fuel expense incurred.

Employee	Invoice #	Date	Amount	Purpose
#106194	590354	12/02/11	53.10	UPL Meeting

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

D. AI-29991 Health Division:

Requesting authorization for Hidalgo County Health & Human Services Dept. to participate in a Provider Services Agreement with Molina Healthcare of Texas., Inc.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve, subject to final written review by Ms. Josie Ramirez.

10. Facilities Management: (Exhibit O)

(Audio Tape # 2, Tracking # 365)

A. AI-30024 Requesting approval to reimburse Richard Sunday in the amount of \$1,944.00 for Fast Track Business Energy Professionals (BEP) Certification Training Course and Leadership in Energy and Environmental Design (LEED) Certification Course with authority for County Treasurer to issue check after auditing procedures are completed.

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

Valde Guerra for the Record: This would be for the Treasurer issued check as well as the Auditor conducting all the auditing procedures.

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

(Audio Tape # 2, Tracking # 407)

A. AI-29833 1. Requesting to rescind a portion of agenda AI-28939 approved by CC on 10/11/11. The following "Salvage Property" will not be destroyed as previously requested but transferred to another law-enforcement agency.

Asset No.	Description	Serial No.
24308	Motorola Des Spectra-Radio	671ARW0098
24310	Motorola Des Spectra-Radio	671ARW0099
24311	Motorola Des Spectra-Radio	671ARW0096
24313	Motorola Des Spectra-Radio	671ARW0095
44493	Motorola Des Spectra-Radio	465AAL0210
44495	Motorola Des Spectra-Radio	465AAL0211
44497	Motorola Des Spectra-Radio	465AAL0212
44559	Motorola Des Spectra-Radio	465AAL0213

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

2. Requesting approval to accept the Memorandum of Understanding between the County of Hidalgo and through the Hidalgo County HIDTA Task Force and the following:

- a. City of Penitas**
- b. Sullivan City Police Department**
- c. City of La Joya Police Department**
- d. County of Hidalgo and HIDTA Task Force**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 11.A.2.a, b, c & d.

3. Authority to remove the following items from the Hidalgo County HIDTA Task Force inventory:

Asset No.	Description	Serial No.
38233	Bullet-Proof Vest Hi Lite Pro	501307291
38234	Bullet-Proof Vest Hi Lite Pro	501307290
38235	Bullet-Proof Vest Hi Lite Pro	501307295
38236	Bullet-Proof Vest Hi Lite Pro	501307293
38238	Bullet-Proof Vest Hi Lite Pro	501307296
38418	Bullet-Proof Vest Hi Lite Pro	601379149

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

Commissioner Flores joined the meeting.

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

(Audio Tape # 2, Tracking # 490)

A. AI-30035 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineering services;

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

2. Presentation of the scoring grid for the purposes of ranking by CC of at least three (3) engineering firms from the County’s approved “pool” as graded and evaluated by the Precinct No. 3, Urban County Program, and Hidalgo County Purchasing Department, in connection with and funded through Hidalgo County Urban County Program Years 18, 20, 23, 24 (2005, 2007, 2010,

2011) Precinct No. 3, Street Improvements for the re-construction of streets in Sullivan City and Precinct No. 3 area.

Firm	Grade	Ranked
Javier Hinojosa Engineering, Inc.	98.0	1
Quintanilla Headley & Associates, Inc.	93.3	2
Noe Garza Engineers, Inc.	89.6	3

3. Authority to negotiate a professional engineering service contract with the No. 1 ranked firm of _____ for the provision of engineering services for an Urban County Program – Hidalgo County Precinct No. 3, Street Improvements project which consists of the re-construction of streets in Sullivan City and the Precinct No. 3 area.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 12.A.2, with the scoring grid as presented and 3, to authorize the negotiations with Javier Hinojosa Engineering, Inc.

- B. AI-30056 Urban County Program on behalf of the Hidalgo County Precinct No. 2 is requesting consideration and action to award and enter into a construction contract with Asago, LLC d/b/a Asago Construction (lowest base bid meeting all specifications and/or requirements) for the Street and Drainage Improvements Project located in the Hidalgo County Precinct No. 2 in the amount of \$418,802.70 utilizing Years 21, 22, 23 & 24 (2008, 2009, 2010 & 2011) street improvement funds. The project consists of street and drainage improvements to South Tower Road.**

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

- C. AI-30049 Urban County Program on behalf of Hidalgo County Precinct No. 2, is requesting authority to purchase playground equipment for the Lopezville Park. Purchase and installation will be completed by The PlayWell Group (contract # 346-10) an approved vendor through Hidalgo County's membership and participation with Buy Board. The total amount of playground equipment is \$63,242.07 (quotes attached hereto), to include shipping, handling, installation and discounts as requested by the Hidalgo County Precinct No. 2 for the Lopezville Park utilizing UCP FY's 22 & 23 (2009 & 2010) Parks, Recreational Facilities line item.**

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

- D. AI-30046 The Urban County Program on behalf of the City of Edcouch is requesting approval and award of best and final negotiated contract with Guzman & Muñoz Engineering and Surveying, Inc. in the amount of \$12,519.00 utilizing CDBG FY 24 (2011) Side Walks funds.**

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

- E. AI-30039 Urban County Program for the City of Peñitas is requesting consideration and action to award and enter into a Construction Contract with Celso Gonzalez Construction, Inc. for the Parks, Recreational Facility Improvements at Veterans Memorial Park in the City of Peñitas in the**

amount of \$102,300.00 utilizing funding from UCP Year 23 (2010), Urban County Parks, Recreational Facility Improvements line item.

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

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

(Audio Tape # 2, Tracking # 598)

A. AI-29960 Discussion and approval of recommended changes in county election precinct boundaries for redistricting under Article 3, Section 28 of the Texas Constitution and described in Texas Election Code 42.032.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a vote to approve the recommended changes in County Election Pct. Boundaries for redistricting under Article 3, Section 28 of the Texas Constitution and carried as follows:

AYE: Commissioner Quintanilla, Commissioner Flores and Judge Garcia

NAY: Commissioner Hector Palacios

NO VOTE: Commissioner Joseph Palacios - was away for this vote.

14. Pct. #1 - Comm. Quintanilla: (Exhibit S)

(Audio Tape #1, Tracking # 1545)

A. AI-30072 1. Approval to rescind action taken on 11/22/11 (AI#29786) in reference to Redistricting Plan A that included Justices of Peace and Constables boundary lines.

Presentation by Judge Contreras, Mike Carrera, Rene Guerra, District Attorney; and Yvonne Ramon, Elections Administrator. During discussion, Commissioner Flores asked Mr. Mike Carrera for the Record: "By doing this, it's not going to bring back to life Pct. 5 is it?" Mike Carrera replied "No".

Mr. Rene Guerra, District Attorney, strongly recommended that the Court stick to what was voted upon.

Mr. Carrera then provided the voting precincts as: 77, 91, 123, 126 and 127 and stated for the Record: "Once you adopt the individual precinct lines, it's gonna be the same geographic area, but we're gonna get some of those ...inaudible ...we are gonna end up with about 8 precincts".

Commissioner Quintanilla moved to rescind action taken on 11/22/11 in reference to Redistricting Plan A that included Justices of Peace and Constables boundary lines.

Discussion follows.

Mike Carrera for the Record: "The JP and Constable lines do not, you don't have to use a one man/one vote rule. That's one of the Congressional and Federal Elections. On the JP lines, we have a bigger variance. I'm not advocating for that plan, I'm just saying you have a bigger variance and we can have disparity on the JP and Constable lines".

The motion was seconded by Commissioner Flores, and carried as follows:

AYE: Commissioner Quintanilla, Commissioner Flores and Judge Garcia

NAY: Commissioner Hector Palacios and Commissioner Joseph Palacios

2. Approval to rescind action taken on 11/22/11 (AI#29786) in reference to Preclearance submission to the United States Dept. of Justice.

Judge Garcia confirmed with Mr. Mike Carrera that they are looking at voting precincts 77, 123, 126, 91 and 127. Mike Carrera replied, "Yes Sir".

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a vote of approval and carried as follows:

AYE: Commissioner Quintanilla, Commissioner Flores and Judge Garcia

NAY: Commissioner Hector Palacios and Commissioner Joseph Palacios

B. AI-30073 Discussion, consideration, and appropriate action on the following:

(Audio Tape #1, Tracking # 3284)

1. Redistricting Plans for the following Hidalgo County Precincts:

a. Justices of the Peace and Constables

2. Preclearance submission to the United States Dept. of Justice

On motion of Commissioner Quintanilla to incorporate the voting precincts 77, 123, 126, 91 and 127 to be part of JP Pct. #2 and Constable Pct. #2, seconded by Commissioner Flores, the Court made a vote to approve items 14.B.1.a. & 2 and carried as follows:

AYE: Commissioner Quintanilla, Commissioner Flores and Judge Garcia

NAY: Commissioner Hector Palacios and Commissioner Joseph Palacios

15. Colonia Access Program: Agapito Vargas: (Exhibit T)

(Audio Tape # 2, Tracking # 1022)

A. AI-30057 Requesting Authority to submit 3rd Call BCAP Application for possible approval by TXDOT (but not limited) for the following subdivisions: La Milpa Subdivision, Randolph Barnett Subdivision No.1, Randolph Barnett Subdivision No.2, Jardin Terrace Subdivision, Regal Estates Subdivision, Ramirez Subdivision No.1, Ramirez Subdivision No.2, Ramirez Subdivision No.3, Blue Star Enterprises Subdivision No.1, Havana Lomas No.4 Subdivision, and Havana Lomas No.5 Subdivision.

NO ACTION taken on this item.

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

(Audio Tape # 2, Tracking # 1040)

A. AI-29625 Requesting approval to reimburse Sergio Cruz #132438 for the purchase of fuel for (2) 2011 Ford F-150 Trucks (County Vehicles) in the amount of \$20.00.

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

B. Budget Appropriations:

1. AI-30078 Pct. #1 Drainage Improvement (1200):

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

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

2. Approval of 2011 appropriation of funds for the Pct. 1 Drainage Improvement (fund 1200, program 052) in the amount of \$20,669.26 to fund payroll expenditures in relation to the Pct. 1 Drainage Improvement Project.

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

2. AI-30088 Pct. 3 R&B (1200):

Approval of 2011 appropriation of funds into Pct. #3 Rd Maint in the total amount of \$20,000.00.

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

17. Purchasing Department - Marty Salazar: (Exhibit V)

(Audio Tape # 2, Tracking # 1093)

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

4. AI-29990 Exemption from Competitive Procurement Requirements:

a. Requesting exemption from competitive bidding requirements under Tx. Local Government Code, Chapter 262, Section .024 (a) (3)-"an item necessary because of unforeseen damage to public property", and (7)"an item that can be obtained from only one source, including":(D)-"captive replacement parts or components for equipment;"and (11) "vehicle and equipment repairs": (B) films, manuscripts, or books:

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

b. Requesting authority to purchase repairs only (excludes maintenance for vehicles or equipment) for County-owned vehicles and equipment from the vendors identified and detailed revised list attached hereto through the established and approved procedures for the requisition and purchase order process with said authority to extend through December 31, 2012.

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

c. Requesting authority to purchase parts for County-owned heavy equipment and machinery from the vendors identified and detailed revised list attached hereto through the established and approved procedures for the requisition and purchase order process with said authority to purchase through December 31, 2012.

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

Through all funding sources:

a. Requesting exemption from competitive bidding requirements under Tx. Local Government Code, Chapter 262, Section .024 (a) (8) (d) "an item of food for Sheriff's Office, Adult Detention Facility (aka, County Jail), Juvenile Probation, Adult Probation & Texas Agrilife Extension Service, including all other Hidalgo County Departments, Elected Office, Programs and/or Agencies requiring food purchases;

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

b. Pursuant to same statute, specifically 262.024 (d), action on the following:

1. Solicitation of at least three (3) quotes by:

a. telephone; or,

NO ACTION taken on this item.

b. written quotations;

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

2. Set the intervals for the solicitation of quotes for:

a. current & historic time frame is 30 days;

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

b. Other as approved _____;

NO ACTION taken on this item.

3. Presentation for approval of the proposed draft solicitation quote/bid form including terms, conditions, requirements, and draft agreement for vendors awarded contracts.

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

5. AI-30020 Requesting authority to advertise and approval of a modified procurement packet (i.e. qualifications, requirements, and scope of services, etc.) with several recommended additions highlighted for review and notation as attached hereto for the overall improvement of the process in connection with the following "Hidalgo County Qualified Pools of Professional Services":

a. Architectural Services (RFQ No. 2012-001-01-11-MSS)

b. Engineering Services (RFQ No. 2012-002-01-11-CGA)

c. Engineering Services -Geotechnical & Construction Materials Testing (RFQ No. 2011-003-01-11-SMA)

d. Real Estate Appraiser Services (RFQ No. 2012-004-01-11-YZV)

e. Surveyor Services (RFQ No. 2012-005-01-11-YZV)

f. Construction Management Services (2012-006-01-11-YSI)

for selection on an “as needed basis” (through a grading/scoring, ranking, negotiation protocol - as established by CC) per project by Hidalgo County Commissioners Court, Precincts, all County Departments and/or applicable Programs or Agencies requiring said services effective 2-09-2012 for a period of one (1) year.

NO ACTION taken on items 17.A.5.a, b, c, d, e & f.

Commissioner Joseph Palacios joined the meeting.

B. Pct. 2

- 1. AI-30050 Acceptance and approval of Work Authorization No.4 for Millennium Engineers Group, Inc. (Contract #C-11-042-01-25), with estimated fee of \$21,349.00, to provide material testing services for South Tower Road (Hall Acres to Rancho Blanco Rd.) Project.**

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

C. Pct. 3

- 1. AI-30018 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional appraisal services;**

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

b. Presentation of scoring grid (for the purpose of ranking by CC) of the firms graded and evaluated through the County’s approved “pool” of Appraisal Services for Precinct No. 3 services,

Firm	The Professional Appraisal Services	The Real Estate Center	Leonel Garza, Jr. & Assoc.
Evaluator	95	64	100
Rank	2	3	1

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

c. Authority for the Purchasing Department to negotiate a professional (Appraisal Services) contract with the No. 1 ranked firm of Leonel Garza, Jr. & Assoc. for: the provision of professional appraisal services within Hidalgo County Precinct # 3.

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

D. Pct. 4

1. AI-30010 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 heavy machinery and/or equipment detailed herein from John Deere awarded vendor through Hidalgo County's participation/membership with TASB Buyboard Contract #373-11 for purchase of Two (2) New JD XUV 625i Pct. #4 (Parks) in an amount not to exceed -----\$18,915.12; pricing includes but not limited to delivery, TASB fees & warranties-project #2011-311-OGG.

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

2. AI-30075 Acceptance and approval of following invoices for purchases made without securing purchase orders as Pct. understood that a developer would be paying for the materials and/or services and found out later that Pct. was to cover expense and would be re-imbursed from monies deposited with Planning with authority for the County Treasurer to issue payment/check after review, audit and processing procedures are completed by the County Auditor.

Invoice Date/Invoice #	Vendor	Amount
11/7/2011 / 9872905	Martin Marietta Materials	\$5,958.84
11/14/2011 / 9890296	Martin Marietta Materials	\$2,796.93
11/2/2011 / 7341	Roy's Hauling Service, Inc.	\$5,089.36
11/3/2011 / 7344	Roy's Hauling Service, Inc.	\$3,619.99
11/4/2011 / 7318	Roy's Hauling Service, Inc.	\$3,100.30
11/7/2011 / 7350	Roy's Hauling Service, Inc.	\$4,565.30
11/8/2011 / 7239	Roy's Hauling Service, Inc.	\$1,215.02

Ms. Salazar advised the Court that she would be in contact with Ms. Josephine Ramirez for guidance as to how to proceed with this item.

NO ACTION taken on all items listed under item 17.D.2.

Commissioner Hector Palacios stepped away.

E. Colonia Access Program Pct. 3

1. AI-30022 a. Requesting approval of “Supplemental Agreement No. 2” to C-CAP-08-030A-10-28 between Hidalgo County and Javier Hinojosa Engineering to replace “Attachment A” with

“Attachment A Revised” resulting in an increase of \$24,422.46 in the estimated amount;

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

b. Requesting approval of Work Authorization No. 2 (with a proposed fee of \$24,422.46) with Javier Hinojosa Engineering to provide Engineering Services to Hidalgo County Precinct No. 3 for Various Border Colonia Access Program Round III Projects.

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

F. District Attorney

- 1. AI-30051 Recommending award of bid and approval of contract document to lowest bidder meeting all specifications and/or requirements as attached hereto for: Hidalgo County District Attorney's Office and HIDTA Task Force -Repair, Installation & Removal of Emergency Equipment, Radios and other Miscellaneous Equipment" RFB No. 2011-229-11-09-SMA.**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve with VSL, Tech Inc. dba Video Sound & Lights.

18. Closed Session: (Exhibit W)

(Audio Tape # 2, Tracking # 1546)

On motion of Commissioner Quintanilla, 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-30036 Claim of Zelinda Mata**
- E. AI-30040 Claim of Magic Valley Electric Cooperative, Inc.**
- F. AI-30042 Claim of Enterprise Rent-A-Car**
- G. AI-30076 Cause No. CL-09-0231-D; Noe Ramos v. County of Hidalgo; In the County Court at Law No. 4 of Hidalgo County, Texas**

NO ACTION taken on items 18.A through G.

19. Open Session: (Exhibit X)

(Audio Tape # 2, Tracking # 1559)

All members of the Court were present.

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

Valde Guerra informed the Court that Josie Ramirez will be facilitating two TRO's with Constable Pct. 3 and J.P. Pct. 3, Place 1.

D. AI-30038 Claim of Zelinda Mata

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the full and final settlement offer in the amount of \$18, 000.00.

E. AI-30041 Claim of Magic Valley Electric Cooperative, Inc.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$427.22.

F. AI-30043 Claim of Enterprise Rent-A-Car

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$1,510.92.

G. AI-30077 Cause No. CL-09-0231-D; Noe Ramos v. County of Hidalgo; In the County Court at Law No. 4 of Hidalgo County, Texas

Proceed as directed.

20. Closed Session:

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

21. Open Session:

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

NO ACTION taken on items 20 & 21.

22. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
December 12, 2011
9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

(Audio Tape # 1, Tracking # 166)

Commissioner Joseph Palacios was away from the Court 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 exception of items 10.A & 10.D.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS VOTE to approve items 10.A & 10.D, subject to Auditor's review and resubmission of invoices pursuant to the Auditor's request.

- 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-30091 2011 - J.P. 3/1 (1100)**

- B. AI-29974 2011 - Sheriff's Office (1284)
- C. AI-30067 2011 - Executive Office (1100)
- D. AI-30066 2011 - Indigent Defense (1100)
- E. AI-30029 2011 - Fire Marshal's Office (1100)
- F. AI-30026 2011 - District Clerk (1100)
- G. AI-29996 2011 - Facilities Mgmt. (1100)
- H. AI-29997 2011 - Elections Department (1100)
- I. AI-30001 2011 - Health & Human Services Dept. (1293)
- J. AI-30012 2011 - Health & Human Services Dept. (1100)
- K. AI-30004 2011 - Health & Human Services Dept. (1293)
- L. AI-30055 2011 - CCL #2 (1100)
- M. AI-30033 2011 - CCL #6 (1100)
- N. AI-29992 2011 - 370th District Court (1100)
- O. AI-30027 2011 - Master Court #2 (1100)
- P. AI-30060 2011 - Constable Pct. #2 (1100)
- Q. AI-30071 2011 - Constable Pct. #3 (1100)
- R. AI-30009 2011 - Pct. #1 Park (1100)
- S. AI-29998 2011 - Pct. #1 Road Maintenance (1200)
- T. AI-30023 2011 - Pct. #1 Adm. (1200)
- U. AI-30037 2011 - Pct. #3 R&B (1200)
- V. AI-30052 2011 - Pct. #3 Parks (1100)
- W. AI-30053 2011 - Pct. #3 Sanitation (1100)
- X. AI-30019 2011 - Pct. #4 Adm. (1200)
- Y. AI-30005 2011 - Pct. #4 Road Maint. (1200)
- Z. AI-30006 2011 - Pct. #4 Parks (1100)

3. 2011 Interdepartmental transfers: (Exhibit C)

A. AI-30011 Pct. #1 CO's 2010 A & B (1342):

Approval of 2011 interdepartmental transfer from Pct. 1 Roads, program #041, to Bar Ditches, program #087, and HCCID #9 Drain Channels, program #092, in the amount of \$18,500.00 to fund the Pct. 1 Drainage Improvement labor reimbursements for the month of November 2011 (PP #22 & 23).

B. AI-30079 Jail (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm.-Contingency to Jail in the amount of \$212,040.00 to fund room & board expenditures for the month of November.

C. AI-30086 General Litigation (1100):

Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to General Litigation in the amount of \$28,252.28 to fund expenditures related to settlement.

D. AI-30082 Various Depts (1100):

Approval of 2011 interdepartmental transfer from Mental Health to Various Departments in the amount of \$12,600.00 to fund various operating expenditures.

4. Planning Department: (Exhibit D)

A. AI-30054 1. Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)

5. Right of Way - Permits: (Exhibit E)

A. AI-30030 North Alamo Water Supply:

1. Approximately 500' going east from mile 1W on the north side of mile 10N- Bore- Enrique Villarreal; 3/4" serv conn

6. Tax Refunds: (Exhibit F)

A. AI-29971

Acct#	Payer	Amt
T7400.00.000.0003.00	Corelogic	\$4056.66

7. Membership Dues: (Exhibit G)

A. AI-29975 Fire Marshal (1100):

Discussion, consideration, and approval of annual membership dues, in the amount of \$100.00, to the Rio Grande Valley Firemen's and Fire Marshals' Association for Hidalgo County Fire Marshal, Juan Martinez.

B. AI-30085 Right of Way Dept.:

Requesting approval to renew 2012 membership dues for (IRWA) International Right of Way Association in the amount of \$410.00, with authority for County Treasurer to issue check after review, audit, and processing procedures are completed by County Auditor.

8. Urban County: (Exhibit H)

- A. AI-30058 Request approval to enter into one (1) "Homebuyer Assistance Program" Contract under the Home Program.**

9. Budget & Management: (Exhibit I)

- A. AI-30045 Self-Funded Workers' Comp. (2202):**

Requesting approval of reimbursement of Hidalgo County Workers' Comp. Claims paying account for claims paid by Tristar Risk Management in the amount of \$78,325.11 for the period of Nov. 16-30, 2011 and requesting approval of wire transfer.

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-30080 Acceptance and approval of request for payment of Invoice #1102707-2 in the amount of \$20,779.26 and Invoice #1102707-3 in the amount of \$17,471.75 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.**
- B. AI-30015 Requesting acceptance and approval of Invoice No. 5 in the amount of \$7,875.00, from contracted vendor, Prodigy Construction Management, LLC in connection with contract C-11-032B-06-14 Construction Managemnt services for Sheriff's Office Substation in the Precinct No. 1 Area, with authorization for Auditor process and County Treasurer issue payment/check.**
- C. AI-30064 Requesting approval of Construction Change Order No. 2 a decrease in the amount of (\$3,112.70) with Mission Paving Company, Inc. #C-11-043B-06-28 (contracted vendor for "El Dora Road Improvement Project") reflecting the changes detailed on the change order request with authority for County Judge to execute document.**
- D. AI-30063 Requesting approval and acceptance of Invoice No. 012-2401 in the amount of \$216,580.00 submitted by contracted architect, ERO Architects for the "As Built drawings of the existing Courthouse including Annex and the surrounding Parking Areas & Sidewalk Projects." (Phase I-CC 10/19/10)-C-08-113-12-23.**

- E. **AI-30048** Acceptance, and approval of the following invoices submitted by contracted/projected engineer, L & G Consulting Engineers, Inc.:
 1. Invoice No. 11323987- \$21,665.50 for "Mile 2-Moorfield Rd West to SH364."
 2. Invoice No. 11323993- \$13,548.36 for "FM 681 From FM 2221 to SH 107"-C-09-192-06-08.
 3. Invoice No. 11323994-\$20,950.40 for "FM 681 Project; From FM 2221/FM 492"-C-09-192A-06-08;
- F. **AI-30047** Authority to exercise the one (1) year extension option as provided under current contract for "Lease Office Space for Hidalgo County WIC Program in the City of Alton," under the same rates, terms, and conditions with Miguel L. Barboza Jr. C-06-271-10-03.
- G. **AI-30031** Acceptance and approval of request for payment of Invoice #11323988 in the amount of \$76,400.00 as submitted by L&G Consulting Engineers Inc. under Contract #C-07-451-12-26-PO#596375/R233 amid Work Authorization #1 for professional engineering services for the month of November 2011 with authority for County Treasurer to issue payment after County Auditor's Office review and processing procedures are completed.
- H. **AI-30028** Acceptance and approval of request for payment of Invoice #11324006 in the amount of \$5,900.00 as submitted by L&G Consulting Engineers, Inc. under Contract #C-11-054-04-12-PO#662453 through Work Authorization #2 for professional engineering services in connection to the Multi-Way Stop Control Warrant Study (Sioux and Old La Blanca Road) with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.
- I. **AI-30021** Patricio Avila, Road & Bridge Director, Pct. 1 requests approval to remove the following fixed assets from their inventory:

21053	1989 WOODS #S121	4/4/1989
21055	1989 WOODS #S121	4/4/1989
21245	1979 INTERNATIONAL 6T	5/31/1989
36693	DELL 1400 MINITOWER	10/30/2001
36740	INTEL PENTIUM 866MHZ-PC	7/17/2001
38505	OPTIPLEX GX240 PENTIUM 4 1.8GHZ	8/27/2002
45820	CLT787, CLIENTPRO 345 S	10/19/2004
45821	CLT787, CLIENTPRO 345 S	10/19/2004
45822	CLT787, CLIENTPRO 345 S	10/19/2004
49824	PUMP REGENERATIVE BLOWER	9/15/2009
20310	FILING CABINET BLACK - HON	2/15/1973
35482	INTEL PIII 600 MHZ-PC	6/30/2000

35484	INTEL PIII 600 MHZ-PC	6/30/2000
35487	INTEL PIII 600 MHZ-PC	6/30/2000
35489	INTEL PIII 600 MHZ-PC	6/30/2000

and as further detailed detailed in supporting documentation (IE. affidavit and current value) contained herein.

- J. AI-30025** Acceptance and approval of request for payment as submitted by Guzman & Munoz Engineering & Surveying, Inc. under Contract #C-11-111-04-19 for Professional Engineering Services with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed with the following invoices as follow:
1. Invoice #4736-Work Authorization #1-PO#657601-\$21,077.26-Mile 17 North Road From FM 3071 East To FM 1015;
 2. Invoice #4737-Work Authorization #4-PO#664443-\$8,225.55-Paving & Drainage Improvement To Mile 17 North Road, From FM 88 (Mile 5 West) west, 2,720 Feet And From FM 1015 (Mile 3 West) East 400 Feet;
 3. Invoice #4738-Work Authorization #6-PO#664785-\$25,820.00-Colonia Lucero Del Norte;
 4. Invoice #4739-Work Authorization #5-PO#664784-\$16,710.00-Drainage Study & Improvement for Colonia Adams & Black (Mile 10½ North & Mile 3 West).
- K. AI-30017** 370th District Court:
Requesting authority to enter into a 12-month renewal premium plus maintenance agreement for a Toshiba e281c with Office Communications Systems/Toshiba Business Solutions through requisition #186571 in the total amount of \$819.72/year-effective: December 1, 2011 - November 30, 2012 (1-1100-412-00-007-001-0-432).
- L. AI-30007** Requesting approval to exercise the County's option to renew the one (1) year extension as provided in the current contract for "Aggregate Limestone Grade 4-Type A", under the same rates, terms and conditions with Frontera Materials to be effective as of December 23, 2011 with ending date of December 22, 2012.
- M. AI-30002** Requesting approval of Application for Payment No. 5 in the amount of \$22,898.70 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).
- N. AI-30000** Requesting approval to exercise the County's option to renew the first year of the two (2)-one (1) year extension as provided in the current contracts for "Printing Services And Related Supplies", under the same rates, terms and conditions with the following vendors:
1. C-10-068A-12-21-Gateway Printing & Office Supply, Inc. d/b/a Jones & Cook Stationers
 2. C-10-068A1-12-21-E.A. Stone Inc. d/b/a Gulf Data Products
- O. AI-29989** Requesting approval of payment of Invoice#11323992 in the amount of (\$41,500.00) submitted by L & G Consulting Engineers, Inc. with authority for County Auditor to review and complete processing procedures and for County Treasurer to issue payment in connection to

Contract #C-11-234-09-13 (WA#1-PO#663995) for: "FM 1925 Project" within Hidalgo County Precinct No. 4.

- P. AI-29973 Presentation for approval of final construction contract (CC previously approved to award on 11-01-11) for C-CAP-11-198-11-01 Las Brisas Subdivision between Hidalgo County and Homero Alvarez dba Alvarez Construction in the amount of \$27,227.00.**
- Q. AI-29941 Approval of Application for Payment No. 3 in the amount of \$131,992.09 from Homero Alvarez d/b/a Alvarez Construction, LLC contracted vendor for Morningside South Subdivision as reviewed and submitted by project engineer, SAM Engineering & Surveying, Inc. (C-CAP-11-022-03-07).**
- R. AI-30068 Requesting approval of payment of Invoice#s ONE, TWO & THREE submitted by Paul M. Vazaldua d/b/a Vazaldua & Associates in the grand total amount of \$ 28,000.00 in connection to contract #C-11-269-10-18 for: "Professional Services Agreement" with PAUL M. VAZALDUA d/b/a VAZALDUA & ASSOCIATES for the purposes of providing "Consulting Services" in the categories which include specific grants and related areas for Judicial Court Functions and Efficiencies for the following categories, but not limited to; a) Improving the Judicial System; b) Human Trafficking Programs and; c) Programs to Protect Women against Domestic Violence.**

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
December 12, 2011
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held at the Edinburg Council Chambers, 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

(Exhibit Y)

1. Roll Call

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

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

The Board moved to approve the Consent Agenda.

4. AI-30061 A. Approval of Tax Resale Deed. (Instrument recording #2009-2048318)

(Audio Tape # 1, Tracking # 60)

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

B. Approval to submit planning application to TWDB for Master Plan Map.

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

5. AI-30069 Approval of Lease Agreement between Mil Encinos Development, LTD and Hidalgo County Drainage District #1 for storage of drainage material for the Penitas Drainage Project.

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

6. AI-30070 Acceptance and Approval of request for payment of Invoice No. 2011764 in the amount of \$80,950.00 from Tedsa Infrastructure Group under the MDS Ph2 Contract-Supplemental No. 5 to Work Authorization No. 9 for the engineering design of HCDD#1 Lateral Drain No. J-02 (AKA Monte Cristo Outfall).

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

7. Closed Session: (Audio Tape # 1, Tracking # 116)

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 THIS ITEM.

9. Closed Session:

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

10. Open Session:

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

NO ACTION taken on items 9 & 10.

11. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
December 12, 2011
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

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

(Exhibit Z)

(Audio Tape #1, Tracking # 48)

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, 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 12th day of December 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 December 12, 2011.

Signed this 19th day of December 2012

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

(Seal) By: _____
Priscilla Torres, Deputy