

**SPECIAL MEETING – DECEMBER 20, 2011**

**BE IT REMEMBERED, that on this 20<sup>th</sup> 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:**

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

**and ARTURO GUAJARDO, JR., COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following**

**AGENDA  
CC REGULAR  
HIDALGO COUNTY  
COMMISSIONERS COURT MEETING  
December 20, 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 Board 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 at this point.

**5. Open Forum**

-Karina Cardoza reported on the generosity and success of the Christmas Toy Drive with the assistance of Love Thy Neighbor.

-Teresa Flores thanked the Court for their participation in the Toy Drive.

-Judge Garcia thanked the County of Employees who participated in the Christmas Toy Drive.

-Virginia Townsend discussed truth in Advertising. Commented that what was discussed during the meetings was different from what was posted in the newspaper.

-Fern McClaugherty feels that the County should not build such a large Courthouse with the way the economy is.

-Commissioner Quintanilla thanked the county employees for their participation in the toy drive.

-Commissioner Hector Palacios wished everyone a Merry Christmas and a Happy New Year.

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

(Audio Tape #2, Tracking # 18)

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

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval of the exemption, as it pertains to item 22.C.

On motion of Commissioner Flores, seconded by Commissioner Hector, the Court made a UNANIMOUS vote of approval of the exemption, as it pertains to item 22.C, an Electric Sales Agreement regarding the usage of kilowatts.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the exemption as it pertains to the Claim of Consuelo Balleza.

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

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to engage with the firm of Willette and Guerra, specifically with the filing of paperwork that the County was served with, regarding with the action Commissioners' Court took with respect to J.P. and Constable Pct. 5, within County Commissioner Pct. 1 area.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to engage with the firm of Andy Taylor, as it pertains to item 22.C, an Electric Sales Agreement regarding the usage of kilowatts.

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote of approval to engage with the firm of Preston Henrichson as it pertains to the Claim of Consuelo Balleza.

**B. AI-30159 Authority for County Judge to sign Certificate for San Juan Higher Education Finance Revenue Bonds (Horizon Montessori Schools) Series 2011 for the issuance of Education Revenue Bonds (Audio Tape # 1, Tracking # 890)**

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

**C. AI-30136 Discussion and action to re-schedule the Commissioners' Court meeting of December 27, 2011 to Thursday, December 29, 2011 to allow additional time for processing/payment of 2011 invoices**

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

**D. AI-30170 Texas Agrilife Extension:**

**1. Requesting permission for two (2) employees to travel to San Antonio, Texas on January 4-5, 2012 to attend the Food Based Business Training**

**2. Requesting permission for one (1) employee to travel to Orlando, Florida on January 3-5, 2012 to attend the Beltwide Cotton Conference**

On motion of Commissioner Hector Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 6.D.1 & 2.

**E. AI-30158 Environmental Compliance:**

**Requesting approval to reimburse Martin Ramirez for fuel purchase in the amount of \$72.60 due to fuel card not working properly with authority for County Treasurer to issue check after review and auditing procedures are completed by the County Auditor.**

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

**7. Constables: (Exhibit N)**

(Audio Tape # 1, Tracking # 953)

**A. AI-30181 Constable Pct. 1:**

**Discussion, consideration and approval to appoint Rene Saldivar as reserve deputy constable by Constable Celestino Avila Jr., Constable Precinct 1 in accordance with Texas Local Government Code 86.012.**

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

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

(Audio Tape # 1, Tracking # 984)

**A. AI-30157 Discussion, consideration, and action regarding Hidalgo County Tax Increment Reinvestment Zone (TIRZ) Policy.**

NO ACTION taken on this item.

**B. AI-30209 Recognition of Ms. Diana Serna**

Richard Alvarez made a presentation in recognition of Ms. Diana Serna.

NO ACTION taken on this item.

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

(Audio Tape # 1, Tracking # 1102)

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

Presentation by Eddie Olivarez.

NO ACTION taken on this item.

**B. AI-29993 1. Requesting authorization to accept the Interlocal Cooperation Agreement between Lower Rio Grande Valley Development Council and Hidalgo County.**

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

**2. Approval of Certification of Revenue as certified by the County Auditor**

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

**3. Approval of the Budget Appropriation in the amount of \$27,766.07**

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

**C. AI-29872 TB Division (1293):**

**1. Requesting authorization to accept the TB Prevention & Control - Federal grant contract #2012-040152-001 in the amount of \$433,127.00 for the period of 01/01/2012 to 12/31/2012.**

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

**2. Approval of the Certification of Revenue as certified by the County Auditor.**

**3. Requesting approval of the attached TB grant budget appropriation.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 9.C.2 & 3.

**D. AI-30203 Discussion regarding Hidalgo County Health & Human Services Dept. to participate with the University of Texas - Pan American in applying for a Health Care Innovation Challenge grant offered by the U.S. Department of Health & Human Services. While the main applicant for this grant will be UT-Pan Am, Hidalgo County Health & Human Services Dept. will participate with UT-Pan Am via an Interlocal Agreement supporting model initiatives proposed in the grant application. Hidalgo County's role would be to provide UT-Pan Am's medical team access to County clinics with the goal of providing primary care / preventive medicine services to local Medicaid & under-insured patients.**

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

**E. AI-30119 Health & Human Services Dept. - Health Administration (1293):**

**1. Approval to appropriate the Health Administration Budget in the amount of \$45,559.00 for the period of 01/01/2012 to 12/31/2012.**

**2. Approval of Salary Schedule.**

On motion of Commissioner Hector Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 9.E.1 & 2.

**10. Emergency Management - Oscar Montoya: (Exhibit Q)**

(Audio Tape # 1, Tracking # 1288)

**A. AI-30164 Discussion, consideration, and approval of the following documents as required by the Texas Division of Emergency Management (TDEM):**

**1. Annex E - Evacuation**

**2. Annex L - Energy Utilities**

**3. Annex R - Search and Rescue**

**4. Annex Q - Hazmat/Oil Spill**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 10.A.1, 2, 3 & 4.

**11. Urban County - Diana Serna: (Exhibit R)**

(Audio Tape # 1, Tracking # 1331)

**A. AI-30144 Urban County Program on behalf of the City of La Joya is requesting approval of a best and final negotiated contract with Hinojosa Engineering, Inc. in the amount of \$5,313.80 utilizing Year 24 (2011) funds for Engineering Services for Parks, Recreational Facility Improvements for the La Joya Youth Facility located in La Joya, Texas.**

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

**B. AI-30196 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineering services.**

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

**2. Presentation of the scoring grid for the purpose of ranking by Commissioners' Court of at least three (3) engineering firms from the county's approved "pool" as graded and evaluated by the City of Peñitas, Urban County Program, and Hidalgo County Purchasing Department, in connection with and funded through Hidalgo County Urban County Program Year 24 (2011) City of Peñitas, Flood Drainage Improvements on Ignite Street in Penitas, Texas.**

<b>FIRM</b>	<b>GRADE</b>	<b>RANKED</b>
<b>Javier Hinojosa Engineering</b>	<b>96.6</b>	<b>1</b>
<b>J.E. Saenz &amp; Associates, Inc.</b>	<b>92.6</b>	<b>2</b>
<b>Aldana Engineering &amp; Traffic Design</b>	<b>87.6</b>	<b>3</b>

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

**3. Authority to negotiate a professional engineering service contract with the highest ranked firm of Javier Hinojosa Engineering for the provision of engineering services for an Urban County Program Year 24 (2011) City of Peñitas – Flood Drainage Improvements for improvements on Ignite Street in Penitas, Texas.**

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

**C. AI-30193 1. Conduct a Public Hearing to solicit input and advise the public of the need to submit the FFAST FORM to comply with the Texas General Land Office requirements for the Round 2.2 Supplemental Disaster Recovery Supplemental Allocation application.**

-Judge Garcia Opened the Public Hearing.

-Lydia Jefferies requested housing assistance for her son and herself.

-Judge Garcia Closed the Public Hearing.

NO ACTION taken on this item.

**2. The Hidalgo County Urban County Program (UCP) is requesting approval to adopt the State’s Fair Housing Activity Statement- Texas Form (“FFAST FORM”). The FFAST FORM is intended to stimulate discussion among the Work Group so that issues can be clarified based on local circumstances; leading to a Fair Housing Action Plan that will be a “good fit” for the jurisdiction as well as ensure the jurisdiction can meet its obligation to abide by Fair Housing laws and regulations and to Affirmatively Further Fair Housing (“AFFH”).**

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

**D. AI-30188 The Urban County Program is requesting approval of a best and final negotiated contract with Dannenbaum Engineering Company – McAllen, LLC in the amount of \$40,276.18 utilizing Year 23 & 24 (2010 & 2011) City of Progreso funds for professional engineering services for a Street Improvement Project.**

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

**E. AI-30172 Requesting authorization to amend the Homeless Prevention and Rapid Re-Housing Program (HPRP) contract with Catholic Charities of the Rio Grande Valley (CCRGV) and the**

**Hidalgo County Urban County Program. The amendment will not change the current budget, but will allow us to move funds within the current budget for Homeless Prevention. This will help Catholic Charities to assist families with financial assistance (i.e. rent, utilities, deposit).**

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

**12. Elections Administration - Yvonne Ramon: (Exhibit S)**

(Audio Tape # 1, Tracking # 1686)

**A. AI-30140 Discussion and Approval of Early Voting Sites for the Primary Elections, March 6, 2012**

Ms. Ramon informed the Court that the early voting sites will no longer be on March 06, but moved to Friday, April 03, 2012.

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

**B. AI-30207 Update on recent changes to deadlines regarding amendments of county election precinct boundaries.**

Ms. Ramon provided the Court an update on necessary changes and deadlines for election precinct boundaries.

NO ACTION taken on this item.

Commissioner Quintanilla stepped away.

**13. Head Start Program - Teresa Flores: (Exhibit T)**

(Audio Tape # 1, Tracking # 2002)

**A. AI-30107 Discussion/Approval to Enter into a Sixty (60) Month Lease Agreement through the Hidalgo County's Membership/Participation with the Texas Multiple Award Schedule (TXMAS-5-36010) for One (1) Postage Meter**

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

**B. AI-30106 Discussion/Approval on Request to Purchase Three (3) Cargo Vans through the Hidalgo County's Membership/Participation with the Texas Association School Board (TASB) Buyboard's Awarded Vendor, Caldwell Chevrolet (Including TASB Administrative Fee)**

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

**C. AI-30108 Discussion/Approval for Hidalgo County Head Start Program to Exercise Option to Extend for an Additional One (1) Year Term the Lease Agreements for Facilities and/or Land with the Following Private Entities:**

**1. San Martin de Porres Catholic Church (Land)**

**2. Daniel Garza (Land)**

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

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

(Audio Tape # 1, Tracking # 2092)

**A. AI-30213 Right of Way Dept for Pct. #2:**

**Discussion and authorization for County Judge to Execute Earnest Money Contract and authorization for County Auditor to issue payment of \$1000 Earnest Money deposit to Valley Land Title Company and \$100 Option Fee to Solida Administradora de Portafolios,S.A. de C.V., a Mexico corporation for the Pct. 2 Lopezville Park Project.**

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, subject to changes by Legal Counsel.

**15. Colonia Access Program: Agapito Vargas: (Exhibit V)**

(Audio Tape # 1, Tracking # 2140)

**A. AI-30169 Requesting authority to submit 3rd Call BCAP Applications for possible approval by TxDOT for the following (not limited) subdivisions: La Milpa Subdivision, Randolph Barnett Subdivision No.1, Randolph Barnett Subdivision No.2, Jardin Terrace Subdivision, Regal Estates Subdivision, Ramirez Subdivision No.3, Engleman Estates Subdivision, Green Valley Acres Subdivision, and Ware Estates Subdivision.**

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

**16. Planning Department - Raul Sesin: (Exhibit W)**

(Audio Tape # 1, Tracking # 2163)

**A. AI-30180 1. Preliminary Approval**

**a. Mjay Subdivision – Pct. 4 (Gloria Garza)**

**b. Fidencio Garcia Estates – Pct. 1 (Fidencio Garcia)**

Raul Sesin requested approval subject to future comments from other departments and Planning Department.

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

**2. Final Approval**

**a. Cardinal Waves Subdivision – Pct. 3 (Franz Reinhold)**

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

**b. Re-subdivision of Lot 1, La Espada Subdivision – Pct. 3 (Christian I Loera)**

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

Commissioner Quintanilla joined the meeting.

**3. Final Approval with Financial Guarantee**

**a. Las Estrellas No. 1 Subdivision – Pct. 3 (Lorin Runnels)**

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

**4. Reimbursement of a Cash Deposit**

**a. Haddonfield Phase 2 Subdivision – Pct. 4 (BIC Investments)**

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

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

(Audio Tape # 1, Tracking # 2376)

**A. AI-30201 Requesting authorization for title reports, appraisals, surveys metes & bounds and possible Right of Way on Vanderpool Road (County Road #2511 Havana, Texas)**

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

**18. Precinct #4 - Comm. J. Palacios: (Exhibit Y)**

(Audio Tape # 1, Tracking # 2411)

**A. AI-30104 Request authorization to name private service road located within Hidalgo County Pct. #4 as follows:**

**COLORADO SR.**

Mr. Marco Lopez advised the Board that this road is now on the 911 database.

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

**B. AI-30154 Approval to appoint Aaron Vela and Fred Capadona to the Emergency Services District #3 Board.**

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

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

(Audio Tape # 1, Tracking # 2456)

**A. AI-30175 Discussion, consideration, and approval to grant Texas Department of Transportation Right-of-Entry to FM 681/FM 2221 for the purpose of conducting a hazardous material investigation necessary for successful project planning and permitting efforts with authority for County Judge to execute document.**

Sergio Cruz came before the Court and stated that the testing will no longer be needed on this project.  
NO ACTION taken on this item.

**20. Purchasing Department - Marty Salazar: (Exhibit AA)**

(Audio Tape #1, Tracking # 2486)

**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.

Commissioner Flores stepped away.

4. **AI-30139 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. 2012-001-01-18-MSS)**
  - b. **Engineering Services (RFQ No. 2012-002-01-18-CGA)**
  - c. **Engineering Services -Geotechnical & Construction Materials Testing (RFQ No. 2011-003-01-18-SMA)**
  - d. **Real Estate Appraiser Services (RFQ No. 2012-004-01-18-YZV)**
  - e. **Surveyor Services (RFQ No. 2012-005-01-18-YZV)**
  - f. **Construction Management Services (RFQ No. 2012-006-01-18-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.**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 20.A.4.a through f.

5. **AI-30160 Approval and acceptance of a rebate check from The Local Government Purchasing Cooperative and Buyboard program in the amount of \$ 25,162.93 for the participation in the Cooperative for 2010-2011 fiscal year.**

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

6. **AI-30141 Approval of Supplemental Agreement No. 3 to Work Authorization No. 1 - Contract #C-10-062-02-16 with TEDSI Infrastructure so as to provide Phase I Construction Phase Services along with adding a Geotechnical Sub-Consultant (L& G Engineering Laboratory) and as further detailed under Attachment "B" of the Supplemental Agreement.**

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

**7. AI-30059 Acceptance of a rebate check number 4270894 in the amount of \$ 5,315.24 from Buyboard for the month of October 2011.**

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

**8. AI-30195 a. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Chapter 262.024, (a)(7)-"Items for which competition is precluded because of existence of patents, copyrights, secret processes or monopolies" in connection with the "Maintenance and Support Services Agreement" with Weidenhammer Systems Corporation;**

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

**b. Approval of a "Sole Source Declaration" with authority to purchase and enter into a 12 month renewal maintenance and support services agreement with Weidenhammer Systems Corporation as required by the Auditor's Office in the amount of \$37,151.00 for fiscal year 01/01/12-12/31/2012 including the signing of required documents by County Judge or Court Member.**

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

**B. Pct. 3**

**1. AI-30204 a. Requesting exemption from competitive procurement requirements under Texas Local Government Code, Chapter/Section, 282.024 (a) (7) 'an item that can obtained from only one source'...;**

Ms. Salazar advised the Court of correction in the Government Code to /Section which should read 262.024 and not 282.024.

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

**b. Approval of a Sole Source Declaration for Jose Ramirez, Jr. owner of the tract of land (and as further described in the Sole Source Declaration submitted and made part of the minutes of Commissioners Court) currently leased by Hidalgo County (aka, the Penitas Landfill located in Penitas, Texas) for the purposes of landfill access under TCEQ Permit No. MSW 1727 for the residents residing in areas outside the ETJ of cities in Precinct #3, Hidalgo County, Texas including authority to enter into a lease;**

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

**c. Approval of a Lease Agreement with Jose Ramirez, Jr. for the tract of land described in the Sole Source Declaration approved herein**

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

**C. Colonia Access Program Pct. 1**

- 1. AI-30129 a. Requesting approval of "Supplemental Agreement No. 4" to C-CAP-08-028-10-28 between Hidalgo County and TEDSI Infrastructure Group to add "Attachment A" with additional projects resulting in an increase of \$13,335.58 for various BCAP Round III projects.**

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

- b. Requesting approval of Work Authorization No. 2 (with a proposed fee of \$13,335.58) with TEDSI Infrastructure Group to provide Engineering Services to Hidalgo County Precinct No. 1 for Various Border Colonia Access Program Round III Projects.**

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

**D. Sheriff's Office**

- 1. AI-30200 Approval of AIA Document A101 between Hidalgo County-Owner and D. Wilson Construction Company-Contractor (forwarded to legal counsel for approval as to form) and awarded through bid by CC 11/22/11 for the "Construction of Sheriff's Office Substation in the Precinct. 1 Area", including authorization for County to execute document and for project architect, Gignac & Associates, to issue and forward "Notice to Proceed" to contractor.**

Steve Crain, Legal Counsel, disclosed to the Court, that someone at the firm, outside the area in which he works on, does occasionally represent Wilson Construction. Wilson construction has consented for Atlas & Hall to represent the County.

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

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

(Audio Tape #1, Tracking # 3080)

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-30147 Claim of AT&T**
- E. AI-30149 Claim of Roxanna Salinas**
- F. AI-30151 Claim of Romeo Jimenez**
- G. AI-30161 Claim of Luz Matilde Garcia & Roberto Garcia**

**H. AI-30163 Claim of Consuelo Balleza**

**I. AI-30192 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 21.A through I.

**22. Open Session: (Exhibit CC)**

**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**

1). Valde Guerra, Executive Officer, informed the Court that they were served with paperwork as it pertains to the action the Court took reference J.P. 5 and Precinct 5 Constable issue, located within County Commissioner Precinct 1.

Mr. Guerra then referred to items 6.A. 1 & 2.

2). Valde Guerra requested at looking into an Electric Sales Agreement regarding the usage of kilowatts. He then asked to refer to items 6.A 1 & 2.

**D. AI-30148 Claim of AT&T**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$534.73.

**E. AI-30150 Claim of Roxanna Salinas**

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$1,425.00.

**F. AI-30152 Claim of Romeo Jimenez**

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve in the amount of \$1,550.00.

**G. AI-30162 Claim of Luz Matilde Garcia & Roberto Garcia**

Valde Guerra will be making contact with the Claimant's attorney to get more information and report to the Court.

**H. AI-30165 Claim of Consuelo Balleza**

Refer to item 6.A.1 & 2.

**I. AI-30194 Cause No. CL-09-0231-D; Noe Ramos v. County of Hidalgo; In the County Court at Law No. 4 of Hidalgo County, Texas**

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the full settlement in the amount of \$3,500.00.

**23. Closed Session:**

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

**24. Open Session:**

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

NO ACTION taken on items 23 & 24.

**25. Adjourn**

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

**AGENDA  
CC CONSENT  
HIDALGO COUNTY  
COMMISSIONERS COURT MEETING  
December 20, 2011  
9:30 A.M.**

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

**NOTICE TO THE PUBLIC  
CONSENT AGENDA**

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

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios made a UNANIMOUS vote to approve all items on the Consent Agenda with the exception of items 3.F; 3.H; 3.I; 11.C; and 12.G.

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 3.F; 3.H; 3.I. and 11.C, subject to Auditor's review.

NO ACTION taken on item 12.G.

- 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-30232 2011- Purchasing (1100)**
  - B. AI-30202 2011 - Facilities Mgmt. (1100)**
  - C. AI-30223 2011 - District Clerk (1100)**
  - D. AI-30189 2011 - County Clerk (1100)**
  - E. AI-30191 2011 - County Clerk (1237)**
  - F. AI-30137 2011 - Health & Human Services Dept. (1100)**
  - G. AI-30142 2011 - Health & Human Services Dept. (1100)**
  - H. AI-30113 2011 - WIC (1292)**
  - I. AI-30092 2011 - WIC (1292)**
  - J. AI-30126 2011 - Sheriff's Office (1100)**
  - K. AI-30155 2011 - Sheriff's Office (1284)**
  - L. AI-30127 2011 - Elections Dept. (1100)**
  - M. AI-30105 2011 - Tax Office (1100)**
  - N. AI-30133 2011 - J.P. 5/1 (1100)**
  - O. AI-30100 2011 - 206th District Court (1100)**
  - P. AI-30089 2011 - Constable Pct. #4**
  - Q. AI-30235 2011 - Constable Pct. 5 LEOSE (1220)**
  - R. AI-30124 2011 - Constable Pct. #5 (1100)**
  - S. AI-30146 2011 - Pct. #1 Park (1100)**
  - T. AI-30143 2011 - Pct. #1 CRC (1100)**
  - U. AI-30167 2011 - Pct. #1 R&B (1200)**
  - V. AI-30177 2011 - Pct. #1 San. (1100)**
  - W. AI-30179 2011 - Pct. #1 Adm. (1200)**
  - X. AI-30099 2011 - Pct. #2 Adm. (1200)**
  - Y. AI-30187 2011 - Pct. #2 San. (1100)**
  - Z. AI-30084 2011 - Pct. #3 BCAP (1312)**
  - AA. AI-30087 2011 - Pct. #3 BCAP (1312)**
  - BB. AI-30205 2011 - Pct. #3 R&B (1200)**
  - CC. AI-30182 2011 - Pct. #4 Road Maint. (1200)**
  - DD. AI-30183 2011 - Pct. #4 Landfill (1100)**
  - EE. AI-30184 2011 - Pct. #4 Parks (1100)**

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

**A. AI-30231 Criminal DA (1100):**

**Approval of 2011 interdepartmental transfer from Co. Wide Adm.-Contingency to Criminal District Attorney in the amount of \$8,000.00 to fund court costs and investigations.**

**B. AI-30227 Insurance (1100):**

**Approval of 2011 Interdepartmental transfer from Co. Wide Adm.-Contingency to Insurance in the amount of \$14,572.00 to fund insurance claims and property insurance expenditures.**

**C. AI-30153 Facilities Management (1100):**

**Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to Facilities Management in the total amount of \$85,225.92 to fund utility expenditures.**

**D. AI-30122 Co. Wide Adm (1100):**

**Approval of 2011 interdepartmental transfer from Autopsies to Co. Wide Adm-Contingency in the amount of \$100,000.00.**

**E. AI-30118 Pct. #1 BCAP (1312):**

**Approval of 2011 interdepartmental transfer from BCAP Pct.1 Brenda Gay Subdivision, program no. 120, So. Palm Gardens Subdivision, program no. 688, and Chapa No.2 Subdivision, program no. 860, to Pct. 1 BCAP Mid-Valley Estates Subdivision program no. 461 in the total amount of \$55,000.00 to fund project expenditures.**

**F. AI-30132 Pct. 1 Sanitation (1100):**

**Approval of 2011 interdepartmental transfer from Countywide Adm.-Contingency to Pct. 1 Sanitation in the amount of \$60,680.00 to fund various operating expenditures.**

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 3.F; 3.H; 3.I. and 11.C, subject to Auditor's review.

**G. AI-30145 Pct. #3 R&B (1200):**

**Approval of 2011 interdepartmental transfer from Precinct #3 Rd Maintenance to Precinct #3 Drainage Improvement Project in the amount of \$80.00.**

**H. AI-30229 Pct. 4 Sanitation (1100):**

**Approval of 2011 interdepartmental transfer from Co. Wide Adm.-Contingency to Pct. 4 Sanitation in the amount of \$97,926.49 to fund disposal expenditures.**

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios made a UNANIMOUS vote to approve items 3.F; 3.H; 3.I. and 11.C, subject to Auditor's review.

**I. AI-30230 Constable Pct. 4 (1100):**

**Approval of 2011 interdepartmental transfer from Co. Wide Adm-Contingency to Constable Pct. 4 in the amount of \$8,000.00 to fund fuel expenditures.**

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 3.F; 3.H; 3.I. and 11.C, subject to Auditor’s review.

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

**A. AI-30185 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-30101 District Clerk**

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

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

**A. AI-30138 North Alamo Water Supply:**

**1. Approximately 500' going east of Doolittle Rd on the south side of Benito Ramirez Rd- Bore- 3/4" serv conn**

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

**A. AI-30135 Approval of 457 Plan Hardship Withdrawal requests for Employees #094706, 077062, 132497**

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

**A. AI-30083**

Acct#	Payer	Amt
P6400.99.000.0002.69	PTAX COE/GE Capital Solutions	\$11100.58
P6400.99.000.0002.69	General Electric Capital Corp	\$16489.54
S1000.99.000.0000.E6	Utility Trailer Sales Se Texas Inc	\$6258.58

<b>S2950.00.000.0341.16</b>	<b>IBC Bank</b>	<b>\$5788.98</b>
<b>S5320.00.000.0019.01</b>	<b>WHS Limited Partnership</b>	<b>\$2525.83</b>
<b>T3659.00.000.0003.00</b>	<b>Corelogic</b>	<b>\$3146.80</b>
<b>W3800.00.688.0000.01</b>	<b>Prudential Huntoon Paige Associates, Ltd</b>	<b>\$13620.61</b>

**B. AI-30190**

<b>ACCT#</b>	<b>PAYER</b>	<b>AMT</b>
<b>S5460.00.000.0008.00</b>	<b>Indy Mac Bank</b>	<b>\$10883.27</b>
<b>W7384.01.000.0051.00</b>	<b>Corelogic</b>	<b>\$3083.51</b>

**9. Membership Dues: (Exhibit I)****A. AI-30102 Pct. #2:**

**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.**

**10. Headstart: (Exhibit J)**

**A. AI-30109 Approval of Program Financial Report: November 2011**

**B. AI-30112 Approval of Special Services Monthly Report: November 2011**

**C. AI-30111 Approval of Texas Department of Agriculture Meals and Snacks Monthly Report: November 2011**

**D. AI-30110 Approval of Children's Applications for 2011-2012**

**11. Budget & Management: (Exhibit K)**

- A. AI-30115 1. Approval to transfer \$635,172.98 to the Hidalgo County Claims Bank Account for Blue Cross Blue Shield Insurance Claims paid for period 11/26/2011 to 12/09/2011.**

11/26-30/2011	\$143,885.81
12/01-02/2011	\$129,481.49
12/03-09/2011	\$361,805.68
<b>TOTAL</b>	<b>\$635,172.98</b>

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

- B. AI-30199 Approval of payment of invoice dated 12/13/11 from Montalvo Insurance Agency in the amount of \$1,297.00 for commercial property insurance at 3344 E. Richardson Road, Edinburg, TX (John Austin Pena Facility) with authority for County Treasurer to issue check after review and processing procedures are completed by the County Auditor.**

- C. AI-30224 Salaries & Fringes Sweep (1100):**

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

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 3.F; 3.H; 3.I. and 11.C, subject to Auditor's review.

**12. Purchasing Dept: (Exhibit L)**

**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-30125 Approval and acceptance of maintenance agreement for the refurbished Ivotronic and ADA Ivotronic machines recently purchased from E S & S with authority for County Judge to execute documents.**
- B. AI-30168 Requesting authority to enter into a 36-month maintenance agreement with "DESTINY SOFTWARE, INC." for agenda quick software for the Department of Budget & Management in the total amount of \$2,250.00/year, for 1st yr. and \$3,000.00/yr for subsequent years REQ. #207440.**

**C. AI-30208 J.P. 1/2:**

**Pursuant to Commissioner's Court action consent agenda item #AI-27467 on 7/19/11 requesting approval to correct monthly copier capital lease to reflect the equipment rental amount of \$147.00/month plus maintenance in the amount of \$46.50/month for a total of \$193.50/month for awarded vendor IKON Office Solutions, Inc. Buyboard Contract #299-08 through PO #660903. (1-1100-415-15-140-001-0-432/780).**

**D. AI-30198 Approval to make payment of the following invoice/claim to Rodrigo Gonzalez Jr. in the amount of \$6,000.00 for lease of office space, with authority for County Treasurer to issue check after auditing procedures are completed by County Auditor.**

**E. AI-30197 Acceptance and approval of Invoice #11324004 in the amount of \$6,982.68, from L&G Consulting Engineers, Inc. contracted engineer for "On Call Services for MPO and HCRMA Representation," C-11-054-04-12.**

**F. AI-30186 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.**

**G. AI-30176 Request approval for Application Payment No.2 in the amount of \$7,881.53 from Mission Paving Company, awarded contractor, #C-11-043B-06-28, for "El Dora Road Street & Drainage Improvement Project", and as certified for payment by project engineer.**

NO ACTION taken on item 12.G.

**H. AI-30173 Request approval for Application Payment No.1 in the amount of \$17,256.60 from Mission Paving Company, awarded contractor, #C-11-044B-06-28, for "Tower Road Phase I Street & drainage Improvement Project", and as certified for payment by project engineer.**

**I. AI-30171 Request approval for Application Payment No.3 in the amount of \$59,238.01 from Asago Construction, awarded contractor, #C-11-161-07-05, for "El Gato Road Improvements", and as certified for payment by project engineer, R. Gutierrez Engineering.**

**J. AI-30166 Requesting approval of the sixty (60) day grace period extension to the current contract (BFI Waste Systems Of America, Inc. w/effective date of 3-01-12 through 4-30-12 under the current rates, terms and conditions) as permitted under Contract #C-09-017-02-24 (aka E-11-091-02-14 as it was extended on 02/14/11 an additional year) so as to have no lapse in service while the procurement process is completed.**

- K. AI-30128 Requesting authority to advertise and approval of procurement packet (i.e., legal notice, requirements, scope of services, etc.) as attached hereto for Hidalgo County Juvenile Justice Center for the purpose of expanding the pool for the following:**

<b>Project Title</b>	<b>RFP No</b>
<b>License Sex Offender Treatment Provider</b>	<b>12-026-01-11-YZV</b>
<b>License Professional Psychologist</b>	<b>12-027-01-11-YSI</b>

- L. AI-30123 Requesting authority to advertise and approval of procurement packet (i.e. specifications/requirements, legal notice, draft requirement agreement etc.) as attached hereto for: Hidalgo County "Title Report Services" RFP No: 2012-013-MEG. including the re-advertising of project in the event no bids received and project is still required.**
- M. AI-30116 Approval and acceptance of a JP Morgan Commercial Card Rebate (check #38155) in the amount of \$668.94 for 2011 rebate.**

**AGENDA  
DRAINAGE DISTRICT  
BOARD OF DIRECTORS  
December 20, 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 DD)

**1. Roll Call**

All members of the Board were counted present.

**2. Open Forum**

No presentations under Open Forum.

**3. Approval of Consent Agenda**

The Board moved to approve the Consent Agenda at this point.

(Audio Tape #1, Tracking # 20)

**4. AI-30174 Request approval to issue payment on Seiver Implement Invoice No. JT13642 for the equipment repair and maintenance service provided on October 24, 2011 totaling \$1,001.28.**

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

**5. AI-30178 Request approval to execute revised contract with the number one ranked firm for Geotechnical & Construction Material Testing Services for Hidalgo County Master Drain System-Phase II as approved by Board of Directors on November 22, 2011.**

Godfrey Garza informed the Board that modifications were made to the contract adding 90 days instead of 30 days notice.

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

**6. AI-30228 A. Request approval of payment of invoices to Dannenbaum Engineering-McAllen for professional engineering services on the following Levee Projects:**

**1. Banker Weir-3.74 miles Invoice 4287XXA/36/XV**

**2. Common Levee-5.3 miles Invoice 4287XXE/35/XV**

**3. Mission Levee-3.91 miles Invoice 4287XXC/36/XV**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote to approve in the total amount of \$ 4,995.55.

**B. A. Request approval of payment of invoices to Dannenbaum Engineering-McAllen for Project Closeout of professional engineering services on the following Levee Projects:**

**1. Banker Weir-3.74 miles Invoice 4287XXA/37/XV**

**2. Common Levee-5.3 miles Invoice 4287XXE/37/XV**

**3. Mission Levee-3.91 miles Invoice 4287XXC/37/XV**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote to approve in the total amount of \$290.49.

**C. Request approval to process manual checks to Dannenbaum Engineering-McAllen for the above mentioned projects pending the audit process.**

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

**D. Request approval of payment of invoices to Dannenbaum Engineering-McAllen for professional engineering services on the following DHS Segments:**

**1. DHS 0-4A Invoice No. 4287XXD/36A/XV**

**2. DHS 0-4B Invoice No. 4287XXG/07/XV**

**3. DHS 0-4C Invoice No. 4287XXD/36B/XV**

**4. DHS 0-5 Invoice No. 441001/26/XV**

**5. DHS 0-6A Invoice No. 441007/23A/XV**

**6. DHS 0-6A Wall Ext. 1 Invoice No. 441007/23B/XV**

**7. DHS 0-6A Wall Ext. 2 Invoice No. 441007/23C/XV**

**8. DHS 0-6B Invoice No. 441008/23/XV**

**9. DHS 0-6C Invoice No. 441009/18/XV**

**10. DHS 0-7 Invoice No. 441002/25A/XV**

**11. DHS 0-7A Invoice No. 441002/25B & 26B & 28B & 29B/XV**

**12. DHS 0-8 Invoice No. 441003/23/XV**

**13. DHS 0-8A Invoice No. 441003/23A/XV**

- 14. DHS 0-9 Ph 1            Invoice No. 441004/24A/XV**
- 15. DHS 0-9A                Invoice No. 441004/24C/XV**
- 16. DHS 0-10                Invoice No. 441005/24A/XV**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote to approve items 6.D. 1-16.

**E. Request approval of payment of invoices to Dannenbaum Engineering-McAllen for Project Closeout of professional engineering services on the following DHS Segments:**

- 1. DHS 0-4A                Invoice No. 4287XXD/37A/XV**
- 2. DHS 0-4C                Invoice No. 4287XXD/37B/XV**
- 3. DHS 0-5                 Invoice No. 441001/27/XV**
- 4. DHS 0-6A                Invoice No. 441007/24A/XV**
- 5. DHS 0-6A Wall Ext. 1   Invoice No. 441007/24B/XV**
- 6. DHS 0-6A Wall Ext. 2   Invoice No. 441007/24C/XV**
- 7. DHS 0-8                 Invoice No. 441003/24/XV**
- 8. DHS 0-8A                Invoice No. 441003/24A/XV**
- 9. DHS 0-9 Ph 1            Invoice No. 441004/25A/XV**
- 10. DHS 09- Ph 2           Invoice No. 441004/24B/XV**
- 11. DHS 0-9A               Invoice No. 441004/25C/XV**
- 12. DHS 0-10               Invoice No. 441005/25A/XV**
- 13. DHS 0-10A             Invoice No. 441005/25B/XV**

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

**F. Request approval to process manual checks to Dannenbaum Engineering-McAllen for the above mentioned projects pending the approval of County Auditor, Department of Homeland Security (DHS) and the electronic transfer of funds from the Department of Payment Management (DPM).**

**BACKGROUND**

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

**7. Closed Session:**

On motion of Commissioner Hector Palacios, seconded by Commissioner Flores, 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-30236 Claim of Dannenbaum Engineering**

NO ACTION taken on items 7.A, B & C.

**8. Open Session:**

(Audio Tape #1, Tracking # 192)

- A. Real Estate Acquisition**
- B. Pending and/or Potential Litigation**
- C. AI-30237 Claim of Dannenbaum Engineering**

NO ACTION taken on items 8.A & B.

Proceed as directed.

**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**

**AGENDA  
DRAINAGE DISTRICT- CONSENT  
BOARD OF DIRECTORS  
December 20, 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 EE)

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. AI-30220 Discharge Permits:**
  - A. M.L. Rhodes Enterprises L.T.D. - Aurora Valley Phase I**
  - B. Kyndel W. Bennett - Apache Estates**

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 20<sup>th</sup> 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 20, 2011.

Signed this 28 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