

SPECIAL MEETING – MARCH 06, 2012

BE IT REMEMBERED, that on this 6th day of March A.D., 2012, 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 HECTOR (TITO) PALACIOS

COMMISSIONER, PRECINCT NO. 2

HONORABLE JOSEPH PALACIOS

COMMISSIONER, PRECINCT NO. 4

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

**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
March 6, 2012
9:30 A.M.**

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

1. Roll Call

All members of the Court were counted present, with the exception of Commissioner Quintanilla and Commissioner Flores.

2. Pledge of Allegiance

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

3. Prayer

Monica Badillo led the Court and Audience in Prayer.

4. Approval of Consent Agenda

The Court moved to approve the Consent Agenda.

5. Open Forum

-Ms. Maria Menchor recognized Commissioner Joseph Palacios with infrastructure needs (Lighting) in their community. She also recognized State Representative Veronica Gonzalez for their achievements of installation of light posts in their community.

-Representative Veronica Gonzalez explained that she was looking for funds that would not affect the state so that the residents would get the lighting they needed for their Colonias and went on to explain their success of installation lighting posts.

-Ms. Teresa Barrera, Member of La Union de Pueblo Entero, expressed that Ms. Veronica Gonzalez listened to their need for lighting in their subdivision.

-Fern McClaugherty expressed that the County should conduct background checks and expressed her concerns with the want of a new courthouse.

-Dorothy Adams ...potential taking of her property as a result of installation of new sewer lines

-Maria Del Carmen Herrera thanked Commissioner Joseph Palacios for the installation of lights in her Colonia.

-Karina Cardoza translated what Ms. Maria Del Carmen Herrera said.

-Mr. Morales discussed renewable energy and its investments.

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

(Audio Tape #1, Tracking # 1526)

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-31198 Fire Marshal's Office:

Requesting permission to allow Juan Martinez, Fire Marshal to attend the 2012 Texas Emergency Management Conference in San Antonio, TX, April 1-5, 2012.

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

C. AI-31179 Health & Human Services Dept:

Requesting authorization for three Health & Human Services Dept. - Environmental Division employees to attend an Animal Control Officer Basic Training course from April 2, 2012 to April 6, 2012 in Tyler, TX. The purpose of the course is to obtain required continuing professional education.

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

D. AI-31175 Health & Human Services Dept:

Requesting authorization for Health & Human Services Dept. - Environmental Division employee to attend an Advanced Animal Cruelty Investigations course from March 6, 2012 to March 7, 2012 in San Benito, TX. The purpose of the course is to obtain required continuing professional education.

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

E. AI-31117 Elections:

Requesting permission to advertise/hire for the following:

Title	Slot #
Data Entry Clerk 1	(Temporary) T-123
Data Entry Clerk 1	(Temporary) T-126
Data Entry Clerk 1	(Temporary) T-127

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

- F. AI-31277 Recognition of 2012 Texas Music Educators Association Convention All-State Winners**
(Audio Tape #1, Tracking # 1142)
Presentation by Karina Cardoza in Recognition of the 2012 All-State Winners.

- 7. Safety Division - Roy Quintanilha:** (Exhibit L)
(Audio Tape #1, Tracking # 1615)

- A. AI-31316 Approval to make payment of invoice, dated 2/22/2012, for Montalvo Insurance Agency, in the amount of \$338.00, for the adjustment of the County Wide Commercial Property Policy #35834670, due to the deletion of a basketball court and the addition of the Faysville pump structure and fencing to said policy in 2012. Request authority for County Treasurer to issue a check after review, audit, and processing procedures are completed by the County Auditor.**

Mr. Eufracio informed the Court that this is for last year's coverage.

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

- 8. Constables:** (Exhibit M)
(Audio Tape #1, Tracking # 1655)

- A. AI-31331 Constable Pct. #1:**

Discussion, consideration and approval of appointment of Deputy Constables by Constable Celestino Avila Jr., Constable Precinct 1 in accordance with Texas Local Government Code 86.011 as follows:

- 1. Jaime Cano**
- 2. Salvador Quiroz Jr.**

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

- B. AI-31238 Constable Pct. #1:**

Requesting Approval and Authorization to submit the 2011 Chapter 59 Asset Forfeiture Audit Report as requested by the Attorney General of Texas.

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

- C. AI-31163 Constable Pct. #3:**

Presentation and discussion of 2011 Racial Profiling Report as presented by Hidalgo County Constable Precinct 3 Department in accordance with Article 2.134 of the Texas Code of Criminal Procedures.

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

9. County Judge's Office: (Exhibit N)

(Audio Tape #1, Tracking # 1715)

- A. AI-31228**
 - 1. Approval to decrease auto allowance from \$5,400.00 to \$3,900.00 per year to slot no. 0002, Chief Administrator position, employee no. 183776, effective upon approval.**
 - 2. Approval to authorize auto allowance in the amount of \$4,000.00 per year to slot no. 0028, Executive Assistant III, employee no. 184705, effective upon approval.**
 - 3. Approval of intradepartmental transfer.**
 - 4. Approval of revised salary schedule.**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote o approve items 9.A.1, 2, 3 & 4.

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

(Audio Tape #1, Tracking # 1748)

A. AI-31122 Jail (1100):

- 1. Approval to authorize clothing allowance as follows:**

Slot No.	Position Title	Allowance
0399	Captain	\$500.00
0400	Captain	\$500.00

- 2. Approval of interdepartmental transfer.**
- 3. Approval of revised salary schedule.**

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

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

(Audio Tape #1, Tracking # 1777)

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

NO ACTION taken on this item.

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

(Audio Tape #1, Tracking # 1785)

A. AI-31264 Recognition of Wesley Dylan Bradley, Chief Deputy Fire Marshal for his 7 years of service with Hidalgo County.

Presentation by Karina Cardoza, Juan Martinez and the Court honoring Chief Deputy Fire Marshal Wesley D. Bradley.

The Court took a short break at this time.

13. Emergency Management - Oscar Montoya: (Exhibit R)

(Audio Tape #1, Tracking # 2020)

A. AI-31143 Approval to submit for reimbursement of grant award (#DR-1780-002) from the State of Texas - Division of Emergency Management in the amount of \$36,784.73 for Hazard Mitigation grant, with authority for County Judge to sign the required documentation.

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

B. AI-31196 Discussion and possible action regarding approval to apply and submit for the Hazard Mitigation Grant Program, DR-4029-TX HMGP, with authority for County Judge to sign the required documentation.

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

C. AI-31147 Pursuant to fuel policy, requesting approval to reimburse Oscar Montoya for purchase of fuel for county vehicle, with the county treasurer's office to issue payment/check after auditing procedures are completed.

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

14. Urban County - Diana Serna: (Exhibit S)

(Audio Tape # 1, Tracking # 2229)

A. AI-31152 Urban County Program on behalf of the City of Mercedes is requesting authority to purchase Fire Department CPR training equipment through Hidalgo County's membership and participation with Buy Board approved vendor Moore Medical Supporting Health & Care (Contract #363-10) in the amount of \$1,019.99 (quote attached hereto). UCP Year 24 (2011) Mercedes Public Services funds will be utilized and the City of Mercedes General Funds.

NO ACTION taken on this item.

- B. AI-31141 1. Hold a Public Hearing to consider public comments for Hidalgo County Precinct No 4's proposed Budget and Program Amendment to their existing Urban County Program work plan for FYs 21, 22, 23, & 24 (2008, 2009, 2010, & 2011).**

Judge Garcia opened the Public Hearing.

There being no one come forward, Judge Garcia closed the Public Hearing.

- 2. Consideration and request of approval of a Budget and Program Amendment for Hidalgo County Precinct No.4's Years 21, 22, 23, & 24 (2008, 2009, 2010, & 2011) work plans. The proposed amendment will Add a new Fire Station Equipment project to the existing line item and also create a new Water/Sewer Improvements Colonia Match line item.**

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

- C. AI-31154 1. Urban County Program on behalf of the City of Palmview is requesting a waiver of technicality on non-acknowledgment of receipt of Addendum No.1 by apparent low bidder as it is in the best interest of the City of Palmview and the Urban County Program to do so.**

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

- 2. Consideration and action to award and enter into a Construction Contract with GP7 Construction, LLC. for the Parks, Recreational Facility Improvements at the Municipal Park in the City of Palmview in the amount of \$53,691.45 utilizing funding from UCP Year 23 (2010), Urban County Parks, Recreational Facility Improvements line item.**

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

- D. AI-31156 Urban County Program on behalf of the City of Alton is requesting authority to purchase fire protection equipment through Hidalgo County's membership and participation with Buy Board (Texas Association of School Boards) approved vendor Dooley Tackaberry (contract # 363-10) in the amount of \$41,564.88 (quote attached hereto) to include shipping fees. City of Alton N**

NO ACTION taken on this item.

- 15. Elections Administration - Yvonne Ramon: (Exhibit T)**

(Audio Tape #1, Tracking # 2382)

- A. Discussion and/or action, including but not limited to Elections and Redistricting**

Presentation made in which the Early Voting dates and sites were discussed.

NO ACTION taken on this item.

16. WIC - Norma Longoria: (Exhibit U)

(Audio Tape #1, Tracking # 2491)

A. AI-31124 Approval of proclamation declaring March 7, 2012 as "International Board Certified Lactation Consultant"(IBCLC) Day in Hidalgo County.

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

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

(Audio Tape #1, Tracking # 2709)

A. AI-31231 1. Certification of revenues for interest earned in 2012 for Certificates of Obligation, Series 2001 (Fund 1431) and Refunding Bonds, Series 2006 (Fund 1437).

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

2. Approval of 2012 interfund transfer from Certificates of Obligation, Series 2001 (Fund 1431) and Refunding Bonds, Series 2006 (Fund 1437) to Refunding Bonds, Series 2007 (Fund 1438) in the total amount of \$143,145.97 to close out retired debt service funds (Funds 1431 and 1437).

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

B. AI-31312 Requesting approval to waive new employee enrollment procedures to fill Financial Accounting Supervisor position, slot no. 0005.

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

18. Colonia Access Program: Agapito Vargas: (Exhibit W)

(Audio Tape #1, Tracking # 2842)

A. AI-31229 Discussion, consideration and approval of Funding Agreement for Border Colonia Access Program Amendment No.6 to redefine a non-competitive project (Dude Hill No.1) and to apply non-competitive under runs to new projects (Dude Hill No.1, Engleman Estates, Jardin Terrace, La Milpa, Ramirez, Ramirez No.2, Ramirez No.3, Randolph Barnett No.1, Rankin and Regal Estates).

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

19. Planning Department - Raul Sesin: (Exhibit X)

(Audio Tape #1, Tracking # 2885)

A. AI-31178 1. Preliminary Approval

a. Azteca Estates Subdivision – Pct.1 (Kyndel W. Bennett)

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

b. H & R Subdivision – Pct. 3 (Hector Garcia Jr.)

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

c. Le Vendicion Ranch Subdivision – Pct. 4 (Maria Baldwin)

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

2. Final Approval

a. Serna Ranch Subdivision– Pct.1 (Genoveva Serna)

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

b. James C. Swint Sr. Subdivision – Pct.1 (Julita Rosa Gutierrez)

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

c. Los Ebanos Professional Plaza Subdivision–Pct.3 (Allan Francis Maun Mercado)

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

d. Spring Vista Subdivision - Pct.1 (Luis Sanchez)

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

e. Mandalay Bay Phase I Subdivision – Pct.4 (Richard A. Garza)

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

3. Final Approval with Financial Guarantee

a. Las Estrellas No. II Subdivision – Pct.3 (Forrest N. Runnels Jr.)

Mr. Sesin informed the Court that the financial guarantee has deposited \$9,000.00 for the septic tanks and that the Planning Department has signed off on this.

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

b. Las Estrellas No. III Subdivision – Pct. 3 (Forrest N. Runnels Jr.)

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

c. Brushline LTD Subdivision – Pct. 3 (Pat Fletcher)

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

4. Reimbursement of a Cash Deposit

a. Los Novillos Subdivision – Pct. 4 (Jose Guerra)

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

20. Precinct #1 - Comm. Quintanilla: (Exhibit Y)

(Audio Tape #1, Tracking # 3221)

A. AI-31236 Requesting authorization for surveys metes & bounds, title reports, title policies, appraisals, review appraisals, and acquisition of additional Right of Way for Mi 2 W (Drainage Ditch) CSJ-0921-02-147.

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

21. Precinct #2 - Comm. H. Palacios: (Exhibit Z)

(Audio Tape #1, Tracking # 3363)

A. AI-31308 Pct. 2 Rd Maintenance (1200):

1. Approval to create the following temporary full-time positions, not to exceed six months and/or September 13, 2012:

Slot No.	Position Title	Budgeted Salary
T081	Heavy Equipment Operator III	34,360.00
T082	Heavy Equipment Operator III	34,360.00
T083	Mechanic I	23,385.00

2. Approval of transfers.

3. Approval of revised salary schedule.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 21.A.1, 2 & 3.

- B. AI-31313 Acceptance and approval of Change Order No.1 increase in the amount \$5,408.00 with Asago Construction (contracted vendor, "South Tower Road Project") reflecting quantitative additions, with authority for County Judge or Court member to execute document.**

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

22. Precinct #3 - Comm. Flores: (Exhibit AA)

(Audio Tape # 2, Tracking # 38)

- A. AI-30891 Requesting authorization for title reports, appraisals, surveys metes & bounds and possible acquisition right of way on Reginaldo Villalon Road and Eustacio Flores Road.**

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

23. Purchasing Department - Marty Salazar: (Exhibit BB)

(Audio Tape #1, Tracking # 2842)

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

- 4. AI-31180 Acceptance and approval of modified/up-dated Hidalgo County Purchasing Department Travel and Fuel Card Program' Request Forms with same policies and procedures thus improving the efficiency in administering and managing the process.**

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

- 5. AI-31254 Recommending award of bid and approval of contract document to sole bidder (VSL, Inc. DBA Video, Sound & Light, Inc.) meeting all specifications and/or requirements as attached hereto for: "Hidalgo County-Repair, Removal & Installation of Mobile Radios and Other Emergency Misc. Equip." RFB No. 2012-035-01-25-SMA.**

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

B. Pct. 1

- 1. AI-31049 Presentation of bids received as detailed and attached herein for the purpose of award and approval of contract document with the lowest vendor meeting all specifications and/or requirements as attached hereto for: Hidalgo County Precinct 1 - Hauling Services for all Road Materials - RFB No. 2012-018-01-04-YZV.**

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the dual award to Universal and Roy's Hauling.

C. Pct. 2

1. **AI-31237 Acceptance and approval of Construction Change Order No. 4 increase in the amount of additional (7) calendar days with awarded contractor, Mission Paving Company, for "Tower Road Phase I Project", unable to work due to inclement weather days, with authority for County Judge or Court Member to execute document.**

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

D. IT Department:

1. **AI-31255 a. Discussion, consideration, and approval of Amendment No. 3 with Texas Conference of Urban Counties to extend term and revise anticipated payment schedule for Fiscal Year 2012 for the integration of the Justice System Court Administration System.**

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

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

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote of approval, subject to Auditor's review.

- b. Requesting approval to execute an End User and Professional Service License Agreement with Tyler Technologies, Inc. to include additional software modules related to secure public access.**

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

- c. Requesting approval to execute an Amended and Restated Implementation Plan for Phase 1 and Phase 2 with Tyler Technologies, Inc. to proceed with the completion of the project within the original budgets.**

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

E. Auditor's Office

1. **AI-31295 Acceptance and approval of Project Acceptance document (quoted estimated fees) as required by the vendor-Weidenhamer for a scope of work to be performed falling outside the current agreement with vendor with authority to purchase said services under the sole source declaration for said provider through a purchase order.**

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

24. Closed Session:

(Audio Tape # 2, Tracking # 269)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote of approval to go into the Regular Closed Session and the Addendum 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. Pending and/or potential litigation

NO ACTION taken on items 24. A & B.

25. Open Session:

A. Real Estate Acquisition and appropriation for same

B. Pending and/or potential litigation

NO ACTION taken on items 25.A & B.

26. Closed Session:

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

27. Open Session:

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

NO ACTION taken on items 26 & 27.

Mr. Valde Guerra informed the Court and Audience that today's Commissioners' Court Meeting will be rebroadcast half an hour later than normally scheduled.

28. Adjourn

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

**ADDENDUM
HIDALGO COUNTY
COMMISSIONERS' COURT MEETING
March 6, 2012
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:

ADDENDUM

(Exhibit EE)

1. Closed Session:

Action to go into Closed session was taken under the Regular Agenda-Closed Session.

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following:

- A. CL-11-3847-A; Daniel Marichalar v. County of Hidalgo**
- B. C-0093-12-A; Daniel Marichalar v. County of Hidalgo, et al**
NO ACTION taken under item 1 of the Addendum.

2. Open Session:

- A. CL-11-3847-A; Daniel Marichalar v. County of Hidalgo**
Proceed as directed.
- B. C-0093-12-A; Daniel Marichalar v. County of Hidalgo, et al**
Proceed as directed.

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
March 6, 2012
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 # 518)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda.

- 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. 2012 Intradepartmental transfers: (Exhibit B)**
 - A. AI-31109 2012 - County Clerk (1238)**
 - B. AI-31259 2012 - County Clerk (1237)**
 - C. AI-31303 2012 - Executive Office (1100)**

- D. AI-31275 2012 - Purchasing (1100)**
- E. AI-31204 2012 - Right of Way (1200)**
- F. AI-31184 2012 - Texas AgriLife Extension (1100)**
- G. AI-31257 2012 - Health & Human Services Dept. (1293)**
- H. AI-31165 2012 - Health & Human Services Dept. (1100)**
- I. AI-31167 2012 - Health & Human Services Dept. (1100)**
- J. AI-31177 2012 - Sheriff's Office (1284)**
- K. AI-31224 2012 - Sheriff's Office (1284)**
- L. AI-31145 2012 - Sheriff's Office Adult Detention Facility (1100)**
- M. AI-31171 2012 - J.P. 1/1 (1100)**
- N. AI-31128 2012 - CCL 5 (1100)**
- O. AI-31172 2012 - Pct. #4 Parks (1100)**
- P. AI-31166 2012 - Constable Pct 4 (1100)**
- Q. AI-31181 2012 - Constable Pct 4 (1100)**

3. 2012 Interdepartmental transfers: (Exhibit C)

A. AI-31297 TXDOT-CR825(MILE 2W) (1315):

Approval of 2012 interdepartmental transfer from TXDOT-FM493(US83-MILE10N) into TXDOT-CR825(MILE 2W) in the amount of \$6,000.00 to fund title reports.

B. AI-31301 Tropical Tx Center MHMR (1100):

Approval of 2012 interdepartmental transfer from Co. Wide Adm-Contingency to Tropical Tx Center MHMR in the amount of \$41,078.00.

4. Planning Department: (Exhibit D)

A. AI-31272 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. Right of Way - Permits: (Exhibit E)

A. AI-31142 North Alamo Water Supply Corporation:

1. Approximately 1,265' south of mile 17N on the east side of Terry Rd- Bore- M Jay Sub; 3/4" service connection

2. Approximately 500' east of FM 493 on the south side of Stites Rd- Bore- Martin Martinez; 3/4" service connection

3. Approximately 500' south of Exp 83 on the west side of Mile 2.5E- Bore- Donald Morales;3/4" service connection

Sanco Group:

1. Install a 12" sewer line along 3 Mile Line and 1/4 mile North on Moorefield Rd.

6. Tax Refunds: (Exhibit F)

A. AI-31144

Acct#	Payer	Amt
F3660.00.000.0007.00	Erickson Jeffrey Construction	\$2919.43
V2650.00.000.0208.00	First National Bank	\$3094.70

B. AI-31160

Acct#	Payer	Amt
X1100.81.000.7766.00	Miguel Garcia	\$2617.50

7. Membership Dues: (Exhibit G)

A. AI-31140 Constable Pct. #2:

Requesting approval to renew membership dues for 2012 to the Justices of the Peace and Constables Association for

Gilberto J. Alaniz, Constable Pct. 2, with authority for County Treasurer to issue check/payment after review, audit and processing procedures are completed by County Auditor.

B. AI-31123 County Clerk:

Requesting approval to pay the 2012 Urban Recorders Alliance Founder & Regular Annual membership dues in the total amount of \$350.00 for Mr. Arturo Guajardo, Jr., with authority for the County Treasurer to issue check after review, audit and processing procedures are completed by the County Auditor.

C. AI-31146 Emergency Management:

Requesting approval to renew the 2012 Membership Dues for Oscar Montoya, Emergency Management Coordinator to the Emergency Management Association of Texas in the amount of \$100.00.

8. Auditor's Office: (Exhibit H)**A. AI-31162 Monthly collection reports for January 2012.**

<u>OFFICE</u>	<u>FEES & COST</u>	<u>MONTH</u>
The Hon. Jose M. Flores, Comm. Pct. 3, Anzaldua's Park	\$ 1,532.00	January 2012
The Hon. Joel Quintanilla, Comm. Pct.1, Delta Lake Park	\$ 1,078.00	January 2012
Mr. Juan Martinez, Fire Marshal	\$ 5,643.25	January 2012
The Hon. Celestino Avila, Constable Precinct No. 1	\$ 430.00	January 2012
The Hon. Daniel Marichalar, Constable Precinct No. 5	\$ 770.00	January 2012
The Hon. Larry Gallardo, Constable Precinct No. 3	\$ 4,465.00	January 2012

9. IT Department - Renan Ramirez: (Exhibit I)**A. AI-31095 Authorization to deactivate wireless device services through the County's membership/participation with Contract: DIR-SDD-604 with awarded vendor Verizon Wireless for the following:**

Description	Department	Emp. Name	Emp. ID	MDN
Cell Phone	Info. Tech.	Jorge Helu	176028	956-515-8431
Cell Phone	Info. Tech.	Jose Alvarez	163767	956-207-2391
Cell Phone	Comm. Pct. 3	Daniel Hernandez	103608	956-587-1622
Cell Phone	Comm. Pct. 3	Gilberto Cavazos	106038	956-929-0049
Cell Phone	Comm. Pct. 3	Saul Ramirez	051527	956-929-0063
Cell Phone	Comm. Pct. 3	Sabas Sandoval	143847	956-929-0140
Cell Phone	Comm. Pct. 3	Eduardo Martinez	084891	956-587-1165
Cell Phone	Comm. Pct. 3	George O'cana	133493	956-587-1171
Cell Phone	Comm. Pct. 3	Sergio H. Saenz	069442	956-929-0694
Cell Phone	Planning	Gilbert Pecina	159131	956-648-7053
Cell Phone	Planning	Edgar Isidro	166618	956-648-7812
Cell Phone	Planning	Jonathan Isidro	180033	956-515-6020
Cell Phone	Facilities Mgmt.	Danny Guerra	89567	956-292-5349
Cell Phone	Facilities Mgmt.	Mike Cruz	095117	956-207-2886

Cell Phone	Facilities Mgmt.	Rogelio Salinas	137995	956-239-0055
Cell Phone	Facilities Mgmt.	Silvestre Rubio	149071	956-292-8567
Cell Phone	Facilities Mgmt.	Domingo Villalpando	052639	956-207-2765
Cell Phone	Facilities Mgmt.	Richard Sunday	175781	956-457-6116
Cell Phone	Facilities Mgmt.	Joe Castillo	058823	956-207-2805
Cell Phone	Facilities Mgmt.	David Martinez	n/a	956-207-2582
Cell Phone	Facilities Mgmt.	Mario Montez	085413	956-207-9678
Cell Phone	Facilities Mgmt.	Saul Ramos	149276	956-515-9713

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-31074 Requesting authority to advertise and approval of procurement packet (i.e. specifications/requirements, legal notice, draft requirements agreement etc.) as attached hereto for: Hidalgo County Precinct 2-"Hauling of all Road Materials"-RFB NO.: 2012-055-03-28-SGS, including the re-advertising of project in the event no bids and/or rejection of responses received and the project is still required.**
- B. AI-31250 Requesting approval of payment for Invoice# 11324053 in the amount of (\$5,900.00) submitted by L&G Consulting Engineers in connection to the "on-call" Professional Engineering Services Agreement #C-11-054-04-12 for: PROJECT: (Multi-Way Stop Control Warrant Study) Mile 17 1/2 and Depot Road (23rd Street) under (WA#3) for Precinct #4.**
- C. AI-31241 Requesting approval of Application for Payment No.1 in the amount of \$100,150.65 from Saenz Utility Constructors, awarded contractor for "El Dora Road Street & Drainage Improvement Project", #C-11-043A-06-28 as certified for payment by project engineer, Raul E. Sesein, with the authority to issue payment after audit and processing procedures are completed by County Auditor.**
- D. AI-31240 Request approval of Application for Payment No.5 in the amount of \$84,740.00 from Asago Construction, awarded contractor #c-11-161-07-05, for " El Gato Road Improvement Project", an as certified for payment by project engineer, R. Gutierrez Engineering Corporation.**

- E. AI-31155 Approval for Comdata Corporation/Transmontaigne Product Services, Inc. to delete/cancel fuel card(s) and/or driver(s) for:**
- 1. Right of Way**
 - 2. Purchasing Department**
- F. AI-31106 Requesting authority to purchase annual System Software Maintenance Support services through HC membership/participation with (DIR) Department of Information Resources awarded vendor, Votec Corporation contract # DIR-SDD-937 through the following requisition 209113 in the amount of \$10,980.00/yr for 61 users at \$180.00 each.**
- G. AI-31105 Requesting authority to purchase annual fees for support and warranty through HC (our) membership/participation with (DIR) Department of Information Resources awarded vendor Votec Corporation contract # DIR-SDD-937 through the following requisitions:**
- Requisition #209119.**
- 1. Oracle Support User Fee for 10 users @ \$100.00 each/year = \$1,000.00**
 - 2. Vemacs Base Support Fee \$1,200.00/year**
 - 3. Vemacs per voter warranty and support fee 256,327 @ \$50,732.70/year with a total from new price list of \$52,932.70.**

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
March 6, 2012
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 FF)

1. Roll Call

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

2. Open Forum

No presentations made under the Open Forum.

3. Approval of Consent Agenda

The Board moved to approve the Drainage District at this time.

4. AI-31281 Discussion, direction and/or action as it pertains to the Update of the Hidalgo County Drainage District #1 Master Plan Request for Qualifications (RFQ)

Godfrey Garza provided the Board an update on the Drainage District #1 Master Plan.

Commissioner Joseph Palacios asked Mr. Garza for the Record: The RFQ, obviously, identified design, future design, and everything else. Was it more extensive than just the application process? Mr. Garza replied: "Yes Sir". Mr. Garza explained that it gave the opportunity for the Board to select a firm an individual firm for individual projects.

Discussion continued. Judge Garcia expressed that he wants to distribute the work amongst as many engineers as possible.

A. Discussion and direction on canceling existing RFQ for HCDD#1MP.

Godfrey Garza recommended the Board cancel the RFQ and go to the Pool of Engineers that they presently have for the firm to do the H&H Analysis.

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

B. Discussion and action for authorization for Drainage District #1 to select from the existing pool of engineers/required consultants for the Update of the Hidalgo County Drainage District #1 Master Plan.

Godfrey Garza will go through the pool of engineers and make a recommendation to start the application process.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Board made a UNANIMOUS vote to approve and to allow every Commissioner to make a selection from the pool.

C. Discussion and action in soliciting proposals for selection of a project manager for the HCDD#1 Master Plan.

NO ACTION taken on this item.

5. AI-31223 Request approval of Change Order No. 32 on the Contract with SER Construction Partners, LTD. for the Construction of Levee DHS 0-7. Subject to Department of Homeland Security (DHS) concurrence.

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Board made a UNANIMOUS vote to approve the change for a deduction in the amount of \$995.43.

6. 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

NO ACTION taken on this item.

7. Open Session:

A. Real Estate Acquisition

B. Pending and/or Potential Litigation

NO ACTION taken on this item.

8. Closed Session:

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

9. Open Session:

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

NO ACTION taken on items 8 & 9.

10. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
March 6, 2012
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.

(Audio Tape # 1, Tracking # 15)

(Exhibit GG)

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph 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 6th day of March, 2012

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 March 06, 2012.

Signed this 12 day of March 2012

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

(Seal)

By: _____
Priscilla Torres, Deputy