

SPECIAL MEETING – APRIL 03, 2012

BE IT REMEMBERED, that on this 3rd day of April 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 JOEL QUINTANILLA

COMMISSIONER, PRECINCT NO. 1

HONORABLE JOE M. FLORES

COMMISSIONER, PRECINCT NO. 3

HONORABLE JOSEPH PALACIOS

COMMISSIONER, PRECINCT NO. 4

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

**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
April 3, 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 Flores and Commissioner Hector Palacios. Commissioner Flores joined the meeting shortly after commencement of the meeting.

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.

Commissioner Flores joined the meeting.

5. Executive Officer - Valde Guerra: (Exhibit M)

(Audio Tape # 1, Tracking # 1158)

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 5.A.1 & 2.

B. AI-31539 Approval of Proclamation recognizing the month of April as National Child Abuse Prevention Month - CASA (Audio Tape # 1, Tracking # 1169)

Emilio Santos read the Resolution into the Record.

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

Commissioner Joseph Palacios stepped away.

C. AI-31651 IT Department:

1. Requesting permission to advertise/hire for the following:

Slot No.	Position Title	Grade
0031	Technical Specialist I	10

2. Requesting permission to allow department to advertise/hire for any future/upcoming vacancies due to urgent pending projects (i.e. Oddeasy Project)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 5.C.1 & 2.

D. AI-31715 Texas AgriLife Extension:

Requesting authorization for Christina L. Perez to travel to College Station, TX to attend the Program Excellency Academy from 04/15/2012-04/19/2012.

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

E. AI-31685 Fire Marshal:

Requesting permission for Juan Martinez, Fire Marshal to attend the Texas Forest Service AHIMT Credentialing Work Group Meeting April 18-21, 2012 in Grand Prairie, TX.

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

F. AI-31628 Approve execution of an Easement and Access Agreement, Quitclaim Deed, and Transfer of Easements, received from Hidalgo County Irrigation District No.1 for sixty-two (62) tracts of land, for a total of sixty-two (62) Easement and Access Agreements, sixty-two (62) Quitclaim Deeds and sixty-two (62) Transfer of Easements, pursuant to that certain Interlocal Cooperation Agreement between Hidalgo County Irrigation District No. One and Hidalgo County dated January 23, 2009

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval, subject to getting a listing of the properties for the Purchasing Department and the fair market values.

G. AI-31537 Approval to accept a settlement check from Foremost County Mutual Insurance Company in the amount of \$553.45 to settle property damages. (HeadStart)

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

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

(Audio Tape # 1, Tracking # 1504)

Commissioner Joseph Palacios joined the meeting.

A. AI-31309 Presentation and status update regarding Energy Efficiency & Conservation Strategy by Vazaldua & Associates

Mr. Paul Vazaldua and Mr. Donnie Herring provided the Court a presentation on the status of their study. A report will be brought back to the Court in about 30 days due to concerns by the Court.

B. AI-31720 1. Discussion and update on Hidalgo County Commuter Rail District Board composition

(Audio Tape #1, Tracking # 2238)

Presentation by Bobby Villareal and Godfrey Garza.

Commissioner Quintanilla requested a Workshop to further discuss various aspects and concerns of the Commuter Rail. Godfrey Garza informed the Court that reappointments for the Board are coming up, and would be placed on the Agenda for the following week.

2. Discussion, consideration, and approval of Resolution in support of Hidalgo County Commuter Rail District

NO ACTION taken on this item.

C. AI-31727 Approval of Resolution Honoring Texas State Senator Juan "Chuy" Hinojosa.

(Audio Tape #1, Tracking # 890)

Karina Cardoza read the Resolution into the Record.

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

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

(Audio Tape # 1, Tracking # 3144)

A. AI-31517 Presentation and discussion of the 2011 Racial Profiling Report as presented by the Hidalgo County Sheriff's Office, in accordance with Article 2.133 of the Texas Code of Criminal Procedure.

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

B. AI-31671 Authorization and Approval to apply for the FY2012 Operation Stonegarden Grant with the Department of Homeland Security, Federal Emergency Management Agency (FEMA).

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

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

(Audio Tape # 1, Tracking # 3231)

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

NO ACTION taken on this item.

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

(Audio Tape # 1, Tracking # 3239)

A. AI-31570 Discussion and approval of the following 2011 Rural Emergency Services Local Agreement(s) with:

1.) City of Hidalgo

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

10. IT Department - Renan Ramirez (Exhibit R)

(Audio Tape # 2, Tracking # 3266)

A. AI-31633 Discussion, consideration, and approval to request a donation of 7 computers from the Health & Human Services Commission.

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

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

(Audio Tape # 1, Tracking # 3286)

A. AI-31575 1. Authorization and approval to accept Award Grant No. G12SS0002A, between Hidalgo County and the Executive Office of the President-Office of National Drug Control Policy in the amount of \$685,705.00 for the grant period of 01/01/2012 to 12/31/2013.

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

2. Approval of certification of revenues, as certified by the County Auditor for the HIDTA Task Force Grant.

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

3. Approval of appropriation of funds for the Hidalgo County HIDTA Task Force (South Texas HIDTA McAllen Initiative, program 003) in the amount of \$685,705.00.

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

4. Approval of salary schedule.

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

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

(Audio Tape # 1, Tracking # 3340)

A. AI-31594 Approval of a Proclamation declaring April 2012 FAIR HOUSING MONTH.

Diana Serna read the Resolution into the record.

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

B. AI-31574 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineering services;

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

2. Presentation of the scoring grid for the purposes of ranking by CC of at least three (3) engineering firms from the County’s approved “pool” as graded and evaluated by the City of La Joya, Urban County Program, and Hidalgo County Purchasing Department, in connection with and funded through Hidalgo County Urban County Program Year 23 (2010) La Joya Parks, Recreational Facilities funds.

	GRADE	RANKED
S&B Infrastructure	92.3	1
Javier Hinojosa Engineering	86.0	2
Rodriguez Engineering	81.3	3

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

3. Authority to negotiate a professional engineering service contract with the No. 1 ranked firm of S & B Infrastructure for the provision of engineering services for an Urban County Program Year 23 (2010) La Joya Parks, Recreational Facilities project which consists of improvements to La Joya Military Park.

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

C. AI-31577 Urban County Program on behalf of the City of La Joya is requesting consideration and action to award and enter into a construction contract with Alvarez Construction for the Parks, Recreational Facility Improvements project in the amount of \$64,000.00, utilizing funds from UCP Year 24 (2011), Urban County Parks, Recreational Facility Improvements line item.

Diana for the Record: The contracts that the Auditor is questioning has a, 36 pages of General Conditions that we normally placed in our specification book. The specification book was monitored/reviewed by the legal department November 2011, however; it was for a different project and we are requesting approval of this contract.

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

D. AI-31699 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (A) (4) for professional engineer services:

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

2. Presentation of the scoring grid for the purposes of ranking by Commissioners' Court of at least three (3) engineering firms from the County's approved "pool" as graded and evaluated by the Precinct No. 4, Urban County Program and Hidalgo County Purchasing Department in connection with and funded through the Texas Department of Agriculture (TDA) Texas Community Development Block Grant (TXCDBG) Program for the 2011-2012 Colonia Construction Grant Contract # 711245 - Sewer Improvements and Rehabilitation Single-Unit Sewer Service: Construction for Colonia Hillcrest Terrace and Santa Cruz Ranchette in the City of Edinburg ETJ area in Precinct No. 4.

FIRM	GRADE	RANKED
LeFevre Environmental & Management Consulting, LLC	83.67%	1
Quintannilla, Headly, and Associates	80.68%	2
Guzman & Munoz Engineering and Surveying, Inc.	76.67%	3

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

Commissioner Quintanilla stepped away.

3. Authority to negotiate a professional service contract with the No. 1 rank firm Le Fevre Environmental & Management Consulting, LLC for a TDA TxCDBG 2011-2012 Colonia Construction Project and Urban County Program - Precinct # 4 Sewer Improvements and Rehabilitation Single-Unit Sewer Service:

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

Commissioner Quintanilla joined the meeting.

E. AI-31662 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineer services;

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

2. Presentation of the scoring grid for the purposes of ranking by CC of at least three (3) engineering firms from the County’s approved “pool” as graded and evaluated by Precinct No. 1, Urban County Program and Hidalgo County Purchasing Department in connection with and funded through Hidalgo County Urban County Program YR 24 (2011) Precinct No. 1 – Street Improvements Solar Lights.

FIRM	GRADE	RANKED
SAMES Engineering & Surveying, Inc.	91.33%	2
Guzman & Munoz Engineering & Surveying, Inc.	91.33%	1
Urban Infrastructure Group, Inc.	86%	3

Judge Garcia drew lots to break the tie for first and second place.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to rank in the order of their scores.

3. Authority to negotiate a professional service contract with the No. 1 ranked firm for an Urban County Program – Precinct No. 1 – Street Improvements Solar Lights project.

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

F. AI-31583 Urban County Program is requesting approval of a budget and program amendment for the City of San Juan Urban County Program Year 22 & 24 (2009 & 2011). The amendment will add funding in the Year 22 (2009) Water/Sewer Improvements activity and create a new Water & Sewer Improvements project in Year 24 (2011) to assist with the Water/Sewer Improvements on Oblate & downtown alleyways activity.

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

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

(Audio Tape # 2, Tracking # 99)

A. AI-31607 Discussion/Approval of Carry Forward Application for Unobligated Funds Ending December 31, 2011

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

Judge Garcia stepped away and Commissioner Quintanilla presided.

B. AI-31610 Discussion/Approval to Advertise Including Approval of Specifications (as attached hereto) for Sealed Bids on Lease of Classroom Space for the Following Areas:

Donna - 2012-00505-03	Mission - 2012-00505-03
Edinburg - 2012-00505-03	Mission - 2012-00505-03
Mercedes - 2012-00505-03	Pharr - 2012-00505-03
Mercedes - 2012-00505-03	Weslaco - 2012-00505-03
McAllen - 2012-00505-03	Weslaco - 2012-00505-03
McAllen - 2012-00505-03	

Correction made on the Bid Numbers.

Donna - 2012-00505-03	Mission - 2012-01105-03
Edinburg - 2012-00605-03	Mission - 2012-01205-03
Mercedes - 2012-00705-03	Pharr - 2012-01305-03
Mercedes - 2012-00805-03	Weslaco - 2012-01405-03
McAllen - 2012-00905-03	Weslaco - 2012-01505-03
McAllen - 2012-01005-03	

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

C. AI-31608 Discussion/Approval of Hidalgo County Head Start Program Self-Assessment Results

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

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

(Audio Tape # 2, Tracking # 216)

A. AI-31654 Consideration and approval to purchase a certain tract of land also known as Parcel-15 San Carlos Drainage Improvements- Trenton Drain Project.

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

B. AI-31661 Consideration and approval to purchase a certain tract of land also known as Parcel 13 & Parcel 14 South McColl Road Project.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve both parcels in the amount of \$1,550.00 and \$2,000.00.

C. AI-31725 Authorization for County Treasurer to issue check to Valley Land & Title Co. in the amount of \$ 93,166.54 on Earnest Money Contract for the Lopezville Park approved by Commissioners' Court on 12/20/11, after review, auditing and processing procedures are completed by County Auditor

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

15. Planning Department - Raul Sesin: (Exhibit W)

(Audio Tape # 2, Tracking # 317)

A. AI-31580 1. Preliminary Approval

- a. La Homa Crossing Phase I Subdivision – Pct.3 (Manuel Cantu Jr.)**
- b. Evergreen Valley Estates Phase 4 Subdivision – Pct. 4 (Tillmin Welch)**
- c. Evergreen Valley Estates Phase 6 Subdivision – Pct. 4 (Tillmin Welch)**
- d. Pueblo de Palmas Phase 14 Subdivision – Pct. 4 (J.Gary Frisby)**

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 15.A.1.a, b, c & d.

2. Preliminary Approval with Variance request

a. Yamham Subdivision – Pct. 2 (Omar Martinez Moreno)

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

3. Final Approval

- a. Solis Acres Subdivision– Pct.4 (Noe and Ramona Gutierrez)**
- b. Mjay Subdivision – Pct 4 (Gloria Garza)**

c. Julia Moreno Acres Subdivision – Pct. 3 (Julia Moreno)

d. Villarreal Rodriguez Subdivision – Pct. 4 (Jose Villarreal Rodriguez)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 15.A.3.a, b, c & d.

B. AI-31658 1. Preliminary Approval

a. Texas Estates Subdivision – Pct. 4 (Ricardo Salinas Jr.)

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

C. AI-31587 1. Reimbursement of Cash Deposit

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 in the amount of \$1,826.86.

16. Precinct #2 - Comm. H. Palacios: (Exhibit X)

(Audio Tape # 2, Tracking # 409)

A. AI-31600 Requesting approval of Construction Change Order No.6 increase in the amount of \$4,025.00 with Mission Paving Company, Inc. (contracted vendor for "Tower road Phase I Project") reflecting the items described on change order, with authority for County Judge or Court Member to execute document.

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

B. AI-31704 Consideration and approval to purchase a certain tract of land located at John Closner Et Al Amended, Lot 4 Block 6, Hidalgo County, Minnesota Rd., Texas also known as Lopezville Park Property in the amount of \$93,166.54 make check payable to Valley Land & Title Company.

NO ACTION taken on this item.

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

(Audio Tape # 2, Tracking # 433)

A. Budget Appropriations:

1. AI-31712 Pct. 1 R & B (1200):

Approval of 2012 appropriation of funds from the R & B unreserved fund balance into Pct. 1 Rd. Maintenance, program #005, in the amount of \$47,727.87 to fund hauling and road materials expenditures in relation to Aurora Valley Subdivision.

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

2. AI-31716 Pct. 1 R & B (1200):

Approval of 2012 appropriation of funds from the R & B unreserved fund balance to Pct. 1 Adm. & Rd. Maint. (program #'s 004 & 005) in the amount of \$446,299.42 to fund various operating expenditures.

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

Commissioner Flores requested a Workshop so that the Court can discuss the cost and need of fuel, equipment, etc.

18. Purchasing Department - Marty Salazar: (Exhibit Z)

(Audio Tape # 2, Tracking # 478)

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. Presentation for Acceptance and approval of Current inter-local(s) and/or contract(s) for the "Housing of Inmates"

a. AI-31714 Acceptance and approval of an Intergovernmental Agreement (ILA) by and between BROOKS and HIDALGO Counties for the purposes of out of County "HOUSING OF HIDALGO COUNTY INMATES/PRISONERS".

Ms. Salazar informed the Court that she would be bringing back an Amendment to include the "commitment of current revenues that is statutorily obligated".

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

Judge Garcia joined the meeting.

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 18.A.2 & 3.a, b & c.

4. AI-31546 Acceptance of a rebate from The Home Depot Business in the amount of \$1,114.12-Check #00430730 dated 3/07/2012.

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

B. Pct. 1

- 1. AI-31557 Acceptance and approval of request by Precinct #1 for Supplemental No. 1 to Work Authorization No. 1 submitted by L&G Engineering-Contract #C-07-451-12-26 for an increase of \$90K for-FM 493 for Mile 10 to Mile 14 and/or SH 107 (whichever applicable) due to new guidelines-TXDOT and the Federal Highway Administration-Work Authorization No. 1-Exhibit B-- Services To Be Provided by Engineer-Scope of Work and Exhibit C-Work Schedule and Exhibit D- Fee Schedule need to be revised with this supplemental request and thus allowing the cost to increase from the original work authorization amount of \$1,598,950.00 to \$1,688,950.00.**

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

C. Pct. 2

- 1. AI-31492 Acceptance and approval to execute an "On Call" professional engineering services contract with Millenium Engineers Group for, "Construction Material Testing for All Projects" for Precinct No. 2 as approved for negotiations on CC 2/14/12 C-12-068-04-03**

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

D. Pct. 4

- 1. AI-31707 a. Recommendation by project architect, ERO International, dba, ERO Architects, to reject all Competitive Sealed Proposals (CSP) received for Hidalgo County Precinct No. 4 "Design**

and Construction of a New Multipurpose Facility / Mechanical Shop” CSP No: 2012-056-02-29-MSS as all proposals were over budget;

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

b. Pursuant to AIA, B-101, 2007 Form of Agreement between Hidalgo County (Owner) and ERO International, dba, ERO Architects (Architect), Sections 6.6.4 & 6.7, proceed to revise project program, scopes or quality as required to reduce cost of the work without additional compensation approval for architect to modify the construction documents (and as further confirmed in correspondence from ERO attached herein) including authority to advertise the project; OR, and IF APPLICABLE,

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

c. Acceptance and approval of modified/revised plans and specifications submitted by architect, ERO International, dba, ERO Architects for the project known as: "Design and Construction of a New Multipurpose Facility/Mechanical Shop"

NO ACTION taken on this item.

2. AI-31706 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional (Construction Materials Testing) service;

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

b. Presentation of scoring grid (for purpose of ranking by CC) of the firms graded and evaluated through the County’s approved “pool” of Construction Material Testing Services for on call services for Pct. 4 projects:

Firm	L & G Engineering	MEG Engineers	Raba-Kistner Consultants
Evaluator 1	98	96	97
RANKING	1	3	2

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

c. Authority for the Purchasing Department to negotiate a professional (Construction Material Testing Services) contract with the No. 1 ranked firm of L & G Engineering for the provision of on call Construction Material Testing services for Precinct #4 projects.

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

E. Colonia Access Program Pct. 4

1. AI-31675 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) professional (engineering) service;

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

b. Presentation of scoring grid (for purpose of ranking by CC) of the firms graded and evaluated through the County’s approved “pool” of Engineering Services:

Firm	Dos Logistics	Quintanilla Headley & Associates	Guzman & Munoz Engineering
Evaluator 1	98	95	94
RANKING	1	2	3

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

c. Authority for the Purchasing Department to negotiate a professional (Engineering Services) contract with the No. 1 ranked firm of Dos Logistics for the provision of professional engineering services for the BCAP Projects Rankin & Engleman Estates BCAP Precinct #4 projects.

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

F. Sheriff's Office

1. AI-31591 Approval of Request for Payment-Application No. 1 in the amount of \$183,346.20 from D. Wilson Construction Co. awarded contractor for the, "Construction of the Sheriff's Office Substation in the Pct 1 Area", and as certified for payment by project architect, Gignac & Associates; C-11-032-01-20

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

2. AI-31487 a. Requesting exemption from competitive bidding requirements under Texas Local Government Code, Chapter 262.024, (a)(7) an item that can be obtained from only one source;

NO ACTION taken on this item.

b. Requesting approval of a "Sole Source Declaration" for AFIX Technologies" including authority to renew our support services with AFIX Technologies for the AFIX Tracker LE and AFIX Verifier beginning on May 26, 2012 for a period of 12 months in the yearly amount of \$2,037.50 thru requisition # 212150.

NO ACTION taken on this item.

3. AI-31683 a. Approval of an Amendment (reflecting the substitution of a revised Attachment E) to the current agreement between Hidalgo County and Prodigy Construction Management, LLC for the "Construction of the New Sheriff's Office Substation in the Pct 1 Area" C-11-032B-06-14

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

b. Requesting acceptance and approval of Invoice No. 7-R2;8-R2; and 9-R2 in the amount of \$3,600.00, from contracted vendor, Prodigy Construction Management, LLC in connection with contract C-11-032B-06-14 Construction Management services for Sheriff's Office Substation in the Precinct No. 1 Area, with authorization for Auditor process and County Treasurer issue payment/check.

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

G. Co. Wide

1. AI-31299 Recommending award of sole bid and approval of contract to Performance Grade Asphalt, LLC-meeting all specifications and/or terms and conditions as attached hereto for Hidalgo County -"MS-1 Emulsified Asphalt" Bid No. 2012-022-MEG.

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

The Court proceeded with the Open Forum at this point.

19. Closed Session: (Exhibit AA)

(Audio Tape # 2, Tracking # 998)

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. Pending and/or potential litigation

C. AI-31700 EEOC Charge No. 451-2012-00336; Nancy Salinas v. Hidalgo County Community Service Agency

NO ACTION taken on items 19.A, B & C.

20. Open Forum

(Audio Tape # 1, Tracking # 695)

-Ms. Showery made a quick presentation after which her business class introduced themselves and stated where they were doing their internship.

(Audio Tape # 2, Tracking # 760)

-Virginia Townsend made comments in regards to the State of the County Address, drainage issues and how it's affecting the citizens of Hidalgo County, the RMA and the commuter rail district.

-Fern McClagherty also discussed the recent rain storm and how it affected our drainage system and the commuter rail.

-Judge Garcia expressed his concerns on drainage issues and explained that they are being addressed.

21. Open Session: (Exhibit BB)

A. Real Estate Acquisition and appropriation for same

NO ACTION taken on this item.

B. Pending and/or potential litigation

NO ACTION taken on this item.

C. AI-31701 EEOC Charge No. 451-2012-00336; Nancy Salinas v. Hidalgo County Community Service Agency

Proceed as directed.

22. Closed Session:

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

23. Open Session:

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

NO ACTION taken on items 22 & 23.

24. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
April 3, 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 # 535)

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of items 12.B, 12.D, 12.E, and 12.G.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 12.B. and 12.G, subject to revisions of the thirty day payment clause.

NO ACTION taken on item 12.D.

NO ACTION taken on item 12.E.

- 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-31556 2012 - I.T. Department (1100)**
- B. AI-31564 2012 - I.T. Department (1100)**
- C. AI-31719 2012 - Budget & Mgmt. (1100)**
- D. AI-31702 2012 - Facilities Mgmt. (1100)**
- E. AI-31589 2012 - Texas AgriLife Extension Service (1100)**
- F. AI-31566 2012 - Fire Marshal (1100)**
- G. AI-31620 2012 - District Attorney (1100)**
- H. AI-31619 2012 - District Attorney DA Civil Litigation (1100)**
- I. AI-31544 2012 - Courthouse Security (1241)**
- J. AI-31543 2012 - Budget & Mgmt. (1100)**
- K. AI-31533 2012 - Planning Dept. (1100)**
- L. AI-31527 2012 - Purchasing (1100)**
- M. AI-31531 2012 - Tax Office (1100)**
- N. AI-31538 2012 - Health & Human Services Dept. (1293)**
- O. AI-31540 2012 - Sheriff's Office (1284)**
- P. AI-31547 2012 - 206th District Court (1100)**
- Q. AI-31561 2012 - Pct. #1 Rd. Maint. (1200)**
- R. AI-31511 2012- Pct #3 Sanitation (1100)**
- S. AI-31532 2012 - Pct #3 Parks (1100)**

3. 2012 Interdepartmental transfers: (Exhibit C)

A. AI-31616 CO,2006-Pct. 1 FM493(M10N-SH107) (1336):

Approval of 2012 interdepartmental transfer from CO,2006-Pct. 1 to CO,2006-Pct. 1 FM493(M10N-SH107) in the amount of \$90,000.00 to fund supplemental work authorization #1 for WA#1 for C-07-451-12-26.

B. AI-31666 BCAP (1312):

Approval of 2012 interdepartmental transfer from Pct. 2 Citriana Village (prog 154) and Pct.3 Loma Linda Heights (prog 421) to Pct.1 Mid Valley Estates (prog 461) in the total amount of \$29,767.00 for completion of project.

C. AI-31657 Pct. 2 Esperanza Estates Subdivision (1200):

Approval of 2012 interdepartmental transfer from CW Adm-Contingency to Pct. 2 Esperanza Estates Subdivision in the amount of \$109,020.73 to fund remediation of Esperanza Estates Subdivision.

4. Interfund transfers: (Exhibit D)

A. AI-31717 Pct. 1 TXDOT (1315):

Approval of 2012 interfund transfer from R & B unreserved fund balance (fund 1200) to TXDOT-US 83 Illumination (fund 1315, program #031) in the amount of \$20,000.00 to fund lighting services for expressway 83 in the Pct. 1 area.

5. Planning Department: (Exhibit E)

A. AI-31670 1. Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)

6. Monthly Fee Reports: (Exhibit F)

A. AI-31530 District Clerk

Approval of February 2012 Monthly Fee Report.

7. Right of Way - Permits: (Exhibit G)

A. AI-31579 1. North Alamo Water Supply:

a. Approximately 500' east of Sunflower Rd on the south side of Rogers Rd- Bore- Antonio Cano; 3/4" serv connection

2. City of Weslaco:

a. Proposed to do an open cut along Mile 5N between Midway Rd and Milanos Rd.

3. Rio Plumbing:

a. 6" service line for sanitary sewer to bore across Moorefield Rd for purpose- Santoy's Estates.

8. Executive Officer - Valde Guerra: (Exhibit H)

A. AI-31641 Approval of 457 plan hardship withdrawal request for employee #122335

9. Tax Refunds: (Exhibit I)

A. AI-31514

B2620.00.000.0024.00	Flor Arevalo	\$3200.00
W1065.00.000.0001.00	Tex Best Travel Centers Inc	\$5816.40

B. AI-31515

Acct#	Payer	Amt
F3750.00.000.0020.00	Chapa Homer	\$2838.11
H0660.00.000.0001.00	Corelogic	\$2645.10
K2400.99.000.0221.05	Waste Management Inc	\$17609.13
M0600.99.000.0001.43	Convergy's Corporation CVG	\$16396.57
O8415.00.000.0032.00	Lereta LLC	\$3005.81
S2950.00.000.0302.35	Bac Tax Service Corp	\$6000.00
S2982.99.000.0026.01	Alpine Electronics Of America Inc.	\$12772.59
S3998.00.000.0037.00	Lereta LLC	\$5286.13
T5455.99.000.001A.03	Convergy's Customer Mgmt Group Inc.	\$2522.76
T5455.99.000.001A.04	Convergy's Customer Mgmt Group Inc.	\$2546.48
V3657.00.001.0030.00	South Villa Hermosa Ltd	\$3337.49
W0820.00.000.0002.00	Brady Gloria	\$3887.45

10. Headstart: (Exhibit J)

- A. AI-31602 Approval of Program Financial Report**
- B. AI-31606 Approval of Special Services Monthly Report**
- C. AI-31604 Approval of Texas Department of Agriculture Meals and Snacks Monthly Report**
- D. AI-31603 Approval of Children's Applications for Program Year 2011-2012**

11. Treasurer's Office: (Exhibit K)

- A. AI-31553 Approval of bi-weekly payroll deductions (April 5, 2012 through December 27, 2013) for overpayment of employee #020729.**

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-31548 Approval for Comdata Corporation Services, Inc. to add/delete additional fuel card(s) and/or driver(s) for:

1. Texas AgriLife Extension Service - Add Fuel card User

2. Tax Office - fuel card

B. AI-31552 Presentation for approval of final construction contract (CC previously approved to award on 01-31-12) for C-CAP-12-019-01-31 Munoz Estates Subdivision between Hidalgo County and Saenz Utility Contractors, LTD in the amount of \$213,200.40.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 12.B. and 12.G, subject to revisions of the thirty day payment clause.

C. AI-31693 Acceptance and approval of request for payment of Invoice #1102707-5 in the amount of \$33,335.48 as submitted by CAS Companies in connection with the "Hidalgo County Morgue Renovation" Project amid PO#663746 with authority for County Treasurer to issue payment after review, audit, and processing procedures are completed by County Auditor.

D. AI-31618 Requesting authority/approval to enter into a 12-month software maintenance license remote support renewal agreement with SHI Government Solutions, Inc. through our membership/participation with (DIR) Department of Information Resources through the following requisition #212784 for 10 licenses for the amount of \$414.00/each totaling \$4,140.00, effective March 5, 2012 - March 5, 2013 (2-1100-415-00-200-002-0-336):

NO ACTION taken on item 12.D.

E. AI-31586 Acceptance of Price Quote with recommendation to purchase of 2-year Nu Ax Standard Device Connect Renewal (support and maintenance services) with Notable Solutions, Inc. for the Auditor's department through Requisition #212261 in the total amount of \$656.00 including authority for Auditor to execute document and return with executed Purchase Order-effective- 8/20/10- 8/20/12- (2-1100-415-21-170-001-0-812).

NO ACTION taken on item 12.E.

- F. AI-31592** Requesting authority to exercise the option to renew/extend for a one (1) term as stipulated and provided in the contracts under the same rates, terms and conditions the following:
- 1. C-11-005-04-12-Hot Mix Cold Laid Road Material with Frontera Materials-effective April 12, 2012;**
 - 2. C-11-006-03-21- Type D Hot Mix Asphalt (Gravel and Limestone) with Frontera Materials-effective April 7, 2012.**
- G. AI-31549** Presentation for approval of final construction contract (award by CC on 01-24-12) for C-CAP-12-020-01-24 Havana Subdivision between Hidalgo County and Saenz Utility Contractors, LTD in the amount of \$111,443.25.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 12.B. and 12.G, subject to revisions of the thirty day payment clause.

- H. AI-31246** Acceptance and approval to substitute the item detailed in the Revised Quotes attached herein items for those included in original proposals (but not awarded to vendor as approved by CC 3-13-12) submitted by Facility Solutions Group, awarded vendor, through the County's participation/membership with TASB's Buy Board Cooperative Purchasing Program in connection with the Energy Efficiency and Conservation Block Grant (EECBG) Functions/Activities for Hidalgo County Precinct Nos. 3 & 4.

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
April 3, 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 CC)

1. Roll Call

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

2. Open Forum

No presentations made under Open Forum.

3. Approval of Consent Agenda

The Board moved to approve the Drainage District Consent Agenda.

4. AI-31648 Approval to execute NRCS funding agreements as it relates to Hurricane Alex weir repairs. (Audio Tape # 1, Tracking # 23)

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

5. AI-31667 Discussion and action for support by Metro-Planning Organization (MPO) on Raymondville Drain U S 281 crossing.

Godfrey Garza informed the Board that an item is going before the MPO Board for approval of \$1.5 million in funding.

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 items 6.A & B.

7. Open Session:

A. Real Estate Acquisition

B. Pending and/or Potential Litigation

NO ACTION taken on items 7.A & B.

8. Closed Session:

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

9. Open Session:

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

NO ACTION taken on items 8 & 9.

10. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
April 3, 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 # 13)

(Exhibit DD)

On motion of Commissioner Quintanilla, 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

2. AI-31637 Drilling Permit

KEBO OIL & Gas - AERO #1 Well

Lot 22, Block 3, Hidalgo Canal S/D, Porcion 64, Abstract 44, ancient Jurisdiction of Reynosa, Mexico, now situated in Hidalgo County Texas

AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
EMERGENCY MEETING
April 3, 2012
9:00 A.M.

NOTICE is hereby given in accordance with Chapter 551.045 (b)(1) (media has been contacted), Texas Government Code, that an EMERGENCY MEETING as it relates to a control structure failure WHICH POSES AN IMMINENT THREAT TO PUBLIC HEALTH AND SAFETY, a 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:

EMERGENCY MEETING

(Audio Tape # 1, Tracking # 13)
(Exhibit EE)

1. Roll Call

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

2. Discussion and action as it relates to a failure of control structure due to storm waters of March 29, 2012 on the main floodwater channel in Willacy County

Godfrey Garza updated the Board of the weir failure caused by the recent rain storm. Mr. Garza then asked for authority to bring in an engineering firm on board to begin negotiations with the construction company. He explained that his reasons to go with the same vendor is that they are on the onset of hurricane season, the company is experienced, already has the equipment and they would mobilize quickly. Mr. Garza asked for their direction as to how to proceed.

Steve Crain, Legal Counsel, expressed some concerns and asked that the Board come back next Tuesday to declare an emergency, in the meantime, have the contracts prepared to be brought back next Tuesday.

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

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 3rd day of April, 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 April 03, 2012.

Signed this 11 day of April 2012

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

(Seal)

By: _____
Priscilla Torres, Deputy