

SPECIAL MEETING – APRIL 17, 2012

BE IT REMEMBERED, that on this 17th 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 17, 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 were counted present, with the exception of Commissioner Hector Palacios and Commissioner Flores. Commissioner Flores joined the meeting shortly after commencement.

2. Pledge of Allegiance

Adrian Bautista from Mission III HeadStart led the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Commissioner Quintanilla led the Court in Prayer.

Commissioner Hector Palacios joined the meeting.

At this point, the Court took items 13, 6, 7 and 12. A. out of order.

4. Approval of Consent Agenda

The Court moved to approve the Consent Agenda.

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

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." (Audio Tape # 1, Tracking # 3253)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the exemption as it pertains to CL-12-1033-E; Oscar Vela v. Hidalgo County Sheriff's Office and Club Fuego, LLC.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the exemption as it pertains to CL-12-1006-F; Maria Isabel Martinez and Hector Javier Loredo v. County of Hidalgo.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the exemption as it pertains to the Claim of Oscar Reyna.

2. Requesting engagement with the firm of _____ for the "Provision of Legal Services/Representation in connection with Litigation" (Audio Tape # 1, Tracking # 3272)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to engage with the firm of Preston Henrichson for the "Provision of Legal Services" as it pertains to CL-12-1033-E; Oscar Vela v. Hidalgo County Sheriff's Office and Club Fuego, LLC.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to engage with the firm of Bobby Guerra with the Firm of Willette Guerra for the "Provisions of Legal Services" as it pertains to CL-12-1006-F; Maria Isabel Martinez and Hector Javier Loredo v. County of Hidalgo.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to engage with the Firm of Atlas & Hall for the "Provisions of Legal Legal Services" as it pertains to the Claim of Oscar Reyna.

B. AI-31924 Budget & Mgmt./Workers Comp.:

Requesting permission/approval of travel request for Damaris SanMiguel, Dina Trevino, Rey Salazar, Flora Vazquez, and Joe Jackson, to attend the 2012 County Mgmt. Institute to be held on May 2-4, 2012 in Austin, TX. (Audio Tape #1, Tracking # 2045)

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

C. AI-31761 I. T. Department:

Requesting permission for Renan Ramirez to travel to San Antonio, Texas May 22-24, 2012 to attend the Texas Association of Governmental IT Managers 2012 Conference.

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

D. AI-31852 Veterans Services:

Requesting permission to allow Felix Rodriguez to travel to Houston, Texas to attend the TVC Accredited Training on April 25-27, 2012 (Texas Veterans Commission will cover all travel expenses)

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

E. AI-31907 Approval to submit application to the Texas Facilities Commission for the Federal Surplus Property Program to receive Federal Surplus Property and authority for County Judge to sign documents.

Valde Guerra, Executive Officer, for the Record: On that document, it asks for representatives, and only those representatives would be, have authority for that surplus. So I'm asking for the designee of the Chiefs for the County Commissioners and myself as a representative on behalf of Commissioners' Court.

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

F. AI-31722 Law Library:

Acceptance of donation to The Law Library from Joanna V. Troppy in the amount of \$125.00.

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

G. AI-31779 Fire Marshal:

Requesting permission for Juan Martinez, Fire Marshal to attend the Texas Division of Emergency Management Council in Kingsville, TX, May 7-9, 2012.

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

H. AI-31912 Proclamation designating April 2012 as National County Government Month - "Healthy Counties, Healthy Families"

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

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

(Audio Tape # 1, Tracking # 1118)

A. AI-31890 Approval of Proclamation in Support of MADD's PowerTalk 21 initiatives and designating April 21 as PowerTalk 21 Day.

Karina Cardoza read the Proclamation into the record.

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

B. AI-31920 Discussion and update on Video Teleconference with U.S. Senator John Cornyn, held in Harlingen on Friday, April 13, 2012. (Audio Tape #1, Tracking # 431)

Ms. Anna Garcia informed the Court that they would be reintroducing the Levy Reimbursement Bill which would give the IBWVC the authority to reimburse Hidalgo County. Further information was provided by Ms. Garcia and Mr. Rutledge.

7. County Courts at Law: (Exhibit N)

(Audio Tape # 1, Tracking # 955)

A. AI-31829 County Court At Law #4 (1100):

1. Approval to reclassify the following full time position effective 05/07/2012, as per Sections 6.27-6.33 of the Hidalgo County Personnel Manual.

| | Current | | Proposed | |
|----------|--|-----------------|---|-----------------|
| Slot No. | Position Title | Budgeted Salary | Position Title | Budgeted Salary |
| 0002 | Bailiff/ Court Administrator/ Court Interpreter | \$80,480.00 | Court Administrator/ Court Interpreter | \$71,240.00 |

2. Approval of the following personnel actions:

| Action | Slot No. | Position Title | Budgeted Salary |
|--------|----------|-----------------------------|-----------------|
| Delete | 0005 | Assistant Court Coordinator | \$32,760.00 |
| Create | 0006 | Bailiff | \$42,000.00 |

3. Approval of revised salary schedule.

Judge Fred Garza explained that he needed to fill a vacancy and that the funds would be coming out of his funding.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 7.A.1, 2 & 3, subject to approval by the Human Resources Director.

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

(Audio Tape # 1, Tracking # 2268)

A. AI-31766 Sheriff's Office - (1284):

1. Approval for acceptance of cooperative agreement between Hidalgo County Sheriff's Office and the U.S. Department of Justice, Drug Enforcement Administration (DEA).

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

2. Approval of Certification of Revenues by the County Auditor for the DEA cooperative agreement for overtime.

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

3. Approval of appropriation of funding for overtime in the amount of \$17,202.25.

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

B. AI-31842 Authorization and Approval for County Judge, as authorized official, to sign Closeout Grant Adjustment Notice for the 2008 Operation Stonegarden Grant.

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

C. AI-31830 1. Approval and Acceptance of extension of the 2009 Operation Stonegarden Grant. New termination date is 04/30/12. (Prior termination date was 04/01/12.)

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

2. Authorization for County Judge, as authorized official, to sign required documents (grant adjustment notice, and exhibits b & c).

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

D. AI-31794 Approval of the resolution, receipt of agreement, affidavit, and declaration of surplus pursuant to the statute regarding the retirement of Hidalgo County Sheriff's Office K-9 "Cody" due to medically required reasons. With approval for K-9 handler Senior Deputy Jaime Garcia to keep and house (Transfer of Ownership) K-9 "Cody" after removal from Hidalgo County Sheriff's Office service.

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

E. AI-31773 Requesting approval for reimbursement for Sheriff Guadalupe Trevino in the amount of \$99.27. Reimbursement is being requested due to Sheriff Trevino having to pay for fuel expense after Comdata card did not work.

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

F. AI-31768 Approval of 2012 appropriation of funds for the Jail Commissary Account (2102) in the amount of \$48,000.00.

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

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

(Audio Tape # 1, Tracking # 2468)

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

NO ACTION taken on this item.

10. IT Department - Renan Ramirez (Exhibit Q)

(Audio Tape # 1, Tracking # 2473)

A. AI-31775 Planning Dept.:

Authorization and approval of current service plan through the County's membership/participation with Contract: DIR-SDD-604 with Verizon Wireless (Requisition# 214061) for the following:

| Employee Name: | Employee Number: | Service Plan: | Service Plan Cost: | Months: | Cell Phone Number: |
|---------------------|------------------|--|----------------------------|--------------------|--------------------|
| Jose Tovar | 140619 | Nationwide Unl. Talk & Text + Taxes & Fees | \$72.89 + \$5.00 = \$77.89 | January-April 2012 | 956-648-7780 |
| Humberto Garza | 100315 | Nationwide Unl. Talk & Text + Taxes & Fees | \$72.89 + \$5.00 = \$77.89 | January-April 2012 | 956-648-7857 |
| Roy Cantu | 158887 | Nationwide Unl. Talk & Text + Taxes & Fees | \$72.89 + \$5.00 = \$77.89 | January-April 2012 | 956-648-7860 |
| Rodolfo Rios | 154385 | Nationwide Unl. Talk + Taxes & Fees | \$56.69 + \$5.00 = \$61.69 | January-April 2012 | 956-648-7923 |
| Gilberto Pecina | 159131 | Nationwide Talk Small Business SHR 4000 + Taxes & Fees | \$39.15 + \$5.00 = \$44.15 | January-April 2012 | 956-648-7053 |
| Jonathan Isidro | 180033 | Nationwide Talk Small Business SHR 4000 + Taxes & Fees | \$39.15 + \$5.00 = \$44.15 | January-April 2012 | 956-515-6020 |
| Edgar Isidro | 166618 | Nationwide Talk Small Business SHR 4000 + Taxes & Fees | \$39.15 + \$5.00 = \$44.15 | January-April 2012 | 956-648-7812 |
| Efrain Ceballos | 181722 | Nationwide Talk Small Business SHR 4000 + Taxes & Fees | \$39.15 + \$5.00 = \$44.15 | January-April 2012 | 956-648-7006 |
| Arturo A. Hernandez | 180181 | Nationwide Talk Small Business SHR 4000 + Taxes & Fees | \$39.15 + \$5.00 = \$44.15 | January-April 2012 | 956-515-6860 |

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the current service plan as listed.

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

(Audio Tape # 1, Tracking # 2503)

- A. AI-31756 Urban County Program on behalf of Hidalgo County Precinct No. 1 and the City of Elsa, is requesting authority to purchase Fire Station/Equipment (bunker gear) for the Elsa Volunteer Fire Department. Purchase will be made from Casco Industries, Inc. (contract #363-10) an approved vendor through Hidalgo County's membership and participation with Buyboard. The total amount for the purchase is \$24,904.75 (quote attached), as requested by the Hidalgo County Precinct No. 1 for the Elsa Volunteer Fire Department utilizing UCP FY 24 (2011) Pct. 1 Fire Station/Equipment line item.**

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

- B. AI-31900 Urban County Program on behalf of the City of San Juan is requesting consideration and action to award and enter into a construction contract with FJW Construction for the Water/Sewer**

Improvements project in the amount of \$248,337.00, utilizing City of San Juan funds and UCP Years 19, 21, 22, 23, & 24 (2006, 2008, 2009, 2010 & 2011), Urban County Water/Sewer Improvements line item.

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

- C. AI-31791 Urban County Program on behalf of Hidalgo County Precinct No. 1 and the City of La Villa, is requesting authority to purchase Fire Station/Equipment (bunker gear) for the La Villa Volunteer Fire Department. Purchase will be made from Casco Industries, Inc. (contract #363-10) an approved vendor through Hidalgo County's membership and participation with Buyboard. The total amount for the purchase is \$39,631.94 (quote attached), as requested by the Hidalgo County Precinct No. 1 for the La Villa Volunteer Fire Department utilizing UCP FY 23 (2010) Pct. 1 Fire Station/Equipment line item and City of La Villa general funds.**

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

- D. AI-31790 The Urban County Program on behalf of the City of Progreso is requesting approval and award of best and final negotiated contract with Raba Kistner Consultants, Inc. in the amount of \$8,650.00 utilizing CDBG Year 23 & 24 (2010 & 2011) for the City of Progreso – Street Improvements.**

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

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

(Audio Tape # 1, Tracking # 1330)

- A. AI-31875 Discussion and/or action, including but not limited to Elections updates**

Presentation by Ms. Yvonne Ramon and Ms. Dolly Elizondo regarding the early voting polling places, deadlines, training, etc. Ms. Ramon explained that they are having issues with the Edcouch Fire Station and the La Joya I.S.D. locations. Ms. Elizondo announced that the Democratic Party will be holding their delegate convention this Saturday at the McAllen Convention Center.

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

(Audio Tape # 1, Tracking # 178)

- A. AI-31836 Proclamation for Week of the Young Child**

Ms. Teresa Flores read the Proclamation for the record.

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 U)

(Audio Tape # 1, Tracking # 2644)

A. AI-31818 Discussion and Authorization to approve appraisal waiver on donated land and pay damages in the amount of \$8,700.00 on the Mile 17 North Road Project - Parcel 5 (Pct 1).

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

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

(Audio Tape # 1, Tracking # 2690)

A. AI-31866 1. Release of Letter of Credit

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

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

16. Precinct #4 - Comm. J. Palacios: (Exhibit W)

A. AI-31614 Requesting approval to accept the Memorandum of Understanding between Hidalgo County Veterans Service Department and the Veterans Affairs, Veterans Center for counseling services at the McAllen Veterans Center.

NO ACTION taken on this item.

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

(Audio Tape # 1, Tracking # 2725)

A. AI-31663 1. Discussion, consideration and approval to surplus 3 tracts of land totaling 12.25 acres out of lot (15) fifteen, section 245 of the Texas-Mexican Railway survey of land for the purpose of disposition to another political subdivision.

2. Discussion, consideration and approval of an Interlocal Cooperation Agreement Between Hidalgo County Drainage District #1 and the County of Hidalgo for the sale and purchase terms of certain property to Hidalgo County Drainage District #1 made payable by funds of the Drainage District for a total of \$575,626.

NO ACTION taken on items 17.A.1 & 2.

B. Budget Appropriations:

1. AI-31904 Justice Crt Bldg Security (1245): Approval of 2012 appropriation of funds for Justice Court Building Security in the amount of \$15,079.56 to fund purchase of surveillance camera software and hardware for Pct. 2 Justice of the Peace offices.

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

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

(Audio Tape # 1, Tracking # 2750)

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"**
- 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.1, 2 & 3.a, b & c.

B. Pct. 3

- 1. AI-31757 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional services;**

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

b. Presentation of scoring grid (for the purpose of ranking by CC) of the firms graded & evaluated through the County's approved "pool" in connection with professional engineering services required for an "Environmental Study" regarding Pct. 3 Old Administration Bldg., Warehouse and Shop Complex;

| Firms | Grade | Rank |
|----------------------|-------|------|
| L&G | 99 | 1 |
| Izaguirre Eng. Group | 84 | 3 |
| DOS Logistics | 90 | 2 |

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

c. Authority for the Purchasing Department to negotiate a professional services contract with No. 1 ranked firm of L & G for the provision of "Environmental Study" services;

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

d. Subject to results of environmental study report, requesting authority to proceed with the following options:

1. Advertise the sale or exchange of the properties as previously authorized by CC in July 2011 (which would include any updated fair market value appraisals and the adjustment of the minimum acceptable bids given the impact of the environmental report results, if any); OR

NO ACTION taken on this item.

2. Dispose of the property through any of the other options/exceptions permitted under Texas LGC 272.001; OR,

NO ACTION taken on this item.

3. Proceed to demolish the structures (improvements) on property in accordance with any statutorily required abatements, remediations, clean-up or the like as a result of the environmental study reports of soil and/or structures, if applicable;

NO ACTION taken on this item.

C. Elections Department

1. AI-31774 Requesting approval of a "clarification/correction" to awarded agenda item No. 29069 approved by CC on October 18, 2011 for the project: "Renovations and Additions to the Elections Warehouse"(2011-147-09-20-MSS), where the awarded contingency allowance of \$25,000.00 was specifically made for HVAC, be modified to be a general contingency allowance thus allowing unforeseen construction costs be covered by this allowance and avoid project total cost to increase.

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

D. Colonia Access Program Pct. 2

1. AI-31819 Seeking approval of Change Order No. 1 with contractor Homero Alvarez dba Alvarez Construction for Morningside South Subdivision, Pct. No. 2 reflecting an additional 101 calendar days to contract time due to rain days and the acquisition of Hidalgo County Crossing Permit and

Hidalgo County Irrigation District #2 Permit and the coordination with Irrigation District operations as submitted through project engineer SAM Engineering and Surveying, Inc. (C-CAP-11-022-03-07).

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

E. Sheriff's Office

1. 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;

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

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.

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

19. Open Forum

-Virginia Townsend requested that the Open Forum be moved to the beginning of the meeting.

-Fern McClaugherty expressed her concerns on how the Commissioners' Court is spending money, discussed Drainage issues, transportation system and the new courthouse plans.

-Karina Cardoza informed the Court and Audience of the Green Spring Festival showcasing the County's energy projects.

20. Closed Session: (Exhibit Z)

(Audio Tape # 1, Tracking # 1831)

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-31898 C-11-1839-F; Jose Alfredo Gallegos v. Hidalgo County Precinct #4

D. AI-31891 CL-09-1306-B; Fernando Elizondo v. Daniel Rodriguez v. Ernesto Solis

E. AI-31833 CL-12-1033-E; Oscar Vela v. Hidalgo County Sheriff's Office and Club Fuego, LLC

F. AI-31831 CL-12-1006-F; Maria Isabel Martinez and Hector Javier Loreda v. County of Hidalgo

G. AI-31895 EEOC Charge No. 451-2011-01873; Oscar Leyva

H. AI-31860 Claim of Oscar Reyna

I. AI-31863 Claim of Hidalgo County against Alma L. Jovellar

J. AI-31822 Deliberation regarding the following Economic Development Negotiations pursuant to Chapter 551, Texas Government Code, Section 551.087: Project Soft Touch - Tax Abatement.

NO ACTION taken on items 20.A through J.

21. Open Session: (Exhibit AA)

(Audio Tape # 1, Tracking # 3214)

A. Real Estate Acquisition and appropriation for same

Joe Pena will proceed as directed.

B. Pending and/or potential litigation

NO ACTION taken on this item.

C. AI-31897 C-11-1839-F; Jose Alfredo Gallegos v. Hidalgo County Precinct #4

Proceed as directed.

D. AI-31892 CL-09-1306-B; Fernando Elizondo v. Daniel Rodriguez v. Ernesto Solis

Proceed as directed.

E. AI-31834 CL-12-1033-E; Oscar Vela v. Hidalgo County Sheriff's Office and Club Fuego, LLC

Refer to items 5.A.1 & 2.

F. AI-31832 CL-12-1006-F; Maria Isabel Martinez and Hector Javier Loreda v. County of Hidalgo

Refer to items 5.A.1 & 2.

G. AI-31896 EEOC Charge No. 451-2011-01873; Oscar Leyva

Proceed as directed.

H. AI-31861 Claim of Oscar Reyna

Refer to items 5.A.1 & 2.

I. AI-31864 Claim of Hidalgo County against Alma L. Jovellar

Valde Guerra disclosed for the Record: We will be turning this in to Josie Ramirez, our in-house counsel.

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

J. AI-31823 Deliberation regarding the following Economic Development Negotiations pursuant to Chapter 551, Texas Government Code, Section 551.087: Project Soft Touch - Tax Abatement.

Steve Crain, Legal Counsel, informed the Court that they would be working on an agreement to bring back to court for approval.

NO ACTION taken on this item.

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 Quintanilla, the Court made a UNANIMOUS vote of approval to Adjourn.

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
April 17, 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.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of items 8.A, 11.D, 11.F, and 11.I.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 8.A, subject to submittal of affidavit.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve item 11.D, subject to submission of invoices.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve item 11.F, subject to submission of breakdown and capitalizing expenses.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 11.I, subject to submission of proper documentation so that equipment may be tagged properly.

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-31743 2012 - Civil Service (1100)**
 - B. **AI-31744 2012 - Human Resources (1100)**
 - C. **AI-31856 2012 - County Clerks (1238)**
 - D. **AI-31887 2012 - Veterans Services Office (1100)**
 - E. **AI-31668 2012- Elections Department (1283)**
 - F. **AI-31669 2012- Elections Department (1283)**
 - G. **AI-31742 2012 - Tax Office (1100)**
 - H. **AI-31732 2012 - Treasurer's Office (1100)**
 - I. **AI-31718 2012 - Health & Human Services Dept. (1100)**
 - J. **AI-31721 2012 - Health & Human Services Dept. (1100)**
 - K. **AI-31733 2012 - Sheriff's Office (1284)**
 - L. **AI-31884 2012 - Co. Wide Admin. (1100)**
 - M. **AI-31859 2012 - Pct. #1 Parks (1100)**
 - N. **AI-31810 2012 - Pct. 2 El Gato Rd (1200)**
 - O. **AI-31812 2012 - Pct 2 Parks (1100)**
 - P. **AI-31843 2012 - Pct. #3 BCAP (1312)**
 - Q. **AI-31844 2012 - Pct. #3 BCAP (1312)**

3. **2012 Interdepartmental transfers: (Exhibit C)**
 - A. **AI-31837 Pct. 1-4 Sanitation (1100):**

Approval of 2012 interdepartmental transfer from Co. Wide Adm.-Contingency to Pct. 1-4 Sanitation in the amount of \$359,833.00 to fund various operating expenditures.

4. **Planning Department: (Exhibit D)**
 - A. **AI-31841 1. Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)**

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

A. AI-31821 The North Alamo Water Supply Corporation:

- 1. Approximately 500' east of Tower Rd on the north side of Canton Rd- Bore- Baldomero Cervantes Jr; 3/4" service connection**
- 2. Approximately 1,000', 1,200' west of FM 1015 on the north and south side of mile 11N- Bore- 6' waterline 10" PVC casing- Sheriff's Sub Station (Hidalgo County)**

Texas Gas Service:

- 1. Gas line to be repaired at 8254 Valdez Rd, Monte Alto, Texas. Cross roads are between 5th & 6th Street.**

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

A. AI-31835 Approval of 457 plan hardship withdrawal request for employee #089761

7. Tax Refunds: (Exhibit G)

A. AI-31713

| Acct# | Payer | Amt |
|----------------------|---------------|------------|
| U4050.00.000.000B.00 | L, G, B&S LLP | \$12175.00 |

8. Membership Dues: (Exhibit H)

A. AI-31750 HIDTA:

Requesting approval to pay the 2012 Texas Narcotic Officers Association membership dues in the amount of \$440.00 (\$40.00 per member) (REQ#00213537) for the Hidalgo County HIDTA Commander, Assistant Commander, seven (7) Criminal Investigators, one (1) Deputy Constable (assigned to HIDTA), one (1) U.S. Border Patrol agent (assigned to HIDTA) with authority for the County Treasurer to issue payment after review, audit, and processing procedures are completed by County Auditor.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 8.A, subject to submittal of affidavit.

9. Urban County: (Exhibit I)

- A. AI-31739 Request approval to enter into three (3) "Homebuyer Assistance Program" Contracts under the Home Program.**
- B. AI-31789 Request for approval of one (1) applicant in the Countywide area under the HOME Homeowner Occupied Housing Rehabilitation Program.**

10. Auditor's Office: (Exhibit J)**A. AI-31708 Monthly collection reports for May and December 2011, and January and February 2012.**

| OFFICE | FEES & COST | MONTH |
|--|------------------------|---------------|
| The Hon. Espiridion Jackson, Justice of the Peace | \$ 24,008.83 | May 2011 |
| The Hon. Charlie Espinoza, Justice of the Peace | \$ 66,013.15 | December 2011 |
| The Hon. Gilberto Saenz, Justice of the Peace | \$ 65,016.55 | January 2012 |
| The Hon. Rosa E. Trevino, Justice of the Peace | \$ 75,865.90 | January 2012 |
| The Hon. Homero Jasso, Justice of the Peace | \$ 16,238.90 | January 2012 |
| The Hon. Armando Barrera, Tax/Assessor Collector | \$ 64,238,486.75 | January 2012 |
| Mr. Eduardo Olivarez, Chief Administrative Officer | \$ 22,010.00 | January 2012 |
| The Hon. Joel Quintanilla, Comm. Pct. 1, Delta Lake | \$ 1,090.00 | February 2012 |
| The Hon. Celestino Avila, Constable Precinct No. 1 | \$ 600.00 | February 2012 |
| The Hon. Gilberto Alaniz, Constable Precinct No. 2 | \$ 620.00 | February 2012 |
| The Hon. Larry Gallardo, Constable Precinct No. 3 | \$ 18,614.80 | February 2012 |
| The Hon. Daniel Marichalar, Constable Precinct No. 5 | \$ 420.00 | February 2012 |
| Ms. Angie Chapa, Law Librarian | \$ 1,596.75 | February 2012 |
| Mr. Juan Martinez, Fire Marshal | \$ 6,553.00 | February 2012 |
| Mr. Eduardo Olivarez, Chief Administrative Officer | \$ 31,595.00 | February 2012 |
| The Hon. Arturo Guajardo, Hidalgo County Clerk | \$ 10,590.12 | February 2012 |
| The Hon. Gilberto Saenz, Justice of the Peace | \$ 87,849.05 | February 2012 |
| The Hon. Jesus E. Morales, Justice of the Peace | \$ 56,525.75 | February 2012 |
| The Hon. Bobby Contreras, Justice of the Peace | \$ 73,758.66 | February 2012 |
| The Hon. Rosa E. Trevino, Justice of the Peace | \$ 112,914.50 | February 2012 |
| The Hon. Luis Garza, Justice of the Peace | \$ 77,627.44 | February 2012 |
| The Hon. Charlie Espinoza, Justice of the Peace | \$ 147,845.50 | February 2012 |
| The Hon. Espiridion Jackson, Justice of the Peace | \$ 36,678.47 | February 2012 |

11. Purchasing Dept: (Exhibit K)**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-31786 Acceptance and approval of the following invoices submitted by contracted/project engineer, L & G Consulting Engineers, Inc.:

1. Invoice No. 11324073- \$49,350.00 for "La Homa ROW"- C-11-312-02-07

2. Invoice No. 11324084- \$14,358.15 for "Mile 2 North (From Moorefield Rd to La Homa Rd)"- C-11-195-06-28

3. Invoice No. 11324092- \$10,500.00 for "FM 681 Project; From FM 2221/FM 492"-C-09-192A-06-08;
 4. Invoice No. 11324091- \$24,080.65 for "FM 681 From FM 2221 to SH 107"-C-09-192-06-08;
 5. Invoice No. 11324100-\$99,237.93 for "Mile 2 North (Inspiration to Moorefield)
- B. AI-31703** Requesting approval to correct asset tag #44621 to 49174 for one Sig Sauer P226 weapon previously approved by Commissioners Court to be surplus for trade in value on January 24, 2012 (refer to AI #30443, item 7.A).
- C. AI-31880** Acceptance and approval of request for payment of Invoice #1102707-6 in the amount of \$32,981.98 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-31874** Acceptance and approval of Invoice #11324071 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.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve item 11.D, subject to submission of invoices.

- E. AI-31846** Acceptance and approval of request for payment of Invoice #4766 in the amount of \$33,480.00 from Guzman & Munoz Engineering & Surveying, Inc. under Contract #C-11-202-08-09-PO#665966 amid Work Authorization No. 001 for Phase 2-Engineering Design Services in connection to the Professional Engineering Services of Constable Pct. 1 Office Building Project with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.
- F. AI-31788** Requesting approval of payment for Invoices (as set forth below) and as submitted by PRODIGY with authority for County Auditor to review and complete processing procedures and for County Treasurer to issue payment in connection to Contract #C-11-235-10-25 (PO#666986), for "Professional Construction Management Services" for the "New Administration Offices/Building for Hidalgo County Precinct No. 4";

- 1) Invoice #3 - \$ 4,375.00 - January
- 2) Invoice #4 - \$ 4,375.00 - February
- 3) Invoice #5 - \$ 4,375.00 - March

Grand Total \$13,125.00

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve item 11.F, subject to submission of breakdown and capitalizing expenses.

- G. AI-31784** Approval of final modifications to procurement packet as modified and recommended by Sheriff's Office for RFP: "Placement, Housing and Supervision of H.C. Inmates as previously approved on authority to advertise on CC meeting of 12-29-11. (Proj. No.: 2012-034-00-00CGA)
- H. AI-31787** Acceptance and approval of request for payment of invoices as submitted by L&G Consulting Engineers, Inc. with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed for the following invoices as follow:
1. Invoice #11324086-PO#596375-\$23,012.63-Engineering services for month of March 2012 (C-07-451-12-26 Amid WA#1)

2. Invoice #11324087-PO#617489-\$30,000.00-Engineering services for month of March 2012 (C-08-417-12-09 Amid WA#1)

3. Invoice #11324088-PO#655583-\$2,252.10-Engineering Services for month of March 2012 (C-08-417-12-09 Amid WA#2)

I. AI-31745 Approval for Comdata Corporation Services, Inc. to add /delete additional fuel card(s) and/or driver(s) for:

1. Adult Probation Department - Three New Fuel Cards

2. Health Department - Delete cards

3. Constable Pct No. 1 - Add three new fuel cards and one driver

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 11.I, subject to submission of proper documentation so that equipment may be tagged properly.

J. AI-31737 Auditor's Office:

Requesting authority to enter into an annual software renewal with AuditWare Development Co., Inc. for the Auditor's Office through the following requisition #213401 in the total amount of \$1,020.00/year;

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
April 17, 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 BB)

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 at this time.

4. 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 items 4.A & B.

5. Open Session:

A. Real Estate Acquisition

B. Pending and/or Potential Litigation

NO ACTION taken on items 5.A & B.

6. Closed Session:

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

7. Open Session:

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

NO ACTION taken on items 6 & 7.

8. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
April 17, 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.

(Exhibit CC)

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**

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 1st day of May, 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 May 01, 2012.

Signed this 4th day of May 2012

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

(Seal)

By: _____
Priscilla Torres, Deputy