

SPECIAL MEETING – JUNE 12, 2012

BE IT REMEMBERED, that on this 12th day of June 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-OFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
June 12, 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

Virginia Townsend led the Court and Audience in Prayer.

4. Approval of Consent Agenda

The Court moved to approve the Consent Agenda.

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

(Audio Tape # 1, Tracking # 537)

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-32695 Request by Texas Alcoholic Beverage Commission to use the "M" Rd. Facility for firearms familiarization course on Saturday, June 16, 2012 from 1-5pm (Audio Tape # , Tracking #)

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

C. AI-32730 Elections Department:

Requesting approval to advertise/hire for the following:

Position	Slot #	Grade
Voter Registration Specialist	0022	5

(Audio Tape #1, Tracking # 914)

Valde Guerra requested that the Court go back to this item so that he could clarify that this position would be for Voter Registration Specialist I.

D. AI-32733 Purchasing Department:

Requesting approval to advertise/hire for the following:

Position	Slot #	Grade
Buyer II	0016	9

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 5.C & D.

E. AI-32554 Fire Marshal:

Requesting permission for Juan Martinez, Fire Marshal to attend the Texas Forest Service Incident Response Training in Waco, Texas. First training is scheduled for July 8-13, 2012 and second training is scheduled for August 19-25, 2012. The lodging and fuel expense will be provided by the Texas Forest Service and the meal expense will be reimbursed to the County.

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

F. AI-32742 Health & Human Services Department:

Requesting permission to allow Brenda G. Salazar to travel to Austin, Texas for Heart & Stroke Health Cities Liaison Collaboration Meeting on June 28-30, 2012 (all expenses to be reimbursed by the State directly to employee)

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

G. AI-32583 Public Defenders Office:

Requesting permission for Jose Martinez, Assistant Public Defender for travel to attend the Winning Trial Tactics on July 11-13, 2012 to South Padre Island, Texas.

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

H. AI-32557 Safety Division:

Requesting permission/approval of travel request for Armando Guzman and Lorenzo Ortiz to attend the Texas Forest Services 2012 Position Specific Training to be held in Waco, Texas on June 25-28, 2012

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

I. AI-32766 Discussion, consideration and action on Mercado Delta Lease Agreement and County of Hidalgo

Valde Guerra, Executive Offer, commented that the Congressman's Office agreed to include the utilities in the rental, if the Court so wishes to take action on today. Mr. Guerra then made a correction to and clarified that the standard out clause should be 30 days, and not 3 days, as stated on the contract.

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

J. AI-32755 Discussion and appropriate action regarding the Open Forum agenda item and related policies and procedures as applicable

Commissioner Hector Palacios moved to have the Open Forum agenda item moved to the beginning of the Agenda. The motion died for lack of a second.

6. Constables: (Exhibit K)

(Audio Tape # 1, Tracking # 1050)

A. AI-32667 Constable Pct. #4:

Discussion, consideration, and approval for Hidalgo County Constable Precinct 4 to enter into an Interlocal Cooperative Agreement with Hall County Sheriff's Office for the purposes of TLETS/NLETS access on their COPSync message switch.

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

B. AI-32678 Constable Pct. #4:

Discussion, consideration, and approval for Hidalgo County Constable Precinct 4's continued participation in Texas 1033 surplus property program.

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

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

(Audio Tape # 1, Tracking # 1113)

A. AI-32453 Appointment of the City of McAllen's nominee to the Hidalgo County Regional Mobility Authority (term 2/2/12-2/1/14)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote of approval to appoint Mr. David Guerra as the City of McAllen's nominee.

B. AI-32765 Appointment of Armando Lozano as volunteer intern at Public Affairs Division

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

8. County Clerk's Office - Arturo Guajardo, Jr.: (Exhibit M)

(Audio Tape # 1, Tracking # 380)

A. AI-32611 Approval to select the names for the 2012 Grievance Committee, pursuant to Texas Local Government Code Section 152.015.

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to select the County Judge, Sheriff, County Tax Assessor/Collector, County Treasurer, County Clerk, District Clerk, County Attorney or Criminal District Attorney and two additional individuals from the public to make up the difference of the Grievance Committee.

The individuals selected are:

1. Lina Salinger, McAllen
2. E.J. Saldana Jr., McAllen

The Alternates selected are:

1. Carmen Garza, Edinburg
2. Olivia Ramirez, Pharr
3. Ernesto Martinez Jr. , Weslaco
4. Robert Lopez, Edinburg

(Audio Tape #1, Tracking # 925)

Virginia Townsend later came before the Court to discuss the Grievance Committee. She then commented that if they sign up for discussion on an Agenda Item, that the individuals should be recognized.

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

(Audio Tape # 1, Tracking # 1275)

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

Eddie Olivarez provided the Court an update on the Indigent Health Care Program and the 1115 Waiver.

B. AI-32587 Requesting authorization to submit the renewal grant application for the Regional and Local Services System FY 13 funding in the amount of \$102,403.44.

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

C. AI-32590 1. Requesting authorization to appropriate an additional amount of \$12,000.00 of TB Division Program Income projected to be generated through 08/31/12.

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

2. Requesting approval of the Certification of Revenue as certified by the County Auditor.

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

10. Urban County - Diana Serna: (Exhibit O)

(Audio Tape # 2, Tracking # 1372)

A. AI-32597 The County of Hidalgo Urban County Program (UCP) is disclosing that Santos Villarreal, who has applied for Owner-Occupied Rehabilitation housing assistance, is the cousin of the Disaster Recovery Program Intake Clerk II, Angelita Ramos.

Ms. Diana Serna came before the Court to disclose the relation between employee and applicant. She further explained that they are following all State regulations.

NO ACTION was taken on this item.

B. AI-32599 The Urban County Program is requesting the award of bids and approval of contract for the demolition and reconstruction of the following:

1. (1) Unit in the Countywide area in the amount of \$47,400.00 to Rigney Construction & Development.

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

2. (1) Unit in the City of San Juan, (1) unit in the City of Edcouch, (1) unit in the City of Progreso and (2) units in the City of Weslaco in the amount of \$243,510.00 to G & G Contractors.

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

C. AI-32699 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) 'a professional service';

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

2. Presentation of the scoring grid for the purpose of ranking by Commissioner’s Court of at least three (3) architectural firms from the county’s approved “pool” as graded and evaluated by the City of Hidalgo, Urban County Program, and Hidalgo County Purchasing Department, in connection with and funded through Hidalgo County Urban County Program Year 23 & 24 (2010 & 2011) City of Hidalgo, Non-Residential Historical Preservation project.

Professional Service Firm	Grade	Ranked
EGV Architects, Inc.	94.50	1
Megamorphosis, Inc.	88.00	2
Gomez Mendez Saenz, Inc.	84.34	3

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

3. Authority to negotiate a professional architectural service contract with the highest ranked firm of for the provision of architectural services for Urban County Program Year 23 & 24 (2010 & 2011) City of Hidalgo, Non-Residential Historical Preservation project.

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

11. Elections Administration - Yvonne Ramon: (Exhibit P)

(Audio Tape # 1, Tracking # 1511)

A. AI-32754 1. Discussion and/or action, including but not limited to Elections updates

2. Discussion and Approval of Early Voting Sites for the Primary Runoff Election, July 31, 2012.

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 11.A.1 & 2.

B. AI-31617 1. Approval of 2012 certification of revenues, as certified by the County Auditor, for 2011 Chapter 19 funds.

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

2. Approval of 2012 appropriation of funds for Chapter 19 funds (1283) in the amount of \$110,483.25.

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

12. Head Start Program - Teresa Flores: (Exhibit Q)

(Audio Tape # 1, Tracking # 1579)

A. AI-32694 Requesting Authorization/Approval to Solicit/Request Proposals from Awarded Job Order Contractors (Through County's Membership and Participation in Various Cooperative Purchasing Program/Associations, etc.) for the Roof Repair of the Palmview III Head Start Center Facilities USA, LLC; Alpha Building Corporation and CAS Companies so as to determine the best value under Texas Local Government Code 271.113

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

13. Right of Way - Joe Pena: (Exhibit R)

(Audio Tape # 1, Tracking # 1620)

A. AI-32734 Consideration and approval to purchase a certain tract of land also known as Parcel 3, Minnesota Drainage Project. (Pct.2)

On motion of Commissioner Hector Palacios, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval in the amount of \$9,000.00.

B. AI-32738 Authorization for County Judge to execute closing documents for the Edinburg Airport Property.

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

14. Precinct #2 - Comm. H. Palacios: (Exhibit S)

(Audio Tape # 1, Tracking # 1656)

A. AI-32545 Requesting acceptance and approval of Change Order No.2 with increase in the amount of \$5,705.40 and increase total days of (93) calendar days, with Saenz Utility Contractor, Ltd (#C-11-044A-06-28) contracted vendor for "Tower Road Phase I Project", reason for extension: unable to start work due to storm sewer system being installed (83 days) and another (10) due to inclement weather, with authority for County Judge or Court Member to execute document.

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

15. Purchasing Department - Marty Salazar: (Exhibit T)

(Audio Tape # 1, Tracking # 1682)

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

- 4. AI-32750**
 - a. Presentation of correspondence from vendor, Bouganvilias Construction, for Commissioner's Court to permit/approve the withdrawals of the bid submitted for the construction of a new Constable, Pct. #1 building/offices; and, if approved,**
 - b. Discussion and action in connection with County's options to possibly retain Bid Bond (5% of vendor's bid amount) from Bouganvilias Construction, if applicable and feasible;**
 - c. Presentation of bids received for the purposes of award the base bid to the lowest responsive responsible bidders for the following projects:**

	Project No.	Description	Bid Award Recommended Vendor	Bid Amount	Recommendation by:
A.	2012-028-05-09-MSS	Hidalgo County - Construction of New Constable Precinct No. 1 Offices	Holchemont, LTD	\$724,000.00	Project Architect: Alcocer Garcia Associates, Inc. Construction Manager: G.A.S. Enterprises, Inc.
B.	2012-028A-05-09-MSS	Hidalgo County - Construction of New Constable Precinct No. 1 Offices-Parking Lot and Off-Site Drainage	FJW Construction	\$431,513.25	Project Engineer: Guzman and Munoz Engineering and Surveying, Inc. Construction Manager: G.A.S. Enterprises, Inc.

NO ACTION taken on items 15.A.4.a, b & c.

5. **AI-32466 a. Approval to rescind action taken by Commissioners Court on May 8, 2012 on Agenda Item #32015 for the approval of an "Amendment" to Contract #C-12-008A-03-20-MEG-Printing Services And Related Supplies (approved by CC 03/20/12); and**

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

- b. Acceptance and approval of the revised "Amendment" to Contract #C-12-008A-03-20-MEG-Printing Services And Related Supplies, so as to proceed with the execution of the contract including the revised amendment.**

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

6. **AI-32628 Requesting approval of a professional engineering services agreement with L&G ENGINEERING LABORATORY, LLC d/b/a L&G ENGINEERS, INC. for the purposes of "Construction Material Testing" in connection to the "HIDALGO COUNTY PRECINCT NO. 4 PROJECTS" (on an as needed basis).**

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

7. **AI-32633 Approval to re-state agreement between Lexis Nexis and Hidalgo County Public Defender's Office to incorporate additional access at no additional cost.**

NO ACTION taken on this item.

8. **AI-32757 As requested by County Judge's Office and pursuant to Article 3.02, requesting an additional extension (to 7-31-12), for the current agreement between Hidalgo County and Paul Vazaldua, d/b/a, Vazaludua and Associates for Consulting Services for Energy Efficiency Strategy**

Conservation" as the County underestimated the time required for consultant to complete the task given the delays on the part of the County to provide necessary information.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote of approval of the extension through July 31, 2012.

B. Pct. 2

- 1. AI-32631 Pursuant to current contract with R. Gutierrez Engineering Corporation (article 12) C-05-229-06-21, a request for approval by engineer to permit the subcontracting of Ambiotec Engineering Group in connection with Work Authorization No. 2-Tower Road Project;**

Martha Salazar, Purchasing Agent, clarified that this item should read Article 11 instead of Article 12.

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

C. Pct. 3

- 1. AI-32675 Approval of an Amendment No. 4 to the current agreement between Hidalgo County and Cook-Joyce for the provision of engineering services in connection with Precinct #3's Penitas Landfill to reflect the continuation of the scope of work.**

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

D. Pct. 4

- 1. AI-32653 Requesting approval of Change order No 1 (increase) in the amount of \$4,321.00 (need to install additional footage and one (1) double drive gate with additional fifteen (15) additional working days to finalize project) with awarded/contracted vendor, Central Fence & Supply, LTD-C-12-079-05-08 for the "Turnkey Purchase and Installation of Galvanized Fence" 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.

E. Health & Human Services Dept.

- 1. AI-32626 Requesting acceptance and approval of Two (2) Interlocal Cooperation Agreement between Hidalgo County Health & Human Services and Texas Engineering's Extension Service (TEEX), a member of the Texas A & M University System to provide the following training for personnel, including emergency response managers, first-line supervisors and administrators who will play critical roles in public health planning and emergency response:**

1. Early Warning Infectious Disease Surveillance (EWIDS)

2. Operation Lone Star (OLS)-Full Scale Exercise (FSE)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 15.E.1 & 2.

F. Colonia Access Program Pct. 2

1. **AI-32683 Presentation by project engineer, DOS Logistics, Inc. of recommendation for Commissioner's Court to consider and award the lowest bid meeting all specifications to 2GS, LLC in the amount of \$80,125.00 for Bid No. CAP-12-115-05-26-YSI "Road Reconstruction for Esperanza Estates Subdivision."**

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

G. Colonia Access Program Pct. 3

1. **AI-32627 Requesting approval of Work Authorization No. 1 for contract # C-CAP-12-128-05-22 with a proposed fee of \$76,752.71 with Javier Hinojosa Engineering to provide Plans, Specifications and Estimate and Construction Inspection for Round 3 BCAP Project to Hidalgo County Precinct No. 3 for various Border Colonia Access Program Round III Projects.**

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

H. Sheriff's Office

1. **AI-32625 Sheriff's Office:**

- a. **Requesting exemption from competitive bidding requirements under Texas Local Government Code 262.024 (a)(7)(A) ...items for which competition is precluded because of proprietary or secret processes;**

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

- b. **Approval of the Sole Source Declaration for Spillman Technologies, Inc. including authority to purchase and approve Scanning Licenses for 25 scanners being procured thru the DIR contract 1623 for the Sheriff's Office thru requisition 216041 in the amount of \$20,351.74.**

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

16. Open Forum

-Rogelio Mata, Mayor Pro-Temp for Crystal City, informed the Court that they are willing and able to house the overflow of inmates Hidalgo County may have.

-Mr. Hall Youngblood, of Emerald Correctional Facility, further clarified as to what would be included in the housing of inmates.

-Fern McLaugherty requested clarification as to who she should turn in the Public Participation Form and also discussed Open Forum.

-Commissioner Joseph Palacios discussed the Open Forum Policy and asked the residents of Hidalgo County to contact his office if they have any concerns regarding items on the Agenda.

17. Closed Session: (Exhibit U)

(Audio Tape # 1, Tracking # 2673)

On motion of Commissioner Hector Palacios, 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-32549 Claim of Brian Valadez**
- D. AI-32605 Claim of Jorge G. Jaber**
- E. AI-32702 C-2051-11-B; Juan Carlos Valdivia v. County of Hidalgo**
- F. AI-32677 C-2643-11-C; Tomas Fonseca et al v. City of Weslaco and County of Hidalgo**
- G. AI-32762 C-1590-12-C; Mirthala Lopez v. Juan Vasquez and Hidalgo County**

NO ACTION taken on items 17.A through G.

18. Open Session: (Exhibit V)

(Audio Tape # 2, Tracking # 86)

- 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-32550 Claim of Brian Valadez**

Proceed as directed.

NO ACTION taken on this item.

- D. AI-32607 Claim of Jorge G. Jaber**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$3,175.00.

- E. AI-32703 C-2051-11-B; Juan Carlos Valdivia v. County of Hidalgo**

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to tender the balance of the Self Insured Retention under this claim.

- F. AI-32679 C-2643-11-C; Tomas Fonseca et al v. City of Weslaco and County of Hidalgo**

Valde Guerra disclosed to the Court that they will be turning this case over to Josie Ramirez' Office for facilitation on behalf of the County.

G. AI-32763 C-1590-12-C; Mirthala Lopez v. Juan Vasquez and Hidalgo County

Valde Guerra disclosed to the Court that they will be turning this case over to Josie Ramirez' Office for facilitation on behalf of Commissioners' Court.

-Valde Guerra advised the Court and Audience that they would not be holding Commissioners' Court next week. Mr. Guerra clarified that the next Regular meeting would be on June 26, 2012.

19. Closed Session:

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

NO ACTION taken on this item.

20. Open Session:

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

NO ACTION taken on this item.

21. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
June 12, 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 # 355)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of item 9.G.

NO ACTION taken on item 9.G.

(Audio Tape # 1, Tracking # 1000)

The Court took up item 9.G. for clarification/corrections. Martha Salazar clarified that NO ACTION was to be taken on item 9.G.1., but requested that the Court approve items 9.G.2 & 3.

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

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-32752 2012 - 332nd District Court (1100)**
- B. AI-32637 2012 - 430th District Court (1100)**
- C. AI-32674 2012 - 93rd District Court (1100)**
- D. AI-32593 2012 - Constable Pct 4 (1100)**
- E. AI-32764 2012 - Co. Wide Adm. (1100)**
- F. AI-32737 2012 - County Commissioners (1200)**
- G. AI-32604 2012 - Fire Marshal (1100)**
- H. AI-32601 2012 - Health & Human Services Dept. (1100)**
- I. AI-32668 2012 - Health & Human Services Dept. (1293)**
- J. AI-32606 2012 - Health & Human Services Dept. (1293)**
- K. AI-32568 2012 - Health & Human Services Dept. (1293)**
- L. AI-32576 2012 - Health & Human Services Dept. (1293)**
- M. AI-32542 2012 - J.P. 4/2 (1100)**
- N. AI-32661 2012 - Pct. #1 Sanitation (1100)**
- O. AI-32636 2012 - Pct. #2 Administration (1200)**
- P. AI-32741 2012 - Pct. #2 BCAP (1312)**
- Q. AI-32635 2012 - Pct. #2 Rd Maintenance (1200)**
- R. AI-32543 2012 - Pct. #3 Sanitation (1100)**
- S. AI-32629 2012 - Pct. #4 Parks (1100)**
- T. AI-32603 2012 - Pct. #4 Rd. Maint. (1200)**
- U. AI-32613 2012 - Planning Dept. (1100)**
- V. AI-32573 2012 - Public Defender (1100)**
- W. AI-32614 2012 - Sheriff's Office (1100)**
- X. AI-32617 2012 - Sheriff's Federal Sharing - U.S. Dept. of Treasury (Fund 1228)**
- Y. AI-32476 2012 - Tax Office (1100)**

3. 2012 Interdepartmental transfers: (Exhibit C)

- A. AI-32598 Pct. #4 C.O. 2010 A&B Series (1342):**

Approval of 2012 interdepartmental transfer within Certificate of Obligations Series 2010A&B - Precinct #4 Drainage Improvement Project from (program 036) to Dickerson Pond (program 048 - \$47,347.00), and to North Branch Drain (program 049 - \$19,088.33) in the total amount of \$66,435.33 to fund April 2012 Drainage - Labor (PP#7&8) & Fuel Reimbursements.

B. AI-32686 Sheriff's Office (1100):

Approval of 2012 interdepartmental transfer from Co. Wide Adm-Contingency to Sheriff's Office in the amount of \$15,038.31 to transfer funds received for an insurance settlement (AI-32461 CC6-5-12) and replace the damaged vehicle.

4. Planning Department: (Exhibit D)

- A. AI-32697 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. Tax Refunds: (Exhibit E)

A. AI-32578

Acct#	Payer	Amt
00027.90.150.0005.00	Rio Valley Pipe	\$2626.13
E2300.00.001.0002.02	Jaime A Gonzalez Jr.	\$4437.33
E2650.00.000.0001.00	Rolando & Laura E Cantu	\$5886.65
E2650.00.000.0001.00	International Bank of Commerce	\$3596.39
K2400.00.000.0031.03	International Bank of Commerce	\$3001.53
S2200.00.03A.0000.15	Rio Valley Pipe Inc	\$3380.95
T1870.99.000.0000.01	Hart Restaurant Management No2	\$3085.44

6. Membership Dues: (Exhibit F)

- A. AI-32553 Requesting approval to renew membership dues to the Justices of the Peace and Constables Association for Judge Luis J. Garza, Court Coordinator Kimberly J. Echavarria, and Asst. Court Coordinator Willie Coy.**

B. AI-32676 J.P. Pct. 1, Pl. 2:

Approval of 2012 membership dues for JPCA of Texas Inc. for the following, with authority for County Treasurer to issue payment after review and auditing procedures are completed by the County Auditor through (Req. #214326):

Judge Jesse Morales	60.00
Irene I. Cardenas	35.00
Adan Guerrero	35.00
Samuel Trevino	35.00
D'Ann Uresti	35.00
Sandra Adame	35.00

7. Auditor's Office: (Exhibit G)

A. AI-32609 Monthly collection reports for March and April 2012.

<u>OFFICE</u>	<u>FEES & COST</u>	<u>MONTH</u>
The Hon. Guadalupe Trevino, Hidalgo County Sheriff	\$ 221,869.28	March 2012
The Hon. Gilberto Saenz, Justice of the Peace	\$ 70,369.25	March 2012
The Hon. Gilberto Saenz, Justice of the Peace	\$ 59,924.13	April 2012
The Hon. Jesus E. Morales, Justice of the Peace	\$ 30,779.15	April 2012
The Hon. Rosa E. Trevino, Justice of the Peace	\$ 76,160.25	April 2012
The Hon. Luis Garza, Justice of the Peace	\$ 60,692.76	April 2012
The Hon. Bobby Contreras, Justice of the Peace	\$ 95,639.75	April 2012
The Hon. Charlie Espinoza, Justice of the Peace	\$ 95,299.25	April 2012
The Hon. Armando Barrera Jr./Tax Assessor Collector	\$ 3,600,878.09	April 2012

8. Budget & Management: (Exhibit H)

A. AI-32728 Self-Insured Workers' Comp. (2202):

Requesting approval of reimbursement of Hidalgo County Workers' Comp. paying account for claims paid by Tristar Risk Management in the amount of \$69,234.36 for the period of 05/16-31/2012 and requesting approval of wire transfer.

9. Purchasing Dept: (Exhibit I)

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-32481 Human Resources Department:

Acceptance and approval of a Professional Services Agreement between Hidalgo County Human Resources Department and iDocket.com, LLC for a license to utilize the Sapphire Human Resources (HR) software package so as to assist Hidalgo County in providing efficient HR services county-wide, through Purchase Order #671650 in the amount of \$300.00/month.

B. AI-32551 Acceptance and approval to renew for an additional year of current Master Service Interlocal by and between Hidalgo County and Harris County Department Of Education (HCDE); including the interlocal Addendum #1 with Choice Facility Partners awarded Job Order Contract (JOC) Services and finally the Purchasing Cooperative for purchases of products/services, all under the Harris County Department Of Education Interlocal and thus allowing the County to expand procurement resources that are compliant with the bidding requirements.

C. AI-32552 Acceptance and approval to renew an additional year of current Interlocal by and between Hidalgo County and Region VIII Education Service Center's Cooperative Purchasing Program awarded vendor "The Interlocal Purchasing System (TIPS)" as additional resource for the procurement of goods and or services through Region VIII awarded vendors, thus allowing the County to still be an active member of the Cooperative Purchasing Program and utilize resources that are compliant with bidding requirements.

D. AI-32561 Cooperative Agreements:

Approval to utilize the following cooperative purchasing vendors (as listed in detailed revised Exhibit(s) attached) for purchases on an "AS NEEDED BASIS" through our membership/participation with Texas Procurement and Support Services (TPASS), (DIR) Department of Information Resources, (TCPN) The Cooperative Purchasing Network, (HGAC), US Communities, (GSA) General Service Administration, (TASB-Buy Board) Texas Association of School Board, (TIPS) The Interlocal Purchasing System, (HCDE) Harris County Department of Education/Choice Facility Partners, (NJPA) National Joint Powers Alliance awarded pricing including, but not limited to, Precincts, Department, Programs, Agencies, etc. with term of authority to purchase from contract detailed herein commencing upon approval and expiring December 31, 2012.

E. AI-32572 Constable Precinct One:

Acceptance and approval of request for payment of Invoice #7741 in the amount of \$9,464.81 as submitted by L&G Engineering amid Work Authorization No. 2 with Contract #C-12-050-01-31-PO#671000 for Professional Geotechnical Services for on-going project: The Design and Construction Of A New Constable Building In Precinct One with authority for County Treasurer to issue payment after County Auditor's review and processing procedures are completed.

F. AI-32574 Requesting approval of payment for Inv# M161818 in the amount of \$7,250.00, submitted by HALFF ASSOCIATES, INC., subject to County Auditor's review and processing procedures with authority for County Treasurer to issue payment in connection to contract #C-10-340-10-19

for: Building Repairs, Alterations and/or Renovations to County Owned Buildings” (on an as needed basis) for projects within Hidalgo County Precinct Number 4--PROJECT: "Courthouse Life Safety-Fire Suppression System"-WA#2 - (PO# 662524)

- G. AI-32579 1. Requesting authority to exercise the additional one (1) year period as provided in current contract #C-10-089-06-15 for:“Restoration and Preservation of Historical Record Books” for Hidalgo County Clerk's Office, under the same rates, terms and conditions with BROWN RIVER MAROTTI, CO.**

NO ACTION taken on this item.

2. Reinstatement and notification of continuing with same rates, terms and conditions under current Intergovernmental Agreement# C-11-158-06-14, between Texas Department of Public Safety and Hidalgo County for the purposes of "Failure to Appear Program"- to provide information necessary to deny renewal of the driver license of a person who fails to appear for a complaint or citation or fails to pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the court in a matter involving any offense that a court has jurisdiction under Chapter 4, Code of Criminal Procedure.

3. Requesting authority to exercise the Second (2nd) & Final of the additional two (2) one (1) year periods as provided in current contract#E-11-188-06-21(C-10-005-05-25) for:"Bottled Water Products & Services" for Hidalgo County, under the same rates, terms and conditions with VALLEY BOTTLE WATER, LLC.

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

- H. AI-32622 Requesting authority to advertise and approval of procurement packet (i.e. specifications-requirements, legal notice, draft contract etc.) as attached hereto for: "Hidalgo County Health & Human Services-Laboratory Services for Diagnosing Mycobacterium Tuberculosis" Bid No. 2012-137--SMA including the re-advertising of project in the event no bids received and/or rejection of responses received and project is still required.**

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
June 12, 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:

(Audio Tape # 1, Tracking # 922)

(Exhibit W)

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 under Open Forum.

3. Approval of Consent Agenda

The Board moved to approve the Drainage District Consent Agenda.

4. AI-32608 Presentation and discussion by Hollis Rutledge & Associates on the recapturing of funds through federal and state agencies and other sources.

Godfrey Garza informed the Board that Mr. Rutledge would be coming next week to provide them a presentation.

5. AI-32713 A.) Presentation of scoring grid of the firms evaluated through the District's "Pool" of Real Estate Appraisers & Surveyors for the purpose of ranking by the Hidalgo County Drainage District No.1 Board of Directors in connection with Surveying Services for Hidalgo County Drainage District No.1-NRCS-Pharr McAllen South Lateral 15' Eastside.

FIRM NAME	SCORE	RANK
R. GUTIERREZ ENGINEERING CORPORATION	100	1
QUINTANILLA HEADLEY & ASSOCIATES, INC.	98	2
DANNENBAUM ENGINEERING CORPORATION	96	3

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

B.) Pursuant to the Boards approval requesting authority for the Hidalgo County Drainage District No.1 to issue Purchase Order to the number one ranked firm of R. Gutierrez Engineering Corporation for Surveying Services as it relates to Hidalgo County Drainage District No.1-NRCS-Pharr McAllen South Lateral 15' Eastside.

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

C.) Presentation of scoring grid of the firms evaluated through the District's "Pool" of Title Report Services for the purpose of ranking by the Hidalgo County Drainage District No.1 Board of Directors in connection with Title Report Services for J-09 Ramseyer Gardens Parcel Id 46, 54 & 57

FIRM NAME	SCORE	RANK
SOUTH TEXAS LAND INVESTIGATIONS	100	1
VALLEY LAND & TITLE CO.	95	2

Godfrey Garza clarified that this would be for Title Reports and not title policies.

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

D.) Pursuant to the Boards approval, requesting authority to issue Purchase Order to the number one ranked firm of South Texas Land Investigations for Title Report Services for J-09 Ramseyer Gardens Parcel Id 46, 54 & 57

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

E.) Requesting approval to advertise for RFB No. 12-012-07-18 Hidalgo County Drainage District No.1 "Installation of Rock Rip Rap on Weir No.2 in conjunction with NRCS grant".

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

6. AI-32751 Approval for Hidalgo County Drainage District #1 Chairman of the Board to execute documents related to sale of Edinburg Airport property.

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

7. 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 7.A & B.

8. Open Session:

A. Real Estate Acquisition

B. Pending and/or Potential Litigation

NO ACTION taken on items 8.A & B.

9. Closed Session:

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

10. Open Session:

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

NO ACTION taken on items 9 & 10.

11. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
June 12, 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 # 18)

(Exhibit X)

On motion of Commissioner Hector Palacios, seconded by Commissioner Hector Palacios, the Board made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Treasurer**

There being no further business to come before said Court, the meetings of the Commissioners' Court and the Drainage District #1 Board are now hereby adjourned.

Dated this the 12th day of June, 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 June 12, 2012.

Signed this 20 day of June 2012

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

(Seal)

By: _____
Priscilla Torres, Deputy