

SPECIAL MEETING – JULY 31, 2012

BE IT REMEMBERED, that on this 31st day of July 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 HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO. 2
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
July 31, 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. 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.

-Judge Garcia wished Ms. Aurora Cavazos, of Peñitas, a Happy 100th Birthday.

The Court then proceeded with item 6.B.

4. Approval of Consent Agenda

The Court moved to approve the Consent Agenda at this time.

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

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

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

2. Requesting engagement with the firm of Gonzalez & Palacios for the "Provision of Legal Services/Representation in connection with Litigation"

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

Commissioner Joseph Palacios Abstained.

Valde Guerra disclosed to the Court that Josie Ramirez and Michael will be involved as a disclosure.

B. AI-33360 Elections Department:

Requesting approval to advertise/ hire for the following position:

Slot No.	Position Title	Grade
0109	Accountant II	10

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

C. AI-33293 Health & Human Services:

Approval for Dairen Sarmiento (employee # 058726) to travel on 8/6/12 - 8/8/12 to attend HHSC Regional Healthcare Partnership (RHP) Planning Summit.

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

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

A. AI-33459 Presentation, discussion, and possible action on acceptance of Energy Efficiency & Conservation Strategy

Presentation by Mr. Donnie Herring on recommendations he may have to improve Energy Efficiency to the County. Mr. Jaime Longoria advised the Judge that the committee is satisfied with the report provided by Mr. Herring based on the deliverables and the scope.

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

Commissioners' Hector Palacios and Quintanilla were away during this vote.

B. AI-33462 Presentation by Pharr-San Juan-Alamo Independent School District

Presentation by Mr. Daniel King and various members of the Pharr-San Juan-Alamo ISD on College³. They discussed the benefits of this program and the positive impact it has made to the school district and their students.

C. AI-33461 Approval of Proclamation declaring the month of August 2012 as National Minority Donor Awareness Month

Jaime Longoria read the Resolution into the record. Ms. Sylvia Espinoza and Ms. Isabel Garza discussed the benefits of Organ Donation.

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

Commissioner Quintanilla was away during this vote.

D. AI-33460 Approval of Letter of Support for the Port of Brownsville's Gulf Coast LNG project and authorization for County Judge to sign the letter.

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

7. Human Resources - Esther Cortez: (Exhibit K)

(Audio Tape #1, Tracking # 620)

A. AI-33261 Discussion, consideration and action on appointment of Civil Service Commissioner to fill vacancy

Ms. Virginia Townsend came before the Court requesting clarification on this matter.

On motion of Commissioner Flores, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve the appointment of Ms. Micky Rabinovich as Civil Service Commissioner.

8. District Attorney's Office - Roy Cazares: (Exhibit L)

(Audio Tape # 1, Tracking # 730)

A. AI-33469 HIDTA Task Force(1291)/HIDTA CH 59 (1251)

1. Approval of merit pay increase for the following full-time employee:

Position Title	Emp. #	Pgm.	Slot No.	Current		Proposed	
				Grade & Step	Percentage of Distribution	Grade & Step	Percentage of Distribution
Assistant Commander	072192	HIDTA (1291)	G008	16, 1	84.90694 %	16, 2	82.03580 %
		HIDTA Ch. 59 (1251)	G008	16, 1	15.09306 %	16, 2	17.96420 %

2. Approval of revised salary schedules.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 8.A.1 & 2.

B. AI-33269 1. Approval of revised Title IV-E budget.

2. Approval for County Judge to sign revised Title IV-E budget.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.B.1 & 2.

9. Sheriff's Office: (Exhibit M)

(Audio Tape # 1, Tracking # 756)

A. AI-33465 Operation Stonegarden 2009 (1284):

1. Authorization and approval to accept an extension for the 2009 Operation Stonegarden Grant (New termination date is 8/31/12).

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

2. Authorization and approval to accept additional funding in the amount of \$153,602.00 to be used for the purchase of equipment.

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

3. Authorization and approval for County Judge, as authorized official, to review and sign required documents.

4. Certification of Revenues by County Auditor.

5. Approval of Budget Appropriation.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 9.A.3, 4, & 5.

10. Tax Office - Armando Barrera: (Exhibit N)

(Audio Tape # 1, Tracking # 771)

A. AI-33366 Tax Office (1100):

1. Approval of the following personnel actions:

Action	Slot. No.	Position Title	Grade
Delete	0013	Accountant III	12
Create	0138	Internal Auditor III	13
Delete	0033	Bookkeeper II	08
Create	0139	Deputy Clerk III	09

2. Approval of revised salary schedule.

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

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

(Audio Tape # 1, Tracking # 792)

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

Eddie Olivarez discussed the Regional Health Plan, Rural Comprehensive Plan, 1115 Waiver and other aspects of Health Care. He advised the Court of an upcoming Workshop, on August 14, 2012, that is imperative to further discuss Health Care.

B. AI-33270 1. Requesting authorization to accept the attached Tuberculosis Prevention & Control - State grant contract #2012-039064-001B. The purpose of this Amendment is to decrease the

contract funds due to expenditures being below the projected budget totals and to change the narrative report addresses. The effective date of this Amendment is July 31, 2012.

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

2. Requesting approval of the attached TB budget appropriation.

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

12. IT Department - Renan Ramirez (Exhibit P)

(Audio Tape # 1, Tracking # 1014)

A. AI-33324 Constable Pct. 4:

Authorization to purchase wireless service through the County's membership/participation with CONTRACT: DIR-SDD-1779 (Requisition #219665) with awarded vendor VERIZON WIRELESS for the following:

Employee Name:	Employee #:	Description:	Plan Cost:	Equipment Cost:
Office Use	N/A	MIFI 4510L 4G	Unlimited Mobile Broadband Plan \$37.99 + \$5.00 = \$42.99 X 5 months \$214.95	\$0
Joel Rivera	141275	MIFI 4510L 4G	Unlimited Mobile Broadband Plan \$37.99 + \$5.00 = \$42.99 X 5 months \$214.95	\$0

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

B. AI-33331 District Attorney:

Authorization and approval to upgrade wireless devices at \$0 cost through the County's membership/participation with contract: DIR-SDD-1779 with awarded vendor VERIZON WIRELESS for the following:

Employee Name:	Employee #:	Current Device:	Upgrading Device:
Dale R. Booth	029483	3G Broadband Datacard	4G LTE Mobile Hotspot
Charles Vela	017477	3G Broadband Datacard	4G LTE Mobile Hotspot
Jorge Salazar	141917	3G Broadband Datacard	4G LTE Mobile Hotspot

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

13. Elections Administration - Yvonne Ramon: (Exhibit Q)

(Audio Tape # 1, Tracking # 1039)

A. Discussion and/or action, including but not limited to Elections updates

Ms. Yvonne Ramon provided the Court updates on Poll Locations, Elections and encouraged everyone to go out and vote today.

Judge Garcia requested the names of the Election Judges for November and polling locations.

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

(Audio Tape # 1, Tracking # 1119)

A. AI-33392 Consideration and approval to purchase a certain tract of land also known as Parcels 8 and 10, Minnesota Drainage Project. (Pct. 2 Project)

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

15. Precinct #1 - Comm. Quintanilla: (Exhibit S)

(Audio Tape # 1, Tracking # 1130)

A. AI-33438 Approval of appointment of members to the Emergency Services District #2 for the term of July 31, 2012 to December 31, 2013 pursuant to Texas Health & Safety Code Section 775.034.

Ms. Virginia Townsend requested clarification as to what the Emergency Services District #2 is, what they do, questioned any Audits, etc.

Commissioner Quintanilla stated that Ms. Irma Rodriguez, Ms. Teresa del Toro and Danny Guzman had expired terms.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the appointments/reappointments of Mr. Pete de la Cruz, Mr. Roy Cardenas and Mr. Danny Guzman.

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

(Audio Tape # 1, Tracking # 1373)

A. AI-33215 Presentation for consideration, discussion, acceptance and approval of the following with Asago, LLC dba Asago Construction for South Tower Road - Street & Drainage Improvement Project, as submitted and recommended by project engineer, R. Gutierrez Engineering Corporation:

1. Application for Final Payment in the amount of \$16,560.12

2. Certificate of Substantial Completion reflecting Punch List date of June 19, 2012

3. Application for Retainage in the amount of \$43,642.42

4. Certificate of Construction Completion reflecting the completion date of June 20, 2012.

With authority for County Judge or Court member to execute documents.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 16.A.1, 2, 3 & 4, subject to liquidating damages.

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

(Audio Tape # 1, Tracking # 1442)

A. AI-33418 Requesting approval of Interlocal Cooperation Agreement between the County of Hidalgo and City of Penitas, Texas.

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

Commissioners' Hector Palacios and Quintanilla stepped away from the Court.

18. Budget & Management - Sergio Cruz: (Exhibit V)

(Audio Tape # 1, Tracking # 1475)

A. AI-33389 Approval to execute Deed Settlement Statement and all other closing documents for the sale of 2 tracts of real property out of the Texas-Mexican Railway Company's Survey to Hidalgo County Drainage District No. 1.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, with authority for County Judge to sign the Special Warranty Deed, Settlement Statement and various other closing documents.

B. AI-33445 Consideration and approval of Imposition of Optional Fees for Calendar Year 2013 (option A: retain the same fees as 2012) in accordance with Transportation Code Section 502.401, Section 502.402 and Section 502.403.

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

C. AI-33440 Presentation and discussion on the Monthly Budget Report for the month of June 2012.

Sergio Cruz provided the Court a presentation on the Monthly Budget Report.

D. Budget Appropriations:

1. AI-33411 Courthouse Security (1241):

Approval of 2012 appropriation of funds into Courthouse Security Fund (1241) in the amount of \$10,000.00.

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

2. AI-33290 Pct #4 Drainage Improvement Project (1200):

a. Approval of Certification of Revenues as certified by the County Auditor for Pct. #4 Drainage Improvement Project Labor Reimbursements.

b. Approval of 2012 appropriation of funds into Precinct #4 Drainage Improvement Project (program 036) in the amount of \$95,568.26 (Labor Reimbursements - March & April 2012).

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 18.D.2.a & b.

3. AI-33259 Pct. #4 (1200):

a. Approval of Certification of Revenues as certified by the County Auditor for City of Edinburg Seminary Rd re-construction project Revenues.

b. Approval of 2012 appropriation of funds into Precinct #4 (program 070) in the total amount of \$50,000.00 (Reimbursement from City of Edinburg for Seminary Road re-construction Project).

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 18.D.3.a & b.

19. Purchasing Department - Marty Salazar: (Exhibit W)

(Audio Tape # 1, Tracking # 1760)

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

4. AI-33284 Approval to accept rebate checks from Comdata Product Services (Fuel Purchases) for the 2nd quarter of 2012 in the amount of \$ 857.33

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

5. AI-32222 Authority/Action from CC in connection with the sole proposal received for - RFP: "Energy Management Consultant":

a. Continue with the project's deadline for action by Commissioners Court of 8-26-12; OR,

NO ACTION taken on this item.

b. Approval by Hidalgo County Commissioners Court of one or more of the following options related to the project:

1. Reject the sole response received; or

NO ACTION taken on this item.

2. Re-advertise the project; or

NO ACTION taken on this item.

3. Cancel the project until such time as necessary due to need by HC to select an new electric energy provider.

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

B. Pct. 2

1. AI-32994 a. Acceptance and approval to execute a professional engineering services contract with TEDSI Infrastructure Group, Inc. for the, "Dicker Road Improvements" for Precinct No. 2 as approved for negotiations on CC 4/24/12. C-12-119-07-31

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

b. Acceptance and approval of Work Authorization No. 1 (estimated cost of \$397,469.00) for provision of engineering services required by Pct. #2 consisting of: "Dicker Road Improvements" with TEDSI Infrastructure Group, Inc., under contract No. C-12-119-07-31

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

c. Pursuant to contract with TEDSI Infrastructure Group, Inc., (article 14) C-12-119-07-31, a request for approval by engineer to permit the subcontracting of R. Gutierrez Engineering Corp.

and Raba-Kistner Engineering in connection with Work Authorization No. 1-Dicker Road Improvements;

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

2. **AI-33444 Approval of Interlocal Cooperation Agreement between the City of Pharr, City of Edinburg, the County of Hidalgo Precinct #2 and the County of Hidalgo Precinct #4 to improve and expand West Owassa Road from Jackson Rd. to US 281 frontage road.**

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

C. Pct. 3

1. **AI-33441 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional service;**

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

b. Presentation of scoring grid (for the purpose of ranking by CC) of the firms graded and evaluated through the County’s approved “pool” of Engineering Services Providers as required by Precinct No. 3

Evaluators	L&G Engineering	Javier Hinojosa Engineering	Izaguirre Engineering
Evaluator 1	100	92	73
RANKED	1	2	3

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

c. Authority for the Purchasing Department to negotiate a professional (Engineering Services) contract with the No. 1 ranked firm of L & G Engineering for: the provision of professional services ("On Call") and on as needed basis by Hidalgo County Precinct #3 TxDot Related Projects.

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

D. Pct. 4

1. **AI-33365 a. Acceptance and approval of Work Authorization No. 1 in the amount of \$9,662.44 submitted by L&G Engineering Laboratory contracted engineering firm-professional laboratory services for: “Construction Materials Testing” (on an as needed basis) for projects located within Hidalgo County Precinct #4-Contract #C-12-122-06-12 for PROJECT: (FIKE PUMP STATION DRAINAGE PROJECT).**

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

b. Requesting approval of payment for Inv#1025-03 in the amount of \$ 3,994.49 as submitted by GEORGE M. "MITCH" HUDGINS d/b/a MODERN TECHNOLOGY-MODERN

ENVIRONMENT-Contract# C-11-124A-01-17 (PO# 670955) for: "Application and Implementation of TCEQ Incinerator Permit that meets State and Federal Mandates" located in Hidalgo County Pct #4, in order to remain in compliance with TCEQ.

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

E. Colonia Access Program Pct. 1

- 1. AI-33308 a. Acceptance and approval to execute a professional engineering services agreement # C-CAP-12-194-07-10 for the provision of construction materials testing services for Pct No. 1's Border Colonia Round III with L & G Engineering & Laboratory as authorized and approved for negotiations by CC on 07/10/12;**

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

b. Requesting approval of Work Authorization No. 1 for contract # C-CAP-12-194-07-10 (with L & G Engineering & Laboratory) with a proposed fee of \$2,732.98 to provide construction materials testing services for Pct No. 1's Border Colonia Round III La Milpa Subdivision Project.

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

F. Colonia Access Program Pct. 2

- 1. AI-33314 a. Requesting approval of "Supplemental Agreement No. 4" to C-CAP-08-029B-11-12 between Hidalgo County and DOS Logistics, Inc., Inc. to revise "Exhibit D1" resulting in an increase of \$4,500.00 in the estimated amount;**

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

b. Requesting approval of Amendment No. 1 to Work Authorization No. 3 with DOS Logistics, Inc. to Replace Exhibit D1 with Revised Exhibit D1 Revised (07.12) resulting in an increase of \$4,500.00.

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

G. Colonia Access Program Pct. 3

- 1. AI-33288 Pursuant to TXLGC 262.031 and in the interest of expediting a project's progress, requesting authority/approval for (after the contract was made for Pct. #3-BCAP contract #C-CAP-12-090-05-29-La Homa Road South-CC-7-10-12) the Precinct Commissioner or designee execute change orders that involve, ...'an increase or decrease in cost of \$50K or LESS...'. "The original contract price may not be decreased by 18% or more without the consent of the contractor".**

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

H. Colonia Access Program Pct. 4

- 1. AI-33334 a. Acceptance and approval to execute a professional engineering contract/agreement (C-CAP-12-129-07-31) for the provision of general engineering services for Pct #4's Border Colonia**

Round III Projects with DOS Logistics, Inc. as authorized and approved for negotiations by CC on 04/13/12;

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

b. Acceptance and approval of Work Authorization No. 1 for contract # C-CAP-12-129-07-31 with a proposed fee of \$76,643.73 with DOS Logistics, Inc. to provide Plans, Specifications and Estimate and Construction Inspection for Round 3 BCAP Project to Hidalgo County Precinct No. 4 for various Border Colonia Access Program Round III Projects.

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

20. Open Forum

-Judge Garcia offered his condolences to Mr. Raul Silguero, and his family, on the loss of his mother, Maria Silguero.

-Frank Traver requested that the Open Forum be moved to the beginning of the meeting, again.

21. Closed Session: (Exhibit X)

(Audio Tape #1, Tracking # 2165)

On motion of Commissioner Quintanilla, seconded by Commissioner Hector 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-33400 Claim of Ray Carrejo**
- D. AI-33409 Claim of Consuelo Gonzalez**
- E. AI-33407 C-1989-12-B; Domingo Gonzalez v. Elisandro Rodriguez, et al**

NO ACTION taken on items 21.A through E.

Commissioners' Hector Palacios and Quintanilla joined the meeting.

22. Open Session: (Exhibit Y)

(Audio Tape #1, Tracking # 2473)

- A. Real Estate Acquisition and appropriation for same**

Joe Pena, ROW, came before the Court requesting approval to purchase property by Bid, not to exceed appraised value.

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

B. Pending and/or potential litigation

NO ACTION taken on this item.

C. AI-33401 Claim of Ray Carrejo

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the settlement offer in the amount of \$1,800.00.

D. AI-33410 Claim of Consuelo Gonzalez

Refer to items 5.A.1 & 2.

E. AI-33408 C-1989-12-B; Domingo Gonzalez v. Elisandro Rodriguez, et al

Valde Guerra informed the Court that Josie Ramirez will be facilitating on behalf of the County.

23. Closed Session:

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

NO ACTION taken on this item.

24. Open Session:

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

NO ACTION taken on this item.

25. 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
July 31, 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 Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the Consent Agenda, with the exception of items 8.B, 8.C, and 8.F.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve item 8.B, with recommendation not to renew and to Advertise.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 8.C.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 8.F.

- 1. AI-33476 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-33343 2012 - County Clerk (1100)**
- B. AI-33287 2012 - Sheriff's Office (1284)**
- C. AI-33406 2012 - Sheriff's Office East Substation (1342)**
- D. AI-33286 2012 - Sheriff's Office (1100)**
- E. AI-33240 2012 - Sheriff's Office (1228)**
- F. AI-33253 2012 - Health & Human Services Dept. (1293)**
- G. AI-33255 2012 - Health & Human Services Dept. (1100)**
- H. AI-33301 2012 - Health & Human Services Dept. (1293)**
- I. AI-33276 2012 - Human Services (1100)**
- J. AI-33326 2012 - Human Services (1100)**
- K. AI-33452 2012 - Human Services (1100)**
- L. AI-33299 2012 - Budget & Mgmt. (1100)**
- M. AI-33329 2012 - DBM Workers' Comp. (2202)**
- N. AI-33260 2012 - Adult Detention Facility (1100)**
- O. AI-33322 2012 - Texas AgriLIFE Extension (1100)**
- P. AI-33296 2012 - WIC (1292)**
- Q. AI-33320 2012 - Justice Crt. Tech (1242)**
- R. AI-33317 2012 - Probate Court (1243)**
- S. AI-33280 2012 - CCL #7 (1100)**
- T. AI-33271 2012 - J.P. Pct. 2, Pl. 1 (1100)**
- U. AI-33436 2012 - Pct. #1 R&B (1200)**
- V. AI-33292 2012 - Pct. #1 Park (1100)**
- W. AI-33451 2012 - Pct. #1 San. (1100)**
- X. AI-33378 2012 - Pct. #2 BCAP (1312)**
- Y. AI-33467 2012 - Pct. 4 Rd Maintenance (1200)**

3. 2012 Interdepartmental transfers: (Exhibit C)

- A. AI-33424 Pct. 1 CO's 2010 A & B (1342):**

Approval of 2012 interdeparmental transfer from Pct. 1 Roads, program #041, to Valdez St., program #106, in the amount of \$60,000.00 to fund road materials expenditures.

B. AI-33456 Pct. #2 R&B (1200):

Approval of 2012 interdepartmental transfer within R&B Fund 1200 from program (006) to program (026) in the amount of \$158,000.

C. AI-33414 Pct. #3 C.O. 2010 A&B (1342):

Approval of 2012 interdepartmental transfer from C.O. 2010 A&B La Homa (SH495-FM1924) and C.O. 2010 A&B Admin Facility to C.O. 2010 A&B Liberty/Tom Gil (US83-FM2221) and C.O. 2010 A&B US83/La Joya Relief Route in the total amount of \$767,768.00.

D. AI-33327 Pct. #4 CO 2010:

Approval of 2012 interdepartmental transfer from Pct. #4 CO2010A&B Drainage Improvement (program 036) to Pct. #4 CO2010 A&B Drainage Improvement (program 049 & 051) in the amount of \$8,000.00

E. AI-33412 Sheriff's Office (1100):

Approval of 2012 interdepartmental transfer from Co. Wide Adm.-Contingency to Sheriff's Office in the amount of \$3,500.00.

4. Planning Department: (Exhibit D)

A. AI-33415 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-33310 North Alamo Water Supply Corporation:

1. Bore Mile 17 1/2 North- will be extending a 1" service line along Cesar Chavez Road for approximately 100 feet. (Antonio Villeda)

6. Membership Dues: (Exhibit F)

A. AI-33330 Sheriff's Office:

Requesting approval for payment of 2012 membership dues and certification for Jaime Garcia and K9 Bombix to the National Narcotic Detector Dog Association, Inc. in the amount of \$30.00 for membership dues, \$25.00 for the narcotics certification and \$25.00 for the police service dog certification.

7. Budget & Management: (Exhibit G)

A. AI-33264 1. Approval of reimbursement in the amount of \$754,182.64 to Blue Cross Blue Shield Insurance Company for claims paid on behalf of Hidalgo County from 07/07/12 to 07/20/12.

07/07-13/12	\$411,187.14
07/14-20/12	\$342,995.50
TOTAL	\$754,182.64

2. Approval of wire transfer to cover claims paid.

8. Purchasing Dept: (Exhibit H)

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-33435 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.

- B. AI-33176 1. Recommendation (by a member of) Hidalgo County Commissioners Court not to approve an option to exercise the final (1) One year extension term as provided in current contract #C-10-259-08-17 for: EMERGENCY AMBULANCE SERVICES FOR UNINCORPORATED AREAS IN PRECINCT 3 for Hidalgo County Precinct No 3, under the same rates, terms and conditions with PRO MEDIC EMS including the obligation of the vendor to continue services for a contractual ninety (90) days provision of services until the contracting (by HC) of a provider; and, proceed with,**

2. Authority to advertise the procurement of, including, approval of requirements/specifications/scope of services for: EMERGENCY AMBULANCE SERVICES FOR UNINCORPORATED AREAS IN PRECINCT 3.

- C. AI-33273** Requesting authority to advertise and approval of procurement packet (i.e. specifications/requirements, legal notice, draft requirement agreement, etc.) as attached hereto for: Hidalgo County Urban County Program-"Lease Office Space to House Hidalgo County Urban County Program"-RFB No.: 2012-143-00-00-SGS, including the re-advertising of project in the event no bid responses are received and/or are rejected and project is still required.
- D. AI-33450** Requesting authority to exercise the SECOND (2nd) YEAR of the nine (9)-one (1) year options to extend/renew provided in the current contract for:"LEASE OF TOWER SPACE" in connection to the Lease Agreements (detailed below) for Hidalgo County Division of Emergency Services, under the same rates, terms and conditions, effective 08/03/12.
1. E-11-215-07-26 (C-10-043-08-03) - O.E INVESTMENTS, INC - LA JOYA TOWER SITE
 2. E-11-216-07-26 (C-10-044-08-03) - O.E INVESTMENTS, INC - WESLACO TOWER SITE
- E. AI-33434** Acceptance and approval of request for payment for the following invoices as submitted by S&B Infrastructure, LTD., project engineer for "Raymondville Drain Project-County Wide"- Contract #C-10-164-04-20-PO#642615:
1. Invoice U1445-09-Invoice Period through March 31, 2012 in the amount of \$147,361.00
 2. Invoice U1445-10REV-Invoice Period through April 30, 2012 in the amount of \$163,883.00
- F. AI-33427** Authority to exercise the additional sixty (60) days grace period option and provide/send said notice as required under the current contract for "Lease and/or Lease Purchase of Office Space" for Hidalgo County, under the same rates, terms, and conditions with Edinburg Real Estate Network, Inc. C-09-064-06-08
- G. AI-33361** Requesting approval of payment for Invoices (as set forth below);
1. Inv#11324198 - (\$ 4,655.12) - L & G Engineers- MPO/HCRMA Representation- Contract# C-11-054-04-12;
 2. Inv#M164138 - (\$ 23,885.00) - HALFF ASSOCIATES, INC. - Contract#C-10-340-10-19 (WA#2-PO# 662524) PROJECT: "Courthouse Life Safety-Fire Suppression System"
- H. AI-33321** Approval of Presentation for consideration, discussion, acceptance and approval of the following with Asago, LLC dba Asago Construction contracted vendor for Southside Village Subdivision, Pct. No. 2 as submitted through project engineer R. Gutierrez Engineering Corporation (C-CAP-12-048-03-20):
1. Application for payment No. 2 (Final) in the amount of \$900.00;
 2. Application for payment No. 3 (Retainage Release) in the amount of \$6,743.40;
 3. "Certificate of Construction Completion" reflecting the completion date of June 26, 2012.
- I. AI-33315** Approval of Application for Payment No. 1 in the amount of \$76,966.20 from Asago, LLC dba Asago Construction, contracted vendor for Pentecostal Subdivision as submitted by R. Gutierrez Engineering Corporation project engineer (C-CAP-12-047-03-27.)
- J. AI-33298** Requesting authority to buy through an authorized Purchase Order (requisition #217172) in the amount of \$350.00 annual support services agreement from The Percs Index, Inc. for the Quarter Master software from-The Percs Inc.

- K. AI-33295** Acceptance and approval of request for payment of invoices as submitted by **Guzman & Munoz Engineering & Surveying, Inc.** amid **Contract #C-11-111-04-19** for professional engineering services as follows:
- 1. Invoice #4844-WA#6: \$4,270.00-Colonia Lucero Del Norte Mile 11 North & Mile 2 West, Drainage Improvements.**
 - 2. Invoice #4845-WA#4: \$11,500.00-Mile 17 North Road, From FM 88 (Mile 5 West) west, 2720 Feet and From FM 1015 (Mile 3 West) east, 400 feet.**
- L. AI-33283** Requesting authority to exercise the first one (1) year extension as provided in the contract **#C-11-126-08-16** for “Purchase and Disposal of Air Conditioning Units” on an "as needed basis" for **Hidalgo County -Community Service Agency** under the same rates, terms, and conditions renewal/extension effective **August 16, 2012 through August 16, 2013.**
- M. AI-33313** Requesting approval for payment to project engineer, **R. Gutierrez Engineering Corporation**, **Contract #C-11-310-01-24**, **Invoice #3177** for **Minnesota Rd. Project** in the amount of **\$6,000.**

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
July 31, 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:

1. Roll Call

All members of the Board were counted present, with the exception of Commissioner Quintanilla and Commissioner Flores. Commissioner Quintanilla joined the meeting shortly after commencement of the meeting.

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-33394 A. Approval to execute settlement statement. and all other closing documentation for the purchase of two tracts of real property out of the Texas-Mexican Railway Company Survey from Hidalgo County.

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

B. Approval to issue payment to Hidalgo County in the amount of \$385,628 for the purchase of real property out of the Texas-Mexican Railway Company Survey.

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

C. Approval and acceptance of the Hidalgo County Drainage District #1 Audit report for 2011.

Ricky Longoria, with Burton McCumber, provided a power point presentation on the Audit Results

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

Commissioner Quintanilla joined the meeting.

5. AI-33388 Request approval for employee #112119 to withdraw funds from 457 plan due to hardship.

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

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

NO ACTION taken on this item.

9. Open Session:

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

NO ACTION taken on this item.

10. 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
July 31, 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.

On motion of Commissioner Joseph 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**

- 2. AI-33300 Utility Permits:**
 - A. City of McAllen, proposes to place 16" PVC waterline with 26" steel casing crossing HCDD1 POW of Mission Inlet Pilot Channel.**

 - B. Frontera Energy Center, proposes to place a 10" steel casing with 6" PVC waterline crossing HCDD1 POW of Bates lateral.**

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 31st day of July, 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 July 31, 2012.

Signed this 2nd day of August 2012

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

(Seal) By: _____
Priscilla Torres, Deputy