

SPECIAL MEETING – AUGUST 14, 2012

BE IT REMEMBERED, that on this 14TH day of August 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-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
August 14, 2012
9:30 A.M.**

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

1. Roll Call

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

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 L)

(Audio Tape # 1, Tracking # 366)

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."

NO ACTION taken on this item.

2. Requesting engagement with the firm of _____ for the "Provision of Legal Services/Representation in connection with Litigation" and authority to submit letter of engagement

NO ACTION taken on this item.

B. AI-33653 Approval of Resolution in Support of Texas Health and Human Services Commission (HHSC) Tier 4 Category which includes Regional Healthcare Partnership Region 5.

(Audio Tape # 1, Tracking # 366)

Mr. Eddie Olivarez advised the Court that this Resolution would include a cash match.

Mr. Olivarez then read the Resolution into the Record.

Commissioner Flores joined the meeting.

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

At this time, the Court recessed and returned to the Drainage District Agenda.

C. AI-33660 Public Defenders Office: (Audio Tape # 2, Tracking # 1645)

Approval to advertise/hire for the following position, Administration Assistant I at \$22,216.00.

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

D. AI-33684 Status Update on the Courthouse Portable Building Project and Authority to Proceed as Directed (Audio Tape # 2, Tracking # 1655)

Mr. Valde Guerra, and Mr. Rick Sunday provided the Court an update on the Courthouse Portable Building Projects. They discussed deadlines, plumbing, security, occupancy, square footage, and description of portable buildings.

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

(Audio Tape # 2, Tracking # 2042)

A. AI-33657 Presentation of the upcoming Hidalgo County Blood Drive by Richard Pinon.

Karina Cardoza informed the Court and Audience of an upcoming Blood Drive and encouraged everyone to participate.

B. AI-33668 Presentation by the Farm Service Agency (FSA) on low interest emergency disaster loans due to drought for eligible applicants in Hidalgo County.

Mr. Arnulfo Lerma informed the Court and Audience of loans with a 2.25 % interest rate which is available to farmers and ranchers. Mr. Lerma explained that these loans would be part of an emergency declaration for those who have suffered 30% loss. He also advised the Court of a Regular Operating Loan with a 1.25%.

C. AI-33678 Update on Regional Transportation invitation involving TxDot

Presentation by Michael Leo.

7. District Attorney's Office - Roy Cazares: (Exhibit N)

(Audio Tape # 2, Tracking # 2292)

A. AI-33680 District Attorney (1100):

1. Approval to create the following full-time positions:

Slot No.	Position Title	Grade
0099	Assistant District Attorney II	14
0100	Administrative Assistant I	04

2. Approval to authorize auto allowance in the amount of \$2,000.00 to one (1) Assistant District Attorney II position, slot no. 0099.

3. Approval of revised salary schedule.

NO ACTION taken on items 7.A.1, 2 & 3.

8. Sheriff's Office: (Exhibit O)

(Audio Tape # 2, Tracking # 2301)

A. AI-33455 Sheriff's Office (1100):

1. Approval to delete the following full-time position:

Slot #	Position Title	Grade
0009	Chief Administrator	18

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 8.A.1 & 2.

B. AI-33535 1. Approval to accept a donation from OXY USA, Inc. in the amount of \$1,500.00.

2. Authorization and approval to transfer the amount of \$1,500.00 to the Sheriff's Budget (Account No. 2-1100-421-00-280-001-0-745).

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

9. Constables: (Exhibit P)

(Audio Tape # 2, Tracking # 2343)

A. AI-33685 Constable Pct. #1 (1284):

Approval to submit Resolution for the Local Border Security Program FY 2012 (LBSP-12) Grant to the Texas Ranger Division, TX DPS as required by the Grant (grant acceptance was approved by court on 8/7/12)

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

Commissioner Joseph Palacios stepped away.

10. Health & Human Services Department - Eddie Olivarez (Exhibit Q)

(Audio Tape # 2, Tracking # 2370)

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

NO ACTION taken on this item.

B. AI-33614 1. Requesting authorization to submit the renewal grant application for the Prenatal FY 13 grant in the amount of \$165,909.00 for the period of 09/01/12 to 08/31/13.

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

2. Requesting authorization to submit the renewal grant application for the Child Health FY 13 grant in the amount of \$34,833.00 for the period of 09/01/12 to 08/31/13.

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

C. AI-33522 Requesting approval to accept the Memorandum of Agreement between Hidalgo County and the University of Texas School of Nursing. The aim of this Agreement is to establish an agreement for the exchange of information and for cooperative research between both institutions in the field of tuberculosis.

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

Commissioner Joseph Palacios joined the meeting.

D. AI-33511 Requesting authorization for Hidalgo County Health & Human Services Dept. to participate in a Professional Provider Network and Health Maintenance Organization Network with Blue Cross Blue Shield of Texas.

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

E. AI-33503 Title V - Prenatal (1293):

Requesting authorization for Hidalgo County Treasurer's Office / Payroll Division to continue paying employees currently paid from the Title V - Prenatal grant contract which will end on 08/31/12. This request is to continue payroll from 09/01/12 until the FY 13 Title V Prenatal grant contract is received and accepted by Commissioner's Court.

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

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

(Audio Tape # 2, Tracking # 2507)

- A. AI-33454 Urban County Program, on behalf of the City of Penitas, is requesting acceptance and approval to award the best valued proposal received from Facilities – USA, LLC., a job order contractor (an approved contract partner through TCPN annual contract #R5085), for the rehabilitation of the Penitas Library. The total cost is \$108,846.55 utilizing UCP FY's 22 & 23 (2009 & 2010) Public Facilities line item.**

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

- B. AI-33497 Requesting authorization to amend the Homeless Prevention and Rapid Re-Housing Program (HPRP) contract with Catholic Charities of the Rio Grande Valley (CCRGV) and the Hidalgo County Urban County Program. The amendment would increase the current contract amount of \$ 875,014.46 by \$595.45. The amended contract amount for CCRGV will be \$ 875,609.91. The amendment will increase both the Homeless Prevention and Rapid Re-Housing categories and would help Catholic Charities pay for expenditures that exceeded their current contract.**

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

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

(Audio Tape # 2, Tracking # 2576)

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

Amanda Valdez provided the Court updates on some possible early voting schedules and expressed concerns with some locations/spacing. Ms. Valdez further explained that the Parish Hall will not be allowed to be used.

13. WIC - Norma Longoria: (Exhibit T)

(Audio Tape # 2, Tracking # 2675)

- A. AI-33478 1. WIC (1292)**

a. Approval of the following personnel actions:

Action	Slot No.	Position	Grade
Delete	0015	Registered Dietitian I	12
Delete	0243	Lactation Consultant	14
Create	0245	Registered Dietitian II	14
Create	0246	Peer Counselor Manager	06

b. Approval of revised salary schedule.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 13.A.1.a & b.

2. Approval of proclamation declaring the month of "August 2012 as World Breastfeeding Awareness Month" in Hidalgo County along with the State of Texas.

Ms. Norma Longoria read the Proclamation into the record.

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

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

(Audio Tape # 2, Tracking # 2819)

A. AI-33629 Authorization to purchase a 4.33 acre tract of land out of Lot 78, Block 4, La Homa Ranch Citrus Groves Unit No.1 S/D through a Tax Sale. (Pct. #3 Drainage Equipment Yard)

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

B. AI-33671 Authorization for County Judge to sign Closing Documents for FM 681 & FM 2221 Project, Parcels 12 and 13.

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

C. AI-33670 Authorization for County Judge to Execute Deed Acceptance from Hidalgo County Irrigation District #1 for the 10th Street Road Project (Parcel#'s 22,18A,14,12, & 11).

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

15. Precinct #2 - Comm. H. Palacios: (Exhibit V)

(Audio Tape # 2, Tracking # 2862)

A. AI-33665 Request acceptance and approval of Change Order No.3 with decrease in the amount of \$12,821.65, with Saenz Utility Contractor, Ltd (#C-11-044A-06-28) contracted vendor for "Tower Road Phase I Project", reason due to reconciliation of quantities, with authority for County Judge or Court Member to execute document.

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

16. Precinct #3 - Comm. Flores: (Exhibit W)

(Audio Tape # 2, Tracking # 2875)

A. AI-33672 Consideration and possible action on Amendment to the Interlocal Agreement between Hidalgo County, the City of Alton and the Alton TIRZ Board to meet the requirements of the Texas Attorney General for the issuance of bonds for public improvements in the City of Alton.

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

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

(Audio Tape # 1, Tracking # 2916)

A. AI-33581 Authorization to purchase equipment for the Enhanced JP Collection Project using the Justice Court Technology Fund.

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

B. Budget Appropriations:

1. AI-33537 HIDTA US Justice (1254)

Approval of 2012 appropriation of funds into HIDTA US Justice Fund in the amount of \$150,000.00 to fund operating expenditures.

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

2. AI-33650 Probate Court (1243):

Approval of appropriation of funds in the amount of \$15,700.00 for the Probate Court.

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

3. AI-33562 Court Reporter (1239):

Approval of 2012 appropriation of funds into Court Reporter Fund (1239) in the amount of \$10,000.00 to fund court reporter services.

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

4. AI-33656 Pct #4 Rd. Maint. (1200):

1. Approval of Certification of Revenues as certified by the County Auditor.

2. Approval of 2012 appropriation of funds into Precinct #4 Rd. Maint. (Program 007) in the amount of \$385,596.00(Sale of two tracts of real property to HCDD#1).

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 17.B.4-1 & 2.

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

(Audio Tape # 2, Tracking # 3060)

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 to Former Administration Building 1st and 2nd Floors**
 - 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.

- 4. AI-33681 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional services;**
 - b. Presentation of scoring grid for the purpose of ranking by Hidalgo County Commissioners Court of four (4) professional engineering and surveying firms from the County's approved "pools" as graded and evaluated by Hidalgo County Executive Office in connection with engaging one point of contact professional for the: Review and Verification/Guard Rail Installations in Areas Designated by HC and Related Tasks.**

Total	R. Gutierrez	Dos Logistics & Dos Land Surveying	Dannenbaum Engineering	Half
Evaluator 1	89	97	90	92
Ranking				

c. Authority to negotiate a professional engineering/surveying services contract with the No. 1 ranked firm of _____ for: the provision of engineering/surveying services for: The Review and Verification/Guard Rail Installation in Areas Designated by Hidalgo County and Related Tasks".

NO ACTION taken on items 18.A.4.a, b & c.

B. Pct. 1 (Audio Tape # 2, Tracking # 3097)

- 1. AI-33487 Requesting to rescind action previously taken on items a and b of AI#30484 dated January 24, 2012 in connection to the Interlocal Agreement between Hidalgo County and Delta Lake Irrigation District for the purposes of irrigating approximately 30 acres of Delta Lake Park Grounds since the Delta Lake Irrigation District's conclusion (pursuant to their current water situation they are facing themselves an ILA w/HC would not be practical at this time-only serving its current customers).**

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

- 2. AI-33593 a. Acceptance and approval of an Interlocal Cooperation Agreement between County Of Hidalgo and Edcouch-Elsa Independent School District for the provision of assisting the School District in constructing two walking trails as identified under the following line item;**

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

b. Acceptance and approval of the Interlocal Cooperation Agreement Project: provision of assistance by Hidalgo County to the Edcouch-Elsa Independent School District for the construction of two walking trails on the District campuses identified as Ybarra Middle School and Truan Middle School pursuant to the approval of the Interlocal Cooperation Agreement as stated above.

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

- 3. AI-33567 Request to Hidalgo County Auditor with approval to process and issue immediate check(s) prior to services being rendered pursuant to Architectural Barriers Administrative Rules 68.80(g) (see supporting documentation) through PO#s 678781-925.00 and 678780-\$950.00 respectively issued to Mr. Anthony Covacevich-Registered Accessibility Specialist-designated by Texas Department of Licensing and Regulation in order to permit the processing of: the Project Filing-Plan Review and Inspection for the "Construction Of A New Constable Building-Pct. #1" and the "Parking Lot/Off-Site Drainage" for compliance with ABA rule 68.50(a)(c).**

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

19. Open Forum

No presentations were made under Open Forum.

20. Closed Session: (Exhibit Z)

(Audio Tape # 2, Tracking # 3320)

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-33619 Claim of Faustino Jaime**

NO ACTION taken on items 20.A, B & C.

21. Open Session: (Exhibit AA)

A. Real Estate Acquisition and appropriation for same

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve Parcel 18, located on South McColl Road, in the amount of \$\$2,500.00.

B. Pending and/or potential litigation

NO ACTION taken on this item.

C. AI-33620 Claim of Faustino Jaime

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval in the amount of \$90.00.

22. Closed Session:

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

NO ACTION taken on this item.

23. Open Session:

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

NO ACTION taken on this item.

24. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
August 14, 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 # 238)

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

- 1. Approval of check register and payment of claims and bills - (Payments from Juvenile Probation, Adult Probation, LEOSE Fund, DA Motor Vehicle Theft Fund, DA Bad Check Processing Fund, DA Forfeiture Fund, Sheriff Forfeiture Funds, Constable Forfeiture Funds, HIDTA Forfeiture Funds and VIT Interest Fund are presented for recording purposes only.) (Exhibit A)**
- 2. 2012 Intradepartmental transfers: (Exhibit B)**
 - A. AI-33631 2012 - Sheriff's Office (1100)**
 - B. AI-33520 2012 - Sheriff's Office (1100)**

- C. AI-33531 2012 - Texas AgriLIFE Extension (1100)
- D. AI-33538 2012 - Facilities Mgmt. (1100)
- E. AI-33516 2012 - Health & Human Services Dept. (1293)
- F. AI-33463 2012 - 92nd District Court (1100)
- G. AI-33549 2012 - 398th District Court (1100)
- H. AI-33624 2012 - Constable Pct. #4 (1100)
- I. AI-33606 2012 - Constable Pct. #4 (1100)
- J. AI-33607 2012 - Pct. #1 San (1100)
- K. AI-33608 2012 - Pct. #1 Adm. (1200)
- L. AI-33626 2012 - Pct. #1 R&B (1200)
- M. AI-33588 2012 - Pct. #2 ST CRC (1100)
- N. AI-33464 2012 - Pct. #2 Rd. Maintenance (1200)
- O. AI-33613 2012 - Pct. #2 Border Rd (1200)
- P. AI-33458 2012 - Pct. #3 Parks (1100)
- Q. AI-33481 2012 - Pct. #3 Rd. Maint. (1200)
- R. AI-33548 2012 - Pct. #4 Landfill (1100)
- S. AI-33550 2012 - Pct. #4 Parks (1100)

3. 2012 Interdepartmental transfers: (Exhibit C)

A. AI-33405 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 North Branch Drain (program 049) in the total amount of \$34,534.18 to fund June 2012 Drainage - Labor (PP#11,12&13) & Fuel Reimbursements.

B. AI-33599 Pct. #4 CO 2010:

Approval of 2012 Interdepartmental transfer from Pct. 4 CO2010A&B Drainage Improvements (program 036) to Pct. 4 CO2010A&B Fike Pond (Program 039) in the amount of \$15,577.99

C. AI-33551 Pct. #4 Road Adm.:

Approval of 2012 interdepartmental transfer from Pct. #4 Road Maint (007) to Pct. #4 Administration (005) in the amount of \$4,000.00

D. AI-33448 Constable Pct No. 4 (1100):

Approval of 2012 interdepartmental transfer from Co. Wide Adm.-Contingency to Constable Pct 4 in the amount of \$15,945.00 to fund fuel expenditures through August 2012.

- E. **AI-33584 Master Court I (1100):**
 - Approval of 2012 interdepartmental transfer from Co. Wide Adm. - Contingency to Master Court I in the amount of \$1,218.00.**

- 4. **Planning Department: (Exhibit D)**
- A. **AI-33627**
 - 1. Certificate of Plat and Utility Status under Texas Local Government Code Section 232.028 (b)**
 - 2. Certificate of Water Service Availability under Texas Local Government Code Section 232.029 (c) (2)**

- 5. **Right of Way - Permits: (Exhibit E)**
- A. **AI-33490 Sharyland Water Supply Corporation:**
 - 1. Road Crossing (Bore)- A 8" PVC waterline to be encased within a 12" PVC casing to be located approximately 30 ft. south of the intersection of Mayberry Rd and FM 676.**

- North Alamo Water Supply Corporation:**
 - 1. Buenos Aires Subdivision- Will be boring a 2" PVC casing for 3/4" PVC waterline, 1,000 feet south of Mile 12 North on the west side of Mile 1.5 West.**

- 6. **Executive Officer - Valde Guerra: (Exhibit F)**
- A. **AI-33622 Approval of 457 Plan Hardship withdrawal requests for employees #028606, 115509 & 070602**

- 7. **Membership Dues: (Exhibit G)**
- A. **AI-33658 County Auditor's Office:**
 - Requesting approval to pay membership dues to the Association of Certified Fraud Examiners (ACFE) in the amount of \$150.00 (Requisition #) for Leticia Chavez, Compliance Supervisor, with the authority for the County Treasurer to issue a check after review, audit and processing procedures are completed by the County Auditor.**

- 8. **Urban County: (Exhibit H)**
- A. **AI-33491 Request for approval of two (2) applicants in the Countywide area, one (1) in the City of Elsa and one (1) in the City of San Juan under the HOME Owner-Occupied Housing Rehabilitation Program.**
- B. **AI-33500 Requesting approval to pay the Pharr Police Department for Burglary/Robbery Alarms permit in the amount of Thirty Dollars (\$30.00) for Hidalgo County Urban County Program.**

9. Budget & Management: (Exhibit I)

A. AI-33574 Self-Insured (2202) Workers' Comp.

Requesting approval of reimbursement of Hidalgo County Workers' Comp. Claims paying account for claims paid by Tristar Risk Management in the amount of \$ 36,570.58 for the period of 07/16-31/2012 and requesting approval of wire transfer.

B. AI-33472 1. Approval of reimbursement in the amount of \$874,529.13 to Blue Cross Blue Shield Insurance Company for claims paid on behalf of Hidalgo County from 07/21/12 to 08/03/12.

07/21-27/12	\$366,205.90
07/28-31/12	\$260,815.70
08/01-03/12	\$247,507.53
TOTAL	\$874,529.13

2. Approval of wire transfer to cover claims paid.

10. IT Department - Renan Ramirez: (Exhibit J)

A. AI-33519 Planning Dept.:

Authorization to deactivate wireless device service through the County's membership/participation with CONTRACT: DIR-SDD-1779 with awarded vendor VERIZON WIRELESS for the following:

Description:	Employee Name:	Employee ID:	MDN:
Cell Phone	Rodolfo Rios	154385	956-648-7923

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-33572 Requesting approval of Change Order No. 1 with contractor Asago LLC dba Asago Construction for Pentecostal Subdivision, Pct. No. 2 with quantitative adjustments resulting in an

increase of \$7,481.20 as submitted through project engineer R. Gutierrez Engineering Corporation- (C-CAP-12-047-03-27).

- B. AI-33558 Acceptance and approval of Invoice #11324207 in the amount of \$6,982.68, from L&G Consulting Engineers, Inc. contracted engineer for "On Call Services for MPO and HCRMA Representation"-contract #C-11-054-04-12.
- C. AI-33557 Acceptance and approval of Invoice #12-7-000007 in the amount of \$3,087.83, from L&G Engineering Laboratory contracted engineer for "Sheriff's Office Substation" C-11-032C-10-11.
- D. AI-33556 Acceptance and approval of Invoice No. 13-R-\$5,650.00 submitted by Prodigy Construction Management, LLC through contract #C-11-032B-06-14 Construction Management Services for Sheriff's Office Substation located in Precinct No. 1.
- E. AI-33555 Acceptance and approval of request for payment of Invoice #2012880 in the amount of \$23,105.90 from TEDSI Infrastructure Group under Contract #C-10-062-03-16-PO#636565-Work Authorization No. 1-General Engineering Services-1-01-thru-1- 31-12 in connection to: "Design and Right Of Way Mapping Of HCMDS Phase II-J-09 Lateral Drain from North Main Drain To County Road 3601 (Approx. 8 Miles)" Project.
- F. AI-33554 Approval to exercise the option to renew/extend for a one (1) year term as stipulated and provided in the contracts identified under the same rates, terms and conditions the following:
 - 1. C-12-168-08-16-Mosquito control Chemicals with ADAPCO, Inc. for Hidalgo Co.;
 - 2. C-12-168A-08-16-Mosquito Control Chemicals with Univar USA, Inc. for Hidalgo Co.
- G. AI-33532 Tax Office-Edinburg Bookeeping Department:

Requesting authority to purchase a 12-month fax service agreement renewal and authority to execute required agreement for the following with Copy Graphics, Inc.;

Requisition	Model	Serial	Yearly	Effective	Account
219245	Brother 2820 Fax	U61325C7J43163	\$125.00	8/7/2012-8/6/2013	2-1100-415-15-140-001-0-432

- H. AI-33523 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 (all funding sources, programs & entities)-"CRS-2 (Cationic Rapid Setting) Emulsified Asphalt. RFB NO.: 2012-164-00-00-SGS, including the re-advertising of project in the event no bid responses are received and/or are rejected and project is still required.
- I. AI-33471 1. Authority to exercise the FIRST (1ST) YEAR of the additional two (2) one (1) year options to extend/renew provided in the current contract for:"COMMISSARY SUPPLIES" in connection the Contracts (detailed below) for Hidalgo County Sheriff's Office, under the same rates, terms and conditions, effective 08/19/12.
 - a. C-11-083-08-16 - CENTRIC GROUP, LLC d/b/a KEEFE SUPPLY COMPANY
 - b. C-11-083A-08-16 - RENE LUCIO d/b/a R & R DISTRIBUTING
- 2. Authority to exercise the SECOND (2ND) & FINAL YEAR of the additional two (2) one (1) year options to extend/renew as provided in the current contract with NTC DRUG TESTING

SERVCS, INC. d/b/a NURSES, TECHNICIANS and COLLECTORS for the purposes of:"DRUG TESTING SERVICES" for the Hidalgo County Sheriff's Office in connection to Contract# E-11-240-08-16 (C-09-160-07-14), under the same rates, terms and conditions, effective 08/22/12.

J. AI-33431 Requesting authority to purchase the license renewal for 12 months through a purchase order not executed agreement, from Webex Communications, Inc. through Requisition#219884 in the amount of \$150.00/month. Effective: 8/12/2012-8/11/2013 (2-1100-415-00-200-002-0-336):

K. AI-33341 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.

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
August 14, 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 Flores and Commissioner Quintanilla. Commissioner Flores and 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-33618 Approval of TxDot US 281 Drain Ditch Outfall Construction and Maintenance Agreement; CSJ:0255-07-129. (from FM 2812 to FM 162, Faysville area)

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

-Mr. Godfrey Garza discussed water reclamation and recommended a bond referendum to cover drainage issues in the county and to poll the community for their opinions.

-Virginia Townsend had concerns as to what guarantees the County had that the State would provide the monies for the drainage improvements.

-Mr. Guerra and Mr. Bryan Murphy discussed their proposal for the La Villa Project.

-Mr. Barnes requested clarification on the fees to be imposed on the citizens.

5. AI-33673 A. Discussion of Potential Bond Election and Final Finance.

(Audio Tape #2, Tracking # 16)

Presentation on the bond referendum and issues pertaining to potential bond election. Further discussion was held on drainage issues and taxes.

NO ACTION taken on this item.

Commissioner Quintanilla joined the meeting.

Commissioner Joseph Palacios and Commissioner Hector Palacios stepped away.

The Court then took a short recess.

All members of the Court joined the meeting after a short recess.

B. Approval to adopt an Order calling a Bond Election for November 6, 2012, establishing voting dates, voting hours, polling location, giving notice of the election and providing for other matters incident to and necessary for conducting the election.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Board made a UNANIMOUS vote to approve the additional \$10 million for the La Villa Reclamation Project.

The vote was carried as follows:

AYE: Judge Garcia, Commissioners' Quintanilla, Joseph Palacios, and Flores

NAY: None

ABSTAINED/NO VOTE: Commissioner Hector Palacios

* * * * *

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the additional \$5 million for the Colonias in the rural areas, total being \$15 Million.

Judge Garcia clarified that \$10 million part of the packet/bond referendum plus an additional \$5 million that in the event we are able to work out the agreement with the Federal Government that we get back 100 million. Then we are going to take \$5 million out of that to be used towards colonias and drainage projects.

The vote was carried as follows:

AYE: Judge Garcia, Commissioners' Quintanilla, Joseph Palacios, and Flores

NAY: None

ABSTAINED/NO VOTE: Commissioner Hector Palacios

* * * * *

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote of approval to adopt an Order calling for a Bond Election.

Godfrey Garza then made clarifications to the other projects listed (and attached) in the amount of \$84 million, with \$15 million out of the first issuance going to rural development.

Commissioner Hector Palacios explained that he would vote in favor, with all the restrictions that are placed in the language that would protect the Tax Payer.

The vote was carried as follows:

AYE: Judge Garcia, Commissioners' Quintanilla, Hector Palacios, Flores and Joseph Palacios

NAY: None

ABSTAIN/NO VOTE: None

C. Request approval to adopt a Resolution in conjunction with calling of a Bond Election by the Hidalgo County Drainage District No. 1; identifying the exclusive projects that may be undertaken with the use of bond proceeds; imposing conditions on the issuance and use of bond proceeds and making other provisions regarding matters incident thereto.

Godfrey Garza explained that there is a list of projects that the board has approved will be the only projects undertaken on that bond issuance, which is a total of \$84 million.

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

The vote was carried as follows:

AYE: Judge Garcia, Commissioners' Quintanilla, Hector Palacios, Flores and Joseph Palacios

NAY: None

ABSTAIN/NO VOTE: None

6. Closed Session: (Audio Tape # 2, Tracking # 260)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Board made a UNANIMOUS vote of approval to go into 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**
- C. AI-33675 Claim of Dannenbaum Engineering**

NO ACTION taken on items 6.A, B & C.

7. Open Session:

- A. Real Estate Acquisition**
- B. Pending and/or Potential Litigation**
- C. AI-33676 Claim of Dannenbaum Engineering**

Godfrey Garza will proceed as directed by legal counsel as it pertains to items 7.A, B, & C.

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 Joseph Palacios, the Board made a UNANMOUS vote of approval to Adjourn the Drainage District.

Ms. Karina Cardoza informed the Court and the public that Judge Garcia and Mr. Godfrey Garza will be holding a series of Town Hall Meetings for the next couple of months.

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
August 14, 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)

(Audio Tape # 1, Tracking # 857)

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

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

- 2. AI-33561 Discharge Permit -
City of Edinburg - Sterling Heights Subdivision**

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 14th day of August, 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 August 14, 2012.

Signed this 17 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