

SPECIAL MEETING – AUGUST 21, 2012

BE IT REMEMBERED, that on this 21ST 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 21, 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.

2. Pledge of Allegiance

Post 2369 led the Court and Audience in the presentation of the Colors.

Mr. Ray Molando led the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Commissioner Quintanilla led the Court and Audience in Prayer.

The Court then took items 6.A & B out of order.

4. Approval of Consent Agenda

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

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

(Audio Tape # 1, Tracking # 1278)

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" and authority to submit letter of engagement

NO ACTION taken on items 5.A.1 & 2.

B. AI-33727 Texas AgriLife Extension:

1. Requesting permission for Adelita F. Munoz to travel to Lyford, Texas to attend the Paraprofessional Lyford ISD Inservice on August 22-23, 2012 (travel expenses will be use of county vehicle and fuel)

2. Requesting permission for Barbara Storz to travel to Victoria, Texas to attend the Regional Marketing & Interpretation Summits on August 26-27, 2012

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

C. AI-33724 Request from Edinburg Chamber of Commerce for permission to utilize the county square every second Saturday of the month beginning Saturday, January 12, 2013 through Saturday, December 14, 2013 from 6:00 a.m. to 3:00 p.m. for Edinburg Market Days Event

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval, with the finding that this would be in the best interest for the County.

D. AI-33725 Children's Advocacy Center d/b/a Estrella's House (1100):

1. Discussion, consideration, and action regarding funding request in the amount of \$50,000.00 from the Children's Advocacy Center, d/b/a Estrella's House.

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

2. Discussion, consideration, and action on Declaration of Support to the Children's Advocacy Center, d/b/a Estrella's House.

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

3. Approval of 2012 appropriation of funds for the Child Advocacy Center in the amount of \$50,000.00.

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

4. Approval to authorize County Treasurer to issue check in the amount of \$50,000.00 to the Children's Advocacy Center d/b/a Estrella's House after review and processing procedures are completed by the County Auditor.

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

E. AI-33777 Veteran's Services (1100):

1. Approval to the following personnel actions:

Action	Slot #	Position Title	Grade & Step	Grade & Step Salary
Delete	0005	Clerk II	G3-S4	\$23,927.00
Create	0008	Administrative Assistant I	G4-S1	\$23,385.00

2. Approval of revised salary schedule.

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

F. AI-33779 Veterans Department:

Requesting approval to advertise/hire for the following full-time position:

Slot #	Position Title	Grade
0004	Assistant Veteran Service Officer	7

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

G. AI-33794 Head Start:

Discussion and acknowledgment of receipt of decisions made by granting office in connection with audit findings report for period 1/1/09 to 12/31/09 prepared by Burton, McCumber & Cortez, LLP with authority for Executive Officer to sign document

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

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

(Audio Tape # 1, Tracking # 751)

A. AI-33769 Resolution in honor of U.S. Marine Sgt. Michael Anthony Salinas

Karina Cardoza read the Resolution into the Record.

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

B. AI-33770 Resolution in honor of U.S. Army Sgt. Salvador Hernandez, Jr.

Karina Cardoza read the Resolution into the Record.

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

C. AI-33772 Approval to appoint one (1) Representative and one (1) Alternate to the Amigos del Valle Board

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote of approval to appoint Commissioner Hector "Tito" Palacios as Representative and Raul Silguero as Alternate.

D. AI-33790 1. Discussion, consideration, and approval of 2012 Texas Conference of Urban Counties Annual Dues in the amount of \$20,045.00 and with authority for County Treasurer to issue check after review and auditing procedures are completed by County Auditor.

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

2. Discussion, consideration, and approval of Urban Counties Policy Committee Nomination Resolution.

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

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

(Audio Tape # 1, Tracking # 1888)

A. AI-33651 1. Request approval to accept the 2012-2013 D.A. State Supplement in the amount of \$22,500.00

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

2. Approval of Certification of Revenues as certified by the County Auditor for the D.A. State Supplement Grant.

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

3. Approval of 2012-2013 D.A. State Supplement (080-010) budget in the amount of \$22,500.00.

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

Commissioner Quintanilla stepped away.

4. Approval of salary schedule.

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

B. AI-33652 D.A. US Justice Fund (1256)

Approval of 2012 appropriation of funds in the amount of \$50,000.00 for the D.A. US Justice to fund various operating expenditures.

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

8. Sheriff's Office: (Exhibit N)

(Audio Tape # 1, Tracking # 1933)

A. AI-33612 Sheriff's Office (1284):

Authorization and approval to de-obligate the amount of \$1,500.00 in the OCDETF Account.

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

B. AI-33633 Requesting approval for reimbursement to Deputy Leonor Gonzalez in the amount of \$66.00. Reimbursement is due after Deputy Gonzalez had to pay for fuel expense when Comdata Card did not work at the pump.

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

C. AI-33628 Presentation for discussion, consideration, and approval to accept donation of two police canine vehicle inserts to the Hidalgo County Sheriff's Office from Javier Solis, Jr..

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

9. Tax Office - Armando Barrera: (Exhibit O)

(Audio Tape # 1, Tracking # 1990)

A. AI-33688 1. Submission of 2012 effective and rollback tax rates.

Armando Barrera, Tax Assessor & Collector, discussed the difference of the effective and rollback tax rates. Sergio Cruz, Budget Officer, discussed the tax rates, budget, deficiencies, etc. Mr. Cruz recommended the Court adopt the effective Tax Rate of 59.57.

-Ms. Virginia Townsend requested that the McAllen Tax Office be reopened.

2. Discussion of 2012 planning calendar

Mr. Barrera discussed the effective and rollback tax rates deadlines and stated that they were posted in today's paper. He further mentioned that the Adoption date will be September 25, 2012.

3. Discussion of 2012 tax rates

Mr. Barrera discussed the 2012 Tax Rates in more detail.

4. Record vote on proposed 2012 tax rate and schedule two (2) public hearings if proposed tax rate exceeds the lower of the effective or rollback rates.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve the proposed tax rate of 59.57. Votes were carried as follows:

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

NAY: None

Commissioner Joseph Palacios stepped away.

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

(Audio Tape # 1, Tracking # 2585)

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

NO ACTION taken this item.

B. AI-33576 Discussion of Regional Healthcare Partnership Plan for Region 5.

Mr. Olivarez discussed the 1115 Waiver, Hospital Districts and provided the Court with some date changes on the regional health plan, along with submission goals.

C. AI-33514 1. Requesting authorization to accept the Cardiovascular Health Project grant award from the U.S. Department of Health & Human Services, Office of Minority Health in the amount of \$3,000.00. The performance period is from 08/01/12 to 07/31/13.

2. Approval of the Certification of Revenue in the amount of \$3,000.00.

3. Approval to appropriate the award budget.

On motion of Commissioner Quintanilla, seconded by Commissioner Hector Palacios, the Court made a UNANIMOUS vote to approve items 10.C.1, 2 & 3.

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

(Audio Tape # 1, Tracking # 2729)

A. AI-33733 The CDBG Disaster Recovery Program is requesting the award of bids and approval of contracts for the demolition and reconstruction of the following:

1. (2) Units in the Countywide area in the amount of \$ 97,980.00 to G&G Contractors.

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

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

(Audio Tape # 1, Tracking # 2779)

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

Ms. Karina Cardoza provided the Court and Audience election schedules, the use of Mobile Units, etc.

B. AI-33752 Elections Department (1100):

Requesting approval to advertise/hire for the following position(s):

Department	Position Title	Slot #	Grade
Elections Department	Accounting Clerk II	0010	8

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

C. AI-33604 Elections Department (1100):

1. Approval of the following personnel actions:

Action	Slot	Position/Title	Grade & Step
Delete	086 (Vacant)	Elections Project Coordinator	G10
Create	0145	GIS Operator III	G12

2. Approval of transfer.

3. Approval of revised salary schedule.

4. Approval to advertise/hire for the GIS Operator III position, slot no. 0145.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 12.C.1, 2, 3 & 4.

Commissioner Flores stepped away.

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

(Audio Tape # 1, Tracking # 2967)

- A. AI-33731 Request Approval of Application and Certificate for Payment No. 1 in the Amount of \$96,089.24 submitted by Alpha Building Corp, Awarded JOC through HCDE - Choice Facility Partners; Pursuant to Action Taken by Commissioners' Court on 07.10.12 for Proposed Roof Repairs of the Palmview III Head Start Center, and as Certified by Project Engineer, Hinojosa Engineering, Inc.**

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

- B. AI-33699 Discussion/Approval of Child Abuse and Neglect Policy**

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

- C. AI-33698 Discussion/Approval of Bid Award and Contract to Lowest Bidder Meeting all Specifications for Bid #2012-019-05-31: Air Conditioning Maintenance & Repair**

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

- D. AI-33697 Discussion/Approval for Hidalgo County Head Start Program to Exercise Option to Extend for an Additional One Year Term the Contract for Services for Plumbing Maintenance and Repairs with Mike's Plumbing and Electrical, Inc.**

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

- E. AI-33695 Discussion/Approval to Extend Interlocal Agreement with the South Texas Cooperative Through Region One Education Service Center for the Purpose of Purchasing all Food Commodities, Uniforms, Supplies and Services**

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 T)

(Audio Tape # 1, Tracking # 3100)

A. AI-33722 Authorization to accept donation of Right of Way Deed from Desarrollo del Rancho La Gloria on FM 681.

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

B. AI-33716 Consideration and Approval to purchase a certain tract of land also known as Parcel 8 for the South McColl Road Project. (Pct. 2)

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

15. Colonia Access Program: Agapito Vargas: (Exhibit U)

(Audio Tape # 1, Tracking # 3172)

A. AI-33704 Requesting approval of Round III Funding Agreement for Border Colonia Access Program Amendment #7. The amendment extends the contract period to August 28, 2013 and completion of construction projects until August 28, 2014.

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

Commissioner Flores joined the meeting.

16. Precinct #1 - Comm. Quintanilla: (Exhibit V)

(Audio Tape # 1, Tracking # 3213)

A. AI-33589 Requesting approval to pay Invoice #9367347 (PO #677111) in the amount of \$209.95 from McCoy's Building Supply with authority for Co. Treasurer to issue check after review and audit procedures have been completed by the Co. Auditor.

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

B. AI-33601 Requesting permission by 3rd Annual Ride for Autism and BBQ Cook-off to use Delta Lake Park grounds for fundraiser for Autism to be held on September 21-22, 2012.

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

17. Precinct #2 - Comm. H. Palacios: (Exhibit W)

(Audio Tape # 2, Tracking # 05)

A. AI-33598 Approval of Highway Right of Way Easement for the purpose of widening, constructing and maintaining of Thomas Rd.

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

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

(Audio Tape # 2, Tracking # 22)

A. AI-33594 Discussion, consideration and approval to submit the Texas VINE Reimbursement Maintenance Invoice in the amount of \$30,710.00 and the Texas Statewide Automated Victim Notification Service (SAVNS) County Verification of Continuing Production Record with authority for County Judge to sign the required documents.

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

B. AI-33610 FY 2012 Jag grant (1282):

1. Approval to accept the FY 12 Edward Byrne Memorial Justice Assistance Grant award (JAG) in the amount of \$66,516.00.

2. Approval of Certification of Revenues as certified by the County Auditor for the FY 12 Edward Byrne Memorial Justice Assistance Grant award (JAG).

3. Approval of 2012 appropriation of funds for the FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$66,516.00 (1282).

4. Approval of Salary Schedule.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 18.B.1, 2, 3 & 4.

Commissioner Hector Palacios stepped away.

C. Budget Appropriations:

1. AI-33718 Pct. #1 Drainage Improvement Project (1200):

a. Approval of certification of revenues as certified by the County Auditor for Pct. 1 Drainage Improvement labor reimbursements.

b. Approval of 2012 appropriation of funds for the Pct. 1 Drainage Improvement Project (fund 1200, program 052) in the amount of \$19,522.35 to fund payroll expenditures.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 18.C.1.a & b.

2. AI-33739 Pct. #1 ICA Edcouch-Elsa ISD Walking Trail (1200):

a. Approval of certification of revenues, as certified by Co. Auditor, for revenue received by the Edcouch-Elsa ISD for the Pct. 1 ICA with Edcouch-Elsa ISD walking trail project.

b. Approval of 2012 appropriation of funds into Pct. 1 ICA Edcouch-Elsa ISD Walking Trail in the amount of \$66,000.00 to fund construction of walking trails.

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

3. AI-33642 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 \$42,145.63 (Labor Reimbursements - May 2012).

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

4. AI-33783 Public Defender (1282):

Approval to deobligate funds from Public Defender - Juvenile Section Grant (1282) in the total amount of \$80,000.00.

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

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

(Audio Tape # 2, Tracking # 95)

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

4. AI-33632 a. Acceptance of the scoring/evaluation grid (from designated grading committee) for the purpose of CC to declare as "Qualified" the sole response received from Air Evac, EMS, Inc. so as to proceed with the next phase of the procurement process- negotiation; and,

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

b. Authority for Purchasing Department to negotiate a contract with Air Evac, for the provision of voluntary employee services as requested in the RFP No.: 2012-108-06-13-CGA-"Voluntary (Post Tax) Emergency Air Ambulance Services" for Hidalgo County.

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

B. Pct. 3

1. AI-33643 Pursuant to contract with L&G Engineering, (article 14) C-12-123-05-22, a request for approval by engineer to permit the subcontracting of ACI Environmental Consultants and Ambiotec Group in connection with Work Authorization No. 1-Environmental Study for Pct No. 3 Old Administration Building.

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

2. AI-33645 Acceptance and approval of the following invoices submitted by contracted/project engineer, L & G Consulting Engineers, Inc.:

a. Invoice No. 11324222- \$42,770.00 for "La Homa ROW"- C-11-312-02-07

b. Invoice No. 11324216- \$39,963.61 for "FM 681-FM 2221 to SH 107"-C-09-192-06-08

c. Invoice No. 11324217 -\$15,889.24 for "FM 681-FM 2221/FM 492: FM 681 to FM 364" - C-09-192A-06-08

d. Invoice No. 11324219-\$4,421.46 for "Mile 2"

e. Invoice No. 11324215- \$5,441.27 for "Mile 2 N.-Inspiration to Moorefield Rd"

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 19.B.2.a through e.

C. Pct. 4 (Audio Tape # 2, Tracking # 274)

1. AI-33637 a. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (A) (4) a professional service;

Ms. Virginia Townsend had concerns with this item being a Sole Source/Sole Vendor. Ms. Darlene Betancourt and Mr. Joe Pena both explained to Ms. Townsend that HLH was the sole respondent for that project and that he is the only one qualified to review appraisers due to new laws that came into place.

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

b. Presentation of scoring sheet for the purpose of Commissioners Court declaring the sole member of the County’s approved “pool” of professional appraisers and/or review appraiser services providers-HLH Appraisal Services as "qualified" so as to proceed with the next phase of the process-negotiating (for on call services) for Pct #4 projects;

c. Authority for the Purchasing Department to negotiate a professional services contract with the sole qualified/ranked firm of HLH Appraisal Services for: the provision of professional review appraisal services (on call services) for Pct. #4 projects.

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

2. AI-33639 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 of approval.

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 professional surveying services providers (re: on call services) for Pct No. 4 projects;

Total	Dos Land Surveying	Rodriguez Engineering	RODS Surveying
Evaluator 1	97	95	93
Ranking	1	2	3

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

c. Authority for the Purchasing Department to negotiate a professional services contract with the No. 1 ranked firm of Dos Land Surveying for: the provision of professional surveying services (re: on call services) for Pct #4 projects.

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

3. AI-33638 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 Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

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 Geotechnical (Engineering) Services Providers (re: on call services) for Pct. #4 Projects;

Total Scores	L&G Engineering	PSI Engineering	Terracon
Evaluator 1	99	98	95
Ranking	1	2	3

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

c. Authority for the Purchasing Department to negotiate a professional (Construction Management Services) contract with the No. 1 ranked firm of L & G Engineering for: the provision of professional Geotechnical (engineering) services (re: on call services) for Pct. #4 projects.

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

4. AI-33782 a. Requesting approval of Supplemental Agreement No. 1 under (C-11-234-09-13) current contract with L&G Consulting Engineers, Inc. for the "FM 1925-from Kenyon Road to FM 907 (Alamo Road) to include realignment of N. Alamo Road. "

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

b. Requesting approval of Supplemental Agreement No. 1 to Work Authorization No. 1 (an increase in the amount of \$221,040.00),for current contract with L&G Consulting Engineering, Inc. for the "FM 1925-from Kenyon Road to FM 907 (Alamo Road,") for Hidalgo County Precinct No. 4. C-11-234-09-13

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

5. AI-33744 Pursuant to a request by Pct. #4 for approval to "terminate" the Agreement for Professional Services & Supplemental #1 with TEDSI Infrastructure Group, Inc. in connection to Contract #C-05-199-05-10 for Project:"10th Street Extension between SH 107 and FM 1925 (Monte Cristo Road) for Hidalgo County Precinct # 4, stated (under Article 3.4 (5)-Termination by Owner without cause upon thirty (30) days written notice to the Engineer).

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

D. County Courts at Law (Audio Tape # 2, Tracking # 720)

1. AI-33485 a. Requesting approval of an "order" granting exemption from competitive bidding requirements under Texas Local Government Code, 262.024 (a)(7)-'an item that can only be obtained from only one source';

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

b. Approval of a "Sole Source Declaration" with Stenograph, LLC and authority to purchase the continuation of the "CaseCATalyst Software Support & Maintenance"(no signed documents required only purchase order) with said sole source designation remaining in effect as long as County Court at Law #5 possess and utilizes the software in the amount of \$842.00 per year through requisition #220861 any other County elected offices, programs, agencies or departments possessing the same equipment and/or software(s).

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

20. Open Forum

-Frank Traver informed the Court of various newspaper clippings discussing that the Commuter Rail System will not be cost effective.

-Fern McClaugherty expressed her concerns with the Edinburg Town Hall Meeting being @ 9:00 a.m., tax rates, Home Stead Exemption.

- Judge Garcia informed the public that no action has been taken to raise the tax rates.

-Karina Cardoza informed the general public of various upcoming Town Hall Meetings and encouraged all employees to attend the Blood Drive.

-Eddie Olivarez reported that there are currently no reports of West Nile in the valley.

21. Closed Session: (Exhibit Z)

(Audio Tape # 2, Tracking # 1155)

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

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

NO ACTION taken on items 21.A & B.

22. Open Session: (Exhibit AA)

(Audio Tape # 2, Tracking # 1145)

A. Real Estate Acquisition and appropriation for same

Donation Right of Way Deed...Pct. 3

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

B. Pending and/or potential litigation

NO ACTION taken on this item.

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
August 21, 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 # 1258)

On motion of Commissioner Joseph Palacios, seconded by Commissioner Hector 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-33674 2012 - County Auditor's Office (1100)**
 - B. AI-33745 2012 - County Clerk (1100)**
 - C. AI-33760 2012 - Executive Office (1100)**
 - D. AI-33641 2012 - Health & Human Services Dept. (1293)**
 - E. AI-33659 2012 - Health & Human Services Dept. (1293)**
 - F. AI-33630 2012 - Health & Human Services Dept. (1293)**

- G. **AI-33635 2012 - Health & Human Services Dept. (1100)**
 - H. **AI-33623 2012 - Health & Human Services Dept. (1100)**
 - I. **AI-33625 2012 - Sheriff's Office (1100)**
 - J. **AI-33578 2012 - Sheriff's Office (1284)**
 - K. **AI-33597 2012 - Elections Department (1100)**
 - L. **AI-33563 2012 - Tax Office (1100)**
 - M. **AI-33621 2012 - Fire Marshal (1100)**
 - N. **AI-33791 2012 - Emergency Management (1100)**
 - O. **AI-33636 2012 - I.T. Department (1100)**
 - P. **AI-33603 2012 - HIDTA (1254)**
 - Q. **AI-33609 2012 - Pct. # 1 Parks (1100)**
 - R. **AI-33729 2012 - Pct. #2 Parks (1100)**
 - S. **AI-33728 2012 - Pct. #2 Sanitation (1100)**
 - T. **AI-33732 2012 - Pct. #2 R&B (1200)**
 - U. **AI-33615 2012 - Pct. #3 BCAP (1312)**
 - V. **AI-33596 2012 - Constable Pct 4 (1100)**
3. **2012 Interdepartmental transfers: (Exhibit C)**
- A. **AI-33757 Pct. 1 CO's 2010 A & B (1342):**
Approval of 2012 interdepartmental transfer from Pct. 1 Roads, program #041, to Pct. 1 Valdez (Armando-Ditch), in the amount of \$4,663.56 to fund road materials expenditures.
 - B. **AI-33730 Pct. #2 R&B (1200):**
Approval of 2012 interdepartmental transfer within R&B Fund 1200 from program (006) to program (005) in the amount of \$4,900.
 - C. **AI-33787 Pct. 4 Rd Maint (1200):**
Approval of 2012 interdepartmental transfer from CW ADM (1200) to Pct. 4 Rd Maint (1200) in the amount of \$17,000.00 to fund vehicle repairs.
 - D. **AI-33784 C.O. 2009 B&C Series (1341):**
Approval of 2012 interdepartmental transfer within Certificate of Obligations Series 2009B&C from DD#1 (program 080) to Pct#4 FM1925 (program 076) in the total amount of \$221,040.00
4. **Planning Department: (Exhibit D)**
- A. **AI-33743 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. Monthly Fee Reports: (Exhibit E)

A. AI-33592 District Attorney's Office:

Approval of July 2012 Check processing fee report.

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

A. AI-33785 Approval of 457 Plan Hardship withdrawal request for employee #128759

7. Tax Refunds: (Exhibit G)

A. AI-33644

Acct#	Payer	Amt
A5527.01.000.0002.00	Corelogic	\$ 4,704.52
E5560.00.000.0015.00	Corelogic	\$ 2,867.12
K6910.01.000.0045.00	Corelogic	\$ 2,859.46
K6910.06.000.0111.00	Corelogic	\$ 2,602.79
L0450.00.197.0000.05	Corelogic	\$ 2,515.63
L2218.00.000.0053.00	Corelogic	\$ 2,699.17
L3080.00.000.0050.00	Netco Texas	\$ 3,328.73
U1050.00.000.0008.00	Corelogic	\$4,892.97

8. Membership Dues: (Exhibit H)

A. AI-33569 County Clerk:

Requesting approval to pay the 2012 Urban Recordors Alliance Annual membership dues in the total amount of \$50.00 for Mrs. Annette Muñiz, with authority for the County Treasurer to issue check after review, audit and processing procedures are completed by the County Auditor.

9. Headstart: (Exhibit I)

A. AI-33689 Approval of Financial Reports for June and July 2012.

- B. **AI-33694 Approval of Risk Management Quarterly Report**
- C. **AI-33693 Approval of Monthly Report for Special Services for June and July 2012.**
- D. **AI-33691 Approval of Monthly Report for Texas Department of Agriculture Meals and Snacks Served for June and July 2012.**
- E. **AI-33690 Approval of Children's Applications for Program Year 2012-2013**

10. Purchasing Dept: (Exhibit J)

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-33634 Requesting authority to advertise a Request for Proposals and approval of procurement packet (i.e. legal notice, requirements, scope of services, evaluation criteria, etc.) as attached hereto for: "Section 125 Voluntary Insurance Products for Hidalgo County"-RFP #2012-145-00-00-CGA, including, but not limited to the following "Pre-Tax Products":**
 - 1. **Vision**
 - 2. **Dental**
 - 3. **Cancer**
 - 4. **Long and/or Short Term Disability**
 - 5. **Accidental**
 - 6. **Life Insurance**
 - 7. **Critical Illness**
 - B. **AI-33617**
 - 1. **Requesting approval of an "order" granting an exemption from competitive bidding requirements under Texas Local Gov't. Code, Chapter 262, Section .024 (a)(7) "an item that can only be obtained from only one source."**
 - 2. **Approval of a "Sole Source Declaration" with authority to enter into a "Contribution-In-Aid-of-Construction Agreement" with AEP Texas Central Company in the amount of \$15,577.99 for the installation and removal primary poles and upgrade to a full 3-Phase WYE-WYE 277/480V Transformer at Mile 17 N., East of Skinner Rd., to serve Fike Pump Lift Station in La Blanca, TX with authority for County Treasurer to issue check after review and processing procedures are completed by County Auditor.**
 - C. **AI-33755 Approval of Application for Payment No. 1 in the amount of \$71,738.17 from Asago, LLC dba Asago Construction, contracted vendor for Mid-Valley Estates Subdivision as submitted by TEDSI Infrastructure Group, Inc. project engineer (C-CAP-12-049-05-10.)**

- D. **AI-33735 Approval of Application for Payment No. 2 in the amount of \$44,157.60 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.)**
- E. **AI-33611 Approval to exercise the County's option to extend the one (1) year as provided under current contract #C-2010-002-09-28 for the provision of: "Pathologist To Provide Turnkey Autopsy And Related Services-Hidalgo County" with Dr. Norma Jean Farley, M.D., under the same rates, terms and conditions with effective date of September 28, 2012 and ending on September 27, 2013.**
- F. **AI-33640 Approval of Request for Payment-Application No. 6 in the amount of \$382,994.40 from D. Wilson Construction Co. awarded contractor for the, "Construction of the Sheriff's Office Substation in the Pct 1 Area", and as certified for payment by project architect, Gignac & Associates-C-11-032-01-20.**

G. AI-33605 Auditors Office:

Acceptance of Price Quote with recommendation to purchase 2-year Nu Ax Standard Device Connect Renewal (support and maintenance services) with Notable Solutions, Inc. for the Auditor's department through Requisition 220247 in the total amount of \$328.00

H. AI-33602 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.

I. AI-33540 Tax Office-Several Locations:

Requesting authority to purchase a 12-month fax service agreement renewals and authority to execute required agreement for the following with Copy Graphics, Inc. (2-1100-415-15-140-001-0-432;

Requisition	Model	Serial	Location	Yearly	Effective
220625	Canon LC-2050P	UZX78565	Tax Office-Mission	\$195.00	8/21/2012-8/20/2013
220625	Canon LC-2050P	UZX78564	Tax Office Auto-Mission	\$195.00	8/21/2012-8/20/2013
220625	Canon LC-2050P	UZX78561	Tax Office Auto-Edinburg	\$195.00	8/21/2012-8/20/2013

- J. **AI-33595 Acceptance and approval of request for payment-Inv. #11324221-\$4,250.00- submitted by L&G Consulting Engineers-services-month of July 2012 in connection to Contract #C-07-451-12-26-PO#596375.**

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
August 21, 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 Quintanilla. Commissioner Quintanilla joined the meeting shortly after commencement.

2. Open Forum

NO ACTION taken on this item.

3. Approval of Consent Agenda

The Board proceeded with the Drainage District Agenda at this point.

Commissioner Quintanilla joined the meeting.

4. AI-33707 A. Submission of 2012 effective and rollback tax rates. (Audio Tape # 1, Tracking # 80)

Armando Barrera, Tax Assessor & Collector, discussed the difference of the effective and rollback tax rates while Paul Villarreal provided some handouts to the Court.

B. Discussion of 2012 planning calendar.

Mr. Barrera discussed the effective and rollback tax rates deadlines and stated that they were posted in today's paper.

C. Discussion of 2012 tax rates.

Mr. Godfrey Garza discussed the possibility of a minimum tax increase.

Mr. Barrera and Ms. Lora Briones discussed the 2012 Tax Rates in more detail.

D. Record vote on proposed 2012 tax rate and schedule two (2) public hearings if proposed tax rate exceeds the lower of the effective or rollback rates.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Board made a UNANIMOUS vote to approve the tax rate of 0.0750 Tax Rate .

Votes were carried as follows:

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

NAY: None

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve and schedule the two public hearings for September 4th & 11th @ 9:00 a.m.

At this time, Judge Garcia asked Armando Barrera, Tax Assessor & Collector, for clarification involving 65 year olds and how a tax increase would affect them. Mr. Barrera clarified that there would not be a tax increase on their homesteads. Mr. Barrera later came back for clarification on the Homestead Exemption. He clarified that the Drainage District does not give an exemption, the County does.

5. AI-33746 Requesting approval to amend weir number on Agenda Item No. 31576 Item C & D, dated March 27, 2012, due to error corrected project name should read as follows: "Main Floodway Channel Weir No.5/Armoring/Repairs".

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Board made a UNANIMOUS vote of approval with correction to read Weir No. 5.

6. Closed Session:

(Audio Tape # 1, Tracking # 614)

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
August 21, 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 # 73)

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

- 1. Approval of check register and payment of claims and bills - County Treasurer**
- 2. AI-33646 Requesting authority to advertise a Request for Proposals and approval of procurement packet (i.e. legal notice, requirements, scope of services, evaluation criteria, etc.) as attached hereto for: "Section 125 Voluntary Products for Hidalgo County"-RFP #2012-145-00-00-CGA, including, but not limited to the following "Pre-Tax Products":**
 - 1. Vision**
 - 2. Dental**
 - 3. Cancer**
 - 4. Long and/or Short Term Disability**
 - 5. Heart & Stroke**
 - 6. Accidental**
 - 7. Life Insurance**
 - 8. Critical Illness**

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 21st 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 21, 2012.

Signed this 27 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