

SPECIAL MEETING – AUGUST 27, 2012

BE IT REMEMBERED, that on this 27th 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 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
August 27, 2012
5:15 P.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 Commissioners' Courtroom of the Administration Building, 100 E. Cano , 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 Judge Garcia.

2. Pledge of Allegiance

Valde Guerra led the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Commissioner Quintanilla 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 K)

(Audio Tape # 1, Tracking # 2760)

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 of approval of the exemption.

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

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval as it pertains to item 20.C- AI-33841 Hidalgo County v. Guerra Construction.

B. AI-33838 Approval of and authority to file with the Texas Comptroller's Office pursuant to S.B. 18 Documentation of Eminent Domain Authority (Audio Tape # 1, Tracking # 548)

-Jim Barnes requested clarification on the eminent Domain on all organizations connected with the County.

-Frank Traver asked if the Commuter Rail must be included with the Eminent Domain

-Richard Montes Yoca – stressed on the importance of Eminent Domain.

-Rex Leach, County Attorney, clarified that the County would not be authorized to give Eminent Domain authority to anyone and that would be required by Legislature. The document grants the County of Hidalgo Eminent Domain

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

C. AI-33795 Approval to process payment of claims from Nereyda Morales-Martinez, Attorney at Law totaling \$ 5,340.00 (for invoice period June 2008 - Aug. 2008) in connection with legal representation of indigent defendant, with authority for County Treasurer to issue payment after review and auditing procedures are completed.

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

D. AI-33845 Discussion and possible action on an Order authorizing the Resale of Foreclosed Real Estate Properties pursuant to Texas Property Tax Code Section 34.05 (a), (c) and (d) - Perdue, Brandon, Fielder, Collins & Mott LLP

E. AI-33847 Discussion and possible action on an Order authorizing the Resale of Foreclosed Real Estate Properties for failure to pay ad valorem taxes - Linebarger, Goggan, Blair & Sampson, LLP

Mr. John David Franz requested the Court approve the order authorizing Sheriff Lupe Trevino to conduct a sale in accordance with section 34.05A, C & D of the Texas Property Tax Code and that such sale be held at the earliest available date in accordance with the Laws in the State of Texas and that Hidalgo County notify Sheriff Lupe Trevino that it will not object to a sale price of such property in the sum set forth on Exhibits A & B. Mr. Franz further explained that his Exhibit A is the properties where they are asking the County to authorize 20%, and Exhibit B contains the properties which are asking to authorize 35%.

On motion of Commissioner Flores, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 5.D & E.

F. AI-33853 Pursuant to the Hidalgo County fuel policy, requesting approval to reimburse Tomas Salazar for the purchase of fuel in the amount of \$51.00 for county vehicle (due to fuel card not working) with authority for the County Treasurer's Office to issue payment/check after the Auditor's Office processing procedures are completed.

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

G. AI-33868 Executive Office:

1. Requesting permission for Valde Guerra and Martin Ramirez to travel to Austin, Texas on September 12-14, 2012 to attend the Water Quality/Stormwater Seminar

2. Requesting permission for Valde Guerra to travel to Austin, Texas on October 7-13, 2012 to attend the 2012 County Investment Officer Training, Level I

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

H. AI-33854 Elections Department:

Requesting approval to advertise/hire for the following:

Slot #	Position	Grade
0007	Field Service Specialist II	10

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

I. AI-33894 Fire Marshal Department:

Requesting approval to advertise/hire for the following:

Position	Slot #	Grade
Deputy Fire Marshal	003	10

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

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

(Audio Tape # 1, Tracking # 1216)

A. AI-33895 Proclamation honoring Maria G. Valladares celebrating her 100th Birthday

NO ACTION taken on this item.

7. Constables: (Exhibit M)

(Audio Tape # 1, Tracking # 1218)

A. AI-33796 Constable Pct. #3- STOP Truancy (1285):

1. Approval of certification of revenues, as certified by the County Auditor in the amount of \$79,255.74.

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

2. Approval of appropriation of funds (School Districts and local match).

3. Approval of salary schedule.

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

B. AI-33831 Constable Precinct No. 4:

1. Discussion, consideration, and approval to appoint Oscar David Montoya as a Deputy Constable by Constable J.E. "Eddie" Guerra, Constable Precinct 4 in accordance with Texas Local Government Code Section 86.011.

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

2. Discussion, consideration, and approval to appoint Robert Vela Jr. as a Reserve Deputy Constable by Constable J.E. "Eddie" Guerra, Constable Precinct 4 in accordance with Texas Local Government Code Section 86.012.

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

C. AI-33748 Constable Pct #4 (1100):

Pursuant to the Hidalgo County fuel policy, requesting approval to reimburse Sergeant Aaron Moreno for the purchase of fuel in the amount of \$154.71 for county vehicle unit #402, with authority for the County Treasurer's Office to issue payment/check after the Auditor's Office processing procedures are completed.

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

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

(Audio Tape # 1, Tracking # 1346)

A. AI-33763 Requesting approval of Official Bond Renewal for Elections Administrator Yvonne Ramon.

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

9. District Clerk - Laura Hinojosa: (Exhibit O)

(Audio Tape # 1, Tracking # 1373)

A. AI-33703 Discussion, consideration and approval of the AG State Case Registry & Local Customer Service Contract, FY 13/14.

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

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

(Audio Tape # 1, Tracking # 1406)

A. AI-33666 "Approval of Annual Report for July 1st, 2011 through June 30th, 2012."

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

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

(Audio Tape # 1, Tracking # 1694)

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

NO ACTION taken on this item.

Commissioner Flores stepped away.

B. AI-33468 Department of State Health Services Grant:

1. Requesting authorization to accept the Department of State Health Services grant contract #2013-041204 in the amount of \$2,384,582.00 for the period of 09/01/2012 to 08/31/2013 (Fiscal Year 2013).

2. Requesting authorization for County Judge to sign the Certification Regarding Lobbying.

3. Requesting authorization for County Judge to sign the FFATA Certification for Fiscal Year 2013.

4. Approval of the Certification of Revenue in the amount of \$2,384,582.00.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 11.B.1, 2, 3 & 4.

T.B. Control Grant (1293):

1. Approval of the TB State budget appropriation in the amount of \$455,507.00

2. Approval of salary schedule.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 1 & 2 under the T.B. Program Grant.

T. B. Program Income (1293):

1. Approval of the Certification of Revenue in the amount of \$25,000.00 for the TB State program income.

2. Approval of the TB State program income budget appropriation in the amount of \$25,000.00.

On motion of Commissioner Joseph Palacios, seconded by Commissioner Quintanilla, the Court made a UNANIMOUS vote to approve items 1 & 2 under the T.B. Program Income.

PPCPS - BDS (1293):

1. Approval of the PPCPS - BDS (Bioterrorism Discretionary Section) budget appropriation in the amount of \$69,376.00 which includes a local match in the amount of \$6,938.00.

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

RLSS/ LPHS Grant (1293):

1. Approval of the RLSS / LPHS budget appropriation in the amount of \$102,403.00.

2. Approval of salary schedule.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 1 & 2 under the RLSS/ LPHS Grant.

PHEP Grant (1293):

1. Approval of the PHEP budget appropriation in the amount of \$749,966.00 which includes a local match in the amount of \$68,179.00.

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

2. Approval to delete/create the following full time positions:

Action	Slot No.	Position Title	Grade
Delete	0010	Risk Communication Planner	7
Delete	0012	Health Technician	7
Create	0018	Public Health Specialist	9
Create	0019	Public Health Specialist	9

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

3. Approval to create a full time Bi-National Coordinator position, slot no. 0017, grade 11 and transfer employee, no. 182451 effective 09/01/12 (inception of grant).

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

4. Approval to reclassify the following full time position(s); Reviewed and recommended by the Classification Committee, as per section 3.22 of the Civil Service Commission Rules:

Employee No.	Slot	Current Position Title	Current Grade	Proposed Position Title	Proposed Grade
161187	0005	Strategic National Stockpile Coordinator/Planner	12	Public Health Planner	12

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

5. Approval to add the Public Health Planner classification to the position inventory.

6. Approval to remove the Strategic National Stockpile Coordinator/Planner and Risk Communication Planner classifications from the position inventory.

7. Approval of salary schedule.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 11.B.5, 6 & 7.

Immunization Branch Grant (1293):

1. Approval of the Immunization budget appropriation in the amount of \$649,320.00.

2. Approval of salary schedule.

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

Immunization Program Income (1293):

1. Approval of the Certification of Revenue in the amount of \$130,000.00 for the Immunization program income.

2. Approval of the Immunization program Income budget appropriation in the amount of \$130,000.00.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 1 & 2 under the Immunization Program Income.

TB Elimination Grant (1293):

1. Approval of the TB Federal budget appropriation in the amount of \$433,127.00.

2. Approval of salary schedule

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve items 1 & 2 under the TB Elimination Grant.

C. AI-33682 Approval of Texas Indigent Health Care Association 2012 Dues

NO ACTION taken on this item.

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

(Audio Tape # 1, Tracking # 2026)

- A. AI-33754 Urban County Program on behalf of Precinct No. 1 (Progreso) is requesting consideration and action to award and enter into a construction contract with HighMark Construction Company, LLC, for the park, recreational facility “parking lots” project located in the City of Progreso. Total contract amount \$75,000.00 utilizing UCP - City of Progreso YR 24 (2011) park, recreational facility, City’s general funds and Precinct No. 1 YR 23 (2010) park, recreational facility funds.**

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

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

(Audio Tape # 1, Tracking # 2058)

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

NO ACTION taken on this item.

14. Planning Department - Raul Sesin: (Exhibit T)

(Audio Tape # 1, Tracking # 2060)

- A. AI-33766 1. Release of Letter of Credit**

a. Brushline LTD Subdivision – Pct. 3 (Brushline, Ltd.)

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

2. Appointment or Re-Appointment of Member for a 2 year term to the Hidalgo County Subdivision Advisory Board

a. Precinct No. 2 – Manuel Cantu

b. Precinct No. 3 – Omar Ramon

c. Precinct No. 4 – Leonel Garza III

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 14.A.2.a – c.

3. Appointment or Re-Appointment of Member for a 2 year term to the Hidalgo County Board of Building Line Adjustment

a. Precinct No. 2– Manuel Cantu

b. Precinct No. 3– Omar Ramon

c. Precinct No. 4– Leonel Garza III

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 14.A.3.a – c.

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

(Audio Tape # 1, Tracking # 2130)

A. AI-33885 1. Requesting authorization for Hidalgo County to execute the Interlocal Cooperation Agreement between Hidalgo County and City of San Juan for the Nolana Loop Project (FM1426 to FM 88).

NO ACTION taken on this item.

2. Acceptance and approval of the Interlocal Cooperation Agreement Project: provision of the "Undertaking a highway improvement project generally described as the Nolana Loop Project from FM 1426 to FM 88" pursuant to the approval of the Interlocal Agreement as stated above.

NO ACTION taken on this item.

B. AI-33887 Approval of consent agreement with Irrigation District No.2 for the Minnesota Drainage Project.

NO ACTION taken on this item.

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

(Audio Tape # 1, Tracking # 2142)

A. AI-33835 Presentation and discussion on the Monthly Budget Report for the month of July 2012.

NO ACTION taken on this item.

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

(Audio Tape # 1, Tracking # 2148)

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

- 4. AI-33812 Pursuant to current contract with R. Gutierrez Engineering Corporation (article 12) C-11-310-01-24, a request for approval by engineer to permit the subcontracting of South Texas Land Investigations in connection with Work Authorization No. 3-Minnesota Road Project;**

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

- 5. AI-33863 a. Requesting approval and authorization to purchase (1) New Modular Building through Hidalgo County's membership/participation in TASB-BuyBoard Cooperative Purchasing Program's awarded vendor, Ramtech Building Systems-Project through Contract #335-10-Project #2012-204-OGG:**

Options Description (1) District Clerk's Modular 26.5 x 47.4=1,258.75 sq. ft with Option IV Hardi-Panel (Smooth) Siding w/applied textured coating (includes taping of all seams); "R" Panel 42" in height w/ 4"-6" Build Out in the estimated amount of \$106,800.00. Proposed Modulares will be located at the corner of 10th & McIntyre St. in the Hidalgo Courthouse Parking Lot west of the Annex Bldg. Modular has been modified/customized to accommodate a Supervisor and 9 cubicles for staff as approved by Ms. Hinojosa, HC District Clerk.

Valde Guerra, Executive Officer, for the Record: *The Option IV, which is the next part of this agenda item, the total cost for this additional building is \$98,154.00.*

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

b. Requesting authorization/approval to solicit/request proposals from awarded Job Order Contractors (through County's membership and participation in various cooperative purchasing programs/association, etc.) for the: "Installation of Electrical, Plumbing, furnishings and any other

appurtenances for District Clerks Modular) to be located-corner of 10th St. & McIntyre St. currently a parking area at the Hidalgo County Courthouse.

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

c. Authority for Hidalgo County Judge Ramon Garcia to sign any documents as may be required by Ramtech Building Systems to commence with proposed request.

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

Commissioner Hector Palacios stepped away.

B. Pct. 4

1. AI-33809 Recommendation by Precinct #4 for Commissioners Court to take action regarding the Carmen Avila Project including, but not limited to:

A. "cease" contract negotiations with the #1 ranked firm (on 8-09-11) for "professional engineering services" with LeFEVRE ENVIRONMENTAL & MANAGEMENT CONSULTING;

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

B. cancel the project in it's present form with future changes/modifications in route, specifications and requirements and thus no further attempts to negotiate with the other ranked firms will be necessary.

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

C. WIC

1. AI-33761 Recommending award of bid and approval of contract document to sole bidder (GBB, Rentals, LTD) meeting all specifications and/or requirements as attached hereto for: "Hidalgo County WIC Program-Lease of Office Space-City of Weslaco" RFB No. 2012-104-06-20-SMA.

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

D. Tax Office

1. AI-33759 Presentation of lowest bid received as detailed in Tabulation sheet contained herein meeting all specifications/requirements for the purpose of award and approval of contract for Request for Bid Titled: Hidalgo County Tax Assessor/Collector-Printing and Mailing of Tax Statements-Tax Rolls and Envelopes"-project No.: 2012-121-07-18-SGS.

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

E. Colonia Access Program Pct. 2

1. AI-33272 Acceptance, and approval of the following items for C-CAP-12-115-06-12 Esperanza Estates Subdivision between Hidalgo County and 2GS, LLC as submitted through project engineer DOS Logistics, Inc.:

- a. **Final construction contract (CC awarded 06-12-12) in the amount of \$80,125.00;**
- b. **Pursuant to TXLGC 262.031 and in the interest of expediting a project's progress, requesting authority/approval for the Precinct Commissioner or designee to execute change orders that involve ...'an increase or decrease in cost of \$50,000.00 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 Joseph Palacios, the Court made a UNANIMOUS vote to approve items 17.E.1.a & b.

18. Open Forum

-Fern McLaugherty discussed the tax freeze on individuals 65 years and older, possible tax increases and how it affects possible foreclosures.

19. Closed Session: (Exhibit X)

(Audio Tape # 1, Tracking # 2665)

On motion of Commissioner Flores, 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-33840 Hidalgo County v. Guerra Construction**

NO ACTION taken on items 19.A, B & C.

20. Open Session: (Exhibit Y)

(Audio Tape # 1, Tracking # 2684)

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

On motion of Commissioner Joseph Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve Parcel located on Minnesota Road in the amount of \$3,223.00.

On motion of Commissioner Flores, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve Parcel 4 in the amount of \$5,353.00 and Parcel 18 in the amount of \$3,000.00, both located on Minnesota Road

- B. **Pending and/or potential litigation**

NO ACTION taken on this item.

C. AI-33841 Hidalgo County v. Guerra Construction

Refer to items 5.A.1 & 2.

21. Closed Session:

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

NO ACTION taken on this item.

22. Open Session:

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

NO ACTION taken on this item.

23. Adjourn

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

**AGENDA
CC CONSENT
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
August 27, 2012
5:15 P.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 Commissioners' Courtroom of the Administration Building, 100 E. Cano., 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 # 428)

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve the Consent Agenda with the exception of items 10.B, 10.D. and 10.J.

On motion of Commissioner Quintanilla, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve item 10.D, subject to funding.

Valde Guerra for the Record: 10.B. is a point of information from the Auditor's Office. The monthly cost of the lease is for \$122.10 and not \$120.10 as stated on the Agenda.

On motion of Commissioner Quintanilla, seconded by Commissioner Joseph Palacios, the Court made a UNANIMOUS vote to approve items 10.B. and 10.J, subject to funding.

- 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-33750 2012 - Sheriff's Office (1100)**
- B. AI-33807 2012 - Sheriff's Office (1284)**
- C. AI-33856 2012 - Sheriff's Federal Sharing - U.S. Department of Treasury (1228)**
- D. AI-33742 2012 - Health & Human Services Dept. (1293)**
- E. AI-33501 2012 - Fire Marshal (1100)**
- F. AI-33736 2012 - Adult Probation (1100)**
- G. AI-33816 2012 - 206th District Court (1100)**
- H. AI-33842 2012 - 332nd District Court (1100)**
- I. AI-33768 2012 - District Clerk (1100)**
- J. AI-33686 2012 - CCL #7 (1100)**
- K. AI-33892 2012 - 398th District Court (1100)**
- L. AI-33882 2012 - County Judge (1100)**
- M. AI-33823 2012 - 449th District Court (1100)**
- N. AI-33677 2012 - 449th District Court (1100)**
- O. AI-33817 2012 - Countywide Mechanic Shop (1200)**
- P. AI-33839 2012 - Pct.1 R&B (1200)**
- Q. AI-33874 2012 - Pct#2 R&B (1200)**
- R. AI-33661 2012 - Pct.2 SJ CRC (1100)**
- S. AI-33714 2012 - Pct #3 Sanitation (1100)**
- T. AI-33701 2012 - Pct. #4 CO2010A&B - New Shop (1342)**
- U. AI-33702 2012 - Pct. #4 CO2010A&B - New Admn#2 (1342)**
- V. AI-33806 2012- Precinct #4 (1100)**
- W. AI-33801 2012 - Precinct #4 (1200)**

3. 2012 Interdepartmental transfers: (Exhibit C)

- A. AI-33879 Approval of 2012 interdepartmental transfer from County Wide Administration to Safety Division in the amount of \$9,500.00 to fund needed computer purchases for department. (1100)**

B. AI-33888 CO2010 A&B (1342):

Approval of 2012 interdepartmental transfer within CO2010 A&B from program (044) to program (048) in the total amount of \$99,247.00

C. AI-33712 Pct. #1 CO's 2010 A & B (1342):

Approval of 2012 interdepartmental transfer from Pct. 1 Roads, program #041, to Bar Ditches, program #087, and HCCID #9 Drain Channels, program #092, in the amount of \$18,850.00 to fund the Pct. 1 Drainage Improvement labor reimbursements for the month of July 2012 (PP #14-15).

D. AI-33762 Pct. #1 BCAP (1312):

Approval of 2012 interdepartmental transfer from Pct. 3 Munoz Estates, program no. 488, to Pct. 1 Mid-Valley Estates, program no. 461 in the total amount of \$800.00 to fund drainage improvement expenditures.

E. AI-33737 Pct. #2 BCAP (1312):

Approval of 2012 interdepartmental transfer from BCAP Aldamas Subdivision 1 & 2, program no. 937, to BCAP Pentecostal Subdivision, program no. 557 in the total amount of \$3,800.00.

F. AI-33705 Pct. #4 C.O. 2010 A&B Series (1342):

Approval of 2012 interdepartmental transfer within Certificate of Obligations Series 2010A&B - Precinct #4 Drainage Improvement Project from (program 036) to Dickerson Pond (program 048 - \$4,509.68), and to North Branch Drain (program 049 - \$7,486.98) in the total amount of \$11,996.66 to fund July 2012 Drainage - Labor (PP#14&15) & Fuel Reimbursements.

G. AI-33803 Pct 4 Rd Maint (1200):

Approval of 2012 interdepartmental transfer from Pct 4 Rd Maint (program 007) to Pct 4 Adm (program 005) in the amount of \$13,992.91.

4. Planning Department: (Exhibit D)

A. AI-33850 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. Executive Officer - Valde Guerra: (Exhibit E)

A. AI-33855 Approval of 457 Plan Hardship withdrawal request for employee #122718

6. County Treasurer: (Exhibit F)

A. AI-33753 County Treasurer:

Approval of the Hidalgo County Monthly Investment Report for the month of July 2012.

7. Membership Dues: (Exhibit G)

A. AI-33669 Auditor's Office:

Requesting approval to pay 2012-2013 membership dues to the Government Finance Officer's Association in the amount of \$1,775.00 (Requisition 220967).

8. Auditor's Office: (Exhibit H)

A. AI-33709 1. Pursuant to Local Government Code Sections 114.023-.025, requesting approval of Monthly Financial Report for the Month of July 2012.

2. Pursuant to Local Government Code Section 115.035, requesting approval of the attached reports.

9. Budget & Management: (Exhibit I)

A. AI-33869 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 \$ 67,594.60 for the period of 08/01-15/2012 and requesting approval of wire transfer.

B. AI-33687 1. Approval of reimbursement in the amount of \$756,669.50 to Blue Cross Blue Shield Insurance Company for claims paid on behalf of Hidalgo County from 08/04/12 to 08/17/12.

08/04-10/12	\$273,504.64
08/11-17/12	\$483,164.86
TOTAL	\$756,669.50

2. Approval of wire transfer to cover claims paid.

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-33285** Requesting authority to purchase 12 months of maintenance agreement and authority to execute required agreement for the following with OCE Financial Services, Inc. through requisition #218287 for the following: Total of \$214.54/month (2-1100-415-00-200-002-0-432) Effective: Upon approval

Model / Serial	Monthly
TCS522NA	\$90.94
4903619	\$46.89
9713088	\$12.78
TCS4	\$63.93

- B. AI-33663** Requesting authority to enter into a 36 month copier lease agreement with Copy Graphics for an IR-2525 thru our membership/participation with TPASS 985-L2 thru requisition 220852 in the amount of \$120.10/month.
- C. AI-33778** 1. Approval to "rescind" action (taken by CC 04/17/12-CONSENT AI#31788) for payment request of Invoice#s 3, 4 & 5 as submitted by PRODIGY for "Professional Construction Management Services" for the "New Administration Offices/Building for Hidalgo County Precinct No. 4, in order to comply with the County Auditor's request as stipulated in AI-31788 with the following item;
2. Requesting approval of payment for Invoice #3 as submitted by PRODIGY with authority for County Auditor to review and complete processing procedures and for County Treasurer to issue payment in connection to Contract #C-11-235-10-25 (PO#666986), for "Professional Construction Management Services" for the "New Administration Offices/Building for Hidalgo County Precinct No. 4
- D. AI-33765** 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-11-058-08-02-Armored Car Services with Rochester Armored Car Co., for Hidalgo Co.;
 2. C-05-321-10-18-Lease of Space in the City of Alamo with GBB Rentals, LTD, for the WIC Program.
- E. AI-33719** Tax Office Edinburg:
 Requesting authority to purchase 4 years renewal technical support for the Power Edge R710 through requisition #219555 for the Tax Office Edinburg network through our membership/participation with (DIR) Department of Information Resources awarded vendor Dell Marketing L. P. Contract #DIR-SDD-890 in the total amount of \$1,834.19. Expiring on: 11/4/2016 (2-1100-415-15-140-001-0-336):
- F. AI-33715** 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.

- G. AI-33717 Requesting authority to purchase 3 years renewal of technical support for the IronPort Platinum, IronPort Anti-Spam through requisition #220928 for the County wide network through our membership/participation with (DIR) Department of Information Resources awarded vendor Solid Border, Inc. Contract #DIR-SDD-1123 in the amount of \$13.82/each total \$13,820.00-effective-8/27/2012-8/26/2015-2-1100-415-00-200-002-0-336.**
- H. AI-33756 Requesting approval of Change Order No. 2 with contractor Asago LLC dba Asago Construction for Pentecostal Subdivision, Pct. No. 2 with quantitative adjustments resulting in an increase of \$3,750.00 as submitted through project engineer R. Gutierrez Engineering Corporation (C-CAP-12-047-03-27).**
- I. AI-33873 Requesting approval for payment to project engineer, R. Gutierrez Engineering Corporation, Contract #C-11-042-01-25, Invoice #3197 for Tower Rd. Project in the amount of \$24,977.**
- J. AI-33304 Pct. 3:**
Requesting authority to enter into a one (1) year premium plus maintenance renewal agreement with "Office Communications Systems, Inc." dba Toshiba Business Solutions for \$786.00/year for the Hidalgo County Pct. 3 Department from June 1, 2012 - May 31, 2013 thru requisition #220049.
- K. AI-33696 Precinct 4-San Carlos Community Center:**
Requesting authority to enter into a 36-month new copier (capital) lease for a WC5745PT copier through our membership/participation with (TPSS) Texas Procurement & Support Services awarded vendor, Xerox Corporation contract 985-L2 through requisition #219384 in the amount of \$178.63/month, effective upon approval (2-1100-466-00-124-077-0-780):

**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
August 27, 2012
5:00 P.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 Commissioners' Courtroom of the Administration Building, 100 E. Cano, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

(Exhibit Z)

1. Roll Call

All members of the Board were counted present, with the exception of Judge Garcia.

2. Open Forum

No Presentations under Open Forum.

3. Approval of Consent Agenda

The Board moved to approve the Drainage District Consent Agenda.

4. AI-33667 Approval of Annual Report for July 1st, 2011 through June 30th, 2012.

(Audio Tape #1, Tracking # 43)

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

5. AI-33764 Discussion and approval of First Amendment to Drainage Easement Agreement.

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

6. AI-33827 Approval of an authority to file with the Texas Comptroller's Office pursuant to SB18 Documentation of Eminent Domain Authority.

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

7. AI-33848 Discussion and possible action on a Resolution authorizing the Resale of Foreclosed Real Estate Properties for failure to pay ad valorem taxes.

John David Franz came before the Court requesting the Court approve the Bids received on properties

described in the Attached Exhibit A and authorizing the Chairman of the Drainage District to execute the Tax Resale deeds conveying the approved property.

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

8. AI-33857 Approval of Construction Maintenance Agreement with TxDot (Outfall Improvements at BUS 83)

From FM 491 to Hidalgo/Cameron County Line

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

9. 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 9.A & B.

10. Open Session:

A. Real Estate Acquisition

B. Pending and/or Potential Litigation

NO ACTION taken on items 10.A & B.

11. Closed Session:

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

NO ACTION taken on this item.

12. Open Session:

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

NO ACTION taken on this item.

13. Adjourn

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

**AGENDA
DRAINAGE DISTRICT- CONSENT
BOARD OF DIRECTORS
August 27, 2012
5:00 P.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 Commissioners' Courtroom of the Administration Building, 100 E. Cano, 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 AA)

(Audio Tape #1, Tracking # 33)

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

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

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

Dated this the 27th 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 September 04, 2012.

Signed this 31 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**