

**SPECIAL MEETING - March 7, 2016**

**BE IT REMEMBERED**, that on this 7th day of March A.D., 2016, 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 A.C. CUELLAR, JR.

COMMISSIONER, PRECINCT NO. 1

HONORABLE EDUARDO "EDDIE" CANTU

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**  
**March 7, 2016**  
**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:**

**1. Roll Call**

All members of the court were in attendance.

**2. Pledge of Allegiance**

Judge Garcia led the courtroom in reciting the Pledge of Allegiance.

*Judge Garcia requested a moment of silence in honor and memory of Former First Lady Nancy Regan.*

**3. Prayer**

Mrs. Sullivan led the courtroom in prayer.

**4. Approval of Consent Agenda**

The court moved to approve the entire Consent Agenda.

**5. Open Forum**

Commissioner Cuellar stepped away from the meeting.

Mrs. Billman stated that the only jurisdiction determined by the court preceding her divorce case, was that her debt free community property had no value, leaving it undivided and still owned. The unfair lawsuit left her with an unfair police imprisonment. According to Mrs. Billman when her husband died the local court lost all jurisdiction of the case. In order to comply with the law the case should of been dismissed, dismissal of the case is in return the dismissal of them and their community property.

Furthermore, Mrs. Billman stressed the fact that Mr. Billman left a written will, when an individual leaves a will he or she does not have to will everything. As reported by Mrs. Billman, under state law any property left out of the will is residuary property still owned by the decedent. She indicated that under state law all three heirs inherit the state of Joe Billman, and her community property still belongs to her.

*Court proceeded to Item. 6.A.*

Fern McClaugherty spoke about her concerns in reference to the proposed expenditures for the wind farm project. According to Mrs. McClaugherty, these types of projects are typical of those whose public money is spent and there is no explanation on how these projects will benefit the public. She requested knowing how many jobs will be created, what type of economic development is going to result and is the benefit going to come. The most important question in regards to the project is how much is going to cost, and the criteria to select the private company. She went on by stating that the first step is giving away public

- B. **AI-53505** Requesting approval of Memorandum of Understanding between the County of Hidalgo, McAllen Careers Institute, and Motivation Education & Training, Inc to provide vocational trade training (welding) at the Pct.2 Alamo CRC.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 – Unanimously

**20. Budget & Management:**

- A. **AI-53538** Approval of an Order authorizing the establishment of streetlights along county roads located in Eldora Heights Phases I, II, III and Goolie Meadows Phases I and II.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 – Unanimously

**B. Budget Appropriations:**

- 1. **AI-53649** Health Department (1293): Approval to deobligate funds from the Health Department CPS/HAZARDS FY15 Grant in the amount of \$694.00.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 – Unanimously

**21. Purchasing Department:**

**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. **AI-53521** Approval of a revision to previously approved (CC12/08/15-AI#52528) Agreement with Brown & Brown Lone Star Insurance Services, Inc., dba, Alamo Insurance Group (C-15-283-12-08) for: Consulting Services for Self-Funded Insured Group Health to reflect the RFP as part of agreement along with the language to include it.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 5 - 0 - Unanimously

Ms. Salazar clarified to the judge that all that is being done is to clarify the original form of agreement that was submitted by the vendor. The agreement did not have the entire list of services required under the RFP, therefore they are making the RFP part of the exhibit which includes all the services.

In regards to Ms. Salazar's comment, the commissioner stated that this is the way they identify the projects, and this is only an extension of the community resource center.

Mrs. Linda Fong questioned again if this was going to be a Boys and Girls Club or not?

The commissioner emphasized that this is going to be a community resource center.

Mrs. Fong made it clear that they just wanted to know if they could legally operate a Boys and Girls Club, using CO funds. Once more, the commissioner emphasized that this is not a Boys and Girls club, but a Community Resource Center.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

b. Acceptance and approval of Work Authorization No. 1 (with an estimated cost of \$54,055.56) as submitted by project engineer, L&G Consulting Engineers, Inc., for Prof. Engineering Services for the "Pct 2 Boys & Girls Club Facility Project" through Contract No. C-16-131-03-07.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

4. **AI-53462** Acceptance and approval of amendment #1 to AIA B101-2007 Contract #C-15-160-09-15 with Sam Garcia Architects for Professional Services for "Palmer Pavilion/Les Gilmore Kitchen Renovations and Upgrades" - Hidalgo County - Precinct 2 to include Topographic Survey. Survey to include all visible improvements, spot elevations at 50 ft. grid and trees;

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

Commissioner Cantu informed that this is not a renovation, they're going to get down Palmer Pavilion and built a structure on that site.

**C.**

**Pct. 4**

1. **AI-53663** A. Due to cancelation of the project, **Rescind** action taken (**CC 02/04/15-REG. AI-48332**) ranking as #1 the firm: **ERO Architects** for the purposes of negotiating a professional (AIA form of Agreement) for the "**Design and Construction of a Mechanical Shop**" in **Hidalgo County Precinct No. 4**;

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 – Unanimously

B. Due to the cancelation of the project, **Rescind** action taken (**CC on 05/19/15 - REG. AI-49639**) ranking as #1 the firm: **Broadus & Associates, Inc.** for the purposes of negotiating a "professional construction management services agreement" for the "**Design and Construction of a Mechanical Shop**" in **Hidalgo County Precinct No. 4**.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of

approval.

**Vote:** 4 - 0 – Unanimously

**2. AI-53555**

A. Action to rescind suspension and resume Hidalgo County AIA Contract No. C-13-072A-11-19 with Couric Enterprises, LLC dba Foremost Construction for "Hidalgo County Precinct No. 4 -Construction of a Community Resource Center in San Carlos" by authorizing architect of record Mata Garcia Architects, LLP, to proceed to notify contractor via attached formal letter of Commissioners' Court action to resume construction work as of March 7th, 2016.

The concern stated on the the letter of concerns was the HB 1295 form. Ms.Salazar mentioned that the vendor made an attempt to send the form this morning, unfortunately there was an error. However, it's still subject to the receipt of the corrected form.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval subject to the receipt of the correct HB 1295 form.

**APPROVED**

**Vote:** 4 - 0 – Unanimously

B. Acceptance and approval of Change Order No. 5 for modifications to building in the amount of \$133,000.00 and an extension of 537 days for Contract No. C-13-072A-11-19 with Couric Enterprises, LLC dba Foremost Construction as reviewed/approved by project architect of record, Mata-Garcia Architects, LLP for: Hidalgo County Precinct No. 4 -"Construction of a Community Resource Center in San Carlos" with authority for County Judge, or Court Member to execute document.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 – Unanimously

**3. AI-53574**

Requesting authority to advertise with approval of RFB plans and specifications developed by project engineer, LeFevre Engineering & Management Consulting, LLC, for: Hidalgo County Precinct No. 4 -"Construction of Parking Lot at San Carlos CRC & Sunflower Park"-RFB No. 2016-115-03-30-MSS.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

**4. AI-53559**

Requesting approval to purchase (4) Four 2016 CAT CT660S Dump Trucks through the County's Membership/Participation with BuyBoard's Awarded Vendor, HOLT CAT [Contract #430-13;Expires 11/30/16]) for \$501,313.00 through Requisition #293162 which includes OEM & Non-OEM Optional Equipment plus shipping and a one-time administration fee of \$400.00 subject to compliance with HB1295 & HB23 & Modified CIQ if and when applicable.

Ms. Salazar mentioned that this is also in compliance with HB 1295.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

**D.**

**Sheriff's Office**