

3:30 P

FEB 14 2017

STATE OF TEXAS §

COUNTY OF HIDALGO §

**FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT**

This First Amendment to Agreement is made this 14th day of February, 2017 by and between Hidalgo County, Texas acting by and through its Hidalgo County Urban County Program (the "County") and Hidalgo County Drainage District No. 1 (the "District");

WHEREAS, County and District entered into that certain Interlocal Cooperation Agreement dated November 10, 2016 (the "Agreement") for improvement of the Alberta Drain; and

WHEREAS, the parties have now determined to amend the Agreement due to an increase in material costs.

NOW THEREFORE, for and in consideration of the increase of the material costs, County and District hereby mutually agree to the following Amendment to the Agreement:

1. Numbered paragraph 2 of the Agreement is deleted in its entirety and the following is inserted in lieu thereof:

District shall contribute materials with a value of \$189,000.00 and the sum of Three Hundred Twenty One Thousand Thirteen and 46 one hundredths Dollars (\$321,013.46) to Urban County.

2. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect. County and District ratify and confirm the terms and provisions of the Agreement as amended.

EXECUTED IN DUPLICATE ORIGINALS and effective as of the day and year first written above.

HIDALGO COUNTY DRAINAGE  
DISTRICT NO. 1

By: Ramon Garcia  
Ramon Garcia, Board Chair

APPROVED BY HIDALGO  
COUNTY DRAINAGE DISTRICT  
NO. 1 BOARD OF DIRECTORS  
ON: 1/24/17

HIDALGO COUNTY

By: Ramon Garcia  
Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, Jr.  
Arturo Guajardo, Jr. County Clerk



APPROVED  
COMMISSIONERS COURT  
ON: 2/6/17 ms

APPROVED AS TO FORM;

ATLAS, HALL & RODRIGUEZ, LLP

By: SLC  
Stephen L. Crain

**RE: First Amendment to Interlocal- Alberta Drain**

**From :** Steve Crain <scrain@atlashall.com>

Mon, Jan 30, 2017 03:15 PM

**Subject :** RE: First Amendment to Interlocal- Alberta Drain

**To :** 'Sandra Regalado' <sandra.regalado@co.hidalgo.tx.us>

If the terms of the First Amendment meet with approval the agreement is fine.

-----Original Message-----

From: Sandra Regalado [mailto:sandra.regalado@co.hidalgo.tx.us]

Sent: Monday, January 30, 2017 2:38 PM

To: Steve Crain <scrain@atlashall.com>

Subject: First Amendment to Interlocal- Alberta Drain

Good Afternoon,

Attached please find a copy of the interlocal agreement provided to us by the Drainage District for review and/or approval. The Amendment was placed on the agenda for approval by the District's Board and is pending approval by Hidalgo County - Urban County Program. Please let me know what changes need to be made.

Respectfully,

Sandra G. Regalado, UCP Coordinator

Urban County Program

427 E. Duranta St. Ste. 107

Alamo, TX 78516

Phone: (956) 787-8127

Fax: (956) 318-2988

Direct: (956) 292-7000 ext 2233

1	Cont. Service for Data Card	County Court #7	Office Use	N/A	4G Mobile Broadband Unl. @ \$37.99 per month	956-342-1143
1	Name Change	Planning Dept.	Eli Villegas / 185817	Office Use	Nationwide UNL Min Email & Data @ \$115.49 + \$5.00 taxes/fees per month	956-609-5771
1	Deactivate Service for Data Card	Fire Marshal	Office Use	N/A	4G Mobile Broadband Unl. @ \$37.99 per month	956-342-3707

- B. AI-58268 ELECTIONS DEPT.**  
 Authorization and approval to continue and change wireless service plan through the County's membership/participation with CONTRACT: DIR-TSO-3415 with VERIZON WIRELESS for the following:

Qty:	Description:	User:	Service Plan:
4	Cont. Service for Cell Phones	Office Use	Nationwide 400 Share Email&Data Unl. + MHS N&W/M2M/MSG @ \$47.99 + \$5.00 taxes/fees each per month
85	Cont. Service for Cell Phones	Office Use	State of Texas Local Flat Rate Calling \$0.06 per min @ \$4.99 each per month
85	Cont. Netbook data service	Office Use	4G Mobile Broadband Unl. @ \$37.99 each per month
22	Cont. Data Card Service	Office Use	4G Mobile Broadband Unl. @ \$37.99 each per month

**16. Urban County:**

- A. AI-58303** 1. The County of Hidalgo Urban County Program (UCP) is disclosing that Omar Garcia, Owner of OG Construction Co., LLC, who is the lowest responsible bidder for the City of Progreso – Street Improvements Project, is related to County Judge Ramon Garcia.

Diana Serna disclosed that Omar Garcia, owner of OG Construction Co., LLC, is related to County Judge Ramon Garcia.

*No action on this item, solely for disclosure.*

Steve Crain emphasized that Judge Garcia was not present in the courtroom during this item.

2. Subject HB 1295 Compliance and receipt of the waiver letter from the U.S. Department of Housing and Urban Development, requesting consideration and action to award and enter into a construction contract with OG Construction Co., LLC in the amount of \$178,257.25. UCP Fiscal Years 29 (2016) City of Progreso - Street Improvement funds will be utilized.

On motion by COMMISSIONER PCT. 4, JOSEPH PALACIOS, seconded by COMMISSIONER PCT. 1, DAVID FUENTES, the Court made a UNANIMOUS vote of approval.

**Vote:** 3 - 0 - Unanimously

*Once again, Steven Crain stated that Judge Garcia was not present during this item. Monica Badillo will be receiving an affidavit regarding the matter.*

- B. AI-58304** 1. The County of Hidalgo Urban County Program (UCP) is disclosing that Omar Garcia, Owner of OG Construction Co., LLC, who is the lowest responsible bidder for the City of Alamo – Highview S/D Waterlines Improvements Project, is related to County Judge Ramon Garcia.

Diana Serna informed that Omar Garcia, owner of OG Construction., LLC. is related to County Judge Ramon Garcia.

2. Subject HB 1295 Compliance and receipt of the waiver letter from the U.S. Department of Housing and Urban Development, requesting consideration and action to award and enter into a construction contract with OG Construction Co., LLC in the amount of \$203,383.89. UCP Fiscal Years 24-26 (2011 - 2013) City of Alamo Water/Sewer Improvement funds will be utilized.

*Commissioner Cantu restated that Judge Garcia was not present during Item.16.B.1 and 2. The judge will be signing an affidavit.*

On motion by COMMISSIONER PCT. 1, DAVID FUENTES, seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 3 - 0 - Unanimously

- C. AI-58279** Requesting approval of First Amendment to Inter Local Agreement by and between Hidalgo County Urban County Program and Hidalgo County Drainage District No.1 as it relates to Alberta Drain Project.

On motion by COMMISSIONER PCT. 1, DAVID FUENTES, seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

**Vote:** 3 - 0 - Unanimously

AI-58279

Urban County 16. C.

CC - REGULAR

Meeting Date: 02/06/2017

Submitted For: Diana Serna, URBAN COUNTY

Submitted By: Sandra Regalado, URBAN COUNTY

Department: URBAN COUNTY

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**Information**

**CAPTION**

Requesting approval of First Amendment to Inter Local Agreement by and between Hidalgo County Urban County Program and Hidalgo County Drainage District No.1 as it relates to Alberta Drain Project.

**BACKGROUND**

Amendment was necessary to adjust the increase in material costs that the District will be contributing for the Alberta Drain Project.

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**Fiscal Impact**

**FISCAL YEAR:**

**ACCT. #:**

**FUNDS AVAILABLE Y/N?:**

**MATCHING FUNDS Y/N?:**

**BUDGETARY IMPACT:**

No Fiscal Impact to the County, amendment is increasing the District's contribution for materials costs.

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**Attachments**

backup

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**Form Review**

**Inbox**

**Reviewed By**

**Date**

Budget & Management

Veronica Ortiz

02/01/2017 09:30 AM

Merlen P. Munoz

Merlen P. Munoz

02/01/2017 09:52 AM

Final Approval

Monica Badillo

02/02/2017 06:22 PM

Form Started By: Sandra Regalado

Started On: 01/30/2017 02:01 PM

Final Approval Date: 02/02/2017