



**AGENDA
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
December 8, 2020
10:00 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 in the Commissioners Courtroom of the Administration Building, 100 E. Cano, 1st floor, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. As a result, all or some government officials may participate via videoconference. Additionally, members of the public are encouraged to watch the meetings online, at: www.hidalgocounty.us/HClive

To participate in public comment, please call: (956) 292-7630 and you will be given further instruction and be provided with a toll free number at that time.

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Prayer**
4. **Approval of Consent Agenda**
5. **Open Forum**
6. **County Clerk:**
 - A. **AI-78614** Requesting approval of 2021 Official Bond and Oath for Elected Official:
- Jose Eduardo Guerra, Hidalgo County Sheriff
7. **County Judge's Office:**
 - A. **AI-78613** Discussion, consideration, and action on the Moody Foundation Grant distribution amendment.
8. **District Attorney's Office:**
 - A. **AI-78565**
 1. Approval of Memorandum of Understanding between the Hidalgo County District Attorney's Office and the Hidalgo County Office of Emergency Management related to equipment loaned pursuant to Article 59.06(b) of the Texas Code of Criminal Procedure
 2. Authorization for District Attorney and Emergency Management Coordinator to sign document.

9. Sheriff's Office:

- A. AI-78544** 1. Pursuant to Tx. Local Gov't Code, Subchapter D-263.151(2)(A) &/or (B), declaration of Asset No: 55262 issued firearm [as further detailed in supporting documentation contained herein] as "Surplus" for the purpose of disposition [as permitted by Gov't Code 614];
2. Pursuant to Gov't Code, Section 614, [permitting a peace officer retiring from a government entity to purchase their assigned firearm] requesting that Hidalgo County Commissioners Court approve the value of Division Chief Roy Quintanilha's issued firearm at the Fixed Asset Value [supporting documentation attached] of \$55.00.

10. Human Resources:

- A.** Requesting waiver of the following, if applicable, for personnel items listed:
1. Civil Service Commission Rules - Section 3.22
 2. Hidalgo County Personnel Policy Manual - Section 6.27
 3. Budget Amendment Policy - Personnel Related Amendments

- B. AI-78594** Pct. 2 Sanitation (1100)/ Pct. 2 CRC - Alamo (1100) :
Approval of the following personnel actions, effective upon Commissioners' Court approval and for calendar year 2021:

Action	Dept./ Prg.	Slot #	Position Title	Grade
Delete	122-001	0020	Sanitation Foreman	13
Create	122-082	TBD	Program Manager I	13

- C. AI-78515** WIC ADM (1292):
Approval of the following personnel actions, effective next full pay period 12/21/2020 and for calendar year 2021:

Action	Dept./Prg.	Slot #	Current Position Title	Current Grade	Proposed Position Title	Proposed Grade
Title Change	350-001	0199	Nutritionist I	11	Licensed Vocational Nurse II	11

- D. AI-78555** Pct. 4 Road Maintenance (1200)/ Pct. 4 Administration (1200):
Approval of the following personnel actions, effective next full pay period 12/21/2020 and for calendar year 2021:

Action	Dept./ Prg.	Slot #	Position Title	Grade
Delete	124-007	0082	Coordinator II	11
Delete	124-005	0006	Accounts Payable Specialist III	06
Delete	124-036	0026	Truck Driver III	08
Delete	124-036	0023	Truck Driver III	08
Delete	124-036	0003	Equipment Operator IV	12
Create	124-007	TBD	Maintenance I	03
Create	124-007	TBD	Assistant Director, Field Operations I	15

Pct. 4 Drainage Improvements Project (1200):

Approval of the following personnel actions, effective next full pay period 12/21/2020 and for calendar year 2021:

Action	Dept./ Prg.	Slot #	Current Position Title	Current Grade	Proposed Position Title	Proposed Grade
Title Change	124-036	0018	Program Manager II	15	Assistant Director, Field Operations I	15

- E. **AI-78576** HIDTA Chapter 59 (1251)/ HIDTA Task Force (1291):
Approval of the following personnel actions, effective next full pay period 12/21/2020 and for calendar year 2021:

Action	Dept./ Prg.	Slot #	Position Title	Grade
Create	270-003	0017	Criminal Research Specialist III	13
	270-011	0048		

11. **Health & Human Services Department:**

- A. **AI-78517** MEDICAID ADMINISTRATIVE CLAIMING (MAC) PROGRAM (1293)
Requesting approval of the Certification of Revenues, as certified by the County Auditor, in the amount of \$97,629.43 from the Medicaid Administrative Claiming (MAC) program income generated during 2019 and appropriation of the same.

12. **Emergency Management:**

- A. **AI-78568** **Hazard Mitigation Grant Program (HMGP) (1283):**
1. Approval to accept the Hazard Mitigation Grant Program award. Total project cost is \$173,570.00 of which \$130,177.50 (75%) is the federal share awarded for this project and \$43,392.50 (25%) is the local match. This grant was awarded by the Federal Emergency Management Agency (FEMA) through the State of Texas Division of Emergency Management (TDEM).
2. Approval of Certification of Revenues by the County Auditor and appropriation of funds.
3. Authorization for County Judge to sign the required documents.

13. **Precinct #2 - Comm. Cantu:**

- A. **AI-78582** Requesting approval of an Interlocal Cooperation Agreement (ICA) between the County of Hidalgo and the City of McAllen, regarding the construction and maintenance of signal infrastructure improvements related to the Pct 2 Dicker Road Project (from 23rd St to Jackson Rd).

14. **Budget & Management:**

- A. **AI-78597** 1. Requesting approval to rescind action on AI#78118 previously approved by Commissioners Court on 11/3/2020.
2. Requesting approval to submit the application for the Home to Texas, UT Austin Summer Internship Program, with a finding by the Commissioners Court that the programs serves a public purpose by supporting UT Students returning back to the County and the region in order to promote local employers, local employment, and the local economy.

3. Requesting approval to include a Community Support contribution in the amount of \$10,000.00, with the Home to Texas, UT Austin Summer Internship application, for the Home to Texas scholarship fund.

- B. AI-78530 CARES Act Relief Funds (1287):**
Discussion, consideration, and action to approve the ratification of necessary CARES Act Relief Fund expenditures, as listed on Exhibit A, to cover costs not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation in connection with the ongoing COVID-19 public health emergency; the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary for the intended use.
- C. AI-78527 FY 2021 Texas VINE Grant Program (1283):**
1. Approval to process payment for invoice #INV84205 from Appriss, Inc. in the amount of \$7,530.63 in relation to the FY 2021 VINE Maintenance Fee for the 1st quarter (9-1-2020 to 11-30-2020) after review, audit, and processing procedures are completed by County Auditor (PO #821399).
2. Approval to submit to the Office of the Attorney General of Texas the FY 2021 Texas VINE Grant reimbursement maintenance invoice in the amount of \$7,530.63 (1st quarter) and the Texas Statewide Automated Victim Notification Service (SAVNS) Quarterly Verification of Continuing Production Record with authority for the County Judge to sign the required documents.
- D. AI-78590 Sanitation PCT 4 (1100) / PCT 4 Road Maintenance (1200):** Approval of the following change in funding sources as listed below, effective 12/07/2020 and in 2021.

FROM				TO			
Dept/Prg	Slot	Position Title	G/S	Dept/Prg	Slot	Position Title	G/S
124-007	0083	Equipment Operator II	08/01	124-001	0034	Equipment Operator II	08/01
124-001	0031	Equipment Operator II	08/01	124-007	0116	Equipment Operator II	08/01

15. 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 FORWARDED 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-78522 HIDALGO COUNTY:

A. Authority to amend and revise with additions to the current list of vendors attached hereto [CC/AI #59380 of 4/18/17] the exemption in connection with the authority to purchase repairs only for County owned vehicles and equipment through the established and approved procedures for the requisition and purchase order process with said authority through 12/31/22; and,
The following agenda items effective 01/01/20 through 12/31/22;

B. Requesting exemption from competitive bidding requirements under TX Local Government Code, Chapter 262.024 (a)(3) - "an item necessary because of unforeseen damage to public property", and (7) - "an item that can be obtained from only one source, including;" - (B) films, manuscripts, or books (D) "captive replacements parts or components for equipment;" and (11) "vehicle and equipment repairs"

C. Requesting authority to purchase repairs only for County owned vehicles and equipment from the vendors identified and detailed list attached hereto through the established and approved procedures for the requisition and purchase order process with said authority to extend through December 31, 2022;

D. Requesting authority to purchase parts for County owned vehicles, equipment, heavy equipment and machinery from the vendors identified and detailed revised list attached hereto through the established and approved procedures for the requisition and purchase order process with said authority to purchase through December 31, 2022;

E. Requesting authority to purchase books, publications, films and manuscripts as detailed in attachments herein for those applicable Elected Offices,

F. Requesting exemption from competitive bidding requirements under TX Local Gov. Code, Chapter 262, Section 024(a)(8)(d) "an item of food for Sheriff's Office, Adult Detention Facility, (aka, County Jail), Texas Agri-Life Extension Services including all other Hidalgo County Elected Offices, Departments Programs and/or Agencies as well as Specialized Local Entities (i.e. Adult & Juvenile) through all funding sources with action valid through December 31, 2022";

G. Pursuant to same statute, specifically 262.024(d), action of the following:

1. Solicitation of at least (3) written quotes

H. Set the intervals for the solicitation of quotes for:

1. Current and historic time frame is 30 days;

2. Other as approved _____;

I. Presentation for approval of the proposed draft solicitation quote/bid form including, terms, conditions, requirements, as detailed on Hidalgo County Purchase Order document valid through December 31, 2022.

2. AI-78554 Recommendation to award contract for RFB titled: " Procurement and Installation of Digital Signage and Other Items" for New Hidalgo County Courthouse project No. 2020-506-11-18-HAG to the responsible vendor Netsync Network Solutions submitting the lowest and best bid [meeting all specifications and requirements as set forth and approved by CC and included in the procurement packet] in the amount of \$261,572.57 subject to receipt of acceptable payment and performance bonds to be reviewed and approved by HC/DA/Civil Section prior to execution of contract.

3. AI-78553 Recommendation to award contract for RFB titled: " Procurement and Installation of AV/Court Technology and Other Items" for New Hidalgo County Courthouse project No. 2020-505-11-18-HAG to the responsible vendor Telepro Communications submitting the lowest and best bid [meeting all specifications and requirements as set forth and approved by CC and included in the procurement packet] in the amount of \$4,453,953.00 subject to receipt of compliant and acceptable payment and performance bonds subject to review and approval by HC/DA/Civil Section prior to execution of contract.

4. **AI-78020** Requesting approval of an extension to purchase the insurance coverage and/or services for Excess Workers Compensation Insurance in the amount of \$259,954.00 as described in the renewal offer through Montalvo Insurance Agency. [C-19-226-12-17]
5. **AI-78561**
 - A. Discussion and action [if applicable] of the tabulation grid provided on the responses received from interested vendors to HC for the Request for Information [RFI] titled project: Indicative Pricing for Electric Energy as of 01-01-23
 - B. Presentation [if requested CC] by Margaret Somereve and/or Bill Starnes from TCAP for CC action on a "Resolution of Hidalgo County Texas Adopting TCAP'S Professional Services Agreement and GEXA Energy's Commercial Electric Service Agreement for Power to Provided On and After January 1, 2023" [including the Strategic Hedging Program procurement approach] with authority for County Judge to sign applicable documents reviewed and approved as to legal form by HC/DA/Civil Section;
6. **AI-78550** Recommendation to award contract for RFB titled: " Procurement and Installation of Moveable Furniture and Other Items" for New Hidalgo County Courthouse project No. 2020-503-11-18-HAG to the responsible vendor(s) Texas Wilson and Gateway Printing & Office Supply, Inc. submitting the lowest and best bid [meeting all specifications and requirements as set forth and approved by CC and included in the procurement packet] in the amount of \$4,997,691.00 subject to receipt of acceptable payment and performance bonds subject to review and approval by HC/DA/Civil Section prior to execution of contract.

B. County Judge's Office

1. **AI-78560 Office of Emergency Management:**
 - A. "Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation, for the structural engineering design of the ramp retrofit and dock expansion to the Emergency Management Stockpile Warehouse, in order to assist with County Public Health expenses addressing the ongoing COVID-19 public health emergency; the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary for the intended use.';
 - B. Exemption from competitive bidding requirements, pursuant to Texas LGC 262.024(a)(1),(2) & (4) and all attached herein;
 - C. Requesting approval proposal provided by B2Z Engineering for the structural engineering design of the ramp retrofit and dock expansion to the Emergency Management Stockpile Warehouse in the total amount of \$_____, under the submitted Requisition #00425148.
 - D. Pursuant to current contract with B2Z Engineering., (Article 14) C-19-251-07-16, a request by engineer for CC to permit the subcontracting of Chanin Engineering to provide structural engineering services for the "Emergency Management Stockpile Warehouse".
2. **AI-78581 Office of Emergency Management:**
 - A. "Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for in the current budget and cannot be

lawfully funded by line item, allotment or allocation, for the [Hidalgo County Emergency Management One (1) Used Truck with a Refrigerated Cargo Box and Wide Liftgate Purchase], in order to assist with County Public Health expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for other public health or safety workers for addressing the ongoing COVID-19 public health emergency; the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary for the intended use.";

B. Exemption from competitive bidding requirements, pursuant to TXLGC 262.024(a)(1)(2) as attached herein;

C. Requesting approval to purchase One (1) Used Truck with a Refrigerated Cargo Box and Wide Liftgate from Rio Truck & Trailer Center, LLC. in the amount of \$37,925.13.

- 3. AI-78548** Requesting authority for County Judge to electronically execute/sign Bill of Sale from Portable Restroom Trailers, LLC after the delivery, inspection and acceptance of portable toilets unit including releasing of payment/check in the amount of \$59,895.00 [PO #824565 to authorized driver identified by company as agreed by Hidalgo County [for the Office of Emergency Management].

C. Pct. 2

- 1. AI-78612** Acceptance and approval of Supplemental Agreement No. 3 for services under Work Authorization No. 1, Contract No. C-15-300-09-01 for L&G Consulting Engineers, Inc. d/b/a L&G Engineering, to reallocate funds for Archeological and Historical Research work performed by the engineer resulting in no increase to the work authorization for he Pct #2 Cesar Chavez Road Project (Nolana - Ridge Road).

- 2. AI-78598** A. "Discussion, consideration and action to approve a necessary CARES Act Relief Fund Expenditure to cover cost not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation, for the [COVID-19 of Video Production Services Announcements and Newspaper Newsletters in order to assist with County functions to facilitate compliance with public health measures to mitigate the spread of the ongoing COVID-19 emergency], the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary for the intended use.";

B. Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (a)(1) an item that must be purchased in case of public calamity, (2) an item necessary to preserve and protect the public health and safety of the citizens;

C. Requesting approval of Video Production Service Announcements [through media platforms] and Newspaper Newsletters [to targeted homes] for dissemination of COVID-19 resources the County is providing and has provided for an amount of \$51,540.00 with Absolute Business Consulting Group through C-20-122-04-07.

D. Pct. 4

- 1. AI-78616** Requesting approval of CO#1 for an increase of \$ 38,254.80, as recommended by project engineer, SDI, for the contractor, Synergy Builders of Texas, in connection

to project specific agreement #C-20-087-07-14 for the "Construction of the Linn-San Manuel Veteran's Park" in Precinct 4.

- 2. AI-78446** A. Recommendation by project engineer, Hidalgo County Drainage District to award to the responsible vendor submitting the lowest and best bid [while meeting all specifications & requirements] M.J.A. Construction, LLC. in the amount of \$123,987.52 for RFB: No. 2020-608-11-18-ABV FM-2812-"Hidalgo County Head Start Program Parking Lot Improvements";

B. Acceptance and approval to execute construction contract with M.J.A. Construction, LLC. for project on FM-2812 Hidalgo County Head Start Program Parking Lot Improvements subject to HC/DA/Civil Section review as to legal form and receipt of compliant payment and performance bonds prior to execution.

E. Sheriff's Office:

- 1. AI-78600** A) "Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation, for the [Hidalgo County Sheriff's Office One (1) Used Truck with a Refrigerated Cargo Box and Wide Liftgate Purchase], in order to assist with County Public Health expenses addressing the ongoing COVID-19 public health emergency; the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary for the intended use.

B) Exemption from competitive bidding requirements, pursuant to TxLGC 262,024(a)(1)(2)

C. Requesting approval to purchase One (1) Used Truck with a Refrigerated Cargo Box and Wide Liftgate from Rio Truck & Trailer Center LLC. in the amount of \$34,231.87

F. District Attorney:

1. AI-78587

A. "Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation, for the Hidalgo County District Attorney's Office to purchase technical office equipment, in order to assist with County functions related to public health measures addressing the ongoing, COVID-19 public health emergency the Court having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary";

B. Requesting exemption from competitive bidding requirements, pursuant to TxLGC 262.024(a)(1)(2) as attached herein;

C. Approval to purchase Laptops, Printers, Scanners, Web Cameras, and DVD+RW(s) (+R DL) drive – USB 2.0 external from CDW-G in the amount of \$159,503.20.

G. Health & Human Services Dept.

- 1. AI-78585** A. Requesting approval for the Trusted Agent Authorization for Licensed Software and Network Services;

B. Requesting authority for Hidalgo County Health & Human Services Department to execute this addendum and any subsequent documents.

2. **AI-78567** Restatement of the current agreement C-18-289-12-04 and approval of an Amendment to the contract between Hidalgo County and Palm Valley Animal Center with rates to remain the same as 2020, subject to legal review and compliance with Form 1295.

16. Executive Office:

- A. Presentation for discussion of the following:
 1) Update on ongoing county owned building construction, relocation and/or renovation repair projects
 2) Emergency situations occurring since last agenda meeting
- B. **AI-78526** Discussion and possible action to accept a quitclaim deed from the State of Texas, as passed by the Texas Transportation Commission in Minute Order 115782 and executed by Governor Greg Abbott on November 16, 2020 pertaining to a tract on or abutting Highway FM 681.
- C. **AI-78473** Approval of the Domestic Relations Office official forms to be utilized for office functions.

17. **AI-78538** Discussion, consideration and possible action regarding:
 A. County response to disaster/health emergency:
 1. CARES Act Funds
 a. First Amendment to Cares Act Interlocal Cooperation Agreement with UTRGV
 b. First Amendment to Food Bank-RGV
 c. Memorandum of Understanding (MOU) with First Responders - Ambulance Companies
 B. Measures necessary to preserve public health and safety
 C. Direction regarding County government operations, including but not limited to essential functions

18. **Closed Session:**
 Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071, (Consultation with Attorney), 551.072 (Deliberation regarding Real Property), Section 551.074 (Personnel Matters) and Section 551.087 (Economic Development) to discuss the following:

- A. Real Estate Acquisition
- B. Private consultation and advice of counsel concerning pending, potential and/or contemplated litigation, settlement offers, and/or legal matters subject to the attorney-client privilege under the authority of the Open Meetings Act Section 551.071, Government Code.
- C. Consultation with Legal Counsel regarding Legal Action due to emergency situation
- D. **AI-78573** EEOC Chg. No. 451-2020-03315; D.S. v. Co.
- E. **AI-78531** Claim of Evaristo R. Garcia

- 19.** A. 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."
- B. Engagement with the firm of _____ for the "Provision of Legal Services/Representation in connection with Litigation" and authority to submit letter of engagement (subject to compliance with HB1295)
- 20. Open Session:**
- A. Real Estate Acquisition and appropriation for same
- B. Pending and/or potential litigation
- C. Discussion, consideration and possible action regarding response to public health emergency
- D. **AI-78574** EEOC Chg. No. 451-2020-03315; D.S. v. Co.
- E. **AI-78532** Claim of Evaristo R. Garcia
- 21. Closed Session:**
Commissioners Court may reconvene into Closed Session for the discussion regarding the agenda items listed
- 22. Open Session:**
Commissioners Court may reconvene into Open Session for the discussion regarding the agenda items listed
- 22. Adjourn**