AGENDA
HIDALGO COUNTY
COMMISSIONERS COURT
MEETING
June 30, 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's Office - Arturo Guajardo, Jr.:**

A. **AI-76159** Requesting approval of Official Bond Renewal for Elections Administrator, Yvonne Ramon.

7. **Sheriff's Office:**

A. **AI-76158** Discussion, consideration and approval to appoint Damian Orozco, student at the University of Texas at San Antonio as an intern under the Hidalgo County Sheriff's Office Law Enforcement Internship Program for the period of July 2020 to August 2020.

B. **AI-76205** Sheriff's Federal Sharing - U.S. Justice (1229):
Approval of 2020 appropriation of funds into the Sheriff's Federal Sharing - U.S. Justice from the unassigned fund balance in the amount of $100,000.00.

8. **Constable Pct. #1:**

A. **AI-76190** FY 2019 National Incident Based Reporting System (NIBRS) Grant (1284):
Requesting authorization for Judge Richard Cortez, to sign and submit NIBRS Compliance Verification Form for the FY 2019 NIBRS Grant award 3661701 to the Texas Office of the Governor – Criminal Justice Division (CJD) on egrants.

9. **Constable Pct. #2:**

A. **AI-76194** FY 2019 National Incident Based Reporting System (NIBRS) Grant (1284):
Requesting authorization for Judge Richard Cortez, to sign and submit NIBRS Compliance Verification Form for the FY 2019 NIBRS Grant award 3661701 to the Texas Office of the Governor Criminal Justice Division (CJD) on egrants.

10. **Constable Pct. #3:**

A. **AI-76212** FY 2019 National Incident Based Reporting System (NIBRS) Grant (1284):
Requesting authorization for Judge Richard Cortez, to sign and submit NIBRS Compliance Verification Form for the NIBRS Grant award 3661701 to the Texas Office of the Governor - Criminal Justice Division (CJD) on egrants.

11. Health & Human Services Department:

A. Health Care Funding District:

1. AI-76111 A. Approval to rescind item 75897 approved on June 16, 2020.
B. Discussion, consideration and approval to draw down funds for Demonstration Year 9 Round 1 DSRIP Payment IGT in the amount of $22,983,141.63 from the Local Provider Participation Fund (LPPF) with a transfer date of 7-1-20 and a settlement date of 7-2-20.
C. Approval of Certification of Revenues as certified by the County Auditor from the LPPF in the amount to be determined by HHSC final instructions.
D. Approval of Appropriation of funds from the LPPF in the amount of $22,983,141.63.

12. Precinct #1 - Comm. Fuentes:

A. **AI-76237** Requesting approval of the Memorandum of Understanding (MOU) between Hidalgo County by and through Hidalgo County Precincts 1 & 4 and Alis Fighting Hunger to provide meals to children under 18 in order to combat food insecurity within the community and authority for County Judge to sign MOU.

13. Precinct #2 - Comm. Cantu:

A. **AI-76222** Discussion, Consideration, and Approval to appoint 3 new board member(s) to a 2 year term to the Hidalgo County Emergency Service District No. 4, pursuant to the Texas Health & Safety Code Section 775.034.

14. **Precinct #3 - Comm. Flores:**

A. **AI-76219** Requesting approval of a Right-of-Entry Agreement submitted by Texas Department of Transportation for Mesina Pavilion Parking Lot (County-owned property) FM 676 project with authority for County Judge to sign the document.

15. **Budget & Management:**

A. **AI-76234** Presentation of the 1st Qtr. 2020 Health Insurance Report by Gallagher Benefit Services, Inc.

B. **AI-76235** Status update on Hidalgo County Wellness Program

16. **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-76064** A. Presentation of scoring grid for the purpose of HCCC ranking the responses received for project: RFP/Q 2020-059-04-08-"Security Guard Services":

   B. Authority for the Purchasing Department to enter into negotiations and contract for action by HCCC with the "qualified" respondent of _____for "Security Guard Services"

2. **AI-76210** Requesting approval of letter of engagement between Hidalgo County and "Coldwell Banker Commercial (Sally Fraustro Guerra)" for the provision of Professional Real Estate Services subject to compliance with HB 1295.

3. **AI-76217** Acceptance and approval to execute Amendment No. 9 between Hidalgo County and Architect, HDR Architecture, Inc., [C-16-141-10-31] to include the redesign of the Court Technology [described in document] for the lump sum of $5,310.00 for the "Construction of the New Hidalgo County Courthouse" Project.

4. **AI-76204** A. Discussion, consideration, and approval of 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 Staffing Services, in order to assist with County Medical and 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. Requesting exemption from competitive procurement requirements pursuant to Texas Local Government Code 262.024 (a)(1)(2), attached herein; and

   C. Requesting to hire Medical Clerk I's for: for the following County areas/elected offices and/or departments including, but not limited to:

- Courthouse
- Outlying District Courts
- Justice of the Peace Courts
- Tax Office (main and substations)
- HC/WIC Program
- Others

through one or multiple qualified vendors awarded contracts through the General Services Administration (GSA) offering the most advantageous rates and availability of staff from those whom responded to HC's Request for Quotes (Project No. 2020-283) with vendors requiring Purchase Orders only:

- Pro Health Staffing
- Med Trust, LLC
- AHS Staffing, LLC

D. Discussion and action [if applicable] to create full time temporary positions to address staffing necessary at requested areas/elected offices, department, programs and/or agencies [with number to be finalized].

5. AI-76170 A. Approval to submit Application for Eligibility to the Texas Facilities Commission [TFC] for the Federal Surplus Property program to receive and/or purchase Federal Surplus Property with authority for County Judge to sign any/all required documentation;
B. Authority to complete and submit Donee Request Form(s) for existing authorized county elected offices, departments, agencies and/or programs with approval to add same.

B. County Judge's Office

1. AI-76207 A. "Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover costs not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation for the Renovation of Buildings for Conversion/Expansion of an Emergency Operations Center in order to assist with County actions to facilitate compliance with public health measures

addressing the on-going COVID-19 emergency; the County having reviewed the Agenda Item Briefing, herein finds that such expenditure is reasonable and necessary for the intended use."

B. Discussion, consideration and action to engage a Job Order Contractor [JOC] [by seeking proposals through the process established by Purchasing Dept.] for the repair and/or renovation of two buildings [located at SW Corner of Mahl & 10th Streets in Edinburg acquired from PlainsCapital] to convert for use as Emergency Operations and Call Centers;

C. Pct. 3

1. **AI-76228** Pursuant to current HC EOEEP, requesting approval the purchase of two (2) 2020 Freightliner Roll Off Trucks with accessories in the amount of $308,978.34, through the County's membership/participation with TASB-BuyBoard Cooperative Contract #601-19 [expires 11/30/22] awarded vendor Freightliner of Austin.

2. **AI-76213** Requesting and approval of Addendum #1 to C-19-269-12-17 Hollis Rutledge & Associates, Inc. for Consulting Services for purpose of Researching, Developing, Writing, Obtaining, & Administering of Grants for Hidalgo County Pct. 3.

3. **AI-76187** Acceptance and approval of "Second Amendment" to Lease of Land in the Area of Sullivan City (C-19-026A-04-23) for Solid Waste Citizen Collection Site between County and Abel Rodriguez to reflect new metes and bounds which incorrectly excluded a portion of the metes and bounds for that parcel of land.

D. Pct. 4

1. **AI-76229** Requesting approval of Amendment No. 1 to professional services agreement between Hidalgo County [Pct. #4] and Leonel Garza Jr. & Associates, LLP Contract No. C-19-203-07-16 to extend the termination date to December 31, 2020.

2. **AI-76215** Requesting approval of Amendment No. 1 to the professional services agreement between Hidalgo County [Pct. #4] and Appraisal Haus Contract No. C-19-202-07-16 to extend the termination date to December 31, 2020.

E. Constables

1. **AI-76221** Request by Hon. Constable L. Gallardo, Pct. 3 and action to purchase radio equipment through South Texas Communications, Inc. (Req. No.00416148) and install in personal vehicle [general fund] as the Constable has opted not to have a county vehicle issued to him and this equipment is for the sole purpose of carrying out his law enforcement duties and responsibilities enforcement.

F. Health & Human Services Dept.

1. **AI-76238** 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 a line item, allotment or allocation, for the Abbott ID Now Instruments in order to assist with to assist with County medical and 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. Requesting exemption from competitive procurement requirements pursuant to Texas Local Government Code 22.024 (a)(1)(2), attached herein; and,
C. Request by Hidalgo County Department of Health and

Human Services to purchase thirteen (13) Abbott ID Now Instruments from _____ in the total amount of _____ meeting specifications and requirements including, but not limited to submittal of Form 1295 and proof of required insurances [if applicable].

2. AI-75841 A. "Discussion, consideration, and action to approve a necessary CARES Act Relief Fund expenditure to cover the estimated cost not accounted for in the current budget and cannot be lawfully funded by line item, allotment or allocation, for the Electronic Medical Records and the implementing of the migration and supplies, 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): an item that must be purchased in case of a public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens; (2) an item necessary to preserve and protect the public health and safety of the citizens.

C. The current Electronic Medical Records system is not capable of handling and analyzing the data related to the Covid-19 infections effectively. The new systems allow for effective access to the data as well and increased user capacity. This will allow us to increase scalability in the number of remote sites needed to mitigate the impact caused by resurgence of Covid-19. It will also be able to handle a much larger quantity of clients without further stressing our own information technology infrastructure. The additional capability may integrate with the Healthcare Health Information Exchange and promote a secure patient health information exchange with local healthcare providers. Subject to compliance with 1295 Form.

3. AI-76226 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 Health Department Clinics, in order to assist with County functions related to medical and public health measures addressing the 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. Requesting exemption from competitive bidding requirements under Texas Local Government code, section 262.024 (a)(4) professional service;

C. Acceptance and approval to execute the final form of a professional engineering services agreement (subject to legal counsel's review) for the provisions of: Mechanical Electrical and Plumbing Engineering with Halff and Associates, Inc. for the installation of generators for four (4) Health Department Clinics [as approved for negotiations CC 6/2/20];

D. Requesting approval of Work Authorization No. 1 (with an estimated cost of $136,708.00) as submitted by the project engineer, Halff Associates, Inc., to provide MEP engineering services for the "Installation of Generators at Four (4) Health Clinics," through Contract # C-20-185-06-16;

E. Pursuant to contract with Halff Associates, Inc., (Article 15) C-20-185-06-16, a request for approval by engineer to permit the subcontracting of Chanin Engineering to provide structural services for the "Installation of Generators at Four (4) Health Clinics".

4. AI-76201 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 [Health Department Modular Units Utilities], in order to assist with County medical 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): an item that must be purchased in case of a public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens; (2) an item necessary to preserve and protect the public health and safety of the citizens;

C. Requesting approval of a "Revised Quote" in Herrcon Proposal, (AI-75431on 05/05/20) due to the updated 2nd Quarter of the 2020 RS Means, and the additional materials needed under division (31 & 32) from the amount of $70,208.43 to $76,641.78 for the Health Dept. Modular Unit Utilities.

5. AI-76208 Requesting authority to purchase Influenza Vaccines and prefilled syringes in the amount not to exceed $89,067.00 through County's membership/participation with Minnesota Multistate Contracting Alliance for Pharmacy [MMCAP] Cooperative Purchasing Program under Sanofi Pasteur Contract #MMS17019. Subject to compliance with 1295 Form.

17. 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

18. Discussion, consideration and possible action regarding:
a. County response to disaster/health emergency:
1. CARES Act Funds
b. Measures necessary to preserve public health and safety
c. Direction regarding County government operations, including but not limited to essential functions

19. **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 priviledge 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-76172** Potential Litigation related to possible causes of action against manufacturers and Pharmacy Benefit Managers regarding insulin prices

E. **AI-76202** Cause #C-2480-18-I; Raquel De Alba et al v. Martin Garza Jr., City Manager for Mission, et al

F. **AI-76123** CL-18-3678-A; Erasmo Garcia and Marta Elia Garcia v. Hidalgo County

G. **AI-76174** EEOC No. 451-2019-04078; S.P.O. v Co.

H. **AI-76199** EEOC Charge No. 31-C-2020-00233 R.M. v. County of Hidalgo

I. **AI-76164** Claim of Karina Lopez De Garcia

20. 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)

21. **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-76173** Potential Litigation related to possible causes of action against manufacturers and Pharmacy Benefit Managers regarding insulin prices

E. **AI-76203** Cause #C-2480-18-I; Raquel De Alba et al v. Martin Garza Jr., City Manager for Mission, et al

F. **AI-76124** CL-18-3678-A; Erasmo Garcia and Marta Elia Garcia v. Hidalgo County

G. **AI-76175** EEOC No. 451-2019-04078; S.P.O. v Co.

H. **AI-76200** EEOC Charge No. 31-C-2020-00233 R.M. v. County of Hidalgo

I. **AI-76165** Claim of Karina Lopez De Garcia

22. **Closed Session:**
Commissioners Court may reconvene into Closed Session for the discussion regarding the agenda items listed

23. **Open Session:**
Commissioners Court may reconvene into Open Session for the discussion regarding the agenda items listed

24. **Adjourn**