



**AGENDA
HIDALGO COUNTY
COMMISSIONERS COURT
MEETING
August 11, 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 Judge's Office:**
 - A. AI-76782 Emergency Management:**
Discussion and update as it relates to Hurricane Hanna.
- 7. District Attorney's Office:**

- A. AI-76754** DA-The Howard G. Buffett Foundation (1281):
1. Approval to accept the Howard G. Buffett Grant in the amount of \$22,563.27, effective 04/01/2020 through 05/31/2020.
 2. Approval of Certification of Revenues as certified by the County Auditor for the Howard G. Buffett Grant funds in the amount of \$22,563.27 and appropriation of the same.
 3. Approval for County Judge to sign the following documents as required by the grantor:
 - Grant Letter
 - Term and Policies Agreement
 - Acknowledgment of Contribution

8. Sheriff's Office:

- A. AI-76760** Sheriff's Office - Organized Crime Drug Enforcement Task Forces (OCDETF) (1284):
1. Approval of FY 2020 Overtime Agreement between the Organized Crime Drug Enforcement Task Forces (OCDETF) and the Hidalgo County Sheriff's Office.
 2. Approval to request OCDETF overtime (ot) funds in the amount of 5,000.00.
 3. Authorization for Hidalgo County Sheriff, as local official, to sign agreement form and related documents.

9. 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-76673** Sheriff (1100):
1. Approval of the following personnel actions, effective next full pay period 08/17/2020:

Action	Dept./Prg	Slot #	Position Title	Current Allowance Amount	Proposed Allowance Amount
Delete Clothing Allowance	280-001	0233	Senior Deputy Sheriff	\$500.00	\$0.00
Delete Clothing Allowance	280-001	0403	Deputy Sheriff	\$500.00	\$0.00

Add Clothing Allowance	280-001	0334	Deputy Sheriff	\$0.00	\$500.00
Add Clothing Allowance	280-001	0128	Deputy Sheriff	\$0.00	\$500.00

10. Urban County:

- A. **AI-76636** 1. Consideration and approval of the First Amendment to the Three Year Cooperation Agreements with each participating city for fiscal years 2021-2023 necessary for the re-qualification of Hidalgo County as an Urban County for the U.S. Department of Housing and Urban Development (HUD) Program.

2. Approval for Richard F. Cortez, as County Judge to sign Amendment documents.
- B. **AI-76729** Requesting approval to re-certify Proyecto Azteca, Inc., a Community Housing Development Organization (CHDO) within the County of Hidalgo and requesting approval to execute the 2020 HOME/CHDO agreement for Proyecto Azteca, Inc.
- C. **AI-76733** Requesting approval to re-certify Affordable Homes of South Texas, Inc., a Community Housing Development Organization (CHDO) within the County of Hidalgo and requesting approval to execute the 2020 HOME/CHDO agreement for Affordable Homes of South Texas, Inc.
- D. **AI-76744** Requesting approval to enter into a sub-recipient agreement between the County of Hidalgo and Proyecto Azteca, a Non-Profit Development Organization (NDO) who will provide the emergency public services for the Texas Department of Agriculture (TDA) Emergency Services - Help for Colonias (E-SHC) Program.

11. Health & Human Services Department:

- A. **AI-76755** Requesting approval of the Memorandum of Understanding between the Department of State Health Services and Hidalgo County Health Department. The purpose of the MOU is to have DSHS provide Hidalgo County Health Department with certain confidential data. The term of the MOU is from the signature date of the latter of the parties to sign, and end on December 31, 2025.
- B. **Health Care Funding District:**

1. **AI-76341**
 - A. Public Hearing, at 11:00 am, to consider public comments concerning the amount of mandatory payments required to be paid by paying hospitals for fiscal year 2021 and how the revenue derived from those payments is to be spent.
 - B. Consideration and possible approval of mandatory payment to be assessed quarterly by the Hidalgo County Health Care Funding District on the net patient revenue of an institutional health care provider and how the revenue derived from those payments is to be spent.
 - C. Consideration and possible approval for the Hidalgo County Tax Assessor/Collector to collect the mandatory payment required by Hidalgo County Health Care Funding District.
 - D. Consideration and approval to assess mandatory payment annual rate.
 - E. Consideration and approval to set quarterly assessment dates.
 - F. Discussion and/or action, including but not limited to Health Care Funding District and/or Expenditures.

12. Elections Administration:

- A. **AI-76770**
 1. Discussion on Election Updates.
 2. Discussion, consideration and authority for the County Judge to order the November 3, 2020 General Election.

13. WIC:

- A. **AI-76728** WIC (1292):
 1. Requesting approval to accept the Health and Human Services Grant Contract HHS000804500001 in the amount of \$11,323,544 for the contract period of FY 2021 October 1, 2020 to September 30, 2021.
 2. Requesting approval for County Judge to DocuSign the contract and related documents.
- B. **AI-76748** WIC (1292)
 1. Approval to Redistribution of Funding Notice FY 20 from the Health Human Services Commission /DSHS in the amount of \$250,000.00 from the Extra Other Funding Program (024).
 2. Approval to de-obligate \$250,000.00 from Extra Other Funding (Prog. 024).
 3. Approval to appropriate \$125,000.00 into the IPE Program (Prog. 023) and \$125,000.00 into the COVID-19 Program (Prog. 026).

14. Precinct #2 - Comm. Cantu:

- A. **AI-76798** Authorization and approval to apply for the 2020 GameTime Playground Grant; with authority for the County Judge to sign all required documentation.

15. Precinct #4 - Comm. Torres:

- A. **AI-76787** Authorization and approval to apply for the 2020 GameTime Playground Grant; with authority for the County Judge to sign all required documentation.

16. Budget & Management:

- A. **AI-76753** CARES Act Relief Funds (1287):
 - 1. 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.
 - 2. Approval of intradepartmental transfer.
- B. **AI-76749** Discussion, consideration and approval of various orders authorizing the establishment of streetlights along county roads located in Subdivisions: Village Grove 1, Presidio Estates 2, Los Olivarez Acres 2, and Owassa Acres.
- C. **AI-76761** TXDOT-Pct 1 Mile 6W(SH107-M11N) (1315):
Approval of Advance Funding Agreement between Hidalgo County and Texas Department of Transportation for Mile 6W from SH107 to Mile 11 North (CSJ:0921-02-286) and approval of Order authorizing the County Judge to sign agreement for said project.
- D. **AI-76743** Pct. 1-ICA-Weslaco-M10N (1315):
Approval of 2020 interfund transfer from Pct. 1-ICA Weslaco-M10N (M6W-FM1015), program 255 (1200) to Pct. 1-ICA-Weslaco-M10N (M6W-FM1015) (1315) in the amount of \$130,500 to fund project expenditures.
- E. **AI-76786** Pct.4 TxDOT Ware/FM2220:
Approval of 2020 interfund transfer from R&B (1200) into TxDOT (1315) in the amount of \$26,869.60 to fund supplemental #2 to WA#1.

- F. AI-76752** HIDTA Task Force (1291) / HIDTA Chapter 59 (1251):
Approval of the following salary schedule changes, effective 08/03/2020:

Action	Dept./Prg.	Slot #	Obj. Code	Position Title	Current Grade & Step/Allowance	Proposed Grade & Step/Allowance
Create Allowance Slot to Provide Longevity	270-003	0004	113	Criminal Investigator II	G14/S01	G14/S01
	270-011	A047	115		0.00	780.00

G. Budget Appropriations:

- 1. AI-76785** Pursuant to Texas Local Government Code 111.070, approval of emergency appropriation from the General Fund - Fund Balance in the amount of \$2,000,000.00 for emergency related expenditures.
- 2. AI-76740** Pct. 1 (1315/1200):
 - a. Approval of Certification of Revenues as certified by the County Auditor for revenues received from the City of Weslaco for ICA Weslaco M10N (M6W-FM1015) Project.
 - b. Approval of appropriation and interfund transfer in the amount of \$130,500 to fund Pct. 1 Weslaco ICA-M10N (M6W-FM1015) project expenditures.

17.

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-76800** Approval to execute awarded (by CC 06-23-20) construction contract with Noble Texas Builders, LLC, C-19-280-08-11, for "ADA Bus Shelter on N. 2th Ave and Stubbs St." including authority for project engineer, Halff Associates, Inc., to issue and send formal written Notice to Proceed.

2. **AI-76746** Pursuant to contract C-18-194-12-18 and in accordance with provision 2.3, "Modification of an Executed Statement of Work" between HC and SADA Systems, Inc. for project titled "Cloud Hosted and Managed Email Services", requesting approval to purchase 1,000 additional licenses and authority for the IT Director, Daniel Salinas to sign the change request form.

3. **AI-76788**
 - 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 Hidalgo County in order to assist with County functions and compliance with public health measures related to the ongoing COVID-19 public health emergency with ensuring the Forensic Center is equipped to handle the increased demand as we're experiencing an high volume of deaths in the County directly related to COVID-19; the Court having reviewed the Agenda Item Briefing herein find 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)(7) as attached herein;
 - C. Acceptance and approval of "Sole Source Declaration" for "Lodox NA, LLC" for the purchase of eXtero-dr Digital Radiography Image System including any present and future accessories, supplies, support, service, and maintenance from CIMS (Clinical Image Management Systems, Quote #11011 in the amount of \$565,550.00 to be used by Hidalgo County Forensic Center with said declaration to remain in effect while in place or until revoked by HCCC.
 - D. Approval of MSA (Master Service Agreement) with CIMS (Clinical Image Management Systems) sole Texas distributor of Lodox NA, LLC products.
 - E. Pursuant to the Terms and Conditions of Sale, authority for County Treasurer to issue a 20% down payment upon execution of the Agreement, 70% due upon delivery of the system, and final 10% net 30 after installation, after procurement procedure has been completed by the County Auditor's Office.

B. County Judge's Office:

1. **AI-76805 Emergency Management:**
 - 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 Hidalgo County Office of Emergency Management for

the relocation [due to lack of space at present location] to two county owned buildings in need of renovations an/or repairs to serve as Emergency Operations and Call Centers in order to assist with County functions related to the public health measures addressing the ongoing COVID-19 public health emergency; the Court having reviewed the Agenda Item Briefing herein find that such expenditure is reasonable and necessary for the intended use;

B. Acceptance and approval of a Service Agreement between Hidalgo County and Rike/Ogden/Figueroa/Allex Architects [ROFA] in connection with the project specific: Renovation/Remodeling of two county owned buildings to serve as Emergency Operations and Call Centers for the Office of Emergency Management subject to compliance with all requirements and legal counsel's final review and approval as to legal form.

C. Executive Office

1. **AI-76706** Requesting authority to advertise and approval of procurement packet as attached hereto for RFB: 2020-372-09-02-HGO - Demolition of HC Juvenile Youth Village - including re-advertisement of the project if and when necessary.

D. Sheriff's Office:

1. **AI-76784** A. Requesting exemption to Local Government Code 262.024(a)(2) and §351.0415(c)(5);

B. Requesting to award All Valley Charters, LLC for the provisions of bus transport services commencing upon approval and expiring on 12/31/2020, subject to Form 1295.

E. Pct. 1

1. **AI-76739** Pct. 1 is requesting acceptance and approval of Supplemental No. 2 for L&G Consulting Engineers, Contract No. C-18-195-07-31 resulting in the addition of Archeological and Historical Services (with an estimated cost increase/decrease of \$0.00) for services under Work Authorization No.1 for the Pct 1 Mile 6 (M11-SH107) Project.

2. **AI-76768** A. Pursuant to Texas Local 263.152, discussion and approval to declare as "surplus" Law Enforcement Vehicles as listed on Exhibit "A" contained herein with including authority to remove said personal property from the Hidalgo County Sheriff's inventory list;
- B. In accordance with Texas Government Code 791.001 - 794.003 (2) (3) requesting approval of an interlocal cooperation agreement {ILA} between Hidalgo County [SO] and the City of Alton for the mutual benefit and assistance in connection with surplus law enforcement vehicles.

F. Pct. 4

1. **AI-76702** Requesting approval of Second Amendment to Professional Service Contract for Construction Material & Geotechnical Testing Services between Hidalgo County Precinct 4 and Raba-Kistner, Inc., contract C-19-209-09-03, to extend the termination date to December 31, 2020.
2. **AI-76705** Requesting approval of Second Amendment to Professional Service Contract for Construction Material & Geotechnical Testing Services between Hidalgo County Precinct No. 4 and MEG Engineers, contract C-19-210-09-03, to extend the termination date to December 31, 2020.
3. **AI-76745** Acceptance and approval of Supplemental Agreement No. 2 to Work Authorization No. 1-contract #-15-137-06-02 with L & G Consulting Engineers, Inc., dba, L & G Engineering to amend "Exhibit B - Scope of Services" and update "Exhibit D-1 - Estimated Man-Hour Breakdown" with an increase of \$26,869.60

G. Justices of the Peace

1. **AI-76799** JP Pct. 3, Pl. 2

Pursuant to Texas Constitution, Article 3, Sect. 52, requesting acceptance and approval of "Public Purpose Declaration: for Fiscal Year 2020 to include the purchase through [the Requisition and Purchase Order protocol of Hidalgo County] of miscellaneous items with the affixing of any applicable identifying JP3-2 Logos [i.e. printed materials, supplies and other related items as needed] which assist in efforts in disseminating information of educational and health awareness, public safety services and programs affecting the community including, but not limited to the following: pencils, pens, color pencils, hand sanitizers, rulers, notebooks, school boxes/school pouches, cinch backpacks, crayons, calendars, lanyards, stress balls, key chains, computer cleaning cloths, table covers, tent, banners.

H. Health & Human Services Dept.

1. **AI-76793**
 - A. Discussion, consideration, and approval of a necessary CARES Act Relief Fund expenditure to cover costs not accounted for in the current budget and cannot be lawfully funded by a line item, allotment or allocation, for the purchase of Disposable Lab Coats, in order to assist with County functions related to 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)(7), attached herein; and
 - C. Requesting approval to purchase Disposable Lab Coat through distributor Promo Universal LLC in the total amount of \$93,000.00.

I. IT Department:

1. **AI-76802**
 - A. Discussion, consideration and action to approve a necessary CARES Act Relief Fund expenditure to cover cost not accounted for the current budget and cannot be lawfully funded by line item, allotment or allocation , for Hidalgo County in order to assist with County functions and compliance with public health measures related to the ongoing COVID-19 public health emergency with establishing a WIFI Project to assist the citizens with distance learning, including technology improvements, as well as improving telework capability; the Court having reviewed the Agenda Item Briefing here in find that such expenditure is reasonable and necessary for the intendee use.;
 - B. Requesting exemption from competitive bidding/procurement requirements under Texas Local Government Code, 262.024(a)(1) and (2) attached herein;
 - C. Approval to submit a Wireless Pole Attachment License Agreement between Magic Valley Electric Cooperative (MVEC), Inc. and Hidalgo County for the installation of equipment supporting the Hidalgo Count Wifi Project subject to legal review
 - D. Approval to submit a Wireless Pole Attachment License Agreement between American Electric Power (AEP) and Hidalgo County for the installation of equipment supporting the Hidalgo Count Wifi Project subject to legal review

- 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

- 19. **AI-76804** Discussion, consideration and possible action regarding:
 - A. County response to disaster/health emergency:
 - 1. CARES Act Funds
 - a. Interlocal cooperation agreement with the Municipalities
 - b. Interlocal cooperation agreement with McAllen Independent School District
 - B. Measures necessary to preserve public health and safety
 - C. Direction regarding County government operations, including but not limited to essential functions

- 20. **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-76730** C-2314-20-A; Alonzo Moran vs. Hidalgo County and Hidalgo County Health Department

 - E. **AI-76736** Claim of Jahziel Rico

- 21.
 - 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)

22. 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-76731** C-2314-20-A; Alonzo Moran vs. Hidalgo County and Hidalgo County Health Department
- E. **AI-76737** Claim of Jahziel Rico

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

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

25. Adjourn