

AI-18710

6.D.

Claim of Trinidad Mireles

CC REGULAR

Date: 12/01/2009
Submitted By: Aida Alvarez, SAFETY DIVISION
Submitted For: Valde Guerra
Department: SAFETY DIVISION
Agenda Category: Closed Session

Information

CAPTION

Claim of Trinidad Mireles

BACKGROUND

Fiscal Impact

Attachments

No file(s) attached.

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/23/2009 10:37 AM	APRV
2	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Aida Alvarez
Started On: 11/23/2009 10:15 AM
Final Approval Date: 11/25/2009

AI-18711

7.D.

Claim of Trinidad Mireles

CC REGULAR

Date: 12/01/2009
Submitted By: Aida Alvarez, SAFETY DIVISION
Submitted For: Valde Guerra
Department: SAFETY DIVISION
Agenda Category: Open Session

Information

CAPTION

Claim of Trinidad Mireles

BACKGROUND

Fiscal Impact

Attachments

No file(s) attached.

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/23/2009 10:37 AM	APRV
2	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Aida Alvarez			Started On: 11/23/2009 10:16 AM	
Final Approval Date: 11/25/2009				

AI-18741

10.B.

**Hidalgo County Equal Employment Opportunity Plan
CC REGULAR**

Date: 12/01/2009
Submitted By: Rolando Garcia, BUDGET & MANAGEMENT
Submitted For: Rey Salazar
Department: BUDGET & MANAGEMENT
Agenda Category: Comm. Court Executive Office

Information

CAPTION

Presentation and acceptance of the Hidalgo County Equal Employment Opportunity Plan.

BACKGROUND

The purpose of this plan is to ensure equal employment opportunity for all applicants and employees and to promote diversity at all occupational levels of the County Government's workforce. The overall intent of this plan is to ensure the administration and implementation of all personnel policies, practices and programs are fair and equitable.

Hidalgo County has received an award for more the \$500,000 and has 50 or more employees. Therefore, the county must prepare a EEOP and submit to DOJ prior to receiving grant award funding.

Grant award funds appropriated 10/06/09. AI 17732/ 20.A.

Fiscal Impact

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
No Fiscal Impact.

Attachments

Link: [Grant Info/ for backup only](#)
Link: [EEOP Short Form](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Roland Garcia (Originator)	Rolando Garcia	11/25/2009 11:19 AM	APRV
2	Budget & Management	Erika Zamora	11/25/2009 11:21 AM	APRV
3	Rosalinda Cantu	Rosie Cantu	11/25/2009 02:29 PM	APRV
4	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Rolando Garcia
Started On: 11/24/2009 11:24 AM

Final Approval Date: 11/25/2009



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 21, 2009

The Honorable J.D. Salinas
Hidalgo County
100 E. Cano Street, 2nd Floor
Edinburg, TX 78539-4548

Dear Judge Salinas:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation in the amount of \$519,453 for Hidalgo County.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Esmeralda C. Womack, Program Manager at (202) 353-3450; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfb@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Burch II".

James H. Burch II
Acting Director

Enclosures



**Department of Justice
Office of Justice Programs
Office for Civil Rights**

Washington, D.C. 20531

August 21, 2009

The Honorable J.D. Salinas
Hidalgo County
100 E. Cano Street, 2nd Floor
Edinburg, TX 78539-4548

Dear Judge Salinas:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEO Plan), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEO Plan Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEO Plan reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEO Plan and submit it to OCR for review within 60 days from the date of this letter. For assistance in developing an EEO Plan, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEO Plan specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEO Plan, but it does not have to submit the EEO Plan to OCR for review. Instead, your organization has to maintain the EEO Plan on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEO Plan requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination

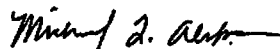
In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEO Plan, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

EEOP Short Form



Fri Oct 16 18:15:51 EDT 2009

Step 1: Introductory Information

Grant Title:	Recovery JAG Program	Grant Number:	2009-SB-B9-3110
Grantee Name:	Edward Byrne Memorial Justice Grant	Award Amount:	\$519,453.00
Grantee Type:	Local Government Agency		
Address:	100 E. Cano Street, 2nd Floor Edinburg, Texas 78539-4548		
Contact Person:	Captain Rodolfo Espinoza	Telephone #:	956-381-7900
Contact Address:	711 E. El Cibolo Rd PO Box 1228 Edinburg, Texas 78540		
DOJ Grant Manager:	Esmeralda C. Womack	DOJ Telephone #:	202-353-3450

Policy Statement:

It is the Countys policy to provide equal employment opportunities to all applicants and to recruit, hire and promote qualified persons for all job positions without regard to race,color, creed/religion, national origin, sex, age, disability, military status or any other legally protected status. The Department Head/Elected Official, however, may establish "bona-fide occupational qualifications" that relate to physical or mental abilities required to perform a job.

No person employed by the County shall discriminate against or harass anyone on the basis of race, color, creed/religion, national origin, sex, age, disability, military status or any other legally protected status, nor shall any employee participate in any function that violates, either directly or indirectly, the civil rights of other employees or any member of the general public.

Step 4b: Narrative Underutilization Analysis

In reviewing the Utilization Analysis Chart, the Strategic Planning Division made the following observations:

A comparison of Hidalgo County's workforce to the community labor statistics for Hidalgo County indicates underutilization of women and minorities in a few areas. Community labor statistics show that Black or African American, American Indian or Alaskan Native, Asian, Native Hawaiian or Other Pacific Islander is very small (all less than 1%) in this south Texas border region county. Therefore, the larger areas of underutilization identified were White and Hispanic males and females. Hidalgo County will welcome the chance to increase the representation of all underutilized groups and will continue to explore ways of communicating job opportunities to all race and ethnic groups. After reviewing the results of the underutilization analysis, Hidalgo County has identified the following areas of concern.

OFFICIALS/ADMINISTRATORS

White males are underutilized by 15% and White females by 7%.

PROFESSIONALS

White males are underutilized by 4%. White females underutilized by 7% and Hispanic females by 44%.

PROTECTIVE SERVICES (SWORN OFFICIALS)

White males underutilized by 13%. Hispanic females underutilized by 7%.

PROTECTIVE SERVICES (PATROL OFFICERS)

Hispanic females underutilized by 22%.

PROTECTIVE SERVICES (NON-SWORN)

Hispanic females underutilized by 10%.

ADMINISTRATIVE SUPPORT

Hispanic males underutilized by 10%.

SERVICE MAINTENANCE

Hispanic females underutilized by 23%.

In keeping with Hidalgo County's commitment to having a workforce that reflects the community it serves, the county will examine its recruitment and retention practices to see if there may be ways to attract diversified personnel.

Step 5 & 6: Objectives and Steps

1. Hire more White males, females and Hispanic females

a. A. Community Recruitment. Jobs are advertised via the local media, at schools, technical and professional organizations, on Hidalgo County on-line job sites deemed most visited by the target sex/ethnic populations.

B. Career Development Programs. Develop strategies that will allow employees opportunities to explore career alternatives within the County in career planning workshops, individual counseling and professional development workshops.

C. Staff/Training Development. To develop and expand the current workforce, job training, job shadowing and mentorship will be encouraged and rewarded.

2. Identify any barriers in recruitment that might deter White males, females and Hispanic females from applying for an Official/Administrative, Professional, Protective Service and Service Maintenance position

- a. A. Task County Officials to expand and maintain a diversified employee base utilizing current benchmarked standardized as a goal to achieve and/or surpass.
- B. Train potential interviewers/supervisors in appropriate selection procedures and advise them of this Equal Employment Opportunity Plan.
- C. Provide training and education to all supervisors and managers on employment issues related to diversity and discrimination
- D. Expand the current Hidalgo County Employee Scholarship Program to encompass additional incentives and rewards to recognize and encourage employment with The County of Hidalgo.
- E. Post all internal and external positions to encourage full disclosure to allow for the expansion of a diversified workforce pool of applicants.
- D. Continue to actively monitor EEO Statistics for the workforce and use this information to enhance recruitment and outreach efforts.

Step 7a: Internal Dissemination

- 1. Hidalgo County will include the EEO policy statement and short form at the County's Department of Human Resources. This will in turn lead to dissemination and availability to all current and future county employees.
- 2. We will include articles covering the availability of the EEO plan in the appropriate County publications and/or online resources.
- 3. We will encourage the dissemination of Department EEO Plans and Policy Statements on employee departmental bulletin boards.
- 4. We will encourage Department EEOP in the County and on various agency webpages and also post it in more creative locations such as the counties departmental newsletters.
- 5. In staff meetings, held with all managers, we will periodically update the Departments compliance with this Plan. Discussions will include assisting managers in identifying and addressing problem areas with effective solutions.
- 6. We will distribute a memo to every employee indicating how she or he can obtain a copy of the EEOP.

Step 7b: External Dissemination

- 1. Hidalgo County will annually inform recruiting sources of the EEO Plan and our commitment toward improving the base to reflect a closer benchmark to our population base.
- 2. We will post a public memo in the Personnel Office explaining how applicants and members of the public may obtain a copy of the EEOP.
- 3. We will post a copy of the EEOP Short Form on the County of Hidalgo Human Resource website for external and or internal viewers to see.

4. Address the policy thoroughly in new employee orientation sessions, training sessions and/or relevant forums.

5. The county will be represented at recruitment functions, meetings of community groups, local schools, colleges and training programs, reasserting the county's commitment to the Equal Employment Opportunity Plan.

Utilization Analysis Chart
Relevant Labor Market: Hidalgo County, Texas

Job Categories	Male							Female						
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Officials/Administrators														
Workforce #/%	0/0%	20/67%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	10/33%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	2,960/15%	9,455/49%	25/0%	25/0%	165/1%	0/0%	30/0%	1,305/7%	5,460/28%	0/0%	15/0%	30/0%	0/0%	10/0%
Utilization #/%	-15%	18%	-0%	-0%	-1%	0%	-0%	-7%	5%	0%	-0%	-0%	0%	-0%
Professionals														
Workforce #/%	13/7%	70/37%	0/0%	0/0%	0/0%	0/0%	0/0%	10/5%	0/0%	96/50%	0/0%	2/1%	0/0%	0/0%
CLS #/%	3,085/11%	8,245/29%	165/1%	4/0%	280/1%	0/0%	30/0%	3,435/12%	12,265/44%	65/0%	10/0%	580/2%	0/0%	30/0%
Utilization #/%	-4%	7%	-1%	-0%	-1%	0%	-0%	-7%	-44%	50%	-0%	-1%	0%	-0%
Technicians														
Workforce #/%	4/3%	58/49%	0/0%	0/0%	0/0%	0/0%	0/0%	1/1%	55/47%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	190/6%	1,395/41%	4/0%	0/0%	35/1%	0/0%	0/0%	140/4%	1,590/47%	0/0%	4/0%	10/0%	4/0%	0/0%
Utilization #/%	-2%	8%	-0%	0%	-1%	0%	0%	-3%	-1%	0%	-0%	-0%	-0%	0%
Protective Services: Sworn-Officials														
Workforce #/%	0/0%	24/96%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	1/4%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	520/13%	2,950/74%	4/0%	0/0%	10/0%	10/0%	4/0%	50/1%	420/11%	15/0%	0/0%	0/0%	0/0%	0/0%
Utilization #/%	-13%	22%	-0%	0%	-0%	-0%	-0%	-1%	-7%	-0%	0%	0%	0%	0%
Protective Services: Sworn-Patrol Officers														
Workforce #/%	38/4%	749/79%	2/0%	1/0%	0/0%	0/0%	0/0%	4/0%	160/17%	0/0%	0/0%	0/0%	0/0%	0/0%
Civilian Labor Force #/%	590/3%	12,200/56%	70/0%	15/0%	40/0%	0/0%	4/0%	330/2%	8,605/39%	20/0%	0/0%	0/0%	15/0%	25/0%
Utilization #/%	1%	23%	-0%	0%	-0%	0%	-0%	-1%	-22%	-0%	0%	0%	-0%	-0%
Protective Services: Non-sworn														
Workforce #/%	3/1%	114/42%	2/1%	0/0%	1/0%	0/0%	0/0%	2/1%	151/55%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	0/0%	80/35%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	150/65%	0/0%	0/0%	0/0%	0/0%	0/0%
Utilization #/%	1%	7%	1%	0%	0%	0%	0%	1%	-10%	0%	0%	0%	0%	0%

Job Categories	Male							Female						
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Administrative Support														
Workforce #/%	5/1%	167/19%	0/0%	0/0%	0/0%	0/0%	0/0%	18/2%	697/78%	2/0%	1/0%	0/0%	0/0%	0/0%
CLS #/%	1,705/4%	16,115/34%	60/0%	30/0%	115/0%	0/0%	25/0%	2,720/6%	27,155/56%	30/0%	10/0%	90/0%	0/0%	15/0%
Utilization #/%	-3%	-15%	-0%	-0%	-0%	0%	-0%	-4%	22%	0%	0%	-0%	0%	-0%
Skilled Craft														
Workforce #/%	6/3%	172/95%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	3/2%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	1,190/5%	20,195/90%	30/0%	25/0%	30/0%	0/0%	20/0%	70/0%	760/3%	0/0%	0/0%	0/0%	0/0%	0/0%
Utilization #/%	-2%	5%	-0%	-0%	-0%	0%	-0%	-0%	-2%	0%	0%	0%	0%	0%
Service/Maintenance														
Workforce #/%	5/2%	250/82%	1/0%	0/0%	0/0%	0/0%	0/0%	0/0%	50/16%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	1,555/2%	42,015/57%	175/0%	55/0%	80/0%	0/0%	35/0%	980/1%	29,035/39%	70/0%	30/0%	50/0%	15/0%	40/0%
Utilization #/%	-0%	25%	0%	-0%	-0%	0%	-0%	-1%	-23%	-0%	-0%	-0%	-0%	-0%

Law Enforcement Category Rank Chart

Job Categories	Male							Female						
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Protective Services: Sworn-Officials														
Workforce #/%	0/0%	24/96%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	1/4%	0/0%	0/0%	0/0%	0/0%	0/0%
Protective Services: Sworn-Patrol Officers														
Workforce #/%	38/4%	749/79%	2/0%	1/0%	0/0%	0/0%	0/0%	4/0%	160/17%	0/0%	0/0%	0/0%	0/0%	0/0%

I understand the regulatory obligation under 28 C.F.R. 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEOP Short Form.

I have reviewed the foregoing EEOP Short Form and certify the accuracy of the reported workforce data and our organization's employment policies.

[signature]

[title]

[date]

**Workforce Nonfinancial Cooperative Agreement
CC REGULAR**

Date: 12/01/2009
Submitted By: Erika Reyna, COUNTY JUDGE
Department: COUNTY JUDGE
Agenda Category: Comm. Court Executive Office

Information

CAPTION

Discussion, consideration, and approval of Non-Financial Cooperative Agreement for work skills between Hidalgo County and Workforce Solutions.

BACKGROUND

Assistance for Health Department with H1N1 data entry.

Fiscal Impact

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
No fiscal impact.

Attachments

Link: [Agreement](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/20/2009 04:06 PM	APRV
2	Roland Garcia	Rolando Garcia	11/20/2009 04:26 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Erika Reyna
Started On: 11/20/2009 03:40 PM
Final Approval Date: 11/25/2009

**NON-FINANCIAL COOPERATIVE AGREEMENT FOR WORK SKILLS
BETWEEN**

Hidalgo County

(EMPLOYING WORKFARE/COMMUNITY SERVICE WORKSITE)

**AND
WORKFORCE SOLUTIONS**

This non-financial agreement is entered into by the Placement Organization and the Workforce Solutions Center.

1. AUTHORITY

The parties are authorized to enter into this non-financial agreement by Chapter 301 of the Labor Code, Part 20 TAC Chapter 811, and Chapter 22 of the Human Resources Code, which created the Community Work Experience Program.

2. PERIOD OF AGREEMENT

This agreement becomes effective on the date signed by the Workforce Solutions representative and will continue in effect until terminated by mutual agreement of both parties or by one party giving 30 days notice to the other party.

3. PURPOSE

- 3.1** The purpose of this agreement is to establish expectations and procedures for the provision of work skills training to Workforce Solutions participants. The work skills training may be provided at the different sites operated by the Placement Organization. This training will prepare recipients for employment with this Placement Organization, but there is no guarantee of employment upon completion of the training. Performance by the recipient under this agreement will not be the basis for any payment to the recipient.
- 3.2** Work Skills is a training and work experience opportunity involving placement of program participants in positions with designated hours, tasks, and staff supervision in federal Head Start programs, state agencies (including institutions of higher education), other entities of state or local government, or private sector or nonprofit organizations or foundations. The purpose of work skills for the participants is to provide time-limited, actual "hands-on" training and employment experience relevant to a participant's employment goal and service needs, which will be assessed on an ongoing basis. In addition to learning about specific job skills, participants also gain experience as an "employee" and learn about work place expectations and behaviors.

- 3.3** Assignments in work skills will generally be limited to six months regardless of the number of hours per week the participant is engaged in this activity. A work skills position may be extended beyond six months if a decision is made that there are additional specific experiences, training, or skills that will be obtained or provided which will enhance the participant's employability, and a target date is determined for the participant to complete the activity.
- 3.4** A second work skills position may be considered for an individual participant if it is determined that the second work skills activity will provide additional specific experiences, training, or skills which will enhance the participant's employability.
- 3.5** Participants will be assigned to work a specific number of hours per month. The participant's scheduled hours will be determined by the Workforce Solutions center staff. The work skills assignment combined with other activities will average 30-40 hours per week.
- 3.6** Planning and scheduling of the time frame and hours of participation in work skills are based on an agreement between the Placement Organization and Workforce Solutions Center staff. The Placement Organization and the Workforce Solutions Center staff will mutually agree upon the appropriate length of time and hours per week needed for a participant to gain work skills in the specific position. Generally, a work skills assignment that extends beyond three months should be based on a review of the participant's progress and a decision that continued work experience is conducive to the employment goal, the participant's overall employment plan, and the needs of the placement organization.

4. WORKFORCE SOLUTIONS CENTER STAFF EXPECTATIONS

- 4.1** Workforce Solutions Center staff will provide the Placement Organization information about reporting requirements, program expectations of participants, problem resolution procedures and other procedural information that may be needed for the successful operation of this project.
- 4.2** After work skills are established for a participant, but before the participant begins the work skills assignment, Workforce Solutions Center staff must discuss with the participant the expectations of the work skills assignment. The discussion should include, but is not limited to, the following:
- _ An overview of the work skills assignment for the participant;
 - _ There is no guarantee of paid employment with the Placement Organization at the end of the work skills assignment, but the experience and training will enhance the client's competitiveness within the local labor market and will likely lead to employment;
 - _ The roles and responsibilities of the Placement Organization and the assigned supervisor;

- The roles and responsibilities of the participant while engaged in work skills assignment; and,
 - The roles of the Workforce Solutions Center staff during the work skills assignment.
- 4.3** The Workforce Solutions Center has grievance procedures for resolving complaints by regular placement organization employees who complain that the work assignment of a participant violates the applicable federal regulations.
- 4.4** The Workforce Solutions Center has grievance procedures for resolving complaints by or on behalf of participants in any work-related programs and activities with respect to on-the-job working conditions.
- 4.5** Participants alleging discrimination may choose to have their complaints processed as a program dispute, as a violation of other applicable state and local laws prohibiting discrimination, or as a violation of 45 CFR parts 80, 84 and 91.

5. PARTICIPANT EXPECTATIONS

- 5.1** When the work skills assignment is established, the participant is expected to:
- adhere to the same work rules as paid employees;
 - adhere to prescribed work skills assignment hours and time frames;
 - ask supervisor for instruction if assignment is unclear and report to the supervisor before performing any unassigned tasks;
 - be cooperative and avoid causing disruptions in the work place;
 - dress appropriately for the job duties assigned, based on the supervisor's recommendations;
 - notify the supervisor and the Workforce Solutions Center staff if planning to resign before the placement is scheduled to end;
 - Consider the supervisor as the primary point of contact regarding the work skills assignment. The Workforce Solutions Center staff should be contacted if issues cannot be resolved between the Placement Organization and the participant;
 - abide by confidentiality requirements concerning customer information when the assigned duties provide a participant access to information regarding other Workforce Solutions Center customer or customers of other service providers where confidentiality rights are protected;

- _ report to their assigned Workforce Center staff daily, as agreed upon on their Individual Employment Plan (IEP);
- _ immediately report any paid employment to Workforce Center staff and to their assigned HHSC worker.

6. PLACEMENT ORGANIZATION EXPECTATIONS

6.1 The Placement Organization will accept a participant referred by Workforce Center staff and agrees to:

- _ develop job descriptions that are relevant to paid positions in the Placement Organization or that are available in the community. The Placement Organization will also give consideration to hiring qualified participants currently or previously engaged in work skills with the Placement Organization when opportunities for employment arise;
- _ provide the participant an orientation consisting of the following information:
 - the name of the designated supervisor
 - a written job description, duties, goals, and expectations
 - description of the specific area of work skills assignment
 - starting date, time, and duration of work skills assignment
 - assigned schedule
 - location of work space
 - procedures for obtaining needed supplies
 - location of parking, restrooms, water fountains, break rooms, etc.
 - lunch and break schedules
 - holiday schedule, if appropriate
 - work rules
 - workplace safety
 - security and confidentiality
- _ provide formal or ongoing on-the-job training as appropriate to the assigned job;
- _ provide supervision to the participant through a designated supervisor for the duration of the work skills assignment with regular and frequent evaluation of performance;
- _ maintain regular contact with the Workforce Solutions center staff to enable the staff to track and monitor the participation;
- _ provide the same health and safety standards established under state and federal law that apply to other individuals in similar activities;

- require agreement of the participant and Workforce Center staff for assignments requiring commuting time of more than two hours or assignments requiring overnight stay;
- comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), The Americans with Disabilities Act of 1990 (Public Law 101-336), and all amendments to each, and all requirements imposed by the regulations issued pursuant to these Acts. In addition, the Placement Organization agrees to comply with Title 40, Chapter 73, of the Texas Administrative Code. These regulations provide, in part, that no persons in the United States shall, on the grounds of race, color, national origin, sex, age, disability, political beliefs or religion, be excluded from participation in, or denied, any aid, care, services or other benefits provided by Federal and/or State funding, or otherwise be subjected to discrimination;
- comply with Texas Revised Civil Statutes, Article 4419b-4, Sections 5.03 and 5.04 (relating to workplace and confidentiality guidelines regarding AIDS and HIV);
- not breach client confidentiality or release information on cases under this agreement without obtaining prior approval from the Workforce Solutions Center staff;
- not involve participants, as part of their work skills, in political campaigns, political parties or the political activities of the Placement Organization.

6.2.1 The work skills activity must not result in the displacement, including partial displacement, of any currently employed worker or position. The work skills activity must not impair existing contracts for services or collective bargaining agreements. It must not result in the employment or assignment of a participant or the filling of a position when any other person is on layoff from the same or substantially equivalent job within the same organizational unit or when an employer has terminated or otherwise reduced its work force. The work skills activity must not infringe in any way on promotional opportunities of any currently employed individual.

6.2.2 The Employing workfare/community service worksite (Placement Organization) is **required to have liability insurance to cover any injuries the participant might incur while working at their work site.**

7. REFERRAL AND FEEDBACK PROCESS

7.1 The Placement Organization will prepare a list of duties for each type of job covered in this agreement. The job description will include minimum qualifications required, training that will be provided, supervisory support, and information about the potential earnings and benefit coverage for regular employees in this position. The Placement Organization will notify Workforce Solutions Center staff of available work skills positions by sending the list of duties to the appropriate Center Manager. Center Managers will notify Workforce Solutions Center staff of the placement

opportunity. Workforce Solutions Center staff will then contact the Placement Organization to open a job order and refer qualified job candidates including program participants.

- 7.2** The Workforce Solutions Center staff will work the job order and match the job description on the work order form to a Workforce Solutions customer, including the program participant, capable of performing the tasks on a regular basis, considering physical capacity, skills, experience, family responsibilities, place of residence, transportation, child care and other supportive needs. Referral will be made on the Referral for Employing Workfare/Community Service Worksite.
- 7.3** The Workforce Solutions Center staff will ensure that the participant and the representative of the Placement Organization sign Form 2740, Work Skills Agreement, to document understanding of their expectations. Additional written expectations or procedures may be attached as appropriate. The information on the form will be discussed with the participant prior to referral to the Placement Organization.
- 7.4** The Placement Organization will report hours of work for each participant to the appropriate Workforce Solutions Center staff.
- 7.5** Representatives of the Placement Organization and the Workforce Solutions Center will meet as needed to assess the activities conducted under this agreement and to make necessary adjustments to improve results.

AGREED TO:

Placement Organization Name

Hidalgo County Health Department
Description of Placement Organization
Community Based Services

Charitable Choices, Faith-Based, & Community-Based Services

1304 S. 25th Ave. Edinburg, Tx. 78542

Location/Physical Address

1304 S. 25th Ave. Edinburg, Tx. 78542

Mailing Address

956-383-6221 Ext. 235

956-383-8864

Phone Number

Fax Number

Lydia Serna

Contact Person

Placement Organization:

Workforce Solutions:

Signature and Date

Signature and Date

Name: _____

Name: **Tozi Tijerina**

Title: _____

Title: **Project Director**

Contract Developed By:

Pharr

Workforce Center

Workforce Center Staff
Leonel J. Lozano

Workforce Center Manager

AI-18774

10.D.

**Approval to authorize supplemental pay allowance
CC REGULAR**

Date: 12/01/2009
Submitted By: Rosie Cantu, BUDGET & MANAGEMENT
Submitted For: Valde Guerra
Department: BUDGET & MANAGEMENT
Agenda Category: Comm. Court Executive Office

Information

CAPTION

DBM- Workers Comp (2202)/ Safety Division (1100)

1. Approval to assign additional duties and supplemental pay in the amount of \$4,200.00 to slot no. 014 (DBM- W/C), and pay allowance to employee no. 166499, effective next full pay period (12/07/09).
2. Approval of revised salary schedules.

BACKGROUND

Fiscal Impact

<u>FISCAL YEAR:</u> 2009	<u>ACCT. #:</u> 9-1100-419-50-115-059-0-XXX
<u>FUNDS AVAILABLE Y/N?:</u> YES	<u>MATCHING FUNDS Y/N?:</u>

BUDGETARY IMPACT:

Available funding as of 11/25/09.rc

Attachments

Link: [Revised Salary Schedule- Safety Div.](#)

Link: [PAR](#)

Link: [Revised Salary Schedule- W/C](#)

Link: [fiscal note](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Rosalinda Cantu (Originator)	Rosie Cantu	11/25/2009 04:36 PM	APRV
2	Budget & Management	Erika Zamora	11/25/2009 04:47 PM	APRV
3	Sylvia Solis		11/25/2009 04:47 PM	NEW

Form Started By: Rosie Cantu
Started On: 11/25/2009 03:21 PM

Final Approval Date: 11/25/2009

**HIDALGO COUNTY
COMMISSIONER COURT
2009 SALARY SCHEDULE**

9-1100-419-50-115-059-0

AI - 18774

DBM - SAFETY DIVISION

Slot #	Obj Code	POSITION TITLE	2008 BUDGETED SALARY	2009 ADJUSTED SALARY	2009 BASE SALARY	% Inc.	AMOUNT INCREASE	OTHER INCREASE	2009 BUDGETED SALARY APPROVED	2009 ACTUAL SALARY	Other Allowances					2009 ACTUAL TOTAL COMPENSATION
											Longevity 115	Interpet. 116	Supplem. 117	Auto A. 118	Clothing 119	
0001	113	SAFETY DIRECTOR	72,800.00	0.00	72,800.00	0.05	3,640.00	0.00	76,440.00	76,440.00	1,380.00	0.00	1,800.00	8,000.00	0.00	87,620.00
0002	113	SAFETY OFFICER	43,853.00	0.00	43,853.00	0.05	2,192.65	0.00	46,045.65	46,046.00	780.00	0.00	0.00	0.00	0.00	46,826.00
0003	113	ADMINISTRATIVE SECRETARY	42,245.00	0.00	42,245.00	0.05	2,112.00	0.00	44,357.00	44,231.00	420.00	0.00	0.00	0.00	0.00	44,651.00
0004	113	SECRETARY	36,426.00	0.00	36,426.00	0.05	1,821.30	0.00	38,247.30	38,121.00	660.00	0.00	0.00	0.00	0.00	38,781.00
0005	113	INSURANCE COORDINATOR	47,840.00	0.00	47,840.00	0.05	2,392.00	0.00	50,232.00	50,232.00	540.00	0.00	0.00	4,000.00	0.00	54,772.00
0006	113	SAFETY OFFICER	0.00	43,853.00	43,853.00	0.05	2,193.00	3,000.00	49,046.00	49,046.00	0.00	0.00	0.00	0.00	0.00	49,046.00
0007	113	SAFETY OFFICER	0.00	43,853.00	43,853.00	0.05	2,193.00	0.00	46,046.00	46,046.00	0.00	0.00	0.00	0.00	0.00	46,046.00
0008	113	SAFETY OFFICER	0.00	43,853.00	43,853.00	0.05	2,193.00	0.00	46,046.00	46,046.00	0.00	0.00	0.00	0.00	0.00	46,046.00
0009	113	SAFETY OFFICER	0.00	43,853.00	43,853.00	0.05	2,193.00	0.00	46,046.00	46,046.00	0.00	0.00	0.00	0.00	0.00	46,046.00
0010	113	SAFETY OFFICER	0.00	43,853.00	43,853.00	0.05	2,193.00	0.00	46,046.00	46,046.00	960.00	0.00	0.00	0.00	0.00	47,006.00
0011	113	SAFETY OFFICER	0.00	43,853.00	43,853.00	0.05	2,193.00	0.00	46,046.00	46,046.00	0.00	0.00	0.00	0.00	0.00	46,046.00
											PROPOSED ALLOWANCE					
A012	113	Risk Management Specialist	0.00	0.00	0.00	0	0.00	0.00	0.00	0.00			↓ 4,200.00	0.00	0.00	0.00
			243,164.00	263,118.00	506,282.00		25,315.95	3,000.00	534,597.95	534,346.00	4,740.00	0.00	6,000.00	12,000.00	0.00	552,886.00

Approval to assign additional duties and supplemental pay in the amount of \$4,200.00 to slot no. 014 (DBM- W/C), and pay allowance to employee no. 166499, effective next full pay period (12/07/09).

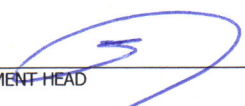
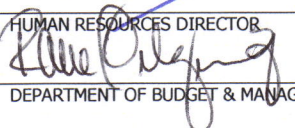
NEW POSITION: Brief job description and attach a copy of the new job description.

POSITION RECLASSIFICATION: Explain change and /or increase in duties and responsibility. (Attach new job description)

COMMENTS: (Any comments you wish to make regarding this request)

HUMAN RESOURCES: Classification and Salary Recommendation

BUDGET & MANAGEMENT: Classification and Salary Recommendation

1.	 DEPARTMENT HEAD	11/25/09 DATE	FUNDING AVAILABLE IN DEPT. BUDGET	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2.	HUMAN RESOURCES DIRECTOR	DATE	PERSONNEL PROCEDURES COMPLETED	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.	 DEPARTMENT OF BUDGET & MANAGEMENT	11/25/09 DATE	BUDGET PROCEDURES COMPLETED	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
4.	COMMISSIONERS COURT APPROVAL	DATE		

**HIDALGO COUNTY
COMMISSIONER COURT
2009 SALARY SCHEDULE**

9-2202-419-50-115-065-0

AI - 18774

DBM - W/C DIVISION

Slot #	Obj Code	POSITION TITLE	2008 BUDGETED SALARY	2009 ADJUSTED SALARY	2009 BASE SALARY	% Inc.	AMOUNT INCREASE	OTHER INCREASE	2009 BUDGETED SALARY APPROVED	2009 ACTUAL SALARY	Other Allowances					2009 ACTUAL TOTAL COMPENSATION
											Longevity 115	Interpet. 116	Supplem. 117	Auto A. 118	Clothing 119	
0001	113	W/C DIVISION ADMINISTRATOR	57,200.00	0.00	57,200.00	0.05	2,860.00	0.00	60,060.00	60,060.00	420.00	0.00	0.00	4,000.00	0.00	64,480.00
0008	113	CLAIMS INVESTIGATOR II	43,853.00	0.00	43,853.00	0.05	2,192.65	0.00	46,045.65	46,046.00	300.00	0.00	0.00	0.00	0.00	46,346.00
0009	113	W/C CLERK III	36,400.00	0.00	36,400.00	0.05	1,820.00	0.00	38,220.00	38,220.00	780.00	0.00	0.00	0.00	0.00	39,000.00
0010	113	W/C CLERK II	31,517.00	0.00	31,517.00	0.05	1,575.85	0.00	33,092.85	33,093.00	300.00	0.00	0.00	0.00	0.00	33,393.00
0011	113	W/C CLERK II	31,517.00	0.00	31,517.00	0.05	1,575.85	0.00	33,092.85	33,093.00	480.00	0.00	0.00	0.00	0.00	33,573.00
0012	113	SECRETARY	25,552.00	0.00	25,552.00	0.05	1,277.60	722.40	27,552.00	27,552.00	0.00	0.00	0.00	0.00	0.00	27,552.00
0013	113	CHIEF ADMINISTRATOR	5,200.00	0.00	5,200.00	0.05	260.00	0.00	5,460.00	5,460.00	21.43	0.00	0.00	0.00	0.00	5,481.43
0014	113	RISK MANAGEMENT SPECIALIST	37,000.00	0.00	37,000.00	0.1	1,850.00	0.00	38,850.00	38,850.00	0.00	0.00	0.00	0.00	0.00	38,850.00
			268,239.00	0.00	268,239.00		13,411.95	722.40	282,373.35	282,374.00	2,301.43	0.00	0.00	4,000.00	0.00	288,675.43

Approval to assign additional duties and supplemental pay in the amount of \$4,200.00 to slot no. 014 (DBM- W/C), and pay allowance to employee no. 166499, effective next full pay period (12/07/09). Funding source for supplemental pay allowance to be applied to account no. 9-1100-419-50-115-059-0-XXX (Safety Division)

Hidalgo County
Department of Budget & Management
FISCAL NOTE

•Fiscal notes are prepared by the Department of Budget & Management to present the budgetary impact of requests by departments/offices or of new proposals that were not approved during the budget process.

Agenda Item: 18774

To: Commissioner' Court
 From: Raul Silguero Jr., Budget Officer
 CC Date: Tuesday, December 01, 2009

Summary of request/proposal:

The DBM- Workers Comp/ Safety Divisions are requesting approval to assign additional duties and supplemental pay in the amount of \$4,200.00 to slot no. 014, and pay allowance to employee no. 166499, effective next full pay period (12/07/09).

Fund	Position	Slot#	Obj	Current Budgeted		Total Requested
				Salary	Adjustment Requested	
1100	Risk Management Special.	A012	117	0.00	4,200.00	4,200.00
				0.00	4,200.00	4,200.00

Budgetary Impact:

INCREASE/DECREASE ACCOUNT NUMBER	ACCOUNT (OBJECT) NAME	AMOUNT
9-1100-419-50-115-059-0- 117	DBM - SAFETY DIV. - SUPPLEMENTAL PAY	\$305.75
9-1100-419-50-115-059-0- 211	DBM - SAFETY DIV. - HEALTH INSURANCE	-
9-1100-419-50-115-059-0- 212	DBM - SAFETY DIV. - LIFE INSURANCE	-
9-1100-419-50-115-059-0- 220	DBM - SAFETY DIV. - FICA	\$23.39
9-1100-419-50-115-059-0- 230	DBM - SAFETY DIV. - RETIREMENT	\$27.58
9-1100-419-50-115-059-0- 250	DBM - SAFETY DIV. - UNEMPLOYMENT COMP	\$1.53
9-1100-419-50-115-059-0- 260	DBM - SAFETY DIV. - WORKER'S COMP	\$0.00
2009 Budgetary Impact		\$358.25

2010 Budgetary Impact: \$4,929.54

Possible Funding Sources: WITHIN SAFETY DIV. DEPT BUDGET

Budget Office Recommendation:

Discussion, Consideration and Action on Reappointment/Extension of Appointment for the Hidalgo County Fire Marshal.

CC REGULAR

Date: 12/01/2009
Submitted By: Belinda Alvarez, EMERGENCY SERVICES DIVISION
Submitted For: Belinda Alvarez
Department: EMERGENCY SERVICES DIVISION
Agenda Category: Emergency Services Division

Information

CAPTION

Discussion, consideration and action on reappointment/extension of appointment for the Hidalgo County Fire Marshal.

BACKGROUND

Fire Marshal appointment is required by the state every two years as per the Texas Local Government Code below. Intial appointment of Tony Pena was December 26, 2007.

§ 352.011. CREATION OF OFFICE; TERM. (a) The commissioners court of a county may establish the office of county fire marshal and provide office facilities, equipment, transportation, assistants, and professional services for that office.

(b) The commissioners court shall establish the term of office for a county fire marshal for a period not to exceed two years.

Fiscal Impact

Attachments

No file(s) attached.

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/25/2009 02:15 PM	APRV
2	Roland Garcia	Rolando Garcia	11/25/2009 04:07 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Belinda Alvarez			Started On: 11/25/2009 02:07 PM	
Final Approval Date: 11/25/2009				

AI-18739

13.A.

Recovery Grant Inspector position

CC REGULAR

Date: 12/01/2009
Submitted By: Estella Webber, URBAN COUNTY
Department: URBAN COUNTY
Agenda Category: Urban County

Information

CAPTION

TxCDBG Recovery Grant (1228):

1. Approval to create the one (1) regular full-time Inspector position, slot no. 005, budgeted salary \$34,360.00 per year.
2. Approval of revised salary schedule.

BACKGROUND

Regular full-time position on temporary assignment (subject to grant funding)

Fiscal Impact

FISCAL YEAR: 2009 ACCT. #: 9-1228-463-00-250-006-8-XXX
 FUNDS AVAILABLE Y/N?: Y MATCHING FUNDS Y/N?:
 BUDGETARY IMPACT:
 REF: grant award approval CC 11/24-09 AI-18642/ 12.A.

Attachments

Link: [Inspector-Job Description](#)

Link: [Revised Salary Schedule](#)

Link: [PAR](#)

Link: [Fiscal Note](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/24/2009 11:08 AM	APRV
2	Perla Lopez	Perla Lopez	11/25/2009 11:15 AM	APRV
3	Rosalinda Cantu	Rosie Cantu	11/25/2009 03:12 PM	APRV
4	Auditor's Office	Angela Garcia	11/25/2009 04:47 PM	APRV

Form Started By: Estella Webber Started On: 11/24/2009 10:55 AM

Final Approval Date: 11/25/2009

RESOLUTION

A RESOLUTION OF THE COMMISSIONERS' COURT OF THE COUNTY OF HIDALGO, TEXAS, AUTHORIZING THE SUBMISSION OF THE METHOD OF DISTRIBUTION (MOD) FOR THE HUD DISASTER RECOVERY FUNDING ALLOCATED BY THE STATE OF TEXAS, OFFICE OF RURAL COMMUNITY AFFAIRS (ORCA) AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE HUD DISASTER RECOVERY FUNDING PROGRAM.

WHEREAS, the Commissioners' Court of the County of Hidalgo desires to develop viable urban communities including decent housing, suitable living environments and economic opportunities principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety of our residents due to the damages sustained from Hurricane Dolly; and

WHEREAS, disaster recovery supplemental funds are the primary source of funding available for public infrastructure, economic development and housing for the disaster affected areas; and

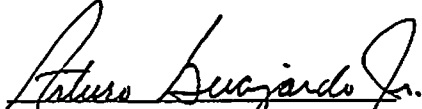
WHEREAS, it is necessary and in the best interests of the County of Hidalgo to improve infrastructure within the County to provide disaster relief, long-term recovery and restoration of infrastructure, housing and economic revitalization in areas affected by Hurricane Dolly, and

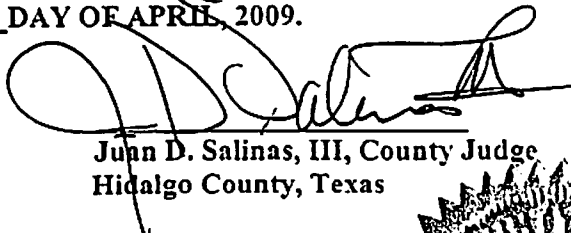
NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF THE COUNTY OF HIDALGO, TEXAS:

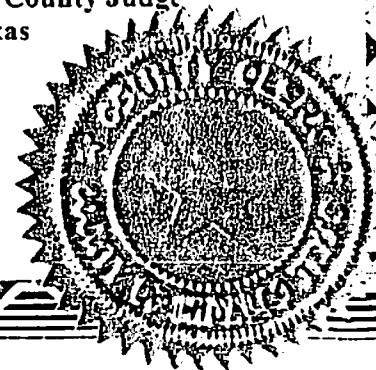
1. That a Method of Distribution (MOD) for the Hidalgo County HUD Disaster Recovery Funding Allocation is hereby authorized to be filed with the Office of Rural Community Affairs (ORCA)
2. That all funds be used for non-housing and housing needs including the improvement of housing for those families affected by the effects of Hurricane Dolly
3. That the Commissioners' Court directs and designates the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the County's participation in the Texas Community Development Block Grant Program.

PASSED AND APPROVED THIS 28th DAY OF APRIL, 2009.

ATTEST:


Arturo Guajardo Jr., County Clerk
Hidalgo County, Texas


Juan D. Salinas, III, County Judge
Hidalgo County, Texas



HIDALGO COUNTY URBAN COUNTY PROGRAM

Job Title:	Inspector	FLSA Status:	Non-Exempt
Department:	Urban County Program	Civil Service Status:	Exempt

JOB SUMMARY

This position involves the drafting of plans for the rehabilitation or reconstruction of homes. The position requires travel to the project site and documenting conditions and measurements.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Inspect homes to housing quality standard violations.
- Documentation of conditions and measurements.
- Drafting of plans for rehabilitation or reconstruction of homes.
- Coordinating plans with specifications.
- Reports to the HOME Compliance Division Manager on a regular basis communicating the progress of the Program.
- Ability to work well with others.
- Regular attendance is a must.
- Performs such other duties as may be assigned.

QUALIFICATION REQUIREMENTS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. These requirements listed below are representative of the knowledge skill, and ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION and/or EXPERIENCE

- High School Diploma is required.
- Two years experience in direct administration of Federal Housing Program funds preferred.
- Good knowledge and experience in interpreting County, State and Federal rules and regulations.
- Good understanding and knowledge of CAD system.
- Good understanding and knowledge of Housing Quality Standards.
- Good understanding and knowledge of construction terminology.

CERTIFICATES, LICENSES, REGISTRATIONS

- Employee must have proof of a current valid Texas Motor Vehicle Operator license and current liability insurance.
- Must be able to be insured by the County's insurance carrier.

OTHER SKILLS AND ABILITIES

- Knowledge of computer assisted drafting equipment.
- Employee may be assigned other duties in addition to those listed; duties may change according to the changing needs of the County.

PHYSICAL DEMANDS

The Physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is required to sit and talk or hear. The employee is required to stand; walk; use hands; handle or feel objects, tools or controls; reach with hands and arms and stoop or kneel.

The employee must occasionally lift and/or move up to twenty-five (25) pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate.

SAFETY REQUIREMENTS

Maintain physical condition appropriate to the performance of assigned duties and

responsibilities, which may include the following:

- making sound decisions and using good judgment
- operating assigned equipment.

Maintain mental capacity, which permits:

- making sound decisions and using good judgement
- handling financial affairs effectively and honestly
- maintaining confidentiality
- demonstrating intellectual capabilities

Effectively handle a work environment and conditions, which involve:

- working closely with others
- working in a multi-task environment.

Maintain effective audio-visual discrimination and perception needed for:

- making observations
- reading and writing
- operating assigned equipment
- communicating with others.

ACCIDENT PREVENTION PROGRAM

Required to follow all department=s safety regulations.

**HIDALGO COUNTY
COMMISSIONER COURT
2009 SALARY SCHEDULE**

9-1228-463-00-250-006-8

AI - 18739

TxCDBG DISASTER RECOVERY

Slot #	Obj Code	POSITION TITLE	2008 BUDGETED SALARY	2009 ADJUSTED SALARY	2009 BASE SALARY	% Inc.	AMOUNT INCREASE	OTHER INCREASE	2009 BUDGETED SALARY APPROVED	2009 ACTUAL SALARY	Other Allowances					2009 ACTUAL TOTAL COMPENSATION
											Longevity 115	Interpet. 116	Supplem. 117	Auto A. 118	Clothing 119	
0001	113	COORDINATOR	0.00	43,742.00	43,742.00	0	0.00	0.00	43,742.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0002	113	COORDINATOR	0.00	43,742.00	43,742.00	0	0.00	0.00	43,742.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0003	113	INSPECTOR	0.00	34,360.00	34,360.00	0	0.00	0.00	34,360.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0004	113	INTAKE CLERK	0.00	24,324.00	24,324.00	0	0.00	0.00	24,324.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		PROPOSED POSITION ↓ ↓														
0005	113	INSPECTOR	0.00	34,360.00	34,360.00	0	0.00	0.00	34,360.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			0.00	180,528.00	180,528.00		0.00	0.00	180,528.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Approval to create one (1) regular full-time Inspector position, budgeted salary \$34,360.00. Pending CC approval.

Hidalgo County
Department of Budget & Management
FISCAL NOTE

•Fiscal notes are prepared by the Department of Budget & Management to present the budgetary impact of requests by departments/offices or of new proposals that were not approved during the budget process.

Agenda Item: 18739

To: Commissioner' Court
 From: Raul Silguero Jr., Budget Officer
 CC Date: Tuesday, December 01, 2009

Summary of request/proposal:

Urban County Dept. is requesting approval to create one (1) regular full-time Inspector position, budgeted salary \$34,360.00 under the TxCDBG Disaster Recovery grant.

Fund	Position	Slot#	Obj	Current Budgeted Salary	Adjustment Requested	Total Requested
1228	Inspector	0005	113	0.00	34,360.00	34,360.00
				0.00	34,360.00	34,360.00

Budgetary Impact:

INCREASE/DECREASE ACCOUNT NUMBER	ACCOUNT (OBJECT) NAME	AMOUNT
9-1228-463-00-250-006-8- 113	TxCDBG Disaster Rec. - REG F/T EMPLOYEES	\$3,027.89
9-1228-463-00-250-006-8- 211	TxCDBG Disaster Rec. - HEALTH INSURANCE	\$366.94
9-1228-463-00-250-006-8- 212	TxCDBG Disaster Rec. - LIFE INSURANCE	\$2.38
9-1228-463-00-250-006-8- 220	TxCDBG Disaster Rec. - FICA	\$231.63
9-1228-463-00-250-006-8- 230	TxCDBG Disaster Rec. - RETIREMENT	\$273.12
9-1228-463-00-250-006-8- 250	TxCDBG Disaster Rec. - UNEMPLOYMENT COMP	\$15.14
9-1228-463-00-250-006-8- 260	TxCDBG Disaster Rec. - WORKER'S COMP	
	2009 Budgetary Impact	\$3,917.10

2010 Budgetary Impact: \$44,519.33

Possible Funding Sources: Funding contingent upon \$257,500.00 allocated from pending Award of TxCDBG Disaster Recovery Grant.

Budget Office Recommendation:

**Engineering services - City of Penitas Street Improvements
CC REGULAR**

Date: 12/01/2009
Submitted By: Estella Webber, URBAN COUNTY
Department: URBAN COUNTY
Agenda Category: Urban County

Information

CAPTION

1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for Professional Engineering Services in connection with Hidalgo County Urban County Program Year 22 (2009) Street Improvements in the City of Peñitas.
2. Presentation of the scoring grid of at least three (3) Engineering firms from the County’s approved “pool” as graded and evaluated by the City, UCP, and Hidalgo County Purchasing Department for the purposes of ranking by Commissioners’ Court in connection with an Urban County Program Street Improvement project in the City of Peñitas.
3. Authority to negotiate a Professional Engineering Service contract with the No. 1 ranked firm of _____ for the provision of engineering services for a City of Peñitas Street Improvement project.

BACKGROUND

The City of Peñitas, UCP and Hidalgo County Purchasing Department have graded three engineering firms from the County’s approved “pool”. Sames Engineering, Izaguirre Engineering Group, and Javier Hinojosa Engineering were rated for the 2009 Street Improvement project in the City of Peñitas.
See attached Grading-Scoring Grid.

Funds Available:	\$ 37,433.38	Year 17 (2004)	Peñitas Street Improvement funds
	\$ 5,000.00	Year 20 (2007)	Peñitas Street Improvement funds
	\$ 72,616.44	Year 21 (2008)	Peñitas Street Improvement funds
	<u>\$225,000.00</u>	Year 22 (2009)	Peñitas Street Improvement funds
	\$340,049.82	TOTAL	

Fiscal Impact

<u>FISCAL YEAR:</u>	<u>ACCT. #:</u> Urban County Funds
<u>FUNDS AVAILABLE Y/N?:</u>	<u>MATCHING FUNDS Y/N?:</u>

BUDGETARY IMPACT:

Urban County funds will be used for this project.

Attachments

Link: [Scoring Grid](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/24/2009 10:28 AM	APRV
2	Perla Lopez	Perla Lopez	11/24/2009 01:58 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Estella Webber Started On: 11/24/2009 10:21 AM

Final Approval Date: 11/25/2009

City of Peñitas
UCP YR 22 (2009) – Street Improvements
Professional Engineering Services
Street & W/S Imp. at Barcelona Heights & Española Heights Subdivisions
Grading-Ranking Grid

Criteria	SAMES, Inc.			Javier Hinojosa Engineering			Izaguirre Engineering Group		
	Grader 1	Grader 2	Grader 3	Grader 1	Grader 2	Grader 3	Grader 1	Grader 2	Grader 3
Professional Qualifications of Team	19	18	20	17	17	20	16	18	18
Experience of Project Team	24	23	25	21	19	22	15	24	20
Experience/ Availability of Project Manager	19	18	20	18	19	19	15	15	20
Understanding of Project	25	23	24	24	24	25	20	24	22
Familiarity with Applicable Rules & Regulations	10	9	10	10	9	10	10	8	10
TOTALS	97	91	99	90	88	96	76	89	90
AVERAGES	287÷3=95.67			274÷3=91.34			255÷3=85		
RANKING									

Grader #1 Juan Ortiz, City of Peñitas

Grader #2 Yvette Islas, Hidalgo County Purchasing

Grader #3 Antonio Barco, CD Manager

Engineering services - Street Imp. project (City of Edcouch)

CC REGULAR

Date: 12/01/2009
Submitted By: Estella Webber, URBAN COUNTY
Department: URBAN COUNTY
Agenda Category: Urban County

Information

CAPTION

- 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineering services in connection with Hidalgo County Urban County Program Year 21 (2008) for the City of Edcouch - Street Improvements Project.
2. Presentation of the scoring grid of at least three (3) engineering firms from the County's approved "pool" as graded and evaluated by the City of Edcouch, Urban County Program and Hidalgo County Purchasing Department for the purposes of ranking by CCC in connection with an Urban County Program Street Improvements Project in the City of Edcouch.
3. Authority to negotiate a professional engineering service contract with the No. 1 ranked firm of _____ for the provision of engineering services for an Urban County Program - City of Edcouch Street Improvements project.

BACKGROUND

The City of Edcouch, Urban County Program and Hidalgo County Purchasing Department have evaluated and graded three engineering firms from the County's approved "pool". Raba Kistner, Terracon Consultants, Inc. and L & G Engineering Transportation Consultants were the three firms. The Street Improvements Project includes testing for the overlay & 6 new concrete valley gutters to Pacific Ave., Avenida Ave. Lopez St., Roberts St., Gonzales St., Murio St., Frederick St. and Bowers St. located within the City of Edcouch.

Attached is the letter of recommendation from the City of Edcouch and the Grading grid for your review.

Funds Available: \$ 173,554.05

Fiscal Impact

FISCAL YEAR: ACCT. #: Urban County Funds
FUNDS AVAILABLE Y/N?: MATCHING FUNDS Y/N?:
BUDGETARY IMPACT:

Urban County funds will be used for this project.

Attachments

Link: [Scoring Grid](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/24/2009 10:16 AM	APRV
2	Perla Lopez	Perla Lopez	11/24/2009 01:52 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Estella Webber
Started On: 11/24/2009 09:54 AM

Final Approval Date: 11/25/2009



CITY OF EDCOUCH

Robert S. Schmalzried - Mayor
Melody S. Galvan - Mayor Pro-tem
Noe Garcia Jr. - Alderman PL 2
Ruth Ruiz - Alderwoman PL 3
Guadalupe Garcia - Alderwoman PL 4
Eddy Z. Gonzalez - Alderman PL 5
Delmira Olivarez - City Manager

VIA FACSIMILE: 1-956-787-5291

November 19, 2009

Antonio Barco, Manager
Hidalgo County Urban County Program
Pharr, Texas

Re: RABA KISTNER- STREET PROJECT

Dear Mr. Barco:

Please be advised that the City of Edcouch ranked Raba Kistner as the most qualified testing company according to their statement of qualifications. Therefore, we are recommending that this item be taken before County Commissioner Court for consideration.

If you should require additional information please contact my office at your earliest convenience.

Sincerely,

Delmira Olivarez
City Manager



City of Edcouch
Engineering Services
Water & Sewer Improvements (Street Improvements Testing)
Year 21 (2008)
Grading-Ranking Grid

Criteria	Raba Kistner			Terracon Consultants, Inc.			L & G Engineering		
	Grader 1	Grader 2	Grader 3	Grader 1	Grader 2	Grader 3	Grader 1	Grader 2	Grader 3
Professional Qualifications of Team	20	20	20	20	20	20	15	20	20
Experience of Project Team	25	25	25	25	23	20	10	24	25
Experience/ Availability of Project Manager	20	19	15	20	19	20	10	19	20
Understanding of Project	25	25	25	20	25	20	13	25	22
Familiarity with Applicable Rules & Regulations	10	10	10	5	10	10	5	10	10
TOTALS	100	99	95	90	97	90	53	98	97
AVERAGES	294÷3= 98%			277÷3= 92%			248÷3= 83%		
RATING	1			2			3		

Grader #1 Delmira Olivarez, City Manager

Grader #2 Antonio Barco, Compliance Division Manager (UCP)

Grader #3 Oscar Garza, Procurement Specialist

HIDALGO COUNTY STATEMENT OF QUALIFICATION SCORING/EVALUATION SHEET ENGINEERING/ARCHITECTURAL SERVICES

Project Description: Street Imp. Testis
 Department: Street Project (21) 5009-20-0311-5000 2000
 Name of Firm: RABA Kitten
 Date of Evaluation: Nov 6, 2009
 Evaluator's Name: Delmira Olivarez

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>
Comments/Rationale for Points: <u>43 pg 21</u>		
2. Experience of Project Team	25	<u>25</u>
Note Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:		
Comments/Rationale for Points: <u>since 1968 pg 4</u>		
3. Experience/Availability of Project Manager	20	<u>20</u>
Comments/Rationale for Points: <u>specialize in testis, pg 4, 5</u>		
4. Understanding of Project	25	<u>25</u>
Comments/Rationale for Points: <u>all projects include testis & Impedans 17, 18, 19, 20</u>		
5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
Comments/Rationale for Points: <u>has experience with U.C pg 20</u>		
Total Score		<u>100</u>

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: 2008- Street Improvement

Department: Urban County Program

Name of Firm: Raba Kistner

Date of Evaluation: Oct. 29, 2009

Evaluator's Name: Antonio Barco, CDBG Manager

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>20</u>
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Comments/Rationale for Points: Highly qualified team of 3 engineers in the Area (master) ONLY ASSISTO laboratory in the Valley Accredited by

2. Experience of Project Team	25	<u>25</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Team has over 30 yrs. working in the Area and the Firm has over 40 yrs. experience largest Service provider to US DOT.

3. Experience/Availability of Project Manager	20	<u>19</u>
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Comments/Rationale for Points: Highly experienced and Project will be readily available to undertake this project

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: Firm should have no problem understanding this project - Have completed numerous other projects.

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Familiar with Applicable Rules and Regulations

Total Score	<u>99</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Street Improvement (City of Edcouch)

Department: Hidalgo County Urban County Program

Name of Firm: Raba Kistner

Date of Evaluation: November 18, 2009

Evaluator's Name: Oscar Garza, Procurement Specialist

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>

Comments/Rationale for Points: Various projects have been outlined on SOQ that are related to Geo-Technical services as required for this project

2. Experience of Project Team	25	<u>25</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Project engineer has the experience and team with related projects completed in Hidalgo County as identified on page 17-20 of their SOQ to include projects with TXDOT

3. Experience/Availability of Project Manager	20	<u>15</u>
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Comments/Rationale for Points: More than 12 Yrs of experience with related geo-technical studies as reference of page 23 yet page 58 references experience is over 14 yrs of experience as per SOQ

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: SOQ outlines and makes references of on-going projects worked on city and county levels with various types of testing skills as referred to on pages 17-20 clearly identifying their understanding of project.

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Prior work with Hidalgo County attests to familiarity with rules & regulations as required for compliance with related projects within the guidelines of Hidalgo County

Total Score	<u>95</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL SERVICES**

Project Description: Street Imp. Testing

Department: Street Project (21) 5009-20-0311-5000-2000

Name of Firm: TERRACON

Date of Evaluation: Nov 6, 2009

Evaluator's Name: Delmira Olivarez

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>
Comments/Rationale for Points: <u>over 400 employee - covers pg 2-3</u>		
2. Experience of Project Team	25	<u>25</u>
Note Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:		
Comments/Rationale for Points: <u>15 years experience as ^{lead} Terracon Consultant pg 2-1 and prior as <u>Orach County</u> nation wide <u>Top 500 Design Firm</u></u>		
3. Experience/Availability of Project Manager	20	<u>20</u>
Comments/Rationale for Points: <u>Organization chart shows the availability of project mgr pg 3-4</u>		
4. Understanding of Project	25	<u>20</u>
Comments/Rationale for Points: <u>They have understanding of project B-I - B II, but not in many in Hidalgo</u>		
5. Familiarity with Applicable Rules and Regulations	10	<u>5</u>
Comments/Rationale for Points: <u>Have experience in very little CDAS projects B I - B II but no U.C.</u>		

Total Score 90

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: 2008- Street Improvement

Department: Urban County Program

Name of Firm: Terracon Consultants, Inc.

Date of Evaluation: Oct. 29, 2009

Evaluator's Name: Antonio Barco, CDBG Manager

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>20</u>
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Comments/Rationale for Points: Firm is highly qualified with three (3) engineers available to this project

2. Experience of Project Team	25	<u>23</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Firm has worked in Rio Grande Valley for approximately 13 yrs and completed numerous projects

3. Experience/Availability of Project Manager	20	<u>19</u>
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Comments/Rationale for Points: Project Engineer has the experience necessary to undertake this project and should be readily available

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: Firm should no problem understanding this project - Have completed similar work

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Firm is familiar with Applicable Rules and Regulations

Total Score	<u>97</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Street Improvement (City of Edcouch)

Department: Hidalgo County Urban County Program

Name of Firm: Terracon

Date of Evaluation: November 18, 2009

Evaluator's Name: Oscar Garza, Procurement Specialist

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>

Comments/Rationale for Points: Section 2-1 outlines their specialty that which is relevant for proposed project requiring geo-technical studies

2. Experience of Project Team	25	<u>20</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Project team leader has experience with Geo-Technical projects as it relates to this project as outlined in Section 3-4 and 3-6; not enough references with work in Hidalgo County

3. Experience/Availability of Project Manager	20	<u>20</u>
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Comments/Rationale for Points: Firms experience us solely on Geo-Technical Services with Environmental Studies as described in Section 2-5 of SOQ; Project manager has experience as described on section 3-4 of SOQ

4. Understanding of Project	25	<u>20</u>
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Comments/Rationale for Points: Section I outlines clearly the expertise in which this company specializes in geo-technical; however could not reference with projects in Hidalgo County

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Terracon's experience with other projects confirms their understanding and familiarity with all applicable rules & regulations required by Hidalgo County & outlined in Section 2-4 of SOQ

Total Score	<u>90</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL SERVICES**

Project Description: Street Imp. Testin

Department: Street Project (21) 5008-20-0311-5000-2000

Name of Firm: LE G Engineering

Date of Evaluation: Nov. 6, 2009

Evaluator's Name: Delmira Alvarez

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>15</u>
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Comments/Rationale for Points: section III, organizational chart 11 Agreement on staff pg 3. show foundation for bridge testy

2. Experience of Project Team	25	<u>10</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Company has 6 years in existence page 1

3. Experience/Availability of Project Manager	20	<u>10</u>
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Comments/Rationale for Points: ARE competent but existence of company is fairly new @ per pg 1 smaller company

4. Understanding of Project	25	<u>15</u>
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Comments/Rationale for Points: As a testy company their recent projects don't show any Speculative in testy pg 3, 4, 5 only 4 projects

5. Familiarity with Applicable Rules and Regulations	10	<u>5</u>
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Comments/Rationale for Points: pg 3, 4, 5, they don't have experis work with U.C. rules & Regulation.

Total Score	<u>53</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: 2008- Street Improvement

Department: Urban County Program

Name of Firm: L & G Engineering Transportation Consultants

Date of Evaluation: Oct. 29, 2009

Evaluator's Name: Antonio Barco, CDBG Manager

Selection Criteria **Point** **Score**

1. Professional Qualifications of Team 20 20

Comments/Rationale for Points: Team is highly qualified with 5 engineers readily available and support staff

2. Experience of Project Team 25 24

***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Team has completed numerous street improvements projects in the Rio Grande Valley with County of Hidalgo, TxDOT and municipalities

3. Experience/Availability of Project Manager 20 19

Comments/Rationale for Points: Project manager has the experience and would be readily available to undertake this project

4. Understanding of Project 25 25

Comments/Rationale for Points: Firm would have no problem understanding this project - have completed numerous other projects in the RTCA

5. Familiarity with Applicable Rules and Regulations 10 10

Comments/Rationale for Points: Firm is knowledgeable to applicable rules and regulations

Total Score 98

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Street Improvement (City of Edcouch)

Department: Hidalgo County Urban County Program

Name of Firm: L & G Engineering Laboratory, LLC

Date of Evaluation: November 18, 2009

Evaluator's Name: Oscar Garza, Procurement Specialist

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>

Comments/Rationale for Points: Professional qualifications are stronger towards transportation (i.e. street, bridges); however engineer is on board for civil engineering for related projects

2. Experience of Project Team	25	<u>25</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: SOQ is favorable towards streets, ROW Purchases, bridges etc. under construction contract & mgmt which provides special services under (pg.-3); however under Section III there is no reference for project team and/or reference of geo-technical engineer.

3. Experience/Availability of Project Manager	20	<u>20</u>
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Comments/Rationale for Points: As per section III of SOQ I was unable to reference experience/project manager for Yara M. Corbitt P.E. and for David Saenz P.E.; under geo-technical & Bridge Design; I could only reference Mr. Reza Badiozzamani P.E. criteria indicate experience with related project.

4. Understanding of Project	25	<u>22</u>
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Comments/Rationale for Points: Section I (Pg. 3) outlines knowledge of geo-technical testing's; however other areas of the SOQ does reflect this as their strongest area of expertise for proposed project.

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Under Appendix "A" of their SOQ knowledge of geo-technical is evident for civil, transportation engineering & design; has many projects on going with county at present

Total Score	<u>97</u>
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Engineering services - Water/Sewer project (City of Edcouch)

CC REGULAR

Date: 12/01/2009
Submitted By: Estella Webber, URBAN COUNTY
Department: URBAN COUNTY
Agenda Category: Urban County

Information

CAPTION

1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a)(4) for professional engineering services in connection with Hidalgo County Urban County Program Year 21 (2008) for the City of Edcouch - Water & Sewer Improvement Project.
2. Presentation of the scoring grid of at least three (3) engineering firms from the County’s approved “pool” as graded and evaluated by the City of Edcouch, Urban County Program and Hidalgo County Purchasing Department for the purposes of ranking by CCC in connection with an Urban County Program Water & Sewer Project in the City of Edcouch.
3. Authority to negotiate a professional engineering service contract with the No. 1 ranked firm of _____ for the provision of engineering services for an Urban County Program – City of Edcouch Water & Sewer Improvement project.

BACKGROUND

The City of Edcouch, Urban County Program and Hidalgo County Purchasing Department have evaluated and graded three engineering firms from the County’s approved “pool”. Raba Kistner, Terracon Consultants, Inc. and L & G Engineering Transportation Consultants were the three firms. The Water and Sewer Improvements Project includes testing to the water standpipe. Attached is the letter of recommendation from the City of Edcouch and the Grading grid for your review.

Funds Available: \$ 109,972.84

Fiscal Impact

FISCAL YEAR: **ACCT. #:** Urban County Funds
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**

BUDGETARY IMPACT:

Urban County funds will be used for this project.

Attachments

Link: Scoring Grid

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/24/2009 10:15 AM	APRV
2	Perla Lopez	Perla Lopez	11/24/2009 01:43 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Estella Webber

Started On: 11/23/2009 04:37
PM

Final Approval Date: 11/25/2009



CITY OF EDCOUCH

Robert S. Schmalzried - Mayor
Melody S. Galvan - Mayor Pro-tem
Noe Garcia Jr. - Alderman PL 2
Ruth Ruiz - Alderwoman PL 3
Guadalupe Garcia - Alderwoman PL 4
Eddy Z. Gonzalez - Alderman PL 5
Delmira Olivarez - City Manager

VIA FACSIMILE: 1-956-787-5291

November 12, 2009

Antonio Barco, Manager
Hidalgo County Urban County Program
Pharr, Texas

Re: RABA KISTNER-STAND PIPE

Dear Mr. Barco:

Please be advised that the City of Edcouch ranked Raba Kistner as the most qualified testing company according to their statement of qualifications. Therefore, we are recommending that this item be taken before County Commissioner Court for consideration.

If you should require additional information please contact my office at your earliest convenience.

Sincerely,

Delmira Olivarez
City Manager



City of Edcouch
Engineering Services
Water & Sewer Improvements (Stand Pipe Testing)
Year 21 (2008)
Grading-Ranking Grid

Criteria	Raba Kistner			Terracon Consultants, Inc.			L & G Engineering		
	Grader 1	Grader 2	Grader 3	Grader 1	Grader 2	Grader 3	Grader 1	Grader 2	Grader 3
Professional Qualifications of Team	20	20	20	20	20	20	15	20	20
Experience of Project Team	25	24	25	20	25	20	10	25	20
Experience/ Availability of Project Manager	20	19	17	20	19	20	10	19	20
Understanding of Project	25	25	25	20	25	25	0	25	20
Familiarity with Applicable Rules & Regulations	10	10	10	5	10	10	5	10	10
TOTALS	100	98	97	85	99	95	40	99	90
AVERAGES	295÷3= 98%			279÷3= 93%			229÷3= 76%		
RATING	1			2			3		

Grader #1 Delmira Olivarez, City Manager

Grader #2 Antonio Barco, Compliance Division Manager (UCP)

Grader #3 Oscar Garza, Procurement Specialist

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Water/Sewer Improvements – Stand pipe project

Department: Urban County Program

Name of Firm: Raba Kistner

Date of Evaluation: Oct. 29, 2009

Evaluator's Name: Antonio Barco, CDBG Manager

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>20</u>
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Comments/Rationale for Points: Highly qualified team of 3 engineers and support STAFF

2. Experience of Project Team	25	<u>24</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Team has over 20 yrs. working in the Rio Grande Valley and over 40 yrs. of years of TESTING projects of various kinds water/sewer/streets

3. Experience/Availability of Project Manager	20	<u>19</u>
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Comments/Rationale for Points: Highly experienced project manager and readily available to undertake this project

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: Team will have no problem understanding this project

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Familiar with Applicable Rules and Regulations

Total Score	<u>98</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL SERVICES**

Project Description: Standpipe Testis
 Department: Standpipe year 21
 Name of Firm: Daba Kistner
 Date of Evaluation: Nov 6, 2009
 Evaluator's Name: Delmira Olivarez

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>20</u>
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Comments/Rationale for Points: 43 engineers on staff pg 21

2. Experience of Project Team	25	<u>25</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: have been in existence since 1968 pg 4

3. Experience/Availability of Project Manager	20	<u>20</u>
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Comments/Rationale for Points: have experian in test steel metal pg 5

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: All project consist of testis/Inspection

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: has experian with U.C pg 20

Total Score	<u>100</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Water/Sewer Improvements (Stand Pipe)

Department: Hidalgo County Urban County Program

Name of Firm: Raba Kistner

Date of Evaluation: November 18, 2009

Evaluator's Name: Oscar Garza, Procurement Specialist

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>

Comments/Rationale for Points: Various projects have been outlined on SOQ that are related to Geo-Technical services as required for this project

2. Experience of Project Team	25	<u>25</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Project engineer has the experience and team with related projects completed in Hidalgo County as identified on page 17-20 of their SOQ to include projects with TXDOT

3. Experience/Availability of Project Manager	20	<u>17</u>
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Comments/Rationale for Points: More than 12 Yrs of experience with related geo-technical studies as reference of page 23 yet page 58 references experience is over 14 yrs of experience as per SOQ

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: SOQ outlines and makes references of on-going projects worked on city and county levels with various types of testing skills as referred to on pages 17-20 clearly identifying their understanding of project.

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Prior work with Hidalgo County attests to familiarity with rules & regulations as required for compliance with related projects within the guidelines of Hidalgo County

Total Score	<u>97</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: City of Edcouch – Water/Sewer Improvements)

Department: Hidalgo County Urban County Program *STAND PIPE dyo YR 21
Street project (21) 500 20 03/11 5008 2000*

Name of Firm: TERRACON

Date of Evaluation: Nov 6, 2009

Evaluator's Name: Delmira Alvarez

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>20</u>
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Comments/Rationale for Points: OVER 400 EMPLOYEES . pg 2-3

2. Experience of Project Team	25	<u>20</u> ¹⁴
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: 13 yrs experie as Terracon
Top 500 Firm pg 2-1 ~~not pertinent~~ dyo
but no experie IN B1-B11 in testing Metal

3. Experience/Availability of Project Manager	20	<u>20</u>
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Comments/Rationale for Points: Has availability of project mgr. pg 3-4

4. Understanding of Project	25	<u>20</u>
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Comments/Rationale for Points: B1-B11 show any this on Steel
Metal testing

5. Familiarity with Applicable Rules and Regulations	10	<u>5</u>
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Comments/Rationale for Points: None of the project indutor they have
Familiarity with U.C Regulations
They might know other Fed. Funding rule/Regulation

Total Score	<u>85</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Water/Sewer Improvements – Stand pipe project

Department: Urban County Program

Name of Firm: Terracon Consultants, Inc.

Date of Evaluation: Oct. 29, 2009

Evaluator's Name: Antonio Barco, CDBG Manager

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>
Comments/Rationale for Points: <u>Team has the qualifications (3 engineers) to successfully complete this project</u>		
2. Experience of Project Team	25	<u>25</u>
Note Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:		
Comments/Rationale for Points: <u>Firm is experienced and was successfully completed similar projects in the this AREA</u>		
3. Experience/Availability of Project Manager	20	<u>19</u>
Comments/Rationale for Points: <u>Project is a highly experienced engineer and should be readily accessible to oversee this project</u>		
4. Understanding of Project	25	<u>25</u>
Comments/Rationale for Points: <u>Team will have no problem understanding this project and should provide excellent testing services</u>		
5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
Comments/Rationale for Points: <u>Will have no problem understanding the rules and regulations applicable to this project</u>		
Total Score		<u>99</u>

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Water/Sewer Improvements (Stand Pipe)

Department: Hidalgo County Urban County Program

Name of Firm: Terracon

Date of Evaluation: November 18, 2009

Evaluator's Name: Oscar Garza, Procurement Specialist

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>

Comments/Rationale for Points: Section 2-1 outlines their specialty that which is relevant for proposed project requiring geo-technical studies

2. Experience of Project Team	25	<u>20</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: Project team leader has experience with Geo-Technical projects as it relates to this project as outlined in Section 3-4 and 3-6; not enough references with work in Hidalgo County

3. Experience/Availability of Project Manager	20	<u>20</u>
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Comments/Rationale for Points: Firms experience us solely on Geo-Technical Services with Environmental Studies as described in Section 2-5 of SOQ; Project manager has experience as described on section 3-4 of SOQ

4. Understanding of Project	25	<u>25</u>
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Comments/Rationale for Points: Section I outlines clearly the expertise in which this company specializes in geo-technical; however could not reference with projects in Hidalgo County

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Terracon's experience with other projects confirms their understanding and familiarity with all applicable rules & regulations required by Hidalgo County & outlined in Section 2-4 of SOQ

Total Score	<u>95</u>
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**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL SERVICES**

Project Description: Stand pipe Testing
 Department: Stand pipe year 21
 Name of Firm: L & G Engineering
 Date of Evaluation: Nov 6, 2009
 Evaluator's Name: Delmira Olivaner

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>15</u>
Comments/Rationale for Points: <u>Has 11 exp. on staff, section III</u>		
2. Experience of Project Team	25	<u>10</u>
Note Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients: Comments/Rationale for Points: <u>Looks experin pg 6</u>		
3. Experience/Availability of Project Manager	20	<u>10</u>
Comments/Rationale for Points: <u>New & Smaller Company pg 1</u>		
4. Understanding of Project	25	<u>0</u>
Comments/Rationale for Points: ^{SOQ's} <u>Does not show any experin in tests metal.</u>		
5. Familiarity with Applicable Rules and Regulations	10	<u>5</u>
Comments/Rationale for Points: <u>might be familiar with Rules & Regs but does not show they are familiar</u>		
Total Score		<u>40</u>

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Water/Sewer Improvements – Stand pipe project

Department: Urban County Program

Name of Firm: L & G Engineering Transportation Consultants

Date of Evaluation: Oct. 29, 2009

Evaluator's Name: Antonio Barco, CDBG Manager

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
1. Professional Qualifications of Team	20	<u>20</u>
Comments/Rationale for Points: <u>Highly qualified team of three Engineers and support STAFF</u>		
2. Experience of Project Team	25	<u>25</u>
Note Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:		
Comments/Rationale for Points: <u>Team is highly experienced in WATER projects, having completed numerous testings and evaluations for various entities</u>		
3. Experience/Availability of Project Manager	20	<u>19</u>
Comments/Rationale for Points: <u>Project ^{MANAGER} would be readily available to undertake this project</u>		
4. Understanding of Project	25	<u>25</u>
Comments/Rationale for Points: <u>Firm would have no problem understanding this project requirements</u>		
5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
Comments/Rationale for Points: <u>Firm understands and is familiar with applicable rules and regulations</u>		

Total Score 99

**HIDALGO COUNTY STATEMENT OF QUALIFICATION
SCORING/EVALUATION SHEET
ENGINEERING/ARCHITECTURAL & TESTING SERVICES**

Project Description: Water/Sewer Improvements (Stand Pipe)

Department: Hidalgo County Urban County Program

Name of Firm: L & G Engineering Laboratory, LLC

Date of Evaluation: November 18, 2009

Evaluator's Name: Oscar Garza, Procurement Specialist

<u>Selection Criteria</u>	<u>Point</u>	<u>Score</u>
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1. Professional Qualifications of Team	20	<u>20</u>
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Comments/Rationale for Points: Professional qualifications are stronger towards transportation (i.e. street, bridges); however engineer is on board for civil engineering for related projects

2. Experience of Project Team	25	<u>20</u>
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***Note* Information necessary to assess the firm on this criteria should be gathered by contacting past/current clients:**

Comments/Rationale for Points: SOQ is favorable towards streets, ROW Purchases, bridges etc. under construction contract & mgmt which provides special services under (pg.-3); however under Section III there is no reference for project team and/or reference of geo-technical engineer.

3. Experience/Availability of Project Manager	20	<u>20</u>
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Comments/Rationale for Points: As per section III of SOQ I was unable to reference experience/project manager for Yara M. Corbitt P.E. and for David Saenz P.E.; under geo-technical & Bridge Design; I could only reference Mr. Reza Badiozzamani P.E. criteria indicate experience with related project.

4. Understanding of Project	25	<u>20</u>
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Comments/Rationale for Points: Section I (Pg. 3) outlines knowledge of geo-technical testing's; however other areas of the SOQ does reflect this as their strongest area of expertise for proposed project.

5. Familiarity with Applicable Rules and Regulations	10	<u>10</u>
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Comments/Rationale for Points: Under Appendix "A" of their SOQ knowledge of geo-technical is evident for civil, transportation engineering & design; however in my opinion not their strongest for this project.

Total Score	<u>90</u>
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AI-18749

14.A.

**Appointment of reserve deputy constable
CC REGULAR**

Date: 12/01/2009
Submitted By: Joel Rivera, CONSTABLE PCT. #4
Submitted For: Joel Rivera
Department: CONSTABLE PCT. #4
Agenda Category: Constables

Information

CAPTION

Constable Pct. #4:
Appointment of Lorenzo Ortiz Jr. as a reserve deputy constable by Constable J.E. "Eddie" Guerra in accordance with Texas local government code 86.012.

BACKGROUND

Fiscal Impact

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
No funding required.

Attachments

Link: [local gov. code](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/24/2009 03:26 PM	APRV
2	Rosalinda Cantu	Rosie Cantu	11/25/2009 08:45 AM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Joel Rivera
Started On: 11/24/2009 03:10 PM
Final Approval Date: 11/25/2009

LOCAL GOVERNMENT CODE

CHAPTER 86. CONSTABLE

SUBCHAPTER A. GENERAL PROVISIONS

§ 86.001. ELIGIBILITY TO SERVE AFTER BOUNDARY CHANGE. A person who has served as the constable of a precinct for 10 or more consecutive years before a change is made in the boundaries of the precinct is not ineligible for reelection in the precinct because of residence outside the precinct if the constable's residence is within the boundaries of the precinct as they existed before the change.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

§ 86.002. OATH; BOND. (a) Before entering on the duties of office, a person who is elected to the office of constable must execute a bond with two or more good and sufficient sureties or with a solvent surety company authorized to do business in this state. The bond must be payable to the governor and the governor's successors in office and conditioned that the constable will faithfully perform the duties imposed by law. The bond must be approved by the commissioners court of the county. The commissioners court shall set the bond in an amount of not less than \$500 or more than \$1,500.

(b) A person who is elected constable must also take and sign the constitutional oath of office. The oath shall be endorsed

on the bond, together with the certificate of the officer who administers the oath. The bond and oath must be deposited and recorded in the office of the clerk of the county court.

(c) The bond is not void on the first recovery but may be sued on from time to time in the name of an injured party until the whole amount of the bond is recovered.

(d) A person who is elected or appointed to the office of constable and who has given the necessary bond and taken the oath of office may immediately perform the duties of the office. The acts of the constable are as valid in law as if the constable were commissioned.

(e) Repealed by Acts 1995, 74th Leg., ch. 683, § 1, eff. Aug. 28, 1995.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1995, 74th Leg., ch. 683, § 1, eff. Aug. 28, 1995; Acts 2005, 79th Leg., ch. 1094, § 18, eff. Sept. 1, 2005.

§ 86.0021. QUALIFICATIONS; REMOVAL. (a) A person is not eligible to serve as constable unless:

(1) the person is eligible to be licensed under Sections 1701.309 and 1701.312, Occupations Code, and:

(A) has at least an associate's degree conferred by an institution of higher education accredited by an accrediting organization recognized by the Texas Higher Education Coordinating Board;

(B) is a special investigator under Article 2.122(a), Code of Criminal Procedure; or

(C) is an honorably retired peace officer or honorably retired federal criminal investigator who holds a certificate of proficiency issued under Section 1701.357, Occupations Code; or

(2) the person is an active or inactive licensed peace officer under Chapter 1701, Occupations Code.

(b) On or before the 270th day after the date a constable takes office, the constable shall provide, to the commissioners court of the county in which the constable serves, evidence that the constable has been issued a permanent peace officer license under Chapter 1701, Occupations Code. A constable who fails to provide evidence of licensure under this subsection or who fails to maintain a permanent license while serving in office forfeits the office and is subject to removal in a quo warranto proceeding under Chapter 66, Civil Practice and Remedies Code.

(c) The license requirement of Subsection (b) supersedes the license requirement of Section 1701.302, Occupations Code.

Added by Acts 1997, 75th Leg., ch. 884, § 3, eff. Jan. 1, 1998.
Amended by Acts 1999, 76th Leg., ch. 877, § 1, eff. Aug. 30, 1999; Acts 2001, 77th Leg., ch. 1420, § 14.821, eff. Sept. 1, 2001; Acts 2005, 79th Leg., ch. 954, § 1, eff. June 18, 2005.

§ 86.003. NEW BOND; REMOVAL. (a) If any of the sureties of a constable dies, permanently moves from this state, becomes insolvent, or is released from liability as provided by law or if the commissioners court determines that the bond of the constable is insufficient, the court shall issue a citation that requires the constable to appear at a time set in the citation, after the 10th day but on or before the 30th day after the date the citation is issued, in order to execute a new bond with good and sufficient surety.

(b) If the constable neglects or refuses to appear to execute the bond at the designated time, the constable shall cease to perform the duties of the office and shall be removed from office

by the judge of the district court in the manner provided by law
for
the removal of county officers.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

SUBCHAPTER B. DEPUTIES

§ 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An
elected constable who desires to appoint a deputy must apply in
writing to the commissioners court of the county and show that it
is
necessary to appoint a deputy in order to properly handle the
business of the constable's office that originates in the
constable's precinct. The application must state the name of the
proposed deputy. The commissioners court shall approve and confirm
the appointment of the deputy only if the commissioners court
determines that the constable needs a deputy to handle the business
originating in the precinct.

(b) Each deputy constable must qualify in the manner
provided for deputy sheriffs.

(c) The constable is responsible for the official acts of
each deputy of the constable. The constable may require a deputy
to
post a bond or security. A constable may exercise any remedy
against a deputy or the deputy's surety that a person may exercise
against the constable or the constable's surety.

(d) A person commits an offense if the person:
(1) serves as a deputy constable and the person has
not
been appointed as provided by Subsection (a); or
(2) is a constable and issues a deputyship without
the

consent and approval of the commissioners court.

(e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

§ 86.012. RESERVE DEPUTY CONSTABLES. (a) The commissioners court of a county may authorize a constable of the county to appoint reserve deputy constables. The commissioners court may limit the number of reserve deputy constables that a constable may appoint.

(b) A reserve deputy constable serves at the discretion of the constable and may be called into service at any time that the constable considers it necessary to have additional officers to preserve the peace and enforce the law. The constable may authorize

a reserve deputy constable who is a peace officer as described by Article 2.12, Code of Criminal Procedure, to carry a weapon or act as a peace officer at all times, regardless of whether the reserve deputy constable is engaged in the actual discharge of official duties, or may limit the authority of the reserve deputy constable to carry a weapon or act as a peace officer to only those times during which the reserve deputy constable is engaged in the actual discharge of official duties. A reserve deputy constable who is not

a peace officer as described by Article 2.12, Code of Criminal Procedure, may act as a peace officer only during the actual discharge of official duties. A reserve deputy constable, regardless of whether the reserve deputy constable is a peace officer as described by Article 2.12, Code of Criminal Procedure, is not:

(1) eligible for participation in any program provided by the county that is normally considered a financial benefit of

full-time employment or for any pension fund created by statute for the benefit of full-time paid peace officers; or

(2) exempt from Chapter 1702, Occupations Code.

(c) A reserve deputy constable must take the official oath and must execute a bond in the amount of \$2,000, payable to the constable. The oath and bond must be filed with the county clerk of

the county in which the appointment is made. The oath and bond must

be given before the reserve deputy constable's entry on duty and simultaneously with the officer's appointment.

(d) While actively engaged in an assigned duty at the call of the constable, a reserve deputy constable is vested with the same

rights, privileges, and duties of any other peace officer in this state.

(e) The county and the constable do not incur any liability by reason of the appointment of a reserve deputy constable if the reserve deputy constable incurs a personal injury while serving in that capacity.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 90, § 3, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 1420, § 14.822, eff. Sept. 1, 2001.

SUBCHAPTER C. POWERS AND DUTIES

§ 86.021. GENERAL POWERS AND DUTIES. (a) A constable shall execute and return as provided by law each process, warrant, and precept that is directed to the constable and is delivered by a lawful officer. Notices required by Section 24.005, Property Code, relating to eviction actions are process for purposes of this section that may be executed by a constable.

(b) A constable may execute any civil or criminal process throughout the county in which the constable's precinct is located and in other locations as provided by the Code of Criminal Procedure or by any other law.

(c) A constable expressly authorized by statute to perform an act or service, including the service of civil or criminal process, citation, notice, warrant, subpoena, or writ, may perform the act or service anywhere in the county in which the constable's precinct is located.

(d) Regardless of the Texas Rules of Civil Procedure, all civil process may be served by a constable in the constable's county or in a county contiguous to the constable's county, except that a constable who is a party to or interested in the outcome of a suit may not serve any process related to the suit.

(e) The constable shall attend each justice court held in the precinct.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, § 13(a), eff. Aug. 28, 1989; Acts 1997, 75th Leg., ch. 884, § 1, eff. Jan. 1, 1998.

§ 86.022. POWER TO SUMMON RESIDENT ASSISTANCE. (a) If a constable encounters resistance in the execution of any lawful process or in the arrest of an offender, the constable may call for assistance any resident of the county who is convenient.

(b) A person who fails or refuses to obey a call for assistance may, on the motion of the constable, be fined by a justice of the peace in the manner provided for contempt. The amount of the fine may not exceed \$10. The person who is accused of not providing assistance must be given three days' notice of the motion.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

§ 86.023. COLLECTION LIABILITY. If, for collection, a constable receives a bond, bill, note, or account from any person and the constable gives a receipt in an official capacity for the instrument or account, the constable and the constable's sureties are liable under the constable's bond for the amount collected if the constable fails to pay the amount on demand to the person for whom the constable made the collection.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

§ 86.024. FAILURE TO EXECUTE PROCESS. (a) If a constable fails or refuses to execute and return according to law a process, warrant, or precept that is lawfully directed and delivered to the constable, the constable shall be fined for contempt before the court that issued the process, warrant, or precept on the motion of the person injured by the failure or refusal.

(b) The fine shall be set at not less than \$10 or more than \$100, with costs. The fine shall be for the benefit of the injured person. The constable must be given 10 days' notice of the motion.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

§ 86.025. UNFINISHED BUSINESS. If a constable vacates the office for any reason, all unfinished business shall be transferred to the succeeding constable and completed in the same manner as if the successor had begun the business.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**Report from Rio South Texas Economic Council
CC REGULAR**

Date: 12/01/2009
Submitted By: Angela Garcia, BUDGET & MANAGEMENT
Department: BUDGET & MANAGEMENT
Agenda Category: County Judge's Office

Information

CAPTION

- 1. Report from the Rio South Texas Economic Council
- 2. Discussion and approval of the service agreement for Rio South Texas Economic Council.

BACKGROUND

Fiscal Impact

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
No Fiscal Impact.

*Note: Membership payment reference AI-18764 CC 12/01/09.

Attachments

Link: [agreement](#)
Link: [presentation](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/25/2009 02:13 PM	APRV
2	Roland Garcia	Rolando Garcia	11/25/2009 03:06 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Angela Garcia			Started On: 11/25/2009 01:57 PM	
Final Approval Date: 11/25/2009				

AGREEMENT FOR PROVISION OF SERVICES

WHEREAS, Hidalgo County (the “County”) is authorized pursuant to Section 381.004 of the Texas Local Government Code to develop and administer state and local economic development programs in order to stimulate, encourage, and develop commercial activity in the County; and

WHEREAS, pursuant to Section 381.004 of the Texas Local Government Code, the County is authorized to use public funds and employees of the County for such program, and to contract with another entity, as defined in such Section, for the administration of such an economic development program; and

WHEREAS, the County has developed or intends to develop an economic development program to promote business and commercial activity within the County for the purpose of improving the economic competitiveness of the County and enhancing the development of regional industry clusters within the County and the Rio Grande Valley (the “Program”), and desires to contract with another entity to administer the Program; and

WHEREAS, the purposes for which the Rio South Texas Economic Council, a Texas nonprofit corporation (the “Council”), were created include engaging in marketing activities for the purpose of generating opportunities that will result in economic expansion and diversification in Hidalgo, Cameron, Willacy and Starr Counties and to promote a business and governmental climate that is conducive to successful economic development in such counties; and

WHEREAS, the County now desires to enter into a contract with the Council, whereby the Council will administer the Program on behalf of the County, including the provision of the services, specified below; and

WHEREAS, the Council is agreeable to contracting with the County to assist the County in promoting the development of regional industries as set forth above.

NOW, THEREFORE, the County and the Council do hereby covenant and agree as follows:

1. **Administration of Program; Services Provided.** The Council agrees to administer the Program during the Term (as defined below) on behalf of the County, including the provision of the following services for the promotion and development of regional industries:
 - (i) Improving business conditions by promoting a business and governmental climate that is conducive to successful economic development;
 - (ii) Improving education and training for the purpose of strengthening community economic development efforts;
 - (iii) Marketing the region for the purpose of generating opportunities that will result in economic expansion and diversification;
 - (iv) Supporting networking opportunities for sharing knowledge and experience, and the development of professional relationships throughout the County and in the Rio Grande Valley and
 - (v) Such other services as are agreed between the County and Council.

Without limiting the generality of the foregoing, the County and the Council agree that the

services provided hereunder to the County include assistance with website development and design, market research and studies, creation of beta tables, marketing materials and similar materials, and participation in trade shows and missions. The means and methods for providing such services shall be subject to the County's representative on the Council's board of directors review and approval. The County shall be provided the opportunity to give input into all creative processes and designs, and shall have final approval of all marketing and creative endeavors and other services for the County. The Council shall abide by all applicable laws, rules, ordinances, orders and regulations in providing services hereunder. Upon its creation, all rights in and to all materials created by the Council specifically for the County hereunder in whatever form or media (collectively, the "Work"), and any derivative works thereof, shall be exclusively owned by and vested in the County as works made for hire (including, without limitation, all copyrights). All rights in the Work created specifically for the County, including all copyrights, trademarks and other intellectual property, belong exclusively to County, including the exclusive right to use, reproduce, alter, record, perform and synchronize the Work for any purpose in any media without further agreement or payment, and the exclusive right to register all copyrights anywhere in the world in the Work in County's name.

Deleted: such

Deleted: prior

2. **Payment.** In consideration for the complete and satisfactory performance by the Council of the Council's obligations hereunder, the County shall pay the Council \$30,000.00 for the provision of services as set forth herein, which amount is the County's dues attributable to its class of membership in the Council, as such is set forth in Article 2 of the By-laws of the Council. Such amount is payable on or before December 1, 2009, and satisfies the dues requirement of the By-laws of the Council such that no additional payment shall be due from the County. The payment provided for herein shall be paid solely from lawfully available funds that have been appropriated by the County. Under no circumstances shall the County's obligations hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision.

Deleted: 8

3. **Use of Funds.** The Council shall use the funds received from the County only for the purposes set forth in this Agreement.

4. **Annual Report.** The Council agrees to, at least annually or more frequently upon request by the County, present a report to the Commissioners Court of the County of the activities and accomplishments of the Council.

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5. **Representations and Warranties of Council.** The Council represents and warrants to the County, as of the Effective Date (as defined below), as follows:

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A. **Organization.** The Council is a non-profit corporation duly organized, validly existing and in good standing under the laws of the State of Texas and authorized to do business in the State of Texas.

B. **Authority.** The execution, delivery and performance by the Council of this Agreement are within the Council's powers and have been duly authorized by all

necessary action of the Council.

C. **County Obligation Limited.** The Council acknowledges that the County is not committed or obligated to pay any expenditure incurred with respect to the operation of the Council or the provision of services hereunder, and is only obligated to make the payment specifically provided in paragraph 2 of this Agreement.

6. **Representations and Warranties of County.** To the actual knowledge of the Commissioners' Court, as of the Effective Date, the County represents and warrants to the Council, as of the Effective Date, as follows:

Deleted: 5

A. **Authority.** The execution, delivery and performance by the County of this Agreement are within its powers and have been duly authorized by all necessary action.

7. **Information; Audit.** The Council shall, at such times and in such form as the County may request from the Council, provide information concerning the status of the performance of the Council's obligations under this Agreement. The Council agrees that the County will have the right to audit the financial and business records of the Council that relate specifically to the Program and Council's compliance with the terms of this Agreement at anytime in order to determine compliance with this Agreement. To the extent reasonably possible, the Council shall make all records related to the Program and other records related to compliance with the terms of this Agreement available in electronic form or otherwise available to be accessed through the internet following reasonable advance notice by the County and shall otherwise cooperate fully with the County during any audit.

Deleted: 6

8. **Miscellaneous.**

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A. **Effective Date.** This Agreement shall be effective on the date set forth below (the "Effective Date") and shall continue in full force and effective until November 30, 2010 (the period from the Effective Date to such termination date, the "Term").

Deleted: 09

B. **Entire Agreement.** This Agreement contains the entire agreement between the parties with respect to the transactions contemplated herein.

C. **Amendment.** This Agreement may only be amended, altered, or revoked by written instrument signed by all parties, except for the County's right to terminate this Agreement as set forth below.

D. **Waiver.** No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel to enforce any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel.

E. **Remedies.** Upon breach of any of the covenant, representation, warranty or agreement contained in this Agreement, which breach is not cured within thirty (30) days of notice from the aggrieved party to the other party, the aggrieved party shall have such remedies as are available in law or equity for breach of contract; provided, however, that no party shall be liable to any other party for incidental or consequential damages. Without limiting the generality of the foregoing, the Council acknowledges and agrees that under no circumstances will the County have any liability in excess of the amount

payable as set forth in paragraph 2 of this Agreement. In the event the County is the aggrieved party, the County shall also be entitled to terminate this Agreement upon notice to the Council and to a refund of the payment made pursuant to paragraph 2 above, which refund shall be calculated pro rata based on the amount the percentage of the Term remaining at the time of such termination.

F. **Notices.** Any notice, statement and/or communication required and/or permitted to be delivered hereunder shall be in writing and shall be mailed by first-class mail, postage prepaid, or delivered by hand, messenger, telecopy, or reputable overnight carrier, and shall be deemed delivered when received at the addresses of the parties set forth below, or at such other address furnished in writing to the other parties thereto:

If to the County: Hidalgo County
100 E. Cano
Edinburg, Texas 78539
Attn: County Judge
Telephone: (956) 318-2600
Facsimile: (956) 318-2699

If to the Council: Rio South Texas Economic Council
901 Business Park Drive, Suite 200
Mission, Texas 78572
Attn: Chairman
Telephone: _____
Facsimile: _____

G. **Applicable Law.** This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas, and venue shall lie in State courts located in Hidalgo County, Texas.

H. **Severability.** In the event any provision of this Agreement is illegal, invalid, or unenforceability under the applicable present or future laws, then, and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby.

I. **No Third-Party Beneficiaries.** The County and the Council intend that this Agreement shall not benefit or create any right or cause of action in or on behalf of any third-party beneficiary, or any individual or entity other than the County and the Council.

J. **No Joint Venture.** Nothing contained in this Agreement is intended by the parties to create a partnership or joint venture between the parties, and any implication to the contrary is hereby expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint either party as an agent of the other for any purpose whatsoever. Except as otherwise specifically provided herein, neither party shall in any way assume any of the liability of the other for acts of the other or obligations of the other.

K. **Assignments.** This is an Agreement for the services of the Council. Accordingly, the Council may not assign this Agreement or any of its rights or obligations hereunder without the prior written consent of the County, and any assignment by the Council in violation of the terms hereof shall be void ab initio and of no force or effect.

L. **Counterparts.** This Agreement may be executed in multiple counterparts all of which shall be considered one and the same document.

EXECUTED THIS ____ day of _____, 2009,

Deleted: 8

COUNTY OF HIDALGO, TEXAS

By: _____
Rene A. Ramirez, Judge

Deleted: J.D. Salinas III,

ATTEST:

By: _____
Arturo Guajardo, Jr., Clerk
(SEAL)

APPROVED AS TO FORM:

Atlas & Hall, L.L.P.

By: _____
Stephen L. Crain

RIO SOUTH TEXAS ECONOMIC COUNCIL

William Martin, Vice-Chair

Deleted: Carlos Cascos

ATTEST:

Eduardo Campirano, Secretary

Deleted: Bill Martin



Rio South Texas, Collaborating to Compete

Marketing Campaign
September 2009

*2 Countries.
1 Region.
Many Choices.*

Council Goals

1. **Unify and coordinate regional marketing efforts.**
2. Develop strategy for economic development and tourism along opportunity corridors.
3. Optimize trade opportunities from cross-border economic activities.
4. Promote regional economic development strategic planning & identify implementation strategies.
5. Provide a forum for discussion of pressing issues facing regional economic development.
6. Provide education and training for the purpose of strengthening community economic development efforts.

9-21-09

2

Region



Central – positioned for smaller, component, assembly manufacturers

Bookends – Edinburg, McAllen, Mission & Brownsville, San Benito Harlingen positioned for larger/mega projects

Shoulders – South Padre Island & Starr, smaller businesses and tourism



Challenge

The region is often overlooked as being a major player or an alternative location to other Texas metropolitan locations for a wide range of investment.

Required Action: Position the region consistent with our geographic, demographic and economic footprint.

Marketing Goals

- Goal:** Create **Top of Mind Awareness** that will distinguish this region, and its many communities, from other “South Texas regions and metro areas.
- Goal:** Land BIG projects that bring investment and jobs to the region.
- Objective:** Position Rio South Texas as a leading *metroplex* in the U.S., third largest metro in Texas, with unique attributes and opportunities.

Industry Targets

1. Auto Manufacturing & Suppliers
2. Aerospace
3. Metal Products
4. Electronics Manufacturing & Assembly
5. Medical Devices
6. Renewable Energy Products

Memberships

RSTEC will leverage marketing by joining organizations and key Industry Associations:

- TexasOne
- Industry Associations
 - National Mfg Association (NAM)
 - Society of Automotive Engineers (SAE)
 - Specialty Equipment Market Association (NEMA)
 - National Electronics Mfg. Association (NEMA)
 - Medical Device Mfg Association
 - Solar Energy Industries Association (SEIA)
- Real Estate Executives IAMC & CoreNet



Member Benefits

The biggest value of membership is maximizing resources and leveraging opportunities:

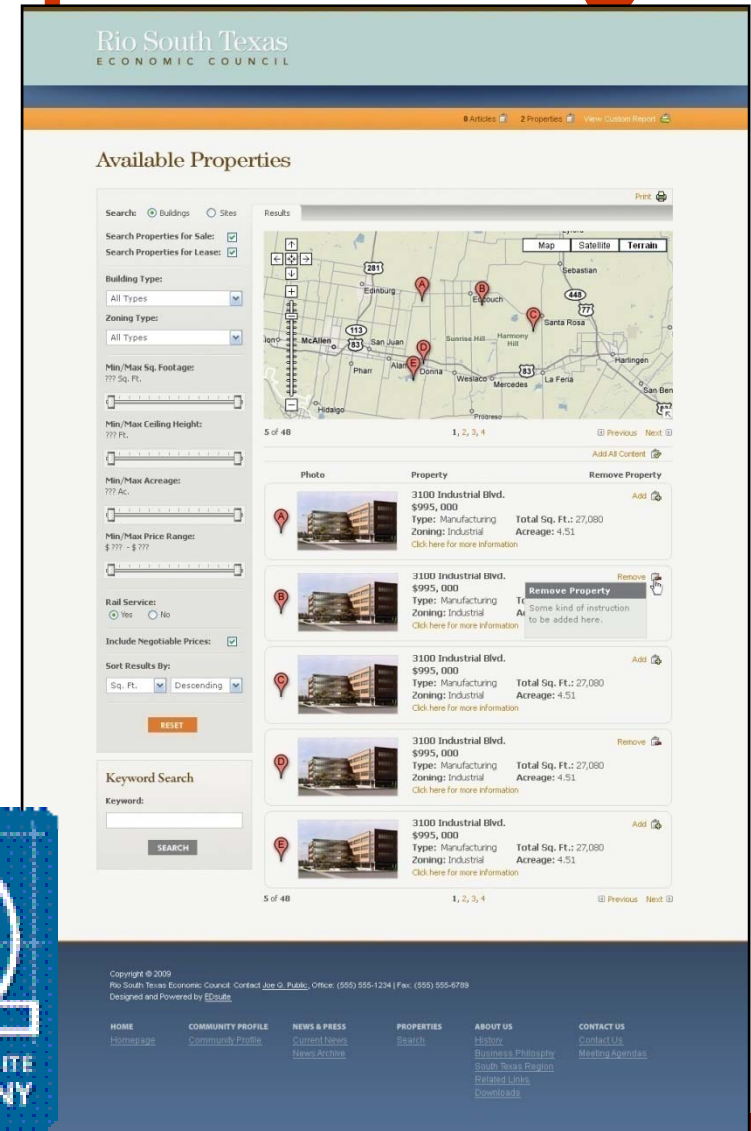
- Regional website presence with searchable property database (training provided at local level)
- Ability to post news (daily) on the website
- Google advertising to create internet presence for the Region
- Promotional campaign to over 1000 targets to create awareness of the region
- Public relations - creating and placing stories about the region
- Attend tradeshow, conference – organized and managed by the regional staff
- Attend “inbound events” – bring site consultants and companies to the region
- Participate in the Rio South Texas **“Shovel-Ready Site Certification Program”**
- Be included in Regional Proposals to prospective clients
- Industry research
- Regional membership with TexasOne
- Networking with other professionals
- RSTEC Community Familiarization Tours – visit each others community and offer perspective of how to be more competitive

Maintaining the Competitive Edge

Rio South Texas Economic Development Council Shovel-Ready Sites Program Guide

The Rio South Texas Shovel-Ready sites program has been developed to:

- 1) Help communities and economic development professionals ready their sites to be designated "Shovel-Ready" by Austin Consulting and
- 2) Promote to prospects an inventory of highly marketable and developable sites that have been assessed and designated "shovel-ready" by a third party, demonstrating that the Region is prepared to meet the needs of current and future prospects, reducing time spent on due diligence and allowing development to move forward at an accelerated rate.

Rio South Texas ECONOMIC COUNCIL

Available Properties

Search: Buildings Sites
 Search Properties for Sale:
 Search Properties for Lease:

Building Type: All Types
 Zoning Type: All Types

Min/Max Sq. Footage: ??? Sq. Ft.
 Min/Max Ceiling Height: ??? Ft.
 Min/Max Acreage: ??? Ac.
 Min/Max Price Range: \$??? - \$???

Rail Service: Yes No
 Include Negotiable Prices:

Sort Results By: Sq. Ft. Descending
 RESET

Keyword Search
 Keyword: _____
 SEARCH

Results: 5 of 48
 1, 2, 3, 4

Photo	Property	Remove Property
	3100 Industrial Blvd. \$995,000 Type: Manufacturing Zoning: Industrial Total Sq. Ft.: 27,080 Acreage: 4.51 Click here for more information	Add
	3100 Industrial Blvd. \$995,000 Type: Manufacturing Zoning: Industrial Total Sq. Ft.: 27,080 Acreage: 4.51 Click here for more information	Remove Some kind of instruction to be added here.
	3100 Industrial Blvd. \$995,000 Type: Manufacturing Zoning: Industrial Total Sq. Ft.: 27,080 Acreage: 4.51 Click here for more information	Add
	3100 Industrial Blvd. \$995,000 Type: Manufacturing Zoning: Industrial Total Sq. Ft.: 27,080 Acreage: 4.51 Click here for more information	Remove
	3100 Industrial Blvd. \$995,000 Type: Manufacturing Zoning: Industrial Total Sq. Ft.: 27,080 Acreage: 4.51 Click here for more information	Add

5 of 48
1, 2, 3, 4
Previous Next

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9-21-09

Visit us at www.riosouthtexas.com for more information.



The Real South Texas

9-21-09

10

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AI-18750

16.A.

City of San Juan TIRZ #1

CC REGULAR

Date: 12/01/2009
Submitted By: Erika Reyna, COUNTY JUDGE
Department: COUNTY JUDGE
Agenda Category: Precinct #2

Information

CAPTION

1. Presentation from the City of San Juan, as required by Section 311.003(f) Texas Tax Code, relating to the creation of City of San Juan, Tax Increment Reinvestment Zone Number One.
2. Approval to allow the City of San Juan a waiver of the sixty (60) day notice requirement of the public hearing required for the creation of "Proposed City of San Juan, Tax Increment Reinvestment Zone Number One" under Section 311.003 of the Texas Tax Code and authorize the County Judge to sign the waiver.
3. Approval to appoint a representative on behalf of Hidalgo County to meet with the governing body of the City of San Juan concerning "Proposed City of San Juan, Tax Increment Reinvestment Zone Number One."

BACKGROUND

Fiscal Impact

Attachments

Link: [Notification](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Erika Zamora	11/24/2009 03:27 PM	APRV
2	Roland Garcia	Rolando Garcia	11/25/2009 09:40 AM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Erika Reyna			Started On: 11/24/2009 03:11 PM	
Final Approval Date: 11/25/2009				



Mayor: Pedro Contreras
Mayor Pro-Tem: Lupe Rodríguez
Commissioners: Robert (Bob) Garza
Armando Garza, Jr.
Eddie Suarez

November 10, 2009

Commissioner Hector Palacios
Hidalgo County Precinct 2
301 E. State St.
Pharr, TX 78577

Re: City of San Juan Tax Increment Finance Zone Number One

Dear Commissioner Palacios:

The City of San Juan is proposing to create a Tax Increment Reinvestment Zone (TIRZ) under chapter 311.005 (2). The site of the development is in an area of Hidalgo County that has inadequate infrastructure and is in need of development. The City requests that Hidalgo County accept this correspondence in satisfaction of the procedural requirements outlined by Chapter 311 of the Texas Tax Code ("Tax Increment Financing Act").

As required by the Tax Increment Financing Act, San Juan intends to establish the City of San Juan Tax Increment Reinvestment Zone no earlier than sixty (60) days of the date of this correspondence. However, the City is requesting a waiver of the sixty (60) day requirement from Hidalgo County in order to perfect the creation of the Zone prior to December 31, 2009. The City of San Juan TIRZ zone includes approximately 500 +/- acres throughout the City. The City of San Juan TIRZ zone includes approximately 500 +/- acres throughout the City. The City of San Juan TIRZ proposes to raise approximately \$20,000,000 over a twenty-five (25) year period for public improvements including collector streets, arterials, regional drainage improvements, new sewer and water lines and street reconstruction for the downtown revitalization area, water plant expansions, public safety and municipal facility improvements including a fire station and library, regional park improvements including soccer fields, economic development and future road and utility right-of-way acquisition. The projected value of the increment created is \$100,000,000.

The agenda item should be styled: Statutory presentation by the City of San Juan on the creation of the San Juan Tax Increment Reinvestment Zone Number One, City of San Juan and waiving the sixty (60) day notice for the creation of the Zone.

Thank you for your assistance in this matter.

Sincerely,

JUAN ANTONIO GARZA
City Manager

AI-18776

17.A.

TCDRS Plan Provisions Plan Year 2010

CC REGULAR

Date: 12/01/2009
Submitted By: Sergio Cruz, BUDGET & MANAGEMENT
Department: BUDGET & MANAGEMENT
Agenda Category: Budget and Management

Information

CAPTION

Discussion, consideration, and authorization to maintain TCDRS plan provisions for Plan year 2010.

BACKGROUND

Fiscal Impact

FISCAL YEAR: **ACCT. #:**
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**
BUDGETARY IMPACT:
 No Fiscal Impact

Attachments

Link: [Authorization](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Budget & Management	Angela Garcia	11/25/2009 03:47 PM	APRV
2	Perla Lopez	Perla Lopez	11/25/2009 03:51 PM	APRV
3	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Sergio Cruz			Started On: 11/25/2009 03:38 PM	
Final Approval Date: 11/25/2009				

Hidalgo County, #207
Authorization to maintain TCDRS plan provisions
Plan year 2010

With respect to the participation of Hidalgo County in the Texas County & District Retirement System (TCDRS) for the 2010 plan year, the following order was adopted:

1. Hidalgo County makes no change in the plan provisions for non-retirees.
- * 2. With respect to benefit payments being paid to retirees or their beneficiaries, Hidalgo County (**check one box**):
 does not adopt a cost-of-living adjustment (COLA).
 adopts a ____% CPI-based COLA.
- * 3. The required employer contribution rate for Plan Year 2010 will be the following:

(a) Required rate without COLA:	9.52%
(b) COLA rate:	+ 0% (enter 0 if not adopting a COLA)
(c) Total required rate (a + b):	= <u> 9.52% </u>
- * 4. Employers may elect to pay a rate greater than the **total required rate** listed above. Hidalgo County adopts for Plan Year 2010 (**check one box**):
 the **total required rate** listed above.
 add a new elected rate of _____%.
5. In the event the 2010 total required rate as set out above exceeds 11%, and if a current waiver of that limit is not on file with TCDRS, the Commissioners Court of Hidalgo County hereby waives the 11% limit on the rate of employer contributions and such waiver will remain effective with respect to future plan years until properly revoked by official action.

Certification

I certify that the foregoing authorization concerning the participation of Hidalgo County in TCDRS for Plan Year 2010 truly and accurately reflects the official action taken during a properly posted and noticed meeting on December 1, 2009, by the Commissioners Court of Hidalgo County as such action is recorded in the official minutes.

County Judge of Hidalgo County

Dated: _____

** Please fill in the required information for items 2, 3 and 4 before signing and sending this document to TCDRS.*

AI-18665

17.B.1.

Approval to authorize auto allowance

CC REGULAR

Date: 12/01/2009
Submitted By: Rosie Cantu, BUDGET & MANAGEMENT
Submitted For: IT Department
Department: BUDGET & MANAGEMENT
Agenda Category: IT Department

Information

CAPTION

IT Department (1100):
a. Approval to delete auto allowance for slot no. 023 (\$3,600.00).
b. Approval to authorize auto allowance for slot no. 021 in the amount of \$3,600.00 and pay the allowance to employee no. 168319 next full pay period, 12/07/09.
c. Approval of revised salary schedule.

BACKGROUND

Fiscal Impact

FISCAL YEAR: 2009 **ACCT. #:** 9-1100-415-00-200-001-0-118
FUNDS AVAILABLE Y/N?: Y **MATCHING FUNDS Y/N?:**

BUDGETARY IMPACT:

No additional funds requested. No budgetary impact.

Attachments

Link: [Job Descriptions](#)
Link: [Revised Salary Schedule](#)
Link: [Fiscal Note](#)
Link: [PAR's](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Rosalinda Cantu (Originator)	Rosie Cantu	11/25/2009 03:04 PM	APRV
2	Budget & Management	Erika Zamora	11/25/2009 03:24 PM	APRV
3	Sylvia Solis	Sylvia Solis	11/25/2009 04:04 PM	APRV
4	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Rosie Cantu			Started On: 11/19/2009 02:56 PM	
Final Approval Date: 11/25/2009				

OTHER SKILLS AND ABILITIES

- Requires the ability to compare and/or judge the readily observable, functional, structural, or composite characteristics (whether similar to or divergent from obvious standards) of data, people or things;
- Requires the ability to read a variety of reports, correspondence, technical manuals, forms, logs, charges, etc.;
- Requires the ability to prepare a variety of reports using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style;
- Requires the ability to speak to people with poise, voice control and confidence;
- Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts and draw valid conclusions; to interpret and extensive variety of technical instructions in mathematical or diagrammatically form; and to deal with several abstract and concrete variables;
- Requires the ability to deal with people beyond giving and receiving instructions;
- Must be adaptable to performing under minimal level of stress when confronted with persons acting under stress;
- Employee may be assigned other duties in addition to those listed; duties may change according to the changing needs of the County;

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job;

While performing the duties of this job, the employee is required to talk or hear. The employee is required to stand. The employee is required to walk; sit; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, and kneel;

The employee must occasionally lift and/or move over fifty (50) pounds. Specific vision abilities required by this job include close vision, depth perception, and the ability to adjust focus;

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job;

The noise level in the work environment is usually moderate;

SAFETY REQUIREMENTS:

Maintain physical condition appropriate to the performance of assigned duties and responsibilities which may include the following:

- sitting for extended periods of time;
- operating assigned equipment;

Maintain mental capacity which permits:

- making sound decisions and using good judgment;
- handling financial affairs effectively and honestly;
- maintaining confidentiality;
- demonstrating intellectual capabilities;

Effectively handle a work environment and conditions which involve:

- working closely with others;
- working in a multi-task environment;

Maintain effective audio-visual discrimination and perception needed for:

- making observations;
- reading and writing;
- operating assigned equipment;
- communicating with others;

ACCIDENT PREVENTION PROGRAM:

Required to follow all departments' safety regulations;

**HIDALGO COUNTY
INFORMATION TECHNOLOGY DEPARTMENT**

Job Title:	Projects Specialist II	FLSA Status:	Non-Exempt
Dept No:	200-022	Service Status:	Non-Exempt

SUMMARY:

Individual is tasked with the overall responsibility of one or more information technology drive projects. This position will be responsible for all facets of the assigned project.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Responsible for maintaining assigned projects within their assigned timeline and within their allocated budgets.
- Perform data analysis of required project specifications and related project data.
- Map out project objectives, timelines and resource projections.
- Create and maintain documentation of all phases of the project.
- Good organizational skills are required in order to keep proper maintenance records and allocate resources to individual tasks within the project;
- Knowledge of and or exercise of proper safety procedures are required;
- Some evening and weekend work may be required;
- Performs such other duties as may be assigned;
- Regular attendance is a must;

QUALIFICATION REQUIREMENTS:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential duties and responsibilities;

EDUCATION and/or EXPERIENCE

- High School Diploma or GED;
- Must have at least three (3) years experience in the information technology field. Previous supervisory responsibilities are a must. Experience in technology procurement and other IT certifications are preferred. Knowledge of industry standard computer hardware and software preferred;

CERTIFICATES, LICENSES, REGISTRATIONS

- Employee must have a current valid Texas Motor Vehicle Operator's License;
- Must be able to be insured by the County's Insurance carrier;

OTHER SKILLS AND ABILITIES

- Requires the ability to compare and/or judge the readily observable, functional, structural, or composite characteristics (whether similar to or divergent from obvious standards) of data, people or things;

- Requires the ability to read a variety of reports, correspondence, technical manuals, forms, logs, charges, etc.;
- Requires the ability to prepare a variety of reports using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style;
- Requires the ability to speak to people with poise, voice control and confidence;
- Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts and draw valid conclusions; to interpret and extensive variety of technical instructions in mathematical or diagrammatically form; and to deal with several abstract and concrete variables;
- Requires the ability to deal with people beyond giving and receiving instructions;
- Must be adaptable to performing under minimal level of stress when confronted with persons acting under stress;
- Employee may be assigned other duties in addition to those listed; duties may change according to the changing needs of the County;

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job;

While performing the duties of this job, the employee is required to talk or hear. The employee is required to stand. The employee is required to walk; sit; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, and kneel;

The employee must occasionally lift and/or move over fifty (50) pounds. Specific vision abilities required by this job include close vision, depth perception, and the ability to adjust focus;

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job;

The noise level in the work environment is usually moderate;

SAFETY REQUIREMENTS:

Maintain physical condition appropriate to the performance of assigned duties and responsibilities which may include the following:

- sitting for extended periods of time;
- operating assigned equipment;

Maintain mental capacity which permits:

- making sound decisions and using good judgment;
- handling financial affairs effectively and honestly;
- maintaining confidentiality;

- demonstrating intellectual capabilities;

Effectively handle a work environment and conditions which involve:

- working closely with others;
- working in a multi-task environment;

Maintain effective audio-visual discrimination and perception needed for:

- making observations;
- reading and writing;
- operating assigned equipment;
- communicating with others;

ACCIDENT PREVENTION PROGRAM:

Required to follow all departments' safety regulations;

**HIDALGO COUNTY
COMMISSIONER COURT
2009 SALARY SCHEDULE**

9-1100-415-00-200-001-0

AI - 18665

INFORMATION TECHNOLOGY

Slot #	Obj Code	POSITION TITLE	2008 BUDGETED SALARY	2009 ADJUSTED SALARY	2009 BASE SALARY	% Inc.	AMOUNT INCREASE	OTHER INCREASE	2009 BUDGETED SALARY APPROVED	2009 ACTUAL SALARY	Other Allowances					2009 ACTUAL TOTAL COMPENSATION
											Longevity 115	Interpet. 116	Supplem. 117	Auto A. 118	Clothing 119	
0028	113	INFORMATION TECHNOLOGY OPERATIO	64,892.00	0.00	64,892.00	0.05	3,245.00	0.00	68,137.00	68,137.00	0.00	0.00	0.00	0.00	0.00	68,137.00
0029	113	TECHNICIAN III	0.00	36,000.00	36,000.00	0	0.00	0.00	36,000.00	36,000.00	0.00	0.00	0.00	0.00	0.00	36,000.00
			1,083,458.00	36,000.00	1,119,458.00		54,173.30	5,000.80	1,178,632.10	1,103,087.00	3,960.00	0.00	0.00	18,800.00	0.00	1,129,447.00

- a. Approval to delete auto allowance for slot no. 023 (\$3,600.00)
 - b. Approval to authorize auto allowance for slot no. 021 in the amount of \$3,600.00 and pay the allowance to employee no. 168319 next full pay period, 12/07/09.
- ALL PERSONNEL ACTIONS PENDING CC APPROVAL.

Hidalgo County
Department of Budget & Management
FISCAL NOTE

*Fiscal notes are prepared by the Department of Budget & Management to present the budgetary impact of requests by departments/offices or of new proposals that were not approved during the budget process.

To: Commissioner' Court
 From: Raul Silguero Jr., Budget Officer
 CC Date: Tuesday, November 24, 2009

Agenda Item: 18665

Summary of request/proposal:

The IT dept is requesting approval to delete auto allowance for slot no. 023 (\$3,600.00) and approval to authorize auto allowance for slot no. 021 in the amount of \$3,600.00 and pay the allowance to employee no. 168319 next full pay period, 12/07/09.

Fund	Current Position	New Position	Slot#	Obj	Current Budgeted Salary	Adjustment/ Salary Requested	Total Adjustment/ Salary Requested
1100	PROJECTS SPECIALIST II	N/A	0023	118	\$3,600.00	\$0.00	(\$3,600.00)
1100	TECHNICIAN I	N/A	0021	118	\$0.00	\$3,600.00	\$3,600.00
							\$0.00

Budgetary Impact:

INCREASE/DECREASE ACCOUNT NUMBER		ACCOUNT (OBJECT) NAME	AMOUNT
9-1100-415-00-200-001-0-	118	IT DEPT.- AUTO ALLOWANCE	\$0.00
9-1100-415-00-200-001-0-	211	IT DEPT.- HEALTH INSURANCE	\$0.00
9-1100-415-00-200-001-0-	212	IT DEPT.- LIFE INSURANCE	\$0.00
9-1100-415-00-200-001-0-	220	IT DEPT.- FICA	\$0.00
9-1100-415-00-200-001-0-	230	IT DEPT.- RETIREMENT	\$0.00
9-1100-415-00-200-001-0-	250	IT DEPT.- UNEMPLOYMENT COMP	\$0.00
9-1100-415-00-200-001-0-	260	IT DEPT.- WORKER'S COMP	\$0.00
		2009 Budgetary Impact	\$0.00

2010 Budgetary Impact: N/A

Possible Funding Sources: **NO BUDGETARY IMPACT**

Budget Office Recommendation:

NEW POSITION: Brief job description and attach a copy of the new job description.

POSITION RECLASSIFICATION: Explain change and /or increase in duties and responsibility. (Attach new job description)

COMMENTS: (Any comments you wish to make regarding this request)

This employee is the Odyssey Project manager.

HUMAN RESOURCES: Classification and Salary Recommendation

BUDGET & MANAGEMENT: Classification and Salary Recommendation

WorkgroupShare

Digitally signed by WorkgroupShare
DN: cn=WorkgroupShare
Date: 2009.11.19 16:22:40 -06'00'

- | | | | | |
|----|--|-----------------|-----------------------------------|---|
| 1. | Renán Ramirez | 11/19/2009 | | |
| | <u>DEPARTMENT HEAD</u> | <u>DATE</u> | FUNDING AVAILABLE IN DEPT. BUDGET | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| 2. | HUMAN RESOURCES DIRECTOR | DATE | PERSONNEL PROCEDURES COMPLETED | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3. | <i>Kare Delgado</i> | <i>11/25/09</i> | BUDGET PROCEDURES COMPLETED | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| | <u>DEPARTMENT OF BUDGET & MANAGEMENT</u> | <u>DATE</u> | | |
| 4. | COMMISSIONERS COURT APPROVAL | DATE | | |

NEW POSITION: Brief job description and attach a copy of the new job description.

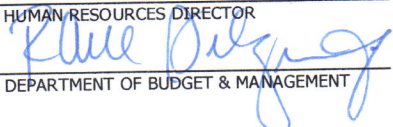
POSITION RECLASSIFICATION: Explain change and /or increase in duties and responsibility. (Attach new job description)

COMMENTS: (Any comments you wish to make regarding this request)

HUMAN RESOURCES: Classification and Salary Recommendation

BUDGET & MANAGEMENT: Classification and Salary Recommendation

WorkgroupShare Digitally signed by WorkgroupShare
DN: cn=WorkgroupShare
Date: 2009.11.19 16:24:32 -06'00'

- | | | | | |
|----|--|--------------------|-----------------------------------|---|
| 1. | Renán Ramirez
DEPARTMENT HEAD | 11/19/2209
DATE | FUNDING AVAILABLE IN DEPT. BUDGET | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 2. | HUMAN RESOURCES DIRECTOR | DATE | PERSONNEL PROCEDURES COMPLETED | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3. | 
DEPARTMENT OF BUDGET & MANAGEMENT | 11/25/09
DATE | BUDGET PROCEDURES COMPLETED | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| 4. | COMMISSIONERS COURT APPROVAL | DATE | | |

AI-18734

18.A.4.

**Exemption from Competitive Procurement Requirements/Vehicle & Equipment Repairs
CC REGULAR**

Date: 12/01/2009

Submitted By: Matilde Faz, PURCHASING DEPT.

Submitted For: Marty Salazar

Department: PURCHASING DEPT.

Agenda Category: Purchasing Department **Purchasing only:** Hidalgo County

Information

CAPTION

a. Requesting exemption from competitive bidding requirements under Tx. Local Government Code, Chapter 262, Section .024 (a) (3)-"an item necessary because of unforeseen damage to public property", and (11) "vehicle and equipment repairs";

b. Requesting authority to purchase repairs only (excludes maintenance for vehicles or equipment) for County-owned vehicles and equipment from the vendors identified and detailed on the list attached hereto through the established and approved procedures for the requisition and purchase order process with said authority to extend through December 31, 2010

BACKGROUND

Fiscal Impact

FISCAL YEAR: 2009

ACCT. #: COUNTYWIDE

FUNDS AVAILABLE Y/N?: N/A

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

EXPENDITURES ON AN AS NEEDED BASIS. NO FUNDING REQUIRED AT THIS TIME.

Attachments

Link: [Updated Vendors List](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Purchasing Department	Marty Salazar	11/24/2009 04:53 PM	APRV
2	Budget & Management	Erika Zamora	11/25/2009 09:16 AM	APRV
3	Rosalinda Cantu		11/25/2009 04:47 PM	PEND
4	Auditor's Office		11/25/2009 04:47 PM	NEW
Form Started By: Matilde Faz			Started On: 11/24/2009 10:25 AM	
Final Approval Date: 11/25/2009				

**Hidalgo County
Vehicle and Equipment Repairs (County Owned)
Vendor List**

Vendor ID No	Company Name	Address	City	State	Zip Code
3654	BERT OGDEN MOTORS, INC.	4221 SOUTH HWY 281	EDINBURG	TX	78539
89885	ACTION HYDRAULIC HOSES, ETC.	1010 W KIKA DE LA GARZA	MISSION	TX	78572
1961	ANDERSON EQUIPMENT CO INC	P. O. BOX 662	PHARR	TX	78577-0662
94366	HOLT TEXAS, LTD. DBA HOLT CAT	P.O. BOX 911975	DALLAS	TX	75391-1975
206571	VERMEER EQUIPMENT OF TEXAS, INC.	P.O. BOX 224991	DALLAS	TX	75222-4991
1864	AMIGO IMPLEMENT COMPANY, INC	304 W. MONTE CRISTO RD.	EDINBURG	TX	78541
195545	NUECES POWER EQUIPMENT	P.O. BOX 4789	CORPUS CHRISTI	TX	78469-4789
283797	ROMCO EQUIPMENT CO.	P.O. BOX 841496	DALLAS	TX	75284-1496
248649	FLEETPRIDE	P.O. BOX 847118	DALLAS	TX	75284-7118
204803	SOUTH TEXAS FREIGHTLINER, INC.	P.O. BOX 2201	DECATUR	AL	35609-2201
259969	INTERSTATE BATTERY OF TEXAS VALLEY	5510 N CAGE BLVD, STE R	PHARR	TX	78577
221945	O'REILLY AUTO PARTS	233 S. PATTERSON	SPRINGFIELD	MO	65801
311987	SEPULVEDA'S AUTO SERVICE #2	2204 OLMO AVENUE	SAN JUAN	TX	78589
132799	VALLEY OUTDOOR POWER EQUIPMENT INC.	1012 E. FERGUSON	PHARR	TX	78577
4537	BURTON AUTO SUPPLY INC.	P.O. BOX 2201	DECATUR	AL	35609-2201
43265	CAMCO WHEEL & AXLE	P.O. BOX 1685	PHARR	TX	78577
169757	KIP'S KWIK LUBE CENTER INC.	P.O. BOX 532189	HARLINGEN	TX	78553
268755	WELDINGHOUSE	705 N. NAVIGATION	CORPUS CHRISTI	TX	78408
34797	SOUTH TEXAS COMMUNICATIONS	P.O. BOX 3712	MCALLEN	TX	78502-3712
33766	SEA GARDEN SALES DBA SGS IND.	2771 ROBINDALE	BROWNSVILLE	TX	78526
352799	NORFOXX REFRIGERATION INC	415 TEXAS AVENUE STE A	ROUND ROCK	TX	78664
275506	MOBILE RELAYS PARTNERS, LTD	P.O. BOX 1808	MCALLEN	TX	78505-1808
93963	SAFETY KLEEN SYSTEMS INC	P.O. BOX 650509	DALLAS	TX	75265-0509
192503	LIMAS AUTO REPAIR	2601 WEST AUBURN AVE	MCALLEN	TX	78504

AI-18745

18.A.5.

Options for Renewal/Extension-Administrative Services & Stop Loss-Group Health Insurance Program

CC REGULAR

Date: 12/01/2009

Submitted By: Gricelda Villarreal, PURCHASING DEPT.

Submitted For: Marty Salazar

Department: PURCHASING DEPT.

Agenda Category: Purchasing Department **Purchasing only:** Hidalgo County

Information

CAPTION

Presentation and recommendations by Gary Looney, Alamo Insurance, Hidalgo County's Health Insurance Consultant for Hidalgo County to exercise the option to renew and extend (as permitted under current award) the Employee Group Health Insurance and Stop Loss with approval of including, but not limited to, the following:

- A. Administrative Services for Hidalgo County Group Health Program with Blue Cross Blue Shield;
- B. Stop Loss Insurance for Hidalgo County Group Health Program with Blue Cross Blue Shield.

BACKGROUND

Presentation by Alamo Insurance, Hidalgo County health benefits consultant on the status in connection with Individual Stop Loss coverage that is currently offered by Blue Cross Blue Shield of Texas, including, but not limited to:

- A. exercise the County's s option to renew/extend an additional one (1) year subject to carrier's rates remaining unchanged; and/or,
- B) authority to advertise if rates changed.

Fiscal Impact

FISCAL YEAR: 2009

ACCT. #: 9-2201-415-00-115-010-0-350

FUNDS AVAILABLE Y/N?: Y

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

Available balance of \$386,724.86 as of 11/25/09.

Attachments

No file(s) attached.

Form Routing/Status

Route Seq Inbox

Approved By Date

Status

**Automated Tax Collection System for Hidalgo County Tax Office
CC REGULAR**

Date: 12/01/2009
Submitted By: Gricelda Villarreal, PURCHASING DEPT.
Submitted For: Marty Salazar
Department: PURCHASING DEPT.
Agenda Category: Purchasing Department **Purchasing only:** Tax Office

Information

CAPTION

- a. Presentation of the scoring grid in connection with the responses received for the purposes of ranking by Commissioners Court in order to proceed to the next phase of proposal process for : "Automated Tax Collection System for Hidalgo County Tax Office"-RFP No. 2009-327-09-16-otm;
- b. Requesting authority for Purchasing Department to enter into negotiations with the qualified/ranked proposer in order to finalize a contract for consideration and award for "Automated Tax Collection System" for Hidalgo County Tax Office.

BACKGROUND

Funding for the tax collection system is not available in their 2010 budget; however funds will be appropriated to cover the expense.

Fiscal Impact

FISCAL YEAR: 2010 **ACCT. #:** 1100-415-15-140-001-0-336
FUNDS AVAILABLE Y/N?: **MATCHING FUNDS Y/N?:**

BUDGETARY IMPACT:

For Negotiation Only. Funds for the Automated Tax Collection System for Hidalgo County Tax Office will be appropriated from 2010 budget.

Attachments

- Link: [Participation Log](#)
- Link: [Acceptance Log](#)
- Link: [Revised Evaluation Grid](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Purchasing Department	Marty Salazar	11/24/2009 04:55 PM	APRV
2	Budget & Management	Erika Zamora	11/25/2009 09:17 AM	APRV
3	Perla Lopez	Perla Lopez	11/25/2009 01:53 PM	APRV
4	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Gricelda Villarreal

Started On: 11/24/2009 02:26
PM

Final Approval Date: 11/25/2009

**HIDALGO COUNTY PURCHASING DEPARTMENT
PARTICIPATING RESPONDENT'S LOG
REQUIREMENTS/RFP PACKETS**

IBF-RFP-RFQ-RFI

RFP ACCEPTANCE DATE: SEPTEMBER 16, 2009

RFP ACCEPTANCE TIME: **9:30 A.M.**

DEPARTMENT/PROPOSAL DESCRIPTION: **HIDALGO COUNTY TAX OFFICE – "AUTOMATED TAX COLLECTION SYSTEM"**

RFP NO: **2009-327-09-16-OTM**

NAME OF PROPOSER: COMPANY/FIRM & REPRESENTATIVE'S NAME	PROPOSAL REQUEST *VIA	SIGNATURE (IF APPLICABLE) OR INITIALS OF STAFF ADDRESSING MAIL OUT	DATE	PHYSICAL ADDRESS CITY-STATE-ZIP PHONE & FAX NO.S
1.Linebarger Goggan Blair & Sampson, LLP (Tito Salinas)	Email	<u>titos@publicans.com</u> Olga M	9/02/09	205 S Pin Oak Ave Edinburg, TX 78539 Tel. 956-383-4500
2.National Sales, True Automation, INC. (Manuel Araujo)	Email	<u>manuel.araujo@trueautomation.com</u> Olga M.	9/02/09	2600 Technology Dr, Ste 900 Plano, TX 75074
3.Custom Software (Danny Reyna)	Email	<u>customsoftwaremc@hotmail.com</u> Olga M.	9/02/09	
4.Metavante Corporation (Anfrea Brumley)	Email	<u>abrumley@link2gov.com</u> Olga M.	9/02/09	1 Burton Hills B lvd., Ste300 Nashville, TN 37215 Tel. 615-665-6715
5.Glen J. Godwin	Email	<u>gigodwin@aol.com</u> Olga M.	9/02/09	
6. Appraisal & Collection Technologies (Cindy Bylander)	Email	<u>Cindy.bylander@publicans.com</u> Olga M.	9/09/09	
7. CR Software inc. (Laverne Dailey)	Email	<u>Laverne.dailey@crsoftwareinc.com</u> Olga M.	9/09/09	Tel 800-222-1722
8.Purepay Receivables Automation (Steve Dawson)	Email	<u>sdawson@purepay.com</u> Olga M.	9/09/09	Tel 972-235-1968
9.TaxPro, LLC	Email	<u>melissab@gowithtaxpro.com</u> Olga M.	9/09/09	124 West Capitol Ave Ste 876 Little Rock, AR 72201 Tel 501-246-8060
10.TATA Consultancy Services Limited (TCS) (Bob Carberry)	Email	<u>b.carberry@tcs.com</u> Olga M.	9/09/09	50 Utley Drive Camp Hill, PA 17011 Tel 717-319-8347
11.Official Payments Corp. (William F. Brinkley)	Email	<u>wbrinkley@tier.com</u> Olga M	9/10/09	177 Technology Parkway Auburn, AL 36830 Tel 334-321-7403
12.Manatron (Kristen Utrecht)	Email	<u>Kristen.Utrecht@Manatron.com</u> Olga M.	9/10/09	

***VIA: IN PERSON (IP)
TELEPHONE REQUEST (TR)
BIDDER LIST MAIL OUT (BLM)**

**E-MAIL (EM)
FACSIMILE(FAX)**

**HIDALGO COUNTY PURCHASING DEPARTMENT
PROPOSAL ACCEPTANCE SHEET**

DEPARTMENT NAME: HIDALGO COUNTY TAX OFFICE

**PROPOSAL ACCEPTANCE DATE:
SEPTEMBER 16, 2009**

PROPOSAL ACCEPTANCE TIME: 9:30 A.M.

DESCRIPTION OF PROPOSAL: AUTOMATED TAX COLLECTION SYSTEM

PROPOSAL NO: 2009-327-09-16-OTM

RFP#	NAME OF COMPANY	ACKNOWLEDGMENT OF RECEIPT OF RFP RESPONSE
#01	TRUE AUTOMATION	√
#02	ACT APPRAISAL & COLLECTIONS	√
#03		
#04		

-EVALUATION/GRADING GRID
 RFP NO: 2009-327-09-16-otm
 HIDALGO COUNTY TAX OFFICE - AUTOMATED TAX COLLECTION SYSTEM

EVALUATION CRITERIA	TRUE AUTOMATION RFP NO. 1					ACT (Appraisal & Collection Technologies) RFP NO. 2				
	GRADERS									
	1	2	3	4	5	1	2	3	4	5
1. COST: Initial system investment and customization costs	DOES NOT MEET SPECIFICATION, THEREFORE WE CAN NOT SCORE					15	20	5	5	12
2. DELIVERY SCHEDULE/IMPLEMENTATION PLAN: Company must specify the following: What is the target installation date, when will the current tax year toll be online (date), when will the prior tax years be online (date, testing dates, conversion plan	DOES NOT MEET SPECIFICATION, THEREFORE WE CAN NOT SCORE					15	20	20	20	20
3. MAINTENANCE, TRAINING, SUPPORT AND SERVICE: Company must specify the location of maintenance, training and support center(s) within City metropolitan area and outside City metropolitan area. Company must also specify the method of maintenance, training and service on site very strongly preferred, by local phone within the City area code(s), by 800 or toll-free phone service and long distance. Company must specify the hours of availability by emergency/hotline (24 hours/7 days a week), operational hours (8:00 a.m. - 5:00 p.m.) CST, guaranteed response time and past performance response time to include site visit.	DOES NOT MEET SPECIFICATION, THEREFORE WE CAN NOT SCORE					15	14	15	18	13

<p>4. USAGE AND FLEXIBILITY OF THE SYSTEM: Ability to meet or exceed RFP specifications, ease of use, modularity / expansion capabilities of the systems, general quality of the system and design efficiency.</p>	<p>DOES NOT MEET SPECIFICATION, THEREFORE WE CAN NOT SCORE</p>	15	18	15	12	10
<p>5. VENDOR'S FINANCIAL STABILITY AND EXPERIENCE: Company must provide number of years in the property tax business, successful implementation of similar projects and financial stability.</p>	<p>DOES NOT MEET SPECIFICATION, THEREFORE WE CAN NOT SCORE</p>	15	19	20	20	20
<p>TOTAL</p>		75	91	75	75	75
<p>AVERAGE</p>	<p>N/A</p>	<p>78.20</p>				
<p>RANKINGS (UPON REVIEW AND APPROVAL BY HIDALGO COUNTY COMMISSIONERS COURT)</p>						

At this time the Court moved back to item #5.

E. Buildings & Grounds

- 1. Presentation for discussion, consideration and approval of a requested change order as required by the City of Edinburg for Occupancy Requirements as well as necessary IT related Fiber Optic installation and Fire & Safety Alarm System for proposed project #08-300 Mechanic Shop Retrofit, aka, Elections Warehouse. The following requirements are needed for approval of occupancy by the City of Edinburg:**

Improvements Needed	Amounts
CAS Companies (Occupancy Requirements)	\$12,285.34
Star Telecommunications (Installation of Optic Fiber IT)	\$3,836.30
Simplex Grinnell (Installation of Fire & Safety Alarm)	\$36,802.27
Total Cost is not to exceed	\$52,923.91

- ✓ On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

F. Colonia Access Program Pct. 1

- 1. Presentation for discussion, consideration and approval of final negotiated construction contracts (awarded by CC on 2-03-09) for the following;**
 - A. C-CAP-08-033-12-31-LRM Dimas #1 Subdivision between Hidalgo County and Valley Paving, Inc.; and,**
 - B. C-CAP-08-032-12-31-LRM El Monte Subdivision between Hidalgo County and Valley Paving, Inc.**

On motion of Commissioner Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval on items A & B.

G. Colonia Access Program Pct. 3

- 1. A. Presentation for discussion, consideration, acceptance, and approval of Application for payment No. 3 (Release of Retainage) in the amount of \$9,694.36 from Valley Paving contracted vendor for Amberland Subdivision submitted by project engineer Hinojosa Engineering Inc. C-CAP 08-013-07-11.**

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

- B. Requesting approval of "Certificate of Construction Completion" submitted by project engineer, Hinojosa Engineering Inc. reflecting the completion date of February 19, 2009 for Amberland Subdivision. C-CAP 08-013-07-11.**

On motion of Commissioner Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

AI-14736

19.E.1.

**Required changes for Occupancy Mechanic Shop Retrofit for Elections Department
CC REGULAR**

Date: 03/31/2009
Submitted By: Oscar Garza, PURCHASING DEPT.
Submitted For: Marty Salazar
Department: PURCHASING DEPT.
Agenda Category: Purchasing Department **Purchasing only:** Buildings & Grounds

Information

CAPTION

Presentation for discussion, consideration and approval of a requested change order as required by the City of Edinburg for Occupancy Requirements as well as necessary IT related Fiber Optic installation and Fire & Safety Alarm System for proposed project #08-300 Mechanic Shop Retrofit, aka, Elections Warehouse. The following requirements are needed for approval of occupancy by the City of Edinburg:

Improvements Needed	Amounts
CAS Companies (Occupancy Requirements)	\$12,285.34
Star Telecommunications (Installation of Optic Fiber IT)	\$ 3,836.30
Simplex Grinnell (Installation of Fire & Safety Alarm)	\$36,802.27
Total Cost is not to exceed	\$ 52,923.91

BACKGROUND

As reviewed and approved by Daniel Flores B&G, the following improvements are needed to comply with code requirements as requested by the City of Edinburg. We have placed the quotes for your review and approval.

Fiscal Impact

FISCAL YEAR: **ACCT. #:** 9-1336-414-00-220-035-0-452
FUNDS AVAILABLE Y/N?: Pending **MATCHING FUNDS Y/N?:**

BUDGETARY IMPACT:

Available balance is \$0.00 as of 3/27/09. Additional funding is pending transfer (AI-14787) in the amount of \$52,923.91.

Attachments

Link: [08-300](#)
 Link: [08-300](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Purchasing Department	Marty Salazar	03/26/2009 01:24 PM	APRV
2	Budget & Management	Veronica Lopez	03/26/2009 01:28 PM	APRV
3	Dale Kennan	Dale Kennan	03/27/2009 12:54 PM	APRV
4	Auditor's Office		03/27/2009 04:17 PM	NEW
Form Started By: Oscar Garza			Started On: 03/25/2009 02:08 PM	
Final Approval Date: 03/27/2009				

MEMORANDUM

To: Daniel Flores
Buildings and Grounds, Director

via fax: 318-2648
via: daniel.flores@co.hidalgo.tx.us

From: Oscar Garza, Procurement Specialist

Date: March 25, 2009

Re: Bid No. 2008-300-11-06-MSS-Approval of Quotes for "Occupancy Requirements by the City of Edinburg to Mechanics Shop for Elections"

Please review the following Quotes and indicate if they meet all your requirements by marking **APPROVE** (or) **DISAPPROVE** and signing below. If your answer is **DISAPPROVE**, please make any modifications necessary to the specifications and fax back the revised copy to the designated Buyer in the Purchasing Department.

If you have any questions, please call me at (956) 318-2626 ext# 4865.

APPROVE <input checked="" type="checkbox"/>	DISAPPROVE <input type="checkbox"/>
APPROVED WITH MODIFICATIONS <input type="checkbox"/>	

FUNDS AVAILABILITY: YES / NO / Other

(Specify) As per Sergio Cruz Budget & Mgmt.

BUDGET ACCOUNT #: To be determined



Daniel Flores

03/25/09

AUTHORIZED SIGNATURE

PRINTED NAME

DATE

SUBMIT THIS FORM TO THE HIDALGO COUNTY PURCHASING DEPARTMENT, VIA FAX TO (956) 318-2629 or e-mail: oscar.garza@co.hidalgo.tx.us by no later than Wednesday, MARCH 25, 2009 at 4:00p.m.

Enclosures



CAS Companies

5402 S. Expressway 83
Harlingen, TX. 78552
956.216.8200
www.cleanairsolutionstx.com

Recap

Code	Description	Rate	Hours	Material	Amount
CARP-FNC	Carpenter - Finish, Trim/Cabinets	\$28.25	8.00	\$473.00	\$699.00
CARP-FRM	Carpenter - General Framer	\$26.25	35.00	\$0.00	\$918.75
CARP-MECH	Carpenter - Mechanic	\$26.25	0.00	\$0.00	\$0.00
CLN	Cleaning Technician	\$18.00	0.00	\$0.00	\$0.00
CNC	Concrete Mason	\$29.53	3.00	\$0.00	\$88.59
DMO	Demolition Laborer	\$18.00	0.00	\$0.00	\$0.00
DRY	Drywall Installer/Finisher	\$29.25	36.00	\$50.00	\$1,103.00
ELE	Electrician	\$45.00	6.00	\$70.00	\$340.00
FLR	Flooring Installer	\$29.00	0.00	\$0.00	\$0.00
HDW	Hardware Installer	\$26.00	8.00	\$680.20	\$888.20
HVC	Heating / A.C. Mechanic	\$45.00	0.00	\$0.00	\$0.00
INC	Insulation Installer	\$29.00	0.00	\$0.00	\$0.00
LAB	General Labor	\$18.00	35.00	\$0.00	\$630.00
MAS	Mason Brick/Stone	\$30.00	12.00	\$0.00	\$360.00
OHD	Overhead Door Installer	\$45.00	0.00	\$0.00	\$0.00
PLM	Plumber	\$45.00	8.00	\$0.00	\$360.00
PNT	Painter	\$26.00	24.00	\$175.00	\$799.00
RFG	Roofer	\$26.00	0.00	\$0.00	\$0.00
STL	Steel Worker	\$47.38	0.00	\$0.00	\$0.00
SUPERC	Commercial Superintendent	\$54.23	48.00	\$0.00	\$2,603.04
Totals			223.00	\$1,448.20	\$8,789.58
					\$10,237.78
Overhead		10.00%			\$1,023.78
Profit		10.00%			\$1,023.78
Total					\$12,285.34

AI-18742

18.D.1.

**Requesting an approval of County Clerk agreement with Lexis Nexis
CC REGULAR**

Date: 12/01/2009
Submitted By: Rocio Villarreal, PURCHASING DEPT.
Submitted For: Rocio Villarreal
Department: PURCHASING DEPT.
Agenda Category: Purchasing Department Purchasing only: County Clerk

Information

CAPTION

- a. Requesting exemption from competitive procurement requirements under the Texas Local Government Code, Section 262.024(a)(7)(a) proprietary software in connection with On-line Research Services for Hidalgo County;
- b. Requesting approval of agreement(s) if applicable for "On-line Research Services" with Lexis Nexis including but not limited to the following Hidalgo County Clerk's Office.

BACKGROUND

Fiscal Impact

FISCAL YEAR: 2009 ACCT. #: 9-1100-415-40-180-001-0-342
 FUNDS AVAILABLE Y/N?: Y MATCHING FUNDS Y/N?: N
 BUDGETARY IMPACT:
 Available balance of \$945.10 as of 11/25/09.

Attachments

Link: [Agreement](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Purchasing Department	Marty Salazar	11/25/2009 11:08 AM	APRV
2	Budget & Management	Erika Zamora	11/25/2009 11:22 AM	APRV
3	Sylvia Solis	Sylvia Solis	11/25/2009 01:58 PM	APRV
4	Auditor's Office		11/25/2009 04:47 PM	NEW

Form Started By: Rocio Villarreal Started On: 11/24/2009 11:47 AM
 Final Approval Date: 11/25/2009

"Subscriber": Hidalgo County Clerk

"LN": LexisNexis, a division of Reed Elsevier Inc.

This Subscription Plan Amendment ("Amendment") amends and supplements the terms of the Subscription Agreement either previously entered into or executed simultaneously herewith between LN and Subscriber (the "Agreement"). This Amendment shall also serve as Subscriber's acceptance of the new General Terms & Conditions for Use of the Online Services effective September 1, 2009 set forth at www.lexisnexis.com/terms/general.

1. TERM

The term of this Amendment will begin (a) on the date Subscriber's billing account (a "Billgroup") is activated ("Activation") if Subscriber is a new LN customer, or (b) subject to Section 7, on the first day of the calendar month immediately following the execution of this Amendment and delivery of it to LN if Subscriber is an existing LN customer, and will continue until the last day of the final Commitment Period referenced in Section 5.1 (the "Term").

2. AUTHORIZED USERS

This Amendment relates only to the Subscriber's Billgroups and locations (the "Participating Billgroups") set forth below and the Authorized Users under the Participating Billgroups. "Authorized User" shall have the meaning set forth in the Agreement.

PARTICIPATING BILLGROUP #	LOCATION (CITY AND STATE)
129D6F	Edinburg, TX

3. CERTIFICATION

Subscriber certifies that on the date this Amendment is signed by Subscriber there are ____ judges and attorneys, and ____ government professionals for a total of ____ users (the "Reference Number") in Subscriber's organization. Throughout the Term, Subscriber will immediately notify LN in writing of any change in the Reference Number if the total number of judges and attorneys falls below 11. Upon the request of LN, Subscriber will recertify to the Reference Number.

4. MONTHLY SUBSCRIPTION CHARGE

During the Term, the Monthly Subscription Charge in Section 3 of the then-current applicable price schedule (the "Price Schedule") will be waived.

5. PREFERRED PRICING MATERIALS AND CHARGES

5.1 In consideration of Subscriber's payment to LN of the monthly commitment amounts specified below (the "Monthly Commitment"), the Participating Billgroups will be provided access to and use of certain Materials, products, services and features, identified below by source/menu number (the "Preferred Pricing Materials"), available in the *lexis.com*SM service or the LN Online Services accessed via proprietary software (the "Classic Online Services"). If Subscriber is an existing LN customer and this is a revision to Subscriber's Preferred Pricing Materials and Monthly Commitment, fees will be prorated for the month in which the change becomes effective if the change occurs other than on the first day of the month. At no additional charge, the Participating Billgroups may do offline printing, online printing and saving to disk of Preferred Pricing Materials. If your subscription includes Research Advantage, then your access to and use of Research Advantage shall be subject to and governed by the additional terms and conditions set forth in the software media at the time of its installation.

PREFERRED PRICING MATERIALS	SOURCE/MENU NUMBER	SHEPARD'S
(a) _____	LESP	WSPR04
(b) _____		
(c) _____		
(d) _____		
(e) _____		
(f) _____		
(g) _____		
(h) _____		
(i) _____		
(j) _____		
(k) _____		
(l) _____		
(m) _____		
(n) _____		
(o) _____		
<input type="checkbox"/> See attached Rider No. 1 for additional Preferred Pricing Materials		

	COMMITMENT PERIOD(S)	MONTHLY COMMITMENT
Beginning	11/01/2009 to 8/31/2010	\$ 120
Beginning	9/1/2010 to 8/31/2011	\$ 126
Beginning	_____ to _____	\$ _____
Beginning	_____ to _____	\$ _____
Beginning	_____ to _____	\$ _____
Beginning	_____ to _____	\$ _____
Beginning	_____ to _____	\$ _____

5.2 During the Term, the Monthly Commitment will be billed in lieu of the Information Charges specified in Section 1 of the Price Schedule for all access to and use of the Preferred Pricing Materials, except as otherwise provided in Section 5.3 and Section 6 (if elected) below.

5.3 The following Materials accessible from, but not included as part of the Preferred Pricing Materials, will be subject to monthly billing at the then-current standard undiscounted rates in accordance with the Price Schedule: (a) selected Images (those that include a charge in the Price Schedule); (b) Dun & Bradstreet Reports; and (c) Risk Solutions.

6. ADDITIONAL CHARGES

The Participating Billgroups may have access to and use of the LN services and features not accessed through the Preferred Pricing Materials ("Alternate Pricing Materials"). If Subscriber so elects by initialing below, or by notifying LN at a later date, Subscriber will have access through the Alternate Pricing Materials at then-current undiscounted rates in accordance with the Price Schedule in addition to the Monthly Commitment.

(Initial) Subscriber elects access to the Alternate Pricing Materials

7. CLOSED OFFER

The offer of LN contained herein is valid until November 20, 2009. In order to implement this Amendment by the first day of a calendar month, LN must receive this signed Amendment by the 20th day of the preceding month.

8. CONFIDENTIAL INFORMATION

Subject to any state open records or freedom of information statutes, this Amendment contains confidential pricing information of LN. Subscriber understands that disclosure of the pricing information contained herein could cause competitive harm to LN, and will receive and maintain this Amendment in trust and confidence and take reasonable precautions against such disclosure to any third person. This Section 8 will survive the termination or expiration of this Amendment.

9. MISCELLANEOUS

9.1 During the Term, use by and charges to the Participating Billgroups will not be eligible for other discounts or aggregation with the use of or charges for other billgroups.

9.2 During the Term, Subscriber may not terminate the Agreement. This Amendment may be terminated by Subscriber after the first Commitment Period on the last day of any calendar month upon at least 60 days prior written notice to LN. This Amendment may also be terminated by Subscriber on 10 days prior written notice to LN in the event of any increase in the Monthly Commitment, excluding any increases listed in Section 5.1. To be effective, notice of termination pursuant to the preceding sentence must be given within 90 days of the increase.

9.3 UPON TERMINATION OR EXPIRATION OF THIS AMENDMENT, CONTINUED USE OF THE ONLINE SERVICES BY SUBSCRIBER IS GOVERNED BY THE AGREEMENT AND WILL BE BILLED IN ACCORDANCE WITH THE PRICE SCHEDULE.

9.4 All capitalized terms not defined herein will have the meanings ascribed to them in the Agreement, including the Price Schedule.

9.5 Except as expressly modified by this Amendment, all other terms and conditions of the Agreement will remain in full force and effect and unaffected by this Amendment. In the event of a conflict or inconsistencies between the Agreement and this Amendment, this Amendment will control.

AGREED TO AND ACCEPTED BY:

Hidalgo County Clerk

SUBSCRIBER

LexisNexis, a division of Reed Elsevier Inc.

BY: _____

NAME: _____

TITLE: _____

DATE: _____

BY: Katie M. J.

NAME: Katie Smith

TITLE: Pricing Analyst

DATE: 10/21/09

THIS AMENDMENT DOES NOT BIND EITHER PARTY UNTIL IT HAS BEEN ACCEPTED BY BOTH PARTIES. SUBSCRIBER MAY ACCEPT THIS AMENDMENT BY SIGNING ABOVE. LN MAY ACCEPT THIS AMENDMENT BY PERFORMING ACCORDING TO THIS AMENDMENT OR BY SIGNING ABOVE.