

AI-46868

Comm. Court Executive Office 7. D.

CC - REGULAR

Meeting 10/14/2014
Date:

Submitted For: Valde Guerra **Submitted By:** Aida Alvarez, SAFETY DIVISION

Department: SAFETY DIVISION

Information

CAPTION

Approval to accept settlement check from Texas Farm Bureau Casualty Insurance Company in the amount of \$11,238.75 to settle auto accident with County vehicle. (Constable Precinct 1)

BACKGROUND

DOI: 09/10/14 Acct #: 4-1100-360-00-000-005-0-000

Attachments

Texas Farm Insurance Company Settlement Check

Form Review

| Inbox | Reviewed By | Date |
|-------------------------------|---------------------------------|---------------------------------|
| Budget & Management | Veronica Ortiz | 10/08/2014 09:26 AM |
| Purchasing Department | Monica Badillo | 10/10/2014 05:38 PM |
| Form Started By: Aida Alvarez | | Started On: 10/07/2014 04:37 PM |
| | Final Approval Date: 10/10/2014 | |

lawsuit stage.

2. Requesting engagement with the firm of ATLAS, HALL, & RODRIGUEZ for the "Provision of Legal Services/Representation in connection with Litigation" and authority to submit letter of engagement

On motion by COMMISSIONER PCT. 4, JOSEPH PALACIOS, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR, the Court made a UNANIMOUS vote of approval as it pertains to **Item 28.J**; Claim of Sergio Valdez specifically with Mr. Rex Leech from that office.

Vote: 4 - 0 - Unanimously

B. Presentation for discussion, consideration and action (if necessary) including, but not limited to the following:

- 1) Renovations to Former Administration Building 1st and 2nd Floors
- 2) Update on other ongoing county owned building construction and renovation repair projects
- 3) Emergency situations occurring since last agenda meeting

NO ACTION taken on Items 1 - 3.

C. **AI-46777** 1. Public hearing to discuss the deregulation of the application of herbicides for a portion of Hidalgo County.

This Item was discussed after Item 25.B. Commissioner Joseph Palacios was not present.

Mr. Brad Cowen, County Extension Agent of Hidalgo County, was present to recommend a change to pesticide laws as it relates to the northwest quadrant of the County.

Currently, there is a provision that was adopted in the 1970's to make permit requirements of certain pesticide use. He requested that provision be rescinded due to changes in modernization.

Judge Garcia convened the Public Hearing. Mr. Cowen disclosed two letters from growing organizations requesting the recommendation. With no further comments, Judge Garcia closed the Public Hearing.

2. Approval and Adoption of Order to deregulate a portion of Hidalgo County as it relates to the application of herbicides, in accordance with Texas Agriculture Code §76.144.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

The Court proceeded to Open Forum.

Attachments:

Final Order

D. **AI-46868** Approval to accept settlement check from Texas Farm Bureau Casualty Insurance Company in the amount of \$11,238.75 to settle auto accident with County vehicle. (Constable Precinct 1)

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

Vote: 5 - 0 - Unanimously

Attachments:

Texas Farm Insurance Company Settlement Check



OFFICIAL HIDALGO COUNTY RECEIPT
OFFICE OF THE COUNTY TREASURER
NORMA G. GARCIA

Receipt No: 180175

Received From: DBM SAFETY; TEXAS FARM BUREAU CASUALTY

Date 10/15/14

1 7133740 DOI: 09/10/14 VIN#3GCPKPEA8BG224540 4-1100-360-00-000-005-0-000 11,238.75

Total: 11,238.75

| | |
|--------------|-----------|
| Check Total | 11,238.75 |
| Cash Total | .00 |
| Credit Total | .00 |
| Other Total | .00 |

Texas Farm Bureau Casualty Insurance Co.

Check No.: 133740

Date: 10/02/2014 Amount Paid: \$ 11,238.75
Claim Number: 767961 Policy Number: 21138902

Payee Name and Address:

HIDALGO COUNTY
9805 N 10TH ST
MCALLEN, TX 78504-9529

Form C04/0695 - RXE 00

Texas Farm Bureau Casualty Insurance Co.

Check No.: 133740

Date: 10/02/2014 Amount Paid: \$ 11,238.75
Claim Number: 767961 Policy Number: 21138902

Payee Name and Address:

HIDALGO COUNTY
9805 N 10TH ST
MCALLEN, TX 78504-9529

Form C04/0695 - RXE 00



Texas Farm Bureau Casualty Insurance Company

P.O. Box 2689 / Waco, Texas 76702-2689

56-382
412

7133740

NOT VALID AFTER ONE YEAR

In Full Payment For ACV OF DAMAGES

Policy No.: 21138902 Claim No.: 767961

Wells Fargo Bank, N.A.

Pay Only

DATE
10-02-2014

PAY THIS AMOUNT
** 11,238.75**

ONE ONE COMMA TWO THREE EIGHT PERIOD SEVEN FIVE

SOURCE

7-CLAIMS-CHECK
RXE

Texas Farm Bureau Casualty Insurance Company

Authorized Signature

Pay to the Order Of
HIDALGO COUNTY
9805 N 10TH ST
MCALLEN, TX 78504-9529

THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND THE BACKER HAS AN ARTIFICIAL WATERMARK AND MICROPRINTING

7133740 041203824 9600011314

Date: 10/ 1/2014 06:27 PM
 Estimate ID: 3344090137
 Estimate Version: 0
 Committed
 Profile ID: Rio Grande Valley

PROPERTY DAMAGE APPRAISERS

P.O BOX 531911, HARLINGEN, TX 78553
 (956) 425-1912
 Fax: (956) 425-2335
 Email: pdaharlingen@pdaorg.net

Not an authorization for repairs
 Read disclaimers following appraisal calculation.

Damage Assessed By: PETE RAMIREZ

Appraised For: RAUL ESCAMILLA
 (956) 787-3413

Classification: Field

Condition Code: Good
 Date of Loss: 9/10/2014
 Contact Date: 9/30/2014
 Deductible: 0.00
 File Number: 3344090137
 Claim Number: 767961

Type of Loss: Collision
 Date Assigned 9/29/2014

Insured: Adalberto Serna
 Claimant: Hidalgo County
 Address: 9805 N 10th St, Mcallen, TX 78504
 Owner: Hidalgo County
 Address: 9805 N 10th St, Mcallen, TX 78504
 Telephone:
 Cell Phone: (956) 292-7030

Mitchell Service: 910842

Description: 2011 Chevrolet Pickup Silverado K1500 W/T Vehicle Production Date: 12/10
 Body Style: 4D PkupCrw 6' Bed 144" WB Drive Train: 4.8L Inj 8 Cyl 4WD
 VIN: 3GCPKPEA8BG224540 License: 109-1480 TX
 Mileage: 62,063
 OEM/ALT: A Search Code: 334

Color: White
 Options: PASSENGER AIRBAG, DRIVER AIRBAG, POWER LOCK, POWER WINDOWS, POWER STEERING
 MANUAL AIR CONDITION, CRUISE CONTROL, TILT STEERING COLUMN, ANTI-LOCK BRAKE SYS.
 TRACTION CONTROL, V8 ENGINE, 4WD OR AWD, AUTOMATIC TRANSMISSION, FRONT AIR DAM
 TINTED GLASS, TRIP COMPUTER, SIDE AIRBAGS, ANTI-THEFT SYSTEM
 AUTOMATIC HEADLIGHTS, SIDE HEAD CURTAIN AIRBAGS, DAYTIME RUNNING LIGHTS
 AM/FM STEREO CD/MP3 PLAYER, ELECTRONIC STABILITY CONTROL, FRONT SPLIT BENCH SEAT
 KEYLESS ENTRY SYSTEM, ROLLOVER PROTECTION SYSTEM

| Line Item | Entry Number | Labor Type | Operation | Line Item Description | Part Type/ Part Number | Dollar Amount | Labor Units |
|----------------------------|--------------|------------|----------------|-----------------------------------|---------------------------|---------------|-------------|
| <u>Front Bumper</u> | | | | | | | |
| 1 | | BDY | OVERHAUL | Frnt Bumper Assy | | | 2.6 # |
| 2 | 000017 | BDY | REMOVE/REPLACE | R Frnt Bumper Extension | ^^OE SURPLUS | 69.08 | INC # |
| 3 | | BDY | REMOVE/INSTALL | Frnt Bumper Assy | | | INC # |
| 4 | 000025 | BDY | REMOVE/REPLACE | Frnt Bumper Air Deflector | ** QUAL REPL PART | 92.00 | INC |
| 5 | 003072 | BDY | REMOVE/REPLACE | R Frnt Bumper End Cap | ** QUAL REPL PART | 69.00 | INC # |
| 6 | 000034 | BDY | REMOVE/REPLACE | Frnt Bumper Deflector Extension | ^^OE SURPLUS | 55.25 | INC |
| <u>Front Lamps</u> | | | | | | | |
| 7 | 000079 | BDY | REMOVE/REPLACE | R Frnt Combination Lamp Assembly | Qual Recycled Part | 150.00 | * INC # |
| 8 | | BDY | CHECK/ADJUST | Headlamps | | | 0.4 |
| 9 | | | | (REY'S AUTO PARTS 1-956-787-8300) | | | |

ESTIMATE RECALL NUMBER: 10/01/2014 18:27:27 3344090137

Mitchell Data Version: OEM: SEP_14_V0929

MAPP:SEP_14_V0929 Copyright (C) 1994 - 2014 Mitchell International

Software Version:

7.1.169

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| | | | | | | | | | |
|----|--------|------|-----------------|--|--------------------|----------|---------|--------|--------|
| 10 | | | | Line Markup %25.00 | | | | | |
| | | | | <u>Front Fender</u> | | | | | |
| 11 | 000292 | BDY | REMOVE/REPLACE | R Fender Panel | Qual Recycled Part | | 125.00 | * 4.1 | #r |
| 12 | | REF | REFINISH | R Fender Outside | | | | | C 2.0 |
| 13 | | REF | REFINISH | R Add To Edge Fender | | | | | C 1.2 |
| 14 | | | | Line Markup %25.00 | | | 31.25 | | |
| | | | | <u>MANUAL ENTRIES</u> | | | | | |
| 15 | 900500 | BDY* | REMOVE/REPLACE | Tubular Running Boards | ** QUAL REPL PART | | 295.20 | * 1.0* | |
| | | | | <u>Front Fender</u> | | | | | |
| 16 | 000302 | BDY | REMOVE/REPLACE | R Fender Liner | Qual Recycled Part | | | INC* | INC r |
| | | | | <u>Air Bag System</u> | | | | | |
| 17 | 004512 | MCH | REMOVE/REPLACE | Air Bag Module-Driver Front | -M | 20928236 | GM PART | 750.00 | INC |
| 18 | 004478 | MCH | REMOVE/REPLACE | Air Bag SDM Unit | -M | 13579115 | GM PART | 416.67 | 0.9 |
| 19 | 004257 | MCH | REMOVE/REPLACE | R Frt Air Bag Impact Sensor | -M | 13502744 | GM PART | 166.67 | 0.5 |
| 20 | 000718 | MCH | REMOVE/REPLACE | Air Bag Coil | -M | 25966963 | GM PART | 149.50 | 0.9 |
| 21 | 000341 | MCH | REMOVE/REPLACE | R Air Bag Side Curtain Module | -M | 20866708 | GM PART | 416.67 | 0.8 # |
| 22 | | BDY | REMOVE/INSTALL | Roof Headliner | | | | | 3.8 # |
| 23 | 000342 | MCH | REMOVE/REPLACE | L Air Bag Side Curtain Module | -M | 20866707 | GM PART | 416.67 | 0.8 # |
| 24 | 000349 | MCH | REMOVE/REPLACE | R Rear Air Bag Side Impact Sensor | -M | 10381278 | GM PART | 250.00 | INC # |
| 25 | | BDY | REMOVE/INSTALL | R Rear Door Trim Panel | | | | | INC |
| 26 | 000350 | MCH | REMOVE/REPLACE | L Rear Air Bag Side Impact Sensor | -M | 10381278 | GM PART | 250.00 | 0.3 # |
| 27 | | BDY | REMOVE/INSTALL | L Rear Door Trim Panel | | | | | 0.4 |
| 28 | 004497 | MCH | REMOVE/REPLACE | Air Bag Module-Passenger Seat | -M | 20997498 | GM PART | 416.67 | 0.5 # |
| | | | | <u>Front Seat</u> | | | | | |
| 29 | 003709 | BDY | REMOVE/REPLACE | Driver Side Seat Back Cover | ORDER FROM DEALER | | 265.22 | | 0.7 # |
| 30 | | BDY | REMOVE/INSTALL | L Frt Seat Assy | | | | | 0.3 |
| | | | | <u>Seat Belts</u> | | | | | |
| 31 | 002286 | BDY | REMOVE/REPLACE | L Frt Seat Belt | ORDER FROM DEALER | | 178.67 | | 1.2 # |
| 32 | 002300 | BDY | REMOVE/REPLACE | Frt Ctr Seat Belt | 19259938 | GM PART | 95.00 | | 0.5 # |
| 33 | | BDY | REMOVE/INSTALL | R Frt Seat Assy | | | | | 0.3 |
| 34 | 002250 | BDY | REMOVE/REPLACE | R Rear Seat Belt | 19260331 | GM PART | 91.67 | | 0.8 # |
| 35 | | BDY | REMOVE/INSTALL | R Rear Seat Assy | | | | | INC |
| 36 | 002251 | BDY | REMOVE/REPLACE | L Rear Seat Belt | 19260328 | GM PART | 95.00 | | 0.8 # |
| 37 | | BDY | REMOVE/INSTALL | L Rear Seat Assy | | | | | INC |
| | | | | <u>MANUAL ENTRIES</u> | | | | | |
| 38 | 900500 | BDY* | REMOVE/REPLACE | Grill Guard | ** QUAL REPL PART | | 495.00 | * 1.0* | |
| | | | | <u>Front Door</u> | | | | | |
| 39 | 002191 | BDY | REMOVE/REPLACE | R Frt Door Shell | Qual Recycled Part | | 600.00 | * 5.3 | #r |
| 40 | | REF | REFINISH | R Frt Door Outside | | | | | C 2.3 |
| 41 | | REF | REFINISH | R Frt Add For Jambs & Interior | | | | | C 1.0 |
| 42 | | MCH | REMOVE/REPLACE | R Frt Add To R&I/R&R Side Air Bag Sensor | | | | | 0.3 |
| 43 | | | | Line Markup %25.00 | | | 150.00 | | |
| | | | | <u>Rear Door</u> | | | | | |
| 44 | 001232 | BDY | REMOVE/REPLACE | R Rear Door Shell | Qual Recycled Part | | 550.00 | * 5.1 | r |
| 45 | | REF | REFINISH | R Rear Door Outside | | | | | C 2.2 |
| 46 | | REF | REFINISH | R Rear Add For Jambs & Interior | | | | | C 1.0 |
| 47 | | MCH | REMOVE/REPLACE | R Rear Add To R&I/R&R Side Air Bag Senso | | | | | 0.3 |
| 48 | | | | Line Markup %25.00 | | | 137.50 | | |
| | | | | <u>MANUAL ENTRIES</u> | | | | | |
| 49 | 900500 | BDY* | REPAIR | R Cab Corner | Existing | | | | 3.0* |
| 50 | | REF | REFINISH/REPAIR | R Cab Corner | | | | | 1.8* |
| | | | | <u>Pickup Bed</u> | | | | | |
| 51 | 003303 | BDY | REPAIR | R Pickup Bed Side Panel | Existing | | | | 6.0*# |
| 52 | | REF | REFINISH/REPAIR | R Pickup Bed Side Panel | | | | | C 2.3* |
| 53 | | | | MODIFIED REFINISH WITH FULL CLEAR COAT | | | | | |
| | | | | <u>TIRES</u> | | | | | |
| 54 | 900500 | MCH | REMOVE/REPLACE | BFGoodrich All Terrain TA 265/70R17 R | ** QUAL REPL PART | | 204.00 | | |
| 55 | 900500 | MCH | REMOVE/REPLACE | BFGoodrich All Terrain TA 265/70R17 R | ** QUAL REPL PART | | 204.00 | | |
| | | | | <u>ADDITIONAL OPERATIONS</u> | | | | | |
| 56 | | REF | ADD'L OPR | Clear Coat | | | | | 3.1 |
| | | | | <u>MANUAL ENTRIES</u> | | | | | |
| 57 | 900500 | MCH* | ALIGN | FRT END ALIGNMENT 2WD PICK UP. | Sublet | | 59.95 | * 0.0* | |
| 58 | 900500 | BDY* | REMOVE/REPLACE | Bodyside Decal | Sublet | | 423.50 | * 0.0* | |
| | | | | <u>Additional Costs & Materials</u> | | | | | |
| 59 | | | ADD'L COST | Paint/Materials | | | 425.00 | * | |

ESTIMATE RECALL NUMBER: 10/01/2014 18:27:27 3344090137

Mitchell Data Version: OEM: SEP_14_V0929

MAPP:SEP_14_V0929;Copyright (C) 1994 - 2014 Mitchell International

Software Version:

7.1.169

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* - Judgment Item
 # - Labor Note Applies
 ** QUAL REPL PART - Quality Replacement Parts
 C - Included in Clear Coat Calc
 r - CEG R&R Time Used For This Labor Operation

AUTOMART INTERNATIONAL
 1200C GREENBRIAR DR.
 ADDISON
 IL 60101
 (630) 812-2888 (800) 223-2019

RYDELL CHEVROLET OEMD
 1325 E. SAN MARNAN DR.
 WATERLOO
 IA 50704
 (319) 235-6653 (800) 383-4601

| | | | | | |
|---|---------|-------|---|------------|-------|
| 4 | ** U162 | 92.00 | 2 | ^^22737639 | 69.08 |
| 5 | ** 1049 | 69.00 | 6 | ^^25821880 | 55.25 |

Remarks

This vehicle has damage to the rt.front-corner side area.

Estimate Totals

| I. Labor Subtotals | Units | Rate | Add'l Labor Amount | Sublet Amount | Totals | II. Part Replacement Summary | Amount |
|---|-------|-------|--------------------------|------------------|----------|--------------------------------|-----------|
| Body | 37.3 | 38.00 | 0.00 | 0.00 | 1,417.40 | Taxable Parts | 7,290.44 |
| Refinish | 16.9 | 38.00 | 0.00 | 0.00 | 642.20 | Parts Adjustments | 356.25 |
| Mechanical | 5.3 | 72.00 | 0.00 | 59.95 | 441.55 | Sales Tax @ 8.250% | 630.85 |
| Non-Taxable Labor | | | | | 2,501.15 | Total Replacement Parts Amount | 8,277.54 |
| Labor Summary | 59.5 | | | | 2,501.15 | | |
| III. Additional Costs | | | | | | IV. Adjustments | |
| Taxable Costs | | | | | 425.00 | Insurance Deductible | 0.00 |
| Sales Tax @ 8.250% | | | | | 35.06 | Customer Responsibility | 0.00 |
| Total Additional Costs | | | | | 460.06 | | |
| Paint Material Method: Rates Init Rate = 26.00 , Init Max Hours = 99.9, Addl Rate = 0.00 | | | | | | | |
| | | | | | | I. Total Labor: | 2,501.15 |
| | | | | | | II. Total Replacement Parts: | 8,277.54 |
| | | | | | | III. Total Additional Costs: | 460.06 |
| | | | | | | Gross Total: | 11,238.75 |
| | | | | | | IV. Total Adjustments: | 0.00 |
| | | | | | | Net Total: | 11,238.75 |

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THESE PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.

Point(s) of Impact

3 Right Side (P)

Insurance Co: FARM BUREAU
TX

*****Notice*****

This is not an authorization for repair. All costs of repairs are the sole responsibility of the vehicle owner, who must authorize all repairs. Failure to deliver a copy of this appraisal to the repair shop by the vehicle owner may result in out of pocket expense to the vehicle owner. Providing a copy of this appraisal is not an acceptance of coverage or liability and all issues of coverage or liability are to be determined by the insurance carrier.

*****Notice*****

Deductibles may or may not be addressed or included in this appraisal. If applicable, the repairer should collect the deductible from the vehicle owner prior to the release of the repaired vehicle.

*****Supplement Procedure Notice*****

It is the repairer's responsibility to send notification of the supplement via fax or email to PDA (at(956 425-2335 pdaharlingen@pdaorg.net), including a statement whether the repairs have been halted on the vehicle. PDA will response to your request with in 24 hours. Please allow 48 hrs to complete supplement processing from the date of request to insure timely release of the vehicle.

WARNING: ALL CLAIM PAYMENTS ARE MADE DIRECTLY TO THE INSURED FINANCIAL INSTITUTION. NOTICE TO REPAIR FACILITIES:

THIS IS NOT AN AUTHORIZATION FOR REPAIRS NOR IS THIS AN IMPLIED OR EXPRESSED GUARANTEE OF PAYMENT. IF YOU REPAIR THE VEHICLE-- IT IS YOUR RESPONSIBILITY TO MAKE PAYMENT ARRANGEMENTS DIRECTLY WITH THE (INSURED) FINANCIAL INSTITUTION AND/OR THE REGISTERED VEHICLE OWNER.

*****Notice*****

*****This appraisal is subject to the complete review and approval by the assigning insurance company to assure accuracy, cost effectiveness, and that accepted industry repair standards are met.

The insurance

company listed has the right to accept or reject any part or all of this appraisal or make any changes they feel necessary.

*****General*****

Any person who knowingly presents a false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.