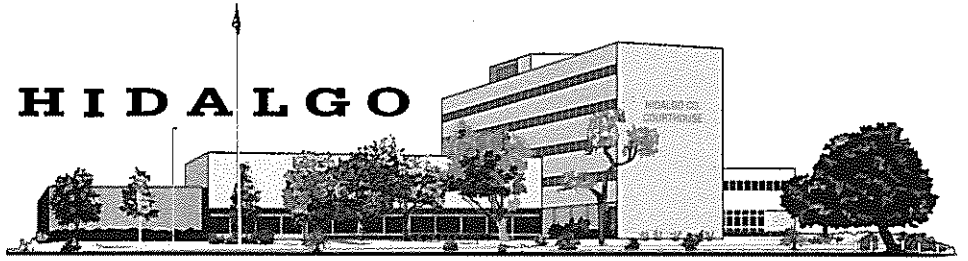


COUNTY of HIDALGO



HIDALGO COUNTY AUDITOR'S OFFICE
Hidalgo County Administration Building
2808 South Business Highway 281
Edinburg, Texas 78539-6243
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBSITE: www.co.hidalgo.tx.us/auditor

EDINBURG, TEXAS 78539

September 26, 2016

The Honorable Ramon Garcia, Hidalgo County Judge
The Honorable A.C. Cuellar, Jr., Commissioner, Precinct No. 1
The Honorable Eduardo "Eddie" Cantu, Commissioner, Precinct No. 2
The Honorable Jose M. Flores, Commissioner, Precinct No. 3
The Honorable Joseph Palacios, Commissioner, Precinct No. 4

RE: Certification of Revenue

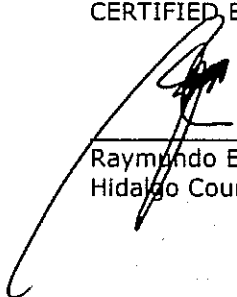
Dear Judge and Commissioners:

Pursuant to Local Government Code § 111.0707 SPECIAL BUDGET FOR REVENUE FROM INTERGOVERNMENTAL CONTRACTS:

The county auditor shall certify to the commissioners court the receipt of all revenue from intergovernmental contracts that is available for disbursement in a fiscal year but not included in the budget for that fiscal year. On certification, the court may adopt a special budget for the limited purpose of spending the revenue from intergovernmental contracts for its intended purpose.

I, Ray Eufrazio, County Auditor of Hidalgo County, certify to the Hidalgo County Commissioners Court the revenue from the intergovernmental contract between Hidalgo County and the Drainage District No. 1 for the J-09 drainage project in the amount of \$250,000.00 (1st annual installment for Interlocal Cooperation Agreement authorizing the sale, assignment, and transfer of engineering and appraisal services paid by Hidalgo County for the J-09 drainage project.). These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

CERTIFIED BY:


Raymundo Eufrazio, CPA
Hidalgo County Auditor

Date

9/26/16

HIDALGO COUNTY DISTRICT JUDGES

LUIS M. BINGLETERRY
JUDGE, 12th D.C.

RODOLFO DELGADO
JUDGE, 13th D.C.

J. R. "BOBBY" FLORES
JUDGE, 13th D.C.

ROSE GUERRA REYNA
JUDGE, 20th D.C.

JUAN R. PARTIDA
JUDGE, 27th D.C.

MARIO E. RAMIREZ, JR.
JUDGE, 31st D.C.

HOE GONZALEZ
JUDGE, 37th D.C.
OVERSEER

LETICIA LOPEZ
JUDGE, 38th D.C.

AIDA BALINAS FLORES
JUDGE, 38th D.C.

ISRAEL RAMON, JR.
JUDGE, 43rd D.C.

JESSE CONTRERAS
JUDGE, 44th D.C.

HIDALGO COUNTY texas

DEPARTMENT OF BUDGET & MANAGEMENT

2818 S. Business Hwy. 281

Edinburg, Texas 78539


Office: (956) 292-7025 • Fax: (956) 292-7034

www.co.hidalgo.tx.us/budget



Memorandum

To: Ray Eufrazio, CPA, County Auditor

From: Sergio Cruz, Budget Officer 

Date: Wednesday, September 21, 2016

Subject: Certification of Revenues DD#1 Reimbursement for J-09 Drain

Cc: Linda Fong, 1st Assistant County Auditor
Dina Trevino, Assistant Budget Officer
Becky Luna, Director of Accounting
Nereyda Gonzalez, Financial Accounting Supervisor

Please let this memo serve as a request for Certification of Revenue in reference to the the ICA with Drainage District #1 for reimbursement of expenditures incurred under CO, Series 2009B&C.

Monies were receipted under account number 6-1303-392-00-000-001-0-000 SOA1341-Sale of Capital Assets in the amount of \$250,000.00 (Receipt#202452)

Thank you for your prompt attention to this matter. If you have any questions, please do not hesitate to call me at (956) 292-7025 ext. 5424.

Nereyda Gonzalez

From: Alfredo Esparza [alfredo.esparza@co.hidalgo.tx.us]
Sent: Wednesday, September 21, 2016 8:55 AM
To: ray.eufracio@auditor.co.hidalgo.tx.us
Cc: linda fong; Dina Trevino; becky.luna@auditor.co.hidalgo.tx.us; nereyda.gonzalez@auditor.co.hidalgo.tx.us
Subject: Certifiaction fo Revenues DD# 1 Reimbursement for J-09 Drain
Attachments: Certifiaction fo Revenues DD# 1 Reimbursement for J-09 Drain.pdf

HIDALGO COUNTY texas

DEPARTMENT OF BUDGET & MANAGEMENT
2818 S. Business Hwy. 281
Edinburg, Texas 78539
Office: (956) 292-7025 • Fax: (956) 292-7034
www.co.hidalgo.tx.us/budget



Memorandum

To: Ray Eufracio, CPA, County Auditor
From: Sergio Cruz, Budget Officer *SC*
Date: Wednesday, September 21, 2016
Subject: Certification of Revenues DD#1 Reimbursement for J-09 Drain
Cc: Linda Fong, 1st Assistant County Auditor
Dina Trevino, Assistant Budget Officer
Becky Luna, Director of Accounting
Nereyda Gonzalez, Financial Accounting Supervisor

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Thank you for your prompt attention to this matter. If you have any questions, please do not hesitate to call me at (956) 292-7025 ext. 5424.

--

Alfredo Esparza
Budget Clerk II
County of Hidalgo Texas
Department of Budget & Management
2818 S. Bus. Hwy 281
Edinburg ,TX 78539
Phone: 956-292-7025 Ext: 5409
alfredo.esparza@co.hidalgo.tx.us

AI-56508

Budget and Management 10. F. 2.

CC - REGULAR

Meeting Date: 09/27/2016

Submitted For: Sergio Cruz, BUDGET & MANAGEMENT

Submitted By: Merlen P. Munoz, BUDGET & MANAGEMENT

Department: BUDGET & MANAGEMENT

Information

CAPTION

Pct 4 (1303):

- a. Approval of certification of revenues as certified by the County Auditor for revenues received from the Hidalgo County Drainage District No. 1 for reimbursements of professional service expenses related to the J-09 Drain Project.
- b. Approval of 2016 appropriation of funds into Pct 4 in the amount of \$250,000.00.

BACKGROUND

ICA with DD#1 approved 8/9/16 (AI- 55672)

Fiscal Impact

FISCAL YEAR: 2016

ACCT. #: 6-1303-431-00-124-029-0-XXX

FUNDS AVAILABLE Y/N?: Y MATCHING FUNDS Y/N?: N

BUDGETARY IMPACT:

Funds available pending certification of revenues by the Auditor's Office. Monies received under acct#6-1303-392-00-000-001-0-000 (Receipt#202452)

Attachments

Appropriation

Form Review

Inbox	Reviewed By	Date
Budget & Management	Veronica Ortiz	09/21/2016 09:34 AM
Final Approval	Monica Badillo	09/23/2016 06:07 PM
Form Started By: Merlen P. Munoz		Started On: 09/21/2016 08:50 AM
Final Approval Date: 09/23/2016		

DATE: September 21, 2016

2016

Appropriation

DEPARTMENT HEAD: Sergio Cruz, Budget Officer



DEPARTMENT NAME: Department of Budget & Management for SOA1341-Pct 4

ACCOUNT NUMBER: 6-1303-431-00-124-029-0-XXX

Contact Person: Merlen Munoz Ph#: (956) 292-7025 ext. 5403

SUBJECT: **Budget Amendments (increase (decrease)) in accordance with Local Government Code, Chapter 111, § 111.070, Item C (2).**

Honorable Commissioners' Court of Hidalgo County:

I would like to request the following Budget Amendments (increase (decrease)) in accordance with Local Government Code, Chapter 111, § 111.070, Item C (2).

INCREASE ACCOUNT NUMBER(S)	ACCOUNT (OBJECT) NAME	AMOUNT
6-1303-431-00-124-029-0- 751	SOA1341-PCT 4 MACHINERY & EQUIP	250,000.00
6-1303-392-00-000-001-0- 000	SOA1341-Sale of Capital Assets	250,000.00
TOTAL BUDGET INCREASE (DECREASE)		250,000.00

REASON:

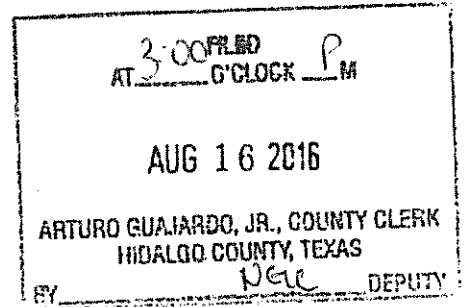
Appropriation of funds in relation to the ICA with DD#1 relating to reimbursement of professional service expenditures for the J-09 Drainage Project. Monies from the 1st Annual payment as detailed in the ICA.

DEPARTMENT HEAD SIGNATURE

APPROVED COMMISSIONERS' COURT

DATE

ATTEST COUNTY CLERK



STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN HIDALGO COUNTY AND
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**

THIS Agreement is made on this the 09th day of August, 2016 by and between the HIDALGO COUNTY hereinafter referred to as "County" and the HIDALGO COUNTY DRAINAGE DISTRICT NO. 1, hereinafter referred to as "District", pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, under the terms of an engineering contract dated February 16, 2010, a copy of which is attached hereto as Exhibit A (the "Engineering Contract") County engaged the services of TEDSI Infrastructure Group, Inc (the "Engineer") for the purpose of designing and right of way mapping of HCMDS Phase II-J-09 Lateral Drain Ditch from North Main Drain to County Road 3601 commonly referred to as the J-09 Drain Project;

WHEREAS, under the terms of a professional services contract dated February 1, 2011, a copy of which is attached hereto as Exhibit B (the "Appraisal Contract") County engaged the services of Leonel Garza, Jr. & Associates, LLC (the "Appraiser") for the purpose of obtaining fair market value appraisals in connection with the properties related to the J-09 Drain Project;

WHEREAS, the County has paid, the sum of One Million Two-Hundred Forty-three Thousand Seventy-Nine and 22/100 Dollars (\$1,243,079.22) for services orders both the Engineering Contract and the Appraisal Contract;

WHEREAS, County and District are both desirous of District acquiring the right of way mapping, appraisal reports and all other documents provided by the Engineering Contract and the Appraisal Contract (collectively the "Contracts"); and

NOW THEREFORE, County and District in consideration the mutual terms and in consideration herein contained agrees to as follows:

1. County agrees to transfer all documents acquired under the Contracts to the District for the sum of One Million Two-Hundred Forty-Three Thousand Seventy-Nine and 22/100ths Dollars (\$1,243,079.22) payable in five (5) annual payments the first such payment to be paid on or before August 19, 2016 in the amount of Two-Hundred Fifty Thousand Dollars (\$250,000.00) and four installments annually thereafter, the first three payments following the first payment being in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) and the final payment shall be made on August 19,

2020 in the amount of Three Hundred Eighty Four Thousand Three Hundred Thirty Two and 90/100ths Dollars (\$384,332.90).

2. The documents to be delivered to District from the Engineering Contract are particularly described in Exhibit A attached hereto.
3. The documents to be delivered to District from the Appraisal Contract are particularly described in Exhibit B attached hereto.
4. **Conflict of Applicable Law.** Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future law, ordinance or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or provision of this Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the times such conflict exists.
5. **No Waiver.** No waiver by any party hereto of any breach of any provision of the Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.
6. **Entire Agreement.** This Agreement contains the entire contract between the parties hereto and each party acknowledged that neither has made (either directly or through any agent or representative) any representation or agreement in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by County and District, and not otherwise.
7. **TEXAS LAW TO APPLY.** THIS AGREEMENT SHALL BE CONSTRUED UNDER AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, AND ALL OBLIGATION OF THE PARTIES CREATED HEREUNDER ARE PERFORMABLE IN HIDALGO COUNTY, TEXAS. THE PARTIES HEREBY CONSENT TO PERSONAL JURISDICTION IN HIDALGO COUNTY, TEXAS.
8. **Notice.** Except as may be otherwise specifically provided in the Agreement, all notices, demands, requests or communication required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:

If to District: Hidalgo County Drainage District No. 1
Attention: Raul E. Sesin, P.E., General Manager
902 N. Doolittle Road
Edinburg, Texas 78542

If to County: Hidalgo County
Attention: Ramon Garcia, County Judge
100 E. Cano St. 2nd Floor
Edinburg, Texas 78539

Each notice, demand, request or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given for all purposes at such time as it is personally delivered to the addressee or, if mailed, at such time as it is deposited in the United States mail.

9. **Additional Documents.** The parties hereto covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this Agreement.
10. **Successors.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Agreement.
11. **Assignment.** This Agreement shall not be assignable.
12. **Headings.** The headings and captions contained in this Agreement are solely for convenience reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.
13. **Gender and Number.** All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine or neuter gender, and singular shall include the plural whenever and so often as may be appropriate.
14. **Authority to Execute.** The execution and performance of this Agreement by the District and County have been duly authorized by all necessary laws, resolutions or corporate action, and this Agreement constitutes the valid and enforceable obligations of District and County in accordance with its terms.
15. **Governmental Purpose.** Each party hereto is entering into this Agreement for the purpose of providing for governmental services or functions and will pay for such services out of current revenues available to the paying party as herein provided.

16. **Commitment of Current Revenues Only.** In the event that during any term hereof, the governing body of any party does not appropriate sufficient funds to meet the obligations of such party under this Agreement, then any party may terminate this Agreement upon ninety (90) days written notice to the other party. Each of the parties hereto agrees, however, to use its best efforts to secure funds necessary for the continued performance of this Agreement. The parties intend this provision to be a continuing right to terminate this Agreement at the expiration of each budget period of each party hereto pursuant to the provisions of Tex. Loc. Govt. Code, Ann. §271.903.

WITNESS THE HANDS OF THE PARTIES effective as of the day and year first written above.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

APPROVED BY HIDALGO
COUNTY DRAINAGE DISTRICT
NO. 1 BOARD OF DIRECTORS
ON: 8/9/16

Ramon Garcia
Ramon Garcia, Chairman Board of District

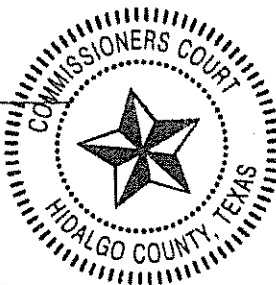
COUNTY OF HIDALGO

Ramon Garcia
Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, Jr.
Arturo Guajardo, Jr., County Clerk

APPROVED BY
COMMISSIONERS' COURT
ON: 8/9/16



APPROVED AS TO FORM:

ATLAS, HALZ & RODRIGUEZ, LLP

By: Stephen L. Crain
Stephen L. Crain

FILED
AT 3:00 O'CLOCK P.M.
AUG 16 2016
ARTURO GUAJARDO, JR., COUNTY CLERK
HIDALGO COUNTY, TEXAS
BY _____ DEPUTY

STATE OF TEXAS §
COUNTY OF HIDALGO §

APPROVAL OF
INTERLOCAL COOPERATION AGREEMENT
PROJECT

In accordance with Texas Government Code §791.014, Hidalgo County, Texas, acting by and through the Hidalgo County Commissioners Court, has been advised of a proposed project regarding County and District are both desirous of District acquiring the right of way mapping, appraisal reports and all other documents provided by the Engineering Contract and the Appraisal Contract (collectively the "Contracts") through an Interlocal Cooperation Agreement to be entered into with the Hidalgo County and Hidalgo County Drainage District No. 1.

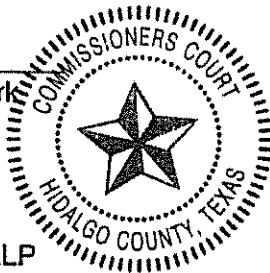
By vote on Aug 09, 2016, the Hidalgo County Commissioners Court has approved the Project identified above.

Ramon Garcia
By: Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, Jr.
Arturo Guajardo, Jr., County Clerk

APPROVED BY
COMMISSIONERS' COURT
ON: 8/9/16



APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: Stephen L. Crain
Stephen L. Crain

HIDALGO COUNTY

Department of Budget & Management

FUND 1341 DD#1 PROJECTS

Expenditures					
Check Date	Check#	Project	Vendor	Purpose	Check Amount
06/01/2010	04-00013200	J-09	TEDSI Infrastructure Group, Inc.	FEB 2010 HCMDS PH2 J-09 DRAIN DESIGN	216,540.00
				MARCH 2010 HCMDS PH2 J-09 DRAIN DESIGN	
06/22/2010	04-00013238	J-09	TEDSI Infrastructure Group, Inc.	APRIL 2010 HCMDS PH2 J-09 DRAIN DESIGN	132,280.00
07/20/2010	04-00013289	J-09	TEDSI Infrastructure Group, Inc.	MAY 2010 HCMDS PH2 J-09 DRAIN DESIGN	136,810.00
08/24/2010	04-00013340	J-09	TEDSI Infrastructure Group, Inc.	JUNE 2010 HCMDS PH2 J-09 DRAIN DESIGN	66,140.00
10/05/2010	04-00013416	J-09	TEDSI Infrastructure Group, Inc.	JULY 2010 HCMDS PH2 J-09 DRAIN DESIGN	58,695.00
				JULY 2010 HCMDS PH2 J-09 DRAIN (ROW)	
11/02/2010	04-00013465	J-09	TEDSI Infrastructure Group, Inc.	AUGUST 2010 HCMDS PH2 J-09 DRAIN DESIGN	33,070.00
02/22/2011	04-00013632	J-09	TEDSI Infrastructure Group, Inc.	Various Parcels (ROW); Invoice for Sept-Nov 2010	192,335.00
04/05/2011	04-00013690	J-09	TEDSI Infrastructure Group, Inc.	Various Parcels (ROW); Invoice for Dec 2010	130,320.00
05/31/2011	04-00013771	J-09	TEDSI Infrastructure Group, Inc.	JANUARY 2011 HCMDS PH2 J-09 DRAIN DESIG	33,070.00
09/06/2011	04-00013909	J-09	Leonel Garza, Jr. & Associates LLC	Various Parcels (ROW)	26,000.00
12/29/2011	04-00014076	J-09	TEDSI Infrastructure Group, Inc.	FEBRUARY 2011 HCMDS PH2 J-09 DRAIN DESIG	66,140.00
				MARCH 2011 HCMDS PH2 J-09 DRAIN DESIG	
06/26/2012	04-00014356	J-09	TEDSI Infrastructure Group, Inc.	04/01-12/31/11 HCMDS PH2 J-09 GEOTECHNIC	29,111.80
07/10/2012	04-00014383	J-09	TEDSI Infrastructure Group, Inc.	Various Parcels (ROW)	75,000.00
09/04/2012	04-00014482	J-09	TEDSI Infrastructure Group, Inc.	1/1-31/12 HCMDS PH2 J-09 GEOTECHNIC/STAK	23,105.90
12/28/2012	04-00014710	J-09	TEDSI Infrastructure Group, Inc.	2/1-9/30/12 HCMDS PH2 J-09 ENG SRVS/STAK	19,829.49
09/24/2013	04-00015166	J-09	TEDSI Infrastructure Group, Inc.	10/1-31/12 HCMDS PH2 J-09 ENG SRVS/SUPP#	4,632.03
				11/1-12/31/12 HCMDS PH2 J-09 ENG SRVS	

\$ 1,243,079.22

Account Inquiry - FAIRFAX - 06/17/16 2:30 pm

Account No: 6-1303-392-00-000-001-0-000 Account Period Range: 00 - 13 370345 09/10/16

Acct. Year: 16 Previous Year Info. Description: SOA1341-SALE OF CAPITAL ASSETS

Sum Bud Meas Open Enc Enc Detail All Enc Checks Unpost Pay Unprt Pay Pre AJE AJE Rec/Inv Req Pre WHS WHS Pre RTB

Reference No	Date	Received From	Description	Period	Amount
202452 (R)	09-15-2016	DD#1 HIDALGO COUNTY ICA J-4	INV J-09-01 1ST INSTALLMENT ICA J-09	09	250,000.00
<p>20 202452</p>					<p>Amount 250,000.00</p>



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

Receipt No: 202452

Received From: DD#1 HIDALGO COUNTY ICA J-09 DD# PROJECT

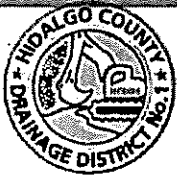
Date 09/15/16

1	000019077	INV.#J09-01 1ST.INSTALLMENT	ICA J-09	6-1303-392-00-000-001-0-000	250,000.00
---	-----------	-----------------------------	----------	-----------------------------	------------

Total: 250,000.00

Check Total	250,000.00
Cash Total	.00
Credit Total	.00
Other Total	.00

NOTICE TO CASHIER: BE SURE WATERMARK IS ON REVERSE SIDE BEFORE CASHING



**HIDALGO COUNTY
DRAINAGE DISTRICT #1**

902 N. DOOLITTLE
EDINBURG, TEXAS 78542

GENERAL FUND

LONE STAR NATIONAL
BANK
MEMBER FDIC
88-11887148

No. 021828

Check Date	Check No.	Amount
09/13/16	000019077	\$250,000.00

VOID AFTER 90 DAYS

was allowed by the Board of Directors of Hidalgo County, Texas at its term meeting indicated above and to be paid out of the General Fund

PAY

****Two Hundred Fifty Thousand and 00/100 Dollars

TO THE HIDALGO COUNTY
ORDER 2818 S. BUS. HWY 281
OF EDINBURG, TX 78539
USA

Pay the above stated amount to the order of the payee named.

Norma G. Bueia

COUNTY TREASURER

Gene Brown

FINANCIAL OFFICER

⑈000019077⑈ ⑆114911687⑆ ⑆71015841⑈

Payee HIDALGO COUNTY

Account #: 1100-132-50-000-000-0-000

000019077
09/13/2016

Invoice	Description	Amount
J09-01	1ST ANNUAL INSTALLMENT ICA - J-09	\$250,000.00

Total : \$250,000.00



HIDALGO COUNTY

INVOICE

Invoice Date: 9/7/2016
Invoice No.: J09-01

Bill To: Drainage District #1
Lora Briones
902 North Doolittle Rd.
Edinburg, TX 78542

Remittance

To ensure proper credit, please enclose a copy of this statement with your check and remit to:

Hidalgo County Budget & Mgmt. Division
2818 S. Bus. Hwy. 281
Edinburg, Texas 78539
(956) 292-7025

Account Summary

Balance Due \$ 250,000.00

Amount Enclosed \$

Date	Check/ JE No.	Description	Amount
------	---------------	-------------	--------

08/09/16		1st Annual Installment for ICA relating to J-09 Drainage Project.	250,000.00
----------	--	-------------------------------------------------------------------	------------

Interlocal Agreement authorizing the sell, assignment, and transfer of engineering and appraisal services provided under contracts between Hidalgo County and TEDSI Infrastructure Group, Inc. and Leonel Garza, Jr. & Associates, LLC for the J-09 drainage project.
(A1-55672)

Amount Due: \$ 250,000.00

Make Check(s) Payable to: Hidalgo County

CREDIT ACCOUNT NUMBER: 1303-392-00-000-001-0-000

RECEIVED
HIDALGO COUNTY
DRAINAGE DISTRICT #1

SEP 08 2016

2:37 AM (PM)

BY: MTP