

## Santos Castilleja

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**From:** Robert Vina <robert.vina@da.co.hidalgo.tx.us>  
**Sent:** Thursday, October 12, 2017 1:55 PM  
**To:** Santos Castilleja  
**Cc:** Victor Garza; Paul Villarreal; Claudia Salinas; Josephine Ramirez  
**Subject:** Re: Request for Legal Approval, Scofflaw Inter-local agreement with City of Alton

Good Afternoon Mr. Castilleja,

We have reviewed the Inter-Local Agreement with City of Alton regarding Scofflaw procedures which includes the previously recommended modifications. As such, the Agreement is approved as to form.

Please let us know if you have any questions.

Thank you,

Robert Viña III

*Assistant District Attorney*  
Civil Litigation Division

**Office of the Criminal District Attorney**

Hidalgo County, Texas

100 E. Cano

Edinburg, TX 78539

[\(956\) 292-7609](tel:(956)292-7609) EXT 8187

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On Thu, Oct 12, 2017 at 9:56 AM, Santos Castilleja <[santos.castilleja@hidalgocountytax.org](mailto:santos.castilleja@hidalgocountytax.org)> wrote:

Hello Mr. Vina,

We have made the recommended modifications and have presented these changes to the City of Alton. They have signed the agreement and would like to move forward with joining the scofflaw program. Please review the attached files. We would like to again request legal approval to proceed with this request to execute an

inter-local agreement between the County of Hidalgo and the City of Alton for Scofflaw vehicle registration denial services.

If you have any questions, please feel free to ask.

Pablo (Paul) Villarreal Jr. PCC

By: Santos Castilleja

Hidalgo County Tax Office

**From:** Robert Vina [mailto:[robert.vina@da.co.hidalgo.tx.us](mailto:robert.vina@da.co.hidalgo.tx.us)]  
**Sent:** Monday, September 25, 2017 1:57 PM  
**To:** Santos Castilleja  
**Cc:** Claudia Salinas; Josephine Ramirez; Victor Garza  
**Subject:** Re: Request for Legal Approval, Scofflaw Inter-local agreement with City of Alton

Good Afternoon Mr. Castilleja,

We have reviewed the attached Inter-Local Agreement with City of Alton regarding Scofflaw procedures. It is approved as to form with the following modifications:

1. As we have discussed, the new legislative changes appear to only apply to "county scofflaw" under Tex. Gov't Code 502.010. However, in an abundance of caution we recommend adding the language to Number 11 ("Entire Agreement") as referenced below to address any applicability of this or future provisions to municipal scofflaw as in the present agreement with City of Alton. It is recommended to modify Number 11 as follows:

#### **11. ENTIRE AGREEMENT**

**This Agreement constitutes the entire agreement between the parties hereto and may not be modified except by an instrument in writing executed by the parties hereto as herein provided or as necessary to comply with changes in applicable law.**

2. It is also recommended to add catch-all language to Number 10 ("Nondiscrimination"). It is recommended to modify Number 10 as follows:

10. **NONDISCRIMINATION**

**Parties to this Agreement shall not discriminate on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, or any other protected class under law.**

3. Lastly, indemnification clauses should be made to stand out from other language in an agreement in some manner, such as bold and/or all caps. It is recommended to bold the language in Number 7 ("Indemnification").

Please feel free to contact us if you have any questions.

Thank you,

Robert Viña III

*Assistant District Attorney*  
Civil Litigation Division

**Office of the Criminal District Attorney**

Hidalgo County, Texas

100 E. Cano

Edinburg, TX 78539

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On Wed, Sep 13, 2017 at 11:39 AM, Santos Castilleja <[santos.castilleja@hidalgocountytax.org](mailto:santos.castilleja@hidalgocountytax.org)> wrote:

September 12, 2017

The Honorable Ricardo Rodriguez

Hidalgo County District Attorney

100 N. Closner Rm. 303

Edinburg, TX 78539

Attn: Robert Vina, Contracts and Civil Litigation Division

Subj: Request for Legal Approval, Scofflaw Inter-local agreement with City of Alton

Dear Robert Vina,

The City of Alton would like to join the County Scofflaw Program. They are very interested in combining the city's and county's efforts in the collection of delinquent fines and fees. We are requesting legal approval to proceed with the request to execute an inter-local agreement between the County of Hidalgo and the City of Alton for Scofflaw vehicle registration denial services.

Transportation code:

Sec. 702.003. REFUSAL TO REGISTER VEHICLE. (a) A county assessor-collector or the department may refuse to register a motor vehicle if the assessor-collector or the department receives under a contract information from a municipality that the owner of the vehicle has an outstanding warrant from that municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law.

Individuals with scofflaw warrants that failed to appear or failed to pay an outstanding fine or fee will be put into the County's internal database. The City of Alton has shown interest by passing a resolution allowing them to execute the agreement on August 22, 2017. Each traffic violation issued by the city will state that if the person fails to appear in court as provided by law for the violation, that person might not be permitted to register a motor vehicle in this county.

Commissioner's Court Agenda Item.

Caption:

Discussion, consideration, and approval to execute an inter-local agreement between the County of Hidalgo and the City of Alton for implementation of scofflaw procedures and processes for vehicle registration denial services.

Purpose of the Agreement:

The purpose of this Agreement is to state the terms and conditions under which the County Tax Assessor-Collector may refuse to register certain motor vehicles. The County Tax Assessor-Collector will receive information from the City that the owner of the vehicle has an outstanding warrant for failure to appear or failure to pay a fine on a complaint that involves a violation of a traffic law as defined by Texas Transportation Code Section 702.001(3).

If legal approval is received, we will place this item on commissioners' court for consideration and approval. If you have any questions, please feel free to call Santos Castilleja III at [956-289-7458](tel:956-289-7458).

Sincerely,

Pablo (Paul) Villarreal Jr. PCC

Hidalgo County Tax Assessor Collector

Department of Auto License & Registration

PO Box 2099, 2804 S. Bus. Hwy. 281

Edinburg, TX 78540-2099

Tel: [\(956\) 289-7458](tel:956-289-7458)

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