

County of Hidalgo §
State of Texas §

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY’S OFFICE AND THE
HIDALGO COUNTY OFFICE OF EMERGENCY MANAGEMENT**

PARTIES

This agreement is entered into by and between Hidalgo County Office of Emergency Management (“HCOEM”) and the Hidalgo County Criminal District Attorney’s (HCDA) Office, hereinafter referred to as “the Parties.”

PREAMBLE

WHEREAS, HCDA has certain surplus equipment; and;

WHEREAS, HCOEM has the duty to protect life and property, and HCOEM has a need for equipment (hereinafter “Equipment”) to continue assist in their efforts;

WHEREAS, HCDA affirms that it’s maintained Equipment was obtained by a seizure and forfeiture pursuant to Chapter 59 of the Code of Criminal Procedure; and

WHEREAS, HCDA may transfer or loan Equipment to any other County agency, pursuant to *Article 59.06(b) of Texas Code of Criminal Procedure*.

WHEREAS, the equipment shall be used in support of the HCOEM requirements and needs, as described in the Hidalgo County Emergency Management Plan.

NOW THEREFORE, for good and sufficient consideration, HCOEM and HCDA hereby agree as follows:

TERMS CONDITIONS AND PROCEDURES

SECTION 1. Equipment Sharing:

- a) HCDA will transfer as a loan to HCOEM certain Equipment owned by HCDA for use by HCOEM, which is designated and identified as:
 - i. 2004 Great Dane Reefer Trailer Vin # 1GRAA06214W700046
 - ii. 2004 Freightliner Truck Tractor Vin# 1FUJBCK04LM60411
 - iii. 2003 Utility Trailer Vin# 1UYVS253X3U940304
 - iv. 2004 Utility Trailer Vin# 1UYVS253X4U283229

SECTION 2. In Consideration of the Equipment Sharing:

- a) HCDA agrees to the following:
 - i. HCOEM will accept transferred loan Equipment in “as-is” condition and acknowledges that HCDA makes no warranty in any manner as to the working condition for any purpose; and
 - ii. HCOEM will be responsible for all Equipment insurance, repairs and maintenance as required under *Article 59.06(b) of Texas Code of Criminal Procedure*
- b) HCOEM will receive no compensation from HCDA for any Equipment shared and/or transferred pursuant to this agreement.
- c) HCOEM shall return to HCDA the transferred loaned Equipment upon request, and/or when no longer used for the intended purpose, for applicable disposition under *Article 59.06(b) of Texas Code of Criminal Procedure*.

SECTION 3. Effective Date:

- a) The effective date of this agreement is December 8, 2020.

EXECUTED IN DUPLICATE COPIES, EACH OF WHICH SHALL HAVE THE FULL FORCE AND EFFECT OF AN ORIGINAL, TO BE EFFECTIVE AS STATED HEREIN, BUT MINISTERIALLY SIGNED ON THE DATES INDICATED BELOW.

HIDALGO COUNTY OFFICE OF EMERGENCY MANAGEMENT

By: _____ Date _____
Ricardo Saldaña, Emergency Management Coordinator

HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY’S OFFICE

By: _____ Date _____
Ricardo Rodriguez, Jr., Criminal District Attorney