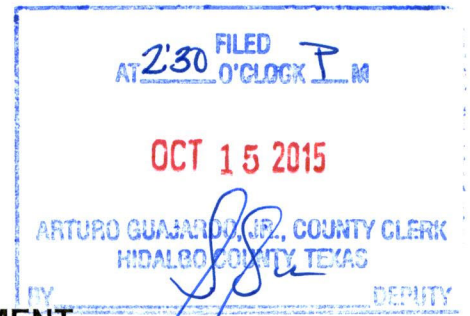


STATE OF TEXAS §
COUNTY OF HIDALGO §

FIRST AMENDEDMENT TO
SOFTWARE LICENSE & SERVICE AGREEMENT



This **First Amendment to Software License & Service Agreement** by and between the **County Of Hidalgo, Texas** and Destiny Software, Inc. is made this 15th day of Sept., 2015, between the parties, as follows:

WHEREAS, Hidalgo County (“Licensee”) executed that certain Software License & Service Agreement with Destiny Software, Inc. (“Licensor”), dated October 1, 2014 (the “Agreement”) in which the Licensee receives certain rights to use the software as described in the Agreement; and

WHEREAS, the parties now desire to amend the term of the Agreement;

NOW THEREFORE, for and in consideration of the terms and provisions of this First Amendment to Software License & Service Agreement and other good and valuable consideration, the receipt of which is hereby acknowledged, Destiny Software, Inc. as Licensor, and **COUNTY OF HIDALGO, TEXAS**, as Licensee effective as of the 15th day of September, 2015 hereby agree to the following amendment to the Agreement:

1. The first sentence of numbered paragraph 8 of the Agreement shall be deleted in its entirety and the following is substituted in lieu thereof:

The license granted by this Agreement shall commence on the date of this Agreement and shall continue to September 30, 2017.

2. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect Licensor and Licensee ratify and confirm the terms and provisions of the Agreement as amended.

EXECUTED IN DUPLICATE ORIGINALS effective as of the day and year first written above.

COUNTY OF HIDALGO

By: Ramon Garcia
Ramon Garcia, County Judge

APPROVED BY
COMMISSIONERS' COURT
ON: 9/15/15

ATTEST:

By: Arturo Guajardo, Jr.
Arturo Guajardo, Jr., County Clerk

Destiny Software Company

By: _____

Printed Name: _____

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: Stephen L. Crain
Stephen L. Crain, Attorney

September 15, 2015



**AGENDA
CC REGULAR
HIDALGO COUNTY
COMMISSIONERS COURT MEETING
September 15, 2015
9:30 A.M.**

Rocio

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. Roll Call

All members of the Court were in attendance.

2. Pledge of Allegiance

Judge Garcia let the Court in reciting the Pledge of Allegiance.

3. Prayer

Virginia Townsend led everyone in Prayer.

4. Approval of Consent Agenda

The Court moved to approved the Consent Agenda.

Court proceeded to Item. 12.A.

5. Open Forum

Ida Curiel, LUPE organization, came in front of the Court to voiced her concern in regards to the "Alumbrado Publico en las Colonias" or Phase 1, as it is now known. She stated that the neighborhood is prepared for the upgrades and wants to make sure that the court is ready to start as well.

Josue Lopez, LUCHA, approached the Court to request a date to meet with the members in relation to the MSR program. Judge Garcia advised Mr. Lopez to get in contact with his office for further information.

Norma Aldape, LUPE and LUCHA organization, invited the members of the Court to the second gala being held October 15, 2015 in order to raise money for the organization.

Jorge Abrego came in front of the Court to speak about the recent issues that he has come about with the City of McAllen Police Department. He stated that he was wrongly accused of carrying a firearm when he was not. Due to all these issues and false accusations he has under gone several health issues. He just wants to make it clear that he is innocent and is tired of being falsely accused.

Fern McClaugherty expressed her stand on the future purchase of land for the park in Lopezville. She encouraged the Court to investigate the surroundings of the area before purchasing. Ms. McClaugherty also mentioned the additional fees that the county will be charging in order to collect for the new courthouse.

Commissioner Cuellar stepped away from the meeting.

Once again Opal Billman came in front of the Court to speak about the unfair treatment and division of her community property.

Ramiro Treviño recognized the proper actions that Commissioner Eduardo "Eddie" Cantu took after his complaint in regards to several projects done in the City of San Juan.

Commissioner Cuellar joined the meeting.

Leticia Cano from Los Olivares neighborhood, Pct.1 spoke about the issues with the potholes around her neighborhood.

Andrea Landeros thanked Commissioner Eduardo "Eddie" Cantu for supporting their meeting. Additionally she also invited Commissioner A.C. Cuellar to an upcoming meeting in relation to the

September 15, 2015

1. **AI-51004** Presentation of responsible vendor submitting the lowest and best bid [as detailed in tabulation sheet contained herein] while also meeting all specifications and/or requirements for the purpose of award and approval of contract document for Request for Bid titled: Hidalgo County Purchase of Sand and Bedding Material" on an as needed basis [by all funding sources for elected offices, departments, programs &/or agencies] through project No.: 2015-210-08-12-SGS.

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

Vote: 3 - 0 - Unanimously

B. Fire Marshal:

1. **AI-51162** A. Requesting exemption from competitive procurement requirements pursuant to Texas Local Government Code, 262.024 (a)(7); an item that can only be obtained from only one source; (A) items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies (see attached patent information).

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

Vote: 3 - 0 - Unanimously

B. Approval of a "Sole Source Declaration" for "BullEx, Inc." for the purchase of BullsEye Digital Fire Extinguisher Training Kit; including any present & future accessories & supplies, support service, and maintenance to be used by Hidalgo County Fire Marshall and other related Hidalgo County Emergency Response Agencies (all funding sources) with said declaration to remain in effect while declaration is in place or until revoked by HCCC.

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

Vote: 3 - 0 - Unanimously

C. Executive Officer

1. **AI-51345** Acceptance and approval of "First Amendment" to the Software License & Service Agreement with Destiny Software, Inc. to reflect termination date of September 30, 2017.

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

Vote: 3 - 0 - Unanimously

D. County Judge's Office

1. **AI-51284** A. Award to secondary (Ceres Environmental Services) and tertiary (Phillips & Jordan Incorporated) vendors including approval of final negotiated agreements [as ranked by CC on 06-23-15] for pre-positioned services to the following which include the following "term" provisions:

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

Vote: 3 - 0 - Unanimously

B. Term of contracts:

1. Initial term of contracts-upon approval to execute through December 31, 2016*
2. Renewal/Extension options-Two (2) One (1) year renewals:
 - January 01, 2017 through December 31, 2017
 - January 01, 2108 through December 31, 2018[as these are the current terms of award through H-GAC].

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 on B.1 -2.

Vote: 3 - 0 - Unanimously

E. Pct. 1