

State of Texas §
County of Hidalgo §

INTERLOCAL COOPERATION AGREEMENT
BETWEEN HIDALGO COUNTY, TEXAS, AND CITY OF EDCOUCH, TEXAS

THIS AGREEMENT is hereby made, entered into and executed by and between Hidalgo County, Texas, a duly organized political subdivision of the State of Texas, hereinafter “County,” and the City of Edcouch, Texas, a duly organized political subdivision of the State of Texas, hereinafter “City.” County and City are collectively referred to herein as “the Parties.” The purpose of this Agreement is for County to transfer surplus animal cages to City, in accordance with Texas Local Government Code § 263.152. This Agreement shall be fully executed and enforceable on the date it is signed by both of the Parties.

WITNESSETH

WHEREAS, the Interlocal Cooperation Act, Chapter 791 Texas Government Code, provides authorization for a local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

WHEREAS, County has three (3) surplus animal cages (*see* attached Exhibit “A”); and

WHEREAS, County will transfer the animal cages to City to serve a public purpose; and

WHEREAS, City will accept the transfer of the animal cages and in exchange City will provide County with adequate consideration by relieving County of all relocation and transportation expenses related to the transfer of the surplus animal cages to City.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the Parties hereto to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

ARTICLE I.

County hereby certifies that the animal cages have been declared surplus property by action taken by the Hidalgo County Commissioners Court, and that competitive bidding is not required since the purchaser is a political subdivision within County.

ARTICLE II.

County hereby finds that the transfer of the surplus animal cages to City serves a public purpose.

ARTICLE III.

County hereby transfers the surplus animal cages to City.

ARTICLE IV.

City hereby accepts the transfer of the surplus animal cages.

ARTICLE V.

In consideration for the transfer of the surplus animal cages to City by County, City hereby agrees that County shall have no financial responsibility for any relocation and transportation expenses related to the donation of the animal cages to City.

ARTICLE VI.

City understands and agrees that City, its employees, servants, agents or representatives shall at no time represent themselves to be employees, servants, agents or representatives of County.

ARTICLE VII.

City agrees to and accepts full responsibility for the acts, negligence or omissions of all City employees and agents, subcontractors or contract laborers and for those of all other persons doing work under a contract or agreement with City.

ARTICLE VIII.

This Agreement is not intended to extend the liability of the Parties beyond that provided by law. Neither County nor City waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims arising from third parties.

Executed in duplicate originals this _____ day of _____, 20__.

CITY OF EDCOUCH, TEXAS
211 Southern Avenue
Edcouch, Texas 78538

HIDALGO COUNTY, TEXAS
302 W. University Drive
Edinburg, Texas 78539

By: _____
Honorable Robert Schmalzried
Edcouch Mayor

By: _____
Honorable Ramon Garcia
Hidalgo County Judge

ATTEST:

ATTEST:

By: _____
Pete De La Cruz
City Manager

By: _____
Honorable Arturo Guajardo
Hidalgo County Clerk

APPROVED AS TO FORM:

Office of Criminal District Attorney,
Rene Guerra

By: _____
Michael L. Garza
Assistant District Attorney

EXHIBIT “A”

SURPLUS PROPERTY

<u>Description of Item</u>	<u>Inventory Tag Number</u>
1. Six Comp Slide Animal Control Cages	38962
2. Six Comp Slide Animal Control Cages	38960
3. Six Comp Slide Animal Control Cages	38961

**APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN
HIDALGO COUNTY, TEXAS, AND CITY OF EDCOUCH, TEXAS**

Hidalgo County, Texas, acting by and through the Hidalgo County Commissioners Court, having declared the three (3) animal cages to be surplus property and then transferring the animal cages to the City of Edcouch, Texas, whereby City of Edcouch, Texas, accepted the transfer and agreed to bear the cost of all storage, transportation, and relocation related to the adoption of the animal cages.

By vote on the date below, the Hidalgo County Commissioners Court has approved the Interlocal Cooperation Agreement, described above and authorized execution of this document by the County Judge of the County of Hidalgo, Texas.

Date: _____

By: _____
County Judge of Hidalgo
County Commissioners Court