

STATE OF TEXAS §

COUNTY OF HIDALGO §

**FIRST AMENDMENT TO AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF HIDALGO, THE EDINBURG CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, THE CITY OF McALLEN AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1**

This First Amendment to Interlocal Cooperation Agreement is made on the \_\_\_\_\_ day of \_\_\_\_\_ 2014, by and among Hidalgo County, Texas hereinafter referred to as "County", the Edinburg Consolidated Independent School District, hereinafter referred to as "ECISD", the City of McAllen hereinafter referred to as "McAllen" and the Hidalgo County Drainage District No. 1 hereinafter referred to as "Drainage District" pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, on or about April 2, 2014 County, ECISD, McAllen and Drainage District entered into an Amended and Restated Interlocal Cooperation Agreement ("Interlocal Agreement") regarding improvements to a portion of Mile 171/2 Road; and

WHEREAS, the parties hereto now desire to amend the Interlocal Agreement as hereinafter provided.

NOW THEREFORE, for and in consideration of the tasks performed by the parties hereto and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, and this mutually agreed upon First Amendment to the Interlocal Agreement, the parties hereto hereby agree to the following amendment to the Interlocal Agreement:

1. The following shall be added as the last sentence of numbered paragraph 2:

County shall pay to Drainage District the labor only cost to install the 60 inch drainage storm sewer pipe for the Project.

2. The first sentence of numbered paragraph 3 of the Interlocal Agreement is deleted in its entirety and the following is inserted in lieu thereof:

McAllen agrees to contribute to County within ten (10) days from the execution of this First Amendment, a fixed amount of Four Hundred Ninety One Thousand Five Hundred Seventy Eight and no/100ths dollars (\$491,578.00) for the Project.

3. The second sentence of numbered paragraph 4 shall be deleted in its entirety and the following substituted in lieu thereof:

ECISD further agrees to reimburse Drainage District at Drainage District's cost for all expenses incurred by Drainage District in the preparation of bids and all expenses incurred by Drainage District from the successful bidder to construct the canal siphon, 200 feet of road construction crossing the Hidalgo County Irrigation District # 1 canal right of way in the ECISD portion and ECISD shall pay the cost of and provide all engineering plans and specifications to County and/or Drainage District for the design of the placement of the 60 inch drainage storm sewer pipe for the Project.

4. Except as modified herein all terms and conditions of the Interlocal Agreement as amended, remain in full force and effect and the parties here to ratify and confirm the terms and provisions of the Interlocal Agreement as amended.

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

HIDALGO COUNTY, TEXAS

By: \_\_\_\_\_  
Ramon Garcia, County Judge

ATTEST:

\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk

EDINBURG CONSOLIDATED INDEPENDENT  
SCHOOL DISTRICT

By: \_\_\_\_\_  
Juan "Sonny" Palacios, President, Board of  
Trustees

ATTEST:

\_\_\_\_\_  
Jaime R. Solis, Secretary, Board of Trustees

CITY OF McALLEN, TEXAS

By: \_\_\_\_\_  
Jim Darling, Mayor

ATTEST:

\_\_\_\_\_  
Annette Villarreal, City Secretary

HIDALGO COUNTY DRAINAGE DISTRICT NO.  
1

By: \_\_\_\_\_  
Ramon Garcia, Chair, Board of Directors

**APPROVED AS TO FORM:**  
**ATLAS, HALL & RODRIGUEZ, LLP**

By: \_\_\_\_\_  
Stephen L. Crain