

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF HIDALGO AND CITY OF MCALLEN, TEXAS CONCERNING CERTAIN IMPROVEMENTS TO E. YUMA AVENUE FROM JACKSON RD TO MCCOLL RD

This First Amendment to Interlocal Cooperation Agreement is made on this the _____ day of _____, 2016 by and between the City of McAllen, Texas, hereinafter referred to as the “City” and the County of Hidalgo, Texas, hereinafter referred to as the “County”, pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WITNESSETH:

WHEREAS, the City and the County entered into an Interlocal Cooperation Agreement (the “Agreement”) dated December 15, 2015 regarding certain road improvements to E. Yuma Avenue from Jackson Road to McColl Road;

WHEREAS, the City desires the road improvements to be constructed to City standards increasing the estimated total project cost to Seven Hundred Sixty Thousand and no/100ths Dollars (\$760,000.00); and

WHEREAS, the parties have agreed to increase the City’s monetary participation by an additional fixed lump sum amount of Eighty Thousand and no/100ths Dollars (\$80,000);

NOW, THEREFORE, for and in consideration of the mutual obligations of the parties herein and other good and valuable consideration the receipt of which hereby acknowledged, the County and City hereby mutually agree to the following:

1. The sixth WHEREAS clause is deleted in its entirety and the following is substituted in lieu thereof:

Whereas, the total estimated cost of the project is approximately Seven Hundred Sixty Thousand and no/one hundredths Dollars (\$760,000.00);

2. The seventh WHEREAS clause is deleted in its entirety and the following is substituted in lieu thereof:

Whereas, the City desires to cooperate by contributing a fixed lump sum amount of Two Hundred Eighty Thousand and no/one hundredths Dollars (\$280,000.00);

3. Numbered paragraph 3 of the Agreement is deleted in its entirety and the following is substituted in lieu thereof:

The total estimated cost of the Project will be approximately \$760,000.00.

- 4. Numbered paragraph 4 of the Agreement is deleted in its entirety and the following is substituted in lieu thereof:

City agrees to pay a fixed lump sum in the amount of Two Hundred Eighty Thousand and no/one hundredths Dollars (\$280,000.00) to County within thirty (30) days after the date of invoice from County toward the development of the Project.

- 5. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and County and City ratify and confirm the terms and provisions of the Agreement, as amended.

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

CITY OF MCALLEN

ATTEST:

By: _____
Jim Darling, Mayor

City Secretary

COUNTY OF HIDALGO

ATTEST:

By: _____
Ramon Garcia, County Judge

County Clerk

APPROVED AS TO FORM:

By: _____
McAllen City Attorney

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: _____
Stephen L. Crain