

STATE OF TEXAS §
COUNTY OF HIDALGO §

**SECOND 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 Second Amendment to Interlocal Cooperation Agreement is made on this the _____ day of _____, 2018 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 parties desire to amend the Agreement as herein provided;

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 to accommodate County's proposed bike and bike trail;

WHEREAS, since the completion of the extension of E. Yuma Avenue there has been a desire to improve traffic management at the intersection of E. Yuma Avenue and McColl Road;

WHEREAS, a traffic control device should provide increased protection and safety for users of County's proposed hike and bike trail;

WHEREAS, County shall contribute the sum of Sixty Four Thousand Eighty Eight and twelve one hundredths Dollars (\$64,088.12) to the City for installation and construction of a stop light at the intersection of E. Yuma Avenue and McColl Road.

WHEREAS, the parties have agreed to increase the County's monetary participation by an additional fixed lump sum amount of Sixty-Four Thousand Eighty-Eight and twelve one/100ths Dollars (\$64,088.12);

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 that the Agreement is amended as follows:

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 Eight Hundred Twenty Four Thousand and Eighty eight and twelve one hundredths Dollars (\$824,088.12);

2. 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 \$824,088.12.

3. The following sentence is added as the last sentence of numbered paragraph 4:

County agrees to pay City a fixed lump sum in the amount Sixty-Four Thousand Eighty Eight and twelve one hundredths Dollars (\$64,088.12) for the purchase, construction and installation of a traffic control devise being a stop light at the intersection of E. Yuma and McColl Road and City shall construct and install such stop light within _____ days from the execution of this Second Amendment.

4. 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.

ATTEST:

City Secretary

ATTEST:

County Clerk

APPROVED AS TO FORM:

By: _____
McAllen City Attorney

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

By: _____
Stephen L. Crain

CITY OF MCALLEN

By: _____
Jim Darling, Mayor

COUNTY OF HIDALGO

By: _____
Ramon Garcia, County Judge

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**APPROVAL OF FIRST AMENDMENT
INTERLOCAL COOPERATION AGREEMENT
PROJECT**

In accordance with Texas Government Code §791.014, Hidalgo County, Texas, acting by and through the Hidalgo County Commissioners Court, has been advised of an amendment to a proposed project regarding road improvements to E. Yuma Avenue from Jackson Rd. to McColl Rd., a section for the construction and installation of a traffic control services being a stop light at the intersection of E. Yuma and McColl Road and City shall construct and install such stop light which is within the city limits of McAllen, Texas and which benefits the County Regional Linear Park Project through an Interlocal Cooperation Agreement to be entered into with Hidalgo County and the City of McAllen, Texas.

By vote on _____ 2018, the Hidalgo County Commissioners Court has approved the Project identified above.

By: Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, County Clerk

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: _____
Stephen L. Crain