

**SECOND AMENDED MEMORANDUM OF UNDERSTANDING  
DIRECTING CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS  
TO ASSIST WITH THE HIDALGO COUNTY PRECINCT 2 BOYS AND GIRLS  
CLUB COMMUNITY DEVELOPMENT PROJECT**

This Second Amended Memorandum of Understanding (“MOU”) is made effective on this the 12 day of November, 2024, between the COUNTY OF HIDALGO, TEXAS (“COUNTY”), and the BOYS AND GIRLS CLUB OF PHARR – SAN JUAN (BGC) “Subrecipient”, a local non-profit organization with its principal office located at 1026 S. Fir Street, Pharr, Texas.

**WHEREAS**, pursuant to Texas Government Code Section 418.108, Hidalgo County Judge Richard Cortez issued a Declaration of Local Disaster for Public Health Emergency on March 17, 2020, due to the imminent threat arising from the Coronavirus (COVID-19); and

**WHEREAS**, on March 22, 2020, the Commissioners Court of Hidalgo County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency; and

**WHEREAS**, on or about March 11, 2021, the Federal Government passed the American Rescue Plan Act (“ARPA”), including the Coronavirus State and Local Fiscal Recovery Fund (the “SLFRF”) which provides for direct payments of SLFRF funds to respond to the COVID-19 public health emergency and its economic impacts through eligible uses; and

**WHEREAS**, the County received a direct distribution of the SLFRF to be used for expenditures that were directly related to and incurred as a result of the ongoing COVID-19 public health emergency and the negative economic impacts of the ongoing emergency; and

**WHEREAS**, pursuant to guidance provided by the United States Department of Treasury: (Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments) (the “Guidance”), version 4.0 issued June 10, 2022, The Interim Final Rule dated May 17, 2021, The Final Rule dated January 6, 2022, and The Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions, (which are attached hereto and incorporated by reference herein as **Exhibit “A”**), the SLFRF allows a recipient to transfer and/or grant funds to a non-profit organization, **provided that the funds transferred are used for an eligible use as outlined in section 603 (c)(1) of the Social Security Act, and the Guidance**; and

**WHEREAS**, the County granted a portion of the funds received to be designated for the Hidalgo County Precinct 2 Boys and Girls Club Community Development Project for expenses incurred for the development and construction of a new facility which aims to foster Strong Healthy Communities by providing new, expanded, and enhanced, child care and after school enrichment programs, which increase access to healthy food, tutoring, career preparation programs, safe recreational spaces, and support for students social, and emotional health needs in a disproportionately impacted community. Development of this neighborhood feature expands access to safe recreational spaces thereby promoting increase physical activity, which improves health outcome and allows for safe and socially distanced recreation during the ongoing COVID-19 pandemic. The development aims to

revitalize the surrounding neighborhood environment, thus improving the health and public safety of those residing in the disproportionately impacted area and in compliance with the terms and criteria of the SLFRF as more fully described below; and

**WHEREAS**, the purpose of this agreement is to memorialize the further understanding between the parties that the COUNTY will grant BGC a specified amount of the SLFRF in order to directly address the necessary expenses for actions taken to respond to the public health emergency and its negative economic impacts. In exchange, BGC will provide a new center for expanded access to child care and afterschool enrichment programs, social and emotional health services, and safe recreational spaces in an underprivileged and disproportionately impacted community for the benefit of those residents in Hidalgo County as authorized in the Guidance and as more fully described below; and

**WHEREAS**, the COUNTY finds that this amendment to the agreement, as it relates to the provision of public health and negative economic impact to individuals and families that have been disproportionately impacted by the COVID19 public health emergency, continues to serve a public purpose for the health, safety, and wellbeing of the residents of the County of Hidalgo;

**NOW, THEREFORE**, in consideration of the mutual promises, conditions and covenants expressed between the parties hereto, COUNTY and BGC hereby agrees to the following amendment to the Agreement:

1. The “**RESPONSIBILITIES OF THE PARTIES**” section paragraph number “6.” is hereby amended, revised, and or modified as follows:
  - “6. COUNTY will grant funds from the SLFRF in the amount of **\$5 million** to BGC for the Hidalgo County Precinct 2 Boys and Girls Club Community Development Project to include necessary expenses of actions directly related to the development of the project in response to the COVID-19 public health emergency. BGC has received \$1 million. BGC will provide to County a proposed Budget of incurred and/or proposed expenses for the Hidalgo County Precinct 2 Boys and Girls Club Community Development Project which shall be made part of this Agreement as **Exhibit “C”**. The Budget is intended to demonstrate how BGC plans to expend the designated funds within the eligibility criteria and the justification for same. The proposed Budget shall be provided to the Hidalgo County Budget Officer.”
2. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full all other provisions in the original agreement will remain in effect.

**[SIGNATURE PAGE TO FOLLOW]**

**WITNESS THE HANDS OF THE PARTIES** effective as of the day and year first written above.

**Boys and Girls Club of Pharr**

**Hidalgo County**

\_\_\_\_\_  
Signature

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Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

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Title

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Date

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Date

Approved as to form for Hidalgo County:  
Office of Criminal District Attorney, Toribio "Terry" Palacios

By: \_\_\_\_\_  
Victor M. Garza, Chief Administrative Attorney