

STATE OF TEXAS §
COUNTY OF HIDALGO §

**FIRST AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN
THE CITY OF MCALLEN, TEXAS AND COUNTY OF HIDALGO, TEXAS FOR
INSPECTION AND APPROVAL OF ON-SITE SEWAGE FACILITY SYSTEMS**

This First Amended Interlocal Cooperation Agreement is made effective as of this 22nd day of July 2025, by and between the **COUNTY OF HIDALGO, TEXAS** hereinafter referred to as "County," and the **CITY OF MCALLEN, TEXAS**, hereinafter referred to as "City" pursuant to the provisions of the Texas Interlocal Cooperation Act, the "Act", as follows:

WITNESSETH:

WHEREAS, the City is a Home Rule Municipality created by the laws of the Texas; and

WHEREAS, the County a local government as defined in Texas Government Code, Section 791.003(4), and county in the State of Texas; and

WHEREAS, the City and County are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Texas government Code 791.001 et seq., (the "Act") which authorizes local governments to contract with each other to perform governmental functions and services under the terms of the Act; and

WEHREAS, pursuant to Texas Health & Safety Code Section 121.003 the City and County may cooperate with one another in making necessary improvements and providing services to promote the public health in accordance with Chapter 791 of the Texas Government Code; and

WHEREAS, the County is an On-Site Sewage Facility Systems ("OSSF") "authorized agent" in accordance with the Texas Health & Safety Code Section 366.031, and may administer on-site sewage facility (OSSF) in compliance with Texas Administrative Code Title 30, Section 285.10; and

WHEREAS, the City is in need of obtaining services for the inspection and permitting OSSF disposal systems within its jurisdiction and desires to obtain such services from County; and

WHEREAS, the County has the expertise and equipment to provide certain permitting and inspection services on behalf of City as further described herein (the "Services")

WHEREAS, the City and County recognize the health, safety, and environmental benefits of regulating, inspecting and permitting OSSF disposal systems and desire to cooperate with each other to meet local and state OSSF requirements;

WHEREAS, the City and County entered into an Interlocal Cooperation Agreement on October 31, 2023; and

WHEREAS, the City and County desire to amend Section 4 of the Interlocal Cooperation Agreement; and

NOW THEREFORE, the City and County, for and in good valuable consideration of the mutual covenants acknowledged and expressed hereinafter, agree as follows:

1. Section 4 is amended and replaced in its entirety with the following:
 4. City agrees that the County shall charge and collect the following permit fees:
 - Installation Permit – eighty-five dollars zero cents (\$85.00);
 - Final Inspection Permit – sixty dollars and zero cents (\$60.00); and
 - Re-Inspection Fee – seventy five dollars zero cents (\$75.00)

Fees may be amended in writing by the parties. However, if the County conducts an inspection and a permit is not issued for any reason, the County shall be entitled to charge the amounts specified above to the home/property owner and may issue citation to the Septic system installer for not obtaining a permit.

2. **All other terms and conditions of the Interlocal Cooperation Agreement shall remain in full force and effect except as expressly amended herein.**

[SIGNATURE PAGE TO FOLLOW]

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

APPROVED BY COMMISSIONERS' COURT ON _____, 2025.

Agenda Item No. XXXXX

Executive Office: _____

CITY OF McALLEN, TEXAS:

COUNTY OF HIDALGO, TEXAS:

Hon. Javier Villalobos, Mayor

Hon. Richard F. Cortez, County Judge

ATTEST:

ATTEST:

Perla Lara, City Secretary

Arturo Guajardo, Jr., County Clerk

APPROVES AS TO FORM:

APPROVED AS TO FORM

Austin Stevenson, City Attorney

Office of the Hidalgo County
Criminal District Attorney,
Toribio "Terry" Palacios

Michelle Lopez, Assistant District Attorney