

FILED
AT 2:45 O'CLOCK P.M.

AUG 29 2016

ARTURO GUAJARDO, JR., COUNTY CLERK
HIDALGO COUNTY, TEXAS

BY _____ DEPUTY

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 19th day of July, 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.

ATTEST:

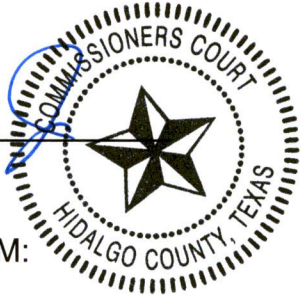
Qurb Kara
City Secretary

CITY OF MCALLEN

By: *Jim Darling*
Jim Darling, Mayor

ATTEST:

Antonio Saizand
County Clerk



COUNTY OF HIDALGO

By: *Ramon Garcia*
Ramon Garcia, County Judge

APPROVED AS TO FORM:

By: *Ray Pennington for K.P.*
McAllen City Attorney



APPROVED BY
COMMISSIONERS' COURT
ON: *7/19/16 gmb*

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: *Stephen L. Crain*
Stephen L. Crain

Zimbra

erika.zamora@co.hidalgo.tx.us

FW: Amendment to Yuma Ave Project Interlocal Agreement**From :** Stephen L. Crain <scrain@atlashall.com>

Thu, Jul 14, 2016 03:35 PM

Subject : FW: Amendment to Yuma Ave Project Interlocal Agreement

2 attachments

To : 'Erika Zamora' <erika.zamora@co.hidalgo.tx.us>

Hi Erika:

Attached is the final First Amendment Agreement in connection to the above subject matter.

Thank you,

Marynel Trevino-Rodriguez, Secretary for
Stephen L. Crain & J. Joseph Vale
ATLAS, HALL & RODRIGUEZ, LLP
818 Pecan Blvd. (78501)
P. O. Box 3725
McAllen, Texas 78502
Direct Dial Number (956) 632-8221
Main Number (956) 682-5501
Fax Number (956) 686-6109
E-mail Address scrain@atlashall.com



**Atlas Hall
Rodriguez**

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From: Erika Zamora [mailto:erika.zamora@co.hidalgo.tx.us]
Sent: Thursday, July 14, 2016 2:29 PM
To: Steve Crain
Cc: Eduardo Cantu; Armando Garza Jr.
Subject: Re: Amendment to Yuma Ave Project Interlocal Agreement

Good afternoon Steve,

Just following up on the ICA Amendment for Yuma Avenue Extension Project. Is it good to go?

Please advise.

Thank you,

Erika Zamora
Director of Administrative Operations
Hidalgo County Pct 2
300 W Hall Acres, Suite G
Pharr, TX 78577
(956)292-7000 Ext 2015 - Office



From: "Erika Zamora" <erika.zamora@co.hidalgo.tx.us>
To: "Steve Crain" <scrain@atlashall.com>
Cc: "Eduardo Cantu" <eduardo.cantu@co.hidalgo.tx.us>, "Armando Garza Jr." <armando.garzajr@co.hidalgo.tx.us>
Sent: Wednesday, July 13, 2016 10:09:59 AM
Subject: Amendment to Yuma Ave Project Interlocal Agreement

Good morning Steve,

As discussed, attached please find the original interlocal agreement for the Yuma Avenue Project approved on 12/15/15, and the draft amendment to revise the estimated project cost and increase the cities contribution.

Please review and let me know if you approve so we can forward to the City of Mcallen for approval. As I mentioned the City needs it back as soon as possible to place on their next agenda.

Let me know if you have any questions.

P.S. The ICA project approval sheet is included in the amendment but I don't think it is necessary.

Respectfully,

Erika Zamora

Director of Administrative Operations
Hidalgo County Pct 2
300 W Hall Acres, Suite G
Pharr, TX 78577
(956)292-7000 Ext 2015 - Office



Atlas Hall
Rodriguez

image001.jpg
5 KB



First Amendment to ICA between County of Hidalgo and City of McAllen -Yuma Avenue from Jackson to McColl.pdf
143 KB

Vote: 4 - 0 - Unanimously

2. (1) Units in the Countywide Area and (2) Units in the City of Edcouch in the total contract amount of \$176,331.00 to Quality Investments.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

16. Planning Department:

- A. AI-55340** Reimbursement of Financial Guarantee
Anali Subdivision – Pct. 3

Mr. Arredondo notified that the reimbursement of financial grantee was of \$24,000

On motion by COMMISSIONER PCT. 4, JOSEPH PALACIOS, seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 – Unanimously

17. Precinct #2 - Comm. Cantu:

- A. AI-55455** Requesting approval of Amendment No. 1 to the Interlocal Cooperation Agreement with the City of McAllen approved by CC 12/15/15 (AI#52366). The amendment will increase the estimated project cost and increase the City's contribution.

Commissioner Cuellar joined the meeting.

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

Vote: 5 - 0 -Unanimously

18. Precinct #3 - Comm. Flores:

- A. AI-55422** Acceptance of the listed/detailed invoices/claims from Ergon Asphalt & Emulsions with approval for County Treasurer to issue payment after review, audit, and processing procedures are completed by County Auditor:

Vendor	Invoice No.	Amount
Ergon Asphalt and Emulsions, Inc.	9401430551	\$5187.18
Ergon Asphalt and Emulsions, Inc.	9401486721	\$5994.30
Ergon Asphalt and Emulsions, Inc.	9401427870	\$6372.82
Ergon Asphalt and Emulsions, Inc.	9401486704	\$-6372.82 Credit

AI-55455**Precinct #2 17. A.****CC - REGULAR****Meeting Date:** 07/19/2016**Submitted For:** Eddie Cantu, COMM. PCT. #2**Submitted By:** Erika Zamora, COMM. PCT. #2**Department:** COMM. PCT. #2**Information****CAPTION**

Requesting approval of Amendment No. 1 to the Interlocal Cooperation Agreement with the City of McAllen approved by CC 12/15/15 (AI#52366). The amendment will increase the estimated project cost and increase the City's contribution.

BACKGROUND

The amendment will increase the estimated project cost from \$600K to \$760K and will increase the city's contribution from \$200K to \$280K.

Fiscal Impact**FISCAL YEAR:** 2016**ACCT. #:** 6-1200-431-00-122-126-0-841**FUNDS AVAILABLE Y/N?:** Y**MATCHING FUNDS Y/N?:** N**BUDGETARY IMPACT:**

Funding allocated to this project as of 7/15/16 \$200,000.00.

FISCAL YEAR: 2016**ACCT. #:** 6-1345-431-00-122-126-0-841**FUNDS AVAILABLE Y/N?:** Y**MATCHING FUNDS Y/N?:** N**BUDGETARY IMPACT:**

Funding allocated to this project as of 7/15/16 \$600,000.

AttachmentsAmendment No. 1legal**Form Review**

Inbox	Reviewed By	Date
Budget & Management	Veronica Ortiz	07/15/2016 01:10 PM
Final Approval	Monica Badillo	07/15/2016 05:39 PM
Form Started By: Erika Zamora		Started On: 07/15/2016 11:04 AM
Final Approval Date: 07/15/2016		