

STATE OF TEXAS §

COUNTY OF HIDALGO §

FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN HIDALGO COUNTY AND THE CITY OF McALLEN, TEXAS

This Agreement is made on this the ___ day of _____, 2016 by and between Hidalgo County, Texas, hereinafter referred to "County" and The City of McAllen, Texas acting by and through its Public Utility Board hereinafter referred to as "City", pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, County and City entered into an Interlocal Cooperation Agreement dated June 9th, 2015 (the "Agreement") in which the City agrees to provide funding to the County to construct among other items residential sewer lines and filling of on-site sewage facilities;

WHEREAS, the parties have determined to increase the number of residential sewer lines to be connected in Hoehn Drive Subdivision, to increase the number of on-site service facilities to be filled in Hoehn Drive Subdivision and to increase the amount of funds to contributed by City to accomplish same;

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

- 1. A third sentence shall be added to numbered paragraph 1 of the Agreement as follows:

City agrees to pay County an additional sum of Fifty One Thousand and no one hundredths dollars (\$51,000.00) on execution of this First Amendment to Interlocal Agreement between Hidalgo County and the City of McAllen to provide an additional fifty (50) residential sewer line connections and to fill an additional fifty (50) on-site residential sewage facilities.

- 2. A fourth sentence shall be added to numbered paragraph 1 of the Agreement to read as follows:

County upon receipt of such \$51,000.00 from City agrees to cause its Contractor to perform work necessary to connect fifty (50) additional residential sewer lines and fill an additional fifty (50) on site residential sewage facilities at the residences in Hoehn Subdivision described on Exhibit A

attached hereto and incorporated herein at this point for all purposes.

3. Except as modified herein, all terms and conditions of the Agreement as amended, remain in full force and effect. 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:

By: Arturo Guajardo, Jr.
Arturo Guajardo, Jr., County Clerk



COUNTY OF HIDALGO

By: Ramon Garcia
Ramon Garcia, County Judge

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

By: Stephen L. Crain
Stephen L. Crain

APPROVED BY
COMMISSIONERS' COURT
ON: 9/13/16

ATTEST:

By: Perla Lara
Perla Lara, TRMC/CMC, CPM
City Secretary

CITY OF McALLEN

By: James E. Darling
James E. Darling, Mayor

McALLEN PUBLIC UTILITY BOARD

By: Antonio Aguirre, Jr.
Antonio Aguirre, Jr., Vice Chairman

ATTEST:

By: Nyla L. Flatau
Nyla L. Flatau, TRMC/CMC
Utility Board Secretary

APPROVED AS TO FORM:
CITY ATTORNEY

By: Kevin D. Pagan
Kevin D. Pagan

AI-56082

Urban County 9. A.

CC - REGULAR

Meeting Date: 09/13/2016

Submitted For: Diana Serna, URBAN COUNTY

Submitted By: Sandra Regalado, URBAN COUNTY

Department: URBAN COUNTY

Information

CAPTION

1. Approval of First Amendment of that certain Interlocal Cooperation Agreement between the County of Hidalgo and the City of McAllen, Texas acting by and through its Public Utility Board for additional sewer connections for Hoehn Subdivision Project.
2. In accordance with Section 791.014 of the Texas Government Code, requesting approval of the Interlocal Cooperation Agreement (ICA) for the Hoehn Subdivision Project.

BACKGROUND

Amendment was necessary to provide 50 additional sanitary sewer connections.

Fiscal Impact

FISCAL YEAR:

ACCT. #:

FUNDS AVAILABLE Y/N?:

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

City will pay County \$51,000.00 as per Interlocal Agreement terms

Attachments

Amendment No. 1

exhibit

Legal Approval

Form Review

Inbox

Reviewed By

Date

Budget & Management

Veronica Ortiz

09/09/2016 01:32 PM

Final Approval

Monica Badillo

09/09/2016 05:34 PM

Form Started By: Sandra Regalado

Started On: 08/26/2016 10:49 AM

Final Approval Date: 09/09/2016

SPECIAL MEETING - September 13, 2016

BE IT REMEMBERED, that on this 13th day of September A.D., 2016, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE A.C. CUELLAR, JR.	COMMISSIONER, PRECINCT NO. 1
HONORABLE EDUARDO "EDDIE" CANTU	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE M. FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE JOSEPH PALACIOS	COMMISSIONER, PRECINCT NO. 4

and ARTURO GUAJARDO, JR., COUNTY CLERK & EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

Vote: 4 - 0 - Unanimously

5. Requesting approval of the salary schedule.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 4, JOSEPH PALACIOS, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

C. Health Care Funding District:

1. Discussion and/or action, including but not limited to Health Care Funding District and/or Expenditures

Court took no action on this item.

D. Indigent Health Care Program:

1. Discussion and/or action, including but not limited to Indigent Health Care Program and 1115 Waiver and/or Expenditures

Court took no action on this item.

9. Urban County:

- A. AI-56082** 1. Approval of First Amendment of that certain Interlocal Cooperation Agreement between the County of Hidalgo and the City of McAllen, Texas acting by and through its Public Utility Board for additional sewer connections for Hoehn Subdivision Project.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

2. In accordance with Section 791.014 of the Texas Government Code, requesting approval of the Interlocal Cooperation Agreement (ICA) for the Hoehn Subdivision Project.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 4 - 0 - Unanimously

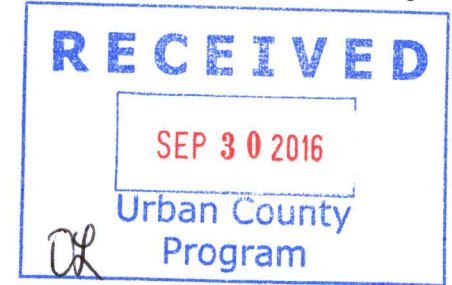


McALLEN

PUBLIC UTILITY

ERNEST R. WILLIAMS, Chairman
ALBERT CARDENAS, Vice-Chairman
ANTONIO "TONY" AGUIRRE, JR., Trustee
CHARLES E. AMOS, Trustee
VERONICA V. WHITACRE, Ex-Officio/
Commissioner

MARCO A. VEGA, P.E., General Manager



September 30, 2016

Mr. Antonio Barco, Deputy Director
Urban County Program
County of Hidalgo
427 East Duranta Ave., Suite 107
Alamo, Texas 78516

RE: Hoehn Drive Subdivision Sanitary Sewer Project

Dear Mr. Barco:

Attached herewith you will find two (2) executed copies of Amendment Number One to the Interlocal Agreement between Hidalgo County, Hidalgo County Drainage District No. 1 and City of McAllen/McAllen Public Utility (MPU) for provision of sanitary sewer services to the Hoehn Drive Subdivision. As you will notice, the document is lacking the County Judge's signature as well as that of the County Clerk. Please be kind enough to forward to me an original copy upon it being duly executed.

Should you have any questions, you may call me at (956)681-1637. I will be glad to assist you.

Sincerely,

Juan J. Rodriguez
Assistant General Manager

c: Mr. Mark A. Vega, P. E., General Manager – MPU