

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO   §

**FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE HIDALGO COUNTY AND HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY**

This First Amendment to Interlocal Cooperation Agreement is made this 4<sup>th</sup> day of October, 2016 by and between Hidalgo County, Texas (the "County") and the Hidalgo County Regional Mobility Authority (the "RMA").

WHEREAS, County and RMA entered into a Interlocal Cooperation Agreement dated March 5, 2014 (the "Agreement") in which the County agrees to provide certain Right of Way acquisition services to assist the RMA; and

WHEREAS, the parties have determined to amend and correct the Right of Way Description and Estimate Parcels and the costs of the Right of Way acquisition services.

NOW THEREFORE, for and in consideration of the mutual obligations of the parties and other good and valuable consideration the receipt of which is hereby acknowledged County and RMA hereby mutually agree to the following Amendments to the Agreement:

1. Exhibit A shall be deleted in its entirety and Exhibit A attached hereto shall be substituted in lieu of the Exhibit A to the Agreement.
2. Exhibit B shall be deleted in its entirety and Exhibit B attached hereto shall be substituted in lieu of the Exhibit B to Agreement
3. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect. County and RMA 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.

HIDALGO COUNTY

Ramon Garcia  
Ramon Garcia, County Judge

ATTEST:

Arturo Guajardo, Jr.  
Arturo Guajardo, Jr., County Clerk



APPROVED BY  
COMMISSIONERS' COURT  
ON: 10/4/16 msh

HIDALGO COUNTY REGIONAL MOBILITY  
AUTHORITY

David Deanda  
David Deanda, Chair of Board of Directors

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By: Stephen L. Crain  
Stephen L. Crain

## EXHIBIT A

Dates of Completion of Right of Way (ROW) Acquisition for US 281/Military Highway Overpass, State Highway 365 and International Bridge Trade Corridor Projects:

<u>ROW Description and Estimate Parcels</u>	<u>Date of Completion for ROW Acquisition</u>
BSIF Connector – 5 Parcels	Complete
US 281/Military Highway Overpass Project – 16 Parcels	Complete
State Highway 365 Project – 25 Parcels	December 31, 2016
International Bridge Trade Corridor Project – 140 Parcels	December 31, 2017

The number of parcels is approximate and may increase or decrease in number.

## EXHIBIT B

### RIGHT OF WAY ACQUISITION SERVICES

The County shall provide Right of Way Agents to the RMA that will provide services in accordance with the procedures in the Texas Department of Transportation Right of Way Manuals and such services shall be billed as noted below:

1. ROW Agent Services will be billed by the County at a fixed rate of \$3,610.00 per parcel acquired after the Effective Date.

AI-56704  
CC - REGULAR

Precinct #2 20. A.

Meeting Date: 10/04/2016

Submitted For: Eddie Cantu, COMM. PCT. #2

Submitted By: Erika Zamora, COMM. PCT. #2

Department: COMM. PCT. #2

✓ BRS  
10/13/16

**Information**

**CAPTION**

Requesting approval of First Amendment to Interlocal Cooperation Agreement between Hidalgo County and Hidalgo County Regional Mobility Authority previously approved by CC on 3/5/14, to revise Exhibit A & B of the agreement.

**BACKGROUND**

**Fiscal Impact**

**FISCAL YEAR:**

**ACCT. #:**

**FUNDS AVAILABLE Y/N?:**

**MATCHING FUNDS Y/N?:**

**BUDGETARY IMPACT:**

Hidalgo County Precinct 2 ROW Agents will be providing right of way acquisition services to the RMA and the County will bill the RMA at a REVISED fixed rate of \$3,610.00 per parcel acquired.

**Attachments**

ICA Amendment

Legal

**Form Review**

Inbox	Reviewed By	Date
Budget & Management	Veronica Ortiz	09/30/2016 02:03 PM
Final Approval	Monica Badillo	09/30/2016 05:24 PM
Form Started By: Erika Zamora		Started On: 09/30/2016 11:25 AM
Final Approval Date: 09/30/2016		

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

BOARD RESOLUTION No. 2015 – 80

APPROVAL OF AMENEDMENT TO THE INTERLOCAL AGREEMENT  
WITH HIDALGO COUNTY FOR RIGHT OF WAY ACQUISITION  
SERVICES FOR THE STATE HIGHWAY 365 AND THE INTERNATIONAL  
BRIDGE TRADE CORRIDOR PROJECTS

THIS RESOLUTION is adopted this 20<sup>th</sup> day of November, 2015, by the Board of Directors of the Hidalgo County Regional Mobility Authority at a regular meeting.

WHEREAS, the Hidalgo County Regional Mobility Authority (the “Authority”), acting through its Board of Directors (the “Board”), is a regional mobility authority created pursuant to Chapter 370, Texas Transportation Code, as amended (the “Act”);

WHEREAS, the Authority is authorized by the Act to address mobility issues in and around Hidalgo County;

WHEREAS, Section 370.261 of the Act requires that the Authority, every even numbered year, develop a five year strategic plan;

WHEREAS, on March 28, 2012 the Authority approved the 2012-2017 Strategic Plan - Project Manager Strategy No. 8, which included State Highway 365 (SH 365), International Bridge Trade Corridor (IBTC) and State Highway 68 (formerly Segment D); and

WHEREAS, on December 10, 2013, the Authority closed on the Vehicle Registration Fee Revenue and Refunding Bond Series 2013 and has programmed the funds for the advance project development of the SH 365 and IBTC Projects; and

WHEREAS, the Hidalgo County recognizes the importance of mobility to the region’s economic vitality through the efficient movement of goods, services and people and Hidalgo County has offered to help accelerate advance project development on the SH 365 and the IBTC Projects; and

WHEREAS, Hidalgo County has the necessary capacity and expertise to further advance project development for the SH 365 and IBTC Projects, which includes right of way acquisition services for the project; and

WHEREAS, the Authority will reimburse Hidalgo County for Right of Way Acquisition Services for the SH 365 and IBTC Projects; and

WHEREAS, on March 19, 2014, the Authority approved an Interlocal Agreement with Hidalgo County for Right of Way Acquisition Services for the SH 365 and IBTC Projects; and

WHEREAS, the Authority has determined it is necessary to amend the Interlocal Agreement with Hidalgo County for Right of Way Acquisition Services to revise the cost per parcel from \$1,805.00 to \$3,610.00 for the SH 365 and IBTC Projects;

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF DIRECTORS  
OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY THAT:

Section 1. The recital clauses are incorporated in the text of this Resolution as if fully restated.

Section 2. The Board hereby approves the amended interlocal agreement with the Hidalgo County for Right of Way Acquisition Services for the SH 365 and IBTC Projects, hereto attached as Exhibit A.

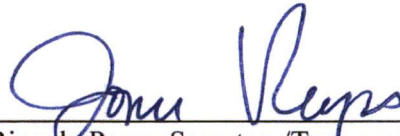
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PASSED AND APPROVED AS TO BE EFFECTIVE IMMEDIATELY BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY AT A REGULAR MEETING, duly posted and noticed, on the 20<sup>th</sup> day of November, 2015, at which meeting a quorum was present.



Rance G. Sweeten, Chairman

Attest:



~~Ricardo Perez, Secretary/Treasurer~~

Josue Reyes, Vice-Chair