

RESOLUTION NO. 23-R-10

A RESOLUTION BY THE CITY COUNCIL AUTHORIZING A NINTH AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) TO PROVIDE FUNDING IN THE AMOUNT OF \$42,666.00 FOR TRANSIT SERVICES IN THE CITY OF SCHERTZ.

WHEREAS the Alamo Area Council of Governments (AACOG) has been providing transit services to Schertz through the ART program, and

WHEREAS in 2013 the City entered into an agreement with AACOG to provide demand response transit services, and

WHEREAS, VIA Metropolitan Transit is the designated recipient for Urban Funds which can be used to support this program, and

WHEREAS a local match of \$42,666.00 is required for the 2022-2023 Fiscal Year,

WHEREAS AACOG has been designated by VIA as the recipient of funds to continue to provide transit services,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council desires to enter into an ninth amended agreement with AACOG to provide a match of \$42,666.00 to allow the Alamo Area Council of Governments (AACOG) to continue to provide this transportation service per the agreement attached as per Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ___th day of ____, 2023.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Sheila Edmondson

(CITY SEAL)

Exhibit "A"

Ninth Amendment to the Agreement with AACOG

NINTH AMENDMENT TO INTERLOCAL AGREEMENT FOR
City of Schertz Demand-Response Route

This Ninth amendment to the Interlocal Agreement for City of Schertz Demand-response Route (the "Agreement") is hereby entered into by and between the **City of Schertz** (the "City") and the **Alamo Area Council of Governments** ("AACOG"), to be effective October 1, 2022.

WITNESSETH:

WHEREAS, the City and AACOG entered into that certain interlocal agreement ("the Agreement"), dated October 1, 2013 in which the City agreed to provide a matching fund payment for demand-response services to AACOG and AACOG agreed to provide demand-response public transportation for the City; and

WHEREAS, the parties desire to amend and revise the Agreement as hereinafter set forth.

NOW, THEREFORE, the parties by mutually executing this Amendment, agree that the Agreement is amended as follows:

1. Add to Section 4.1 a subsection "a" to read as follows: "a. The City's Financial Contribution for Fiscal Year 2023 shall be \$42,666"

IT IS HEREBY AGREED BY THE PARTIES HERETO that with the exception of those terms and conditions specifically modified and amended herein, the herein referenced Interlocal Agreement shall remain in full force and effect in all its terms and conditions.

EXECUTED the day and year first above written.

CITY OF SCHERTZ:

**ALAMO AREA COUNCIL OF
GOVERNMENTS:**

By: _____
Steve Williams
City Manager

By: _____
Diane Rath
Executive Director

Date: _____

Date: _____