

FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT

This First Amendment to the Interlocal Agreement ("First Amendment") is made and entered into by and between Harris County, a body corporate and politic under the laws of the State of Texas ("County"), and East Aldine Management District, a special district created under chapter 3817 of the Texas Special District Local Laws Code ("District"). The County and District each may also be referred to individually herein as a "Party", or collectively as the "Parties".

RECITALS

WHEREAS, on or about February 22, 2022, County and District entered into an Agreement in which District would provide leverage funding in the amount of \$214,550.00, which in combination with Community Development Block Grant ("CDBG") funding, would be used to construct a water distribution system in a portion of the Parkwood Estates subdivision of Harris County, Texas, located in Harris County Precinct 2 ("Project"); and

WHEREAS, monetary figures in the Agreement, which the Parties were obligated to contribute and which are required to complete the Project, have changed; and

WHEREAS, by separate amendment, County now has available \$1,363,611.00 in CDBG funds, pursuant to Title 1 of the Housing and Community Development Act of 1974, to benefit low and moderate income individuals and families, to contribute toward construction costs of the Project; and

WHEREAS, County is willing to construct the Project for District if District will, increase its leverage funding by \$80,913.00 for a contribution of up to \$295,463.00 toward construction costs of the Project and be responsible for operation of the facilities constructed; and

WHEREAS, County and District now desire to execute this Amendment to Agreement to increase District's leverage funding by \$80,913.00 for a total amount of \$295,463.00,

NOW, THEREFORE, County and District, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

TERMS

1. Section I. A. iii) of the Agreement which reads:

Provide up to \$214,550.00 toward the Project's cost ("Leverage Funds"); and
is hereby amended to read as follows:

Provide up to \$295,463.00 toward the Project's cost ("Leverage Funds"); and

2. Section I.B. iv) of the Agreement, which reads:

Provide up to \$1,120,873.00 in CDBG grant funds toward the Project's cost ("Grant Funds"), subject to certification of the availability of funds for the Project by the Harris County Auditor.
is hereby amended to read as follows:

Provide up to \$1,363,611.00 in CDBG grant funds toward the Project's cost ("Grant Funds"), subject to certification of the availability of funds for the Project by the Harris County Auditor.

3. Within 60 days of the execution of this First Amendment, the District shall remit the additional \$80,913.00 to the County in the manner requested by the County.
4. All provisions of the Agreement, except as amended herein, shall remain in full force and effect. In the event of a conflict between the Agreement and this First Amendment, this First Amendment shall control.
5. This First Amendment has been executed by the parties in multiple originals, each having full force and effect.

APPROVED:

HARRIS COUNTY

EAST ALDINE MANAGEMENT DISTRICT

By LINA HIDALGO (Date)
County Judge

By Carlos Silva 8/16/22
Vice-Chairman (Date)

APPROVED AS TO FORM:

Christian D. Menefee
County Attorney

ATTEST:

By Deborah Foster 8/16/22
Deborah Foster (Date)
Secretary, Board of Directors

By Philip Berzins
Philip Berzins
Assistant County Attorney
C.A. File No.: 22GEN2375

ORDER OF COMMISSIONERS COURT

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on _____, 2022 with all member present except _____.

A quorum was present. Among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE
INTERLOCAL AGREEMENT WITH HARRIS COUNTY AND EAST ALDINE
MANAGEMENT DISTRICT FOR THE CONSTRUCTION OF WATER
DISTRIBUTION SYSTEM ON CHARRIN DRIVE, PICTON DRIVE, ROCHELL DRIVE,
DALEBURG DRIVE AND HAVERTY DRIVE IN THE PARKWOOD ESTATES SUBDIVISION,
LOCATED IN HARRIS COUNTY PRECINCT 2**

Commissioner _____ introduced and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for the adoption of the order. The motion carrying with it the adoption of the order prevailed by the following vote:

| | Yes | No | Abstain |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| Judge Hidalgo | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Commissioner Rodney Ellis | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Commissioner Adrian Garcia | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Commissioner Tom S. Ramsey, P.E. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Commissioner R. Jack Cagle | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The meeting chair announced that the motion had duly and lawfully carried, and this order was duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that:

1. The Harris County Judge is authorized to execute the attached First Amendment to the Interlocal Agreement with Harris County and East Aldine Management District for the purpose of constructing the Parkwood Estates Ph II Water Distribution System, including construction of water distribution lines and abandonment of water wells in the Parkwood Estates Subdivision, located in Harris County Precinct 2. The attached Amendment may be executed with an electronic or facsimile signature.
2. The Harris County Engineering Department and all other Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.