



HARRIS COUNTY, TEXAS COMMUNITY SERVICES DEPARTMENT

Adrienne M. Holloway, Ph.D.
Executive Director

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March 8, 2021

County Judge Hidalgo and
Commissioners Ellis, Garcia, Ramsey and Cagle

AGENDA LETTER

Please consider the following item on the Commissioners Court Agenda for March 30, 2021:

The amendment fifteen (15) of an Interlocal Agreement between Harris County and the Metropolitan Transit Authority of Harris County ("METRO") for the continuation of the Baytown Express Park and Ride service from Garth Road and Interstate 10 in Precinct 2.

Thank you for your assistance with this request.

DocuSigned by:

Adrienne Holloway

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Adrienne M. Holloway, Ph. D.
Executive Director

AH/kf/dj

Executive Summary
Renewal of the Service Agreement with METRO for
The Baytown Express Park & Ride Program

On September 25, 2007 Harris County Commissioners Court approved an Interlocal Agreement between the Harris County Community Services Department (formerly CEDD) and the Metropolitan Transit Authority of Harris County (“METRO”) to provide bus services for the Baytown Express Park and Ride Pilot Project. The Park and Ride facility is located at the San Jacinto Mall at Garth Road and Interstate 10. This project is funded through Federal Transit Administration (FTA) 5307 Urban Formula grants administered by the Community Services Department.

The Baytown Express has continued to transport passengers from Baytown to the Houston Central Business District and the Houston Medical Center. The Baytown Express is beyond METRO’s service area but METRO was selected to provide service under contract. The County pays the fully allocated cost of this service using FTA 5307 funds on an incremental basis determined by revenue hours operated between METRO’s last Park and Ride along I-10 East and Baytown.

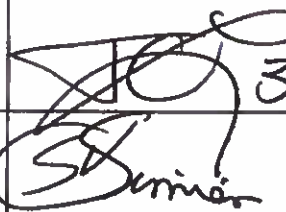

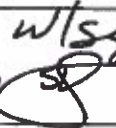
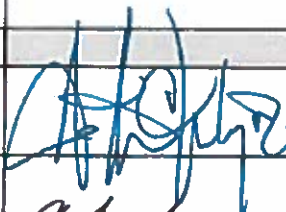

Approval of Amendment fifteen (15) to the Interlocal Agreement between Harris County and METRO is recommended.

Community Services Department

March 8, 2021



RECORD OF CONCURRENCE AND APPROVAL

| | | | | |
|--|--|---|--------------------------------------|--|
| | | | | SUSPENSE DATE |
| Amendment #15 to Interlocal Agreement for Park & Ride Service in Baytown, TX | | | | 3/5/2021 |
| EXPLANATION | | | | |
| METRO's ILA with Harris County for Baytown expires on Wednesday, March 31, 2021. METRO signature needed on Interlocal Agreement prior to submission and approval to Harris County | | | | |
| ORIGINATOR | | DATE ORIGINATED | PERSON TO CONTACT FOR DETAILS | |
| Jim Archer | | 3/5/2021 | Jim Archer | |
| | | | Ext 6820 | |
| ROUTING SEQUENCE | APPROVING AUTHORITY | SIGNATURE | DATE | COMMENTS |
| | | | | |
| 5 | Tom C. Lambert, President & CEO |  | 3-17-2021 | |
| 4 | Sofia Simien, Executive Assistant to CEO |  | 3/17 | Returned w/ signature & attested  |
| | Rosa Diaz, Director, Board Office | | | |
| | | | | |
| 2 | Art Smiley, Chief Financial Officer |  | 3/14/21 | |
| 1 | Cydonii Fairfax, General Counsel |  | 3/9/2021 | |
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**AMENDMENT NO. 15 TO INTERLOCAL AGREEMENT
FOR PARK AND RIDE SERVICE IN BAYTOWN, TEXAS**

THE STATE OF TEXAS

COUNTY OF HARRIS

This Amendment is made and entered into by and between the Harris County, Texas, a public entity and governmental unit of the State of Texas, herein after called the "County" and the Metropolitan Transit Authority of Harris County, Texas, a metropolitan transit authority and public entity under the laws of the State of Texas, hereinafter called "METRO."

WITNESSETH

WHEREAS, on or about September 11, 2007, the County and METRO initially entered into an interlocal agreement (the "Agreement") regarding the operation of a park and ride facility east of Maxey Road and within the vicinity of the City of Baytown to enhance regional mobility and support transit services within the County and METRO; and

WHEREAS, on or about September 25, 2007, the County and METRO entered into Amendment No. 1 to the Agreement to change the service hours for the park and ride service; to increase the compensation to METRO for the additional costs to be incurred due to such change by making available an additional \$10,500.00 in funds above the \$52,000.00 certified as available under the original agreement; and to provide that subsidies during the first week of service will not require use of the METRO Q Card mechanism; and

WHEREAS, the County and METRO entered into Amendment Nos. 2 through 14 on or about October 31, 2008, September 15, 2009, September 28, 2010, September 13, 2011, September 11, 2012, October 22, 2013, March 11, 2014, March 31, 2015, April 26, 2016, May 23, 2017, March 27, 2018, May 14, 2019, and March 24, 2020 respectively, each to extend the term of the Agreement for an additional year's service and to provide funding for such continued service; and

WHEREAS, the County and METRO desire to amend the Agreement further to extend the term of the Agreement for an additional year's service and to provide funding for such continued service.

NOW, THEREFORE, for and in consideration of the mutual covenants, agreements, and benefits to the parties herein named, the County and METRO enter into Amendment No. 15 as follows:

I.

Article 4.2 of the Agreement is amended to read as follows:

4.2 During the fourteenth term of this Agreement as described in Article 7, METRO will submit monthly invoices to the County no later than the 10th business day of the month in the amount

of \$5,301.16 for services provided during the preceding month. The County will remit payment to METRO within thirty (30) days after receipt of an invoice from METRO in the amounts and for the services described in the invoice. The County agrees to make payment with available CMAQ or FTA Section 5307 funds provided METRO has made FTA Section 5307 funds available to the County for the fiscal year in which the payments are incurred and due, and in accordance with the approved Transportation Improvement Program.

II.

Article 7 of the Agreement is amended to read as follows:

Unless terminated sooner in accordance with this Agreement, the fourteenth term of this Agreement shall begin upon execution and end at the end of the day of March 31, 2022.

Except as provided herein, all other terms and conditions of the Agreement shall remain in full force and effect. If a conflict occurs between the Agreement and Amendment Nos. 1 through 15, Amendment No. 15 shall prevail. METRO shall comply with all applicable local, state, and federal laws and regulations in performance of this Agreement. METRO and the County are public entities and members of the Houston Transportation Management Area for receipt of federal funds. METRO and the County shall at all times comply with all applicable FTA regulations, policies, procedures and directives, those listed directly, or by reference, in the Master Agreement between Harris County and FTA, as they may be amended or promulgated from time to time during the term of this Agreement.

IN TESTIMONY OF WHICH, this Amendment, in duplicate originals, each having equal force, has been executed on behalf of the parties hereto as follows:

- a. It has on the ____ day of _____, 2021 been executed on behalf of the County by the Director of the Harris County Community Services Department, pursuant to order of the County Commissioners Court authorizing such execution.
- b. It has on the 17th day of March 2021 been executed on behalf of METRO by the President and Chief Executive Officer and attested by its Assistant Secretary, pursuant to Resolution 2007-72 of its Board of Directors authorizing such execution.

**METROPOLITAN TRANSIT AUTHORITY
OF HARRIS COUNTY, TEXAS**

By: 
Thomas C. Lambert
President and
Chief Executive Officer

Attest: 
Assistant Secretary



Approved as to Form:

By: 
Cydonii Fairfax
General Counsel

By: 
Art Smiley
Chief Financial Officer

Executed for and on behalf of the Metropolitan Transit Authority pursuant to Resolution No. 2007-72, passed by the Board of Directors on July 26, 2007 and on file in the Office of the Assistant Secretary of the METRO Board of Directors.

HARRIS COUNTY

Approved as to form:

Christian D. Menefee, County Attorney

By: _____
Adrienne Holloway, Ph.D
Executive Director
Harris County Community Services Department

By: _____
Cherelle Sims
Assistant County Attorney
C.A. File 21GEN0140

ORDER OF COMMISSIONERS COURT
 Authorizing execution of an amendment to an agreement

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the ____ day of _____, 2021 with all members present except _____.

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

**ORDER AUTHORIZING EXECUTION OF AMENDMENT TO INTERLOCAL
 AGREEMENT WITH METROPOLITAN TRANSIT AUTHORITY
 OF HARRIS COUNTY, TEXAS**

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

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

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that County Judge Lina Hidalgo be, and she is hereby authorized to execute, for and on behalf of Harris County, the Fifteenth Amendment to the Interlocal Agreement between Harris County and Metropolitan Transit Authority of Harris County, Texas, to extend the term through March 31, 2022. The Amendment is incorporated by reference and made a part of this order for all intents and purposes as though fully set forth word for word.

All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.