

STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

**INTERLOCAL AGREEMENT BETWEEN GUADALUPE COUNTY AND
THE CITY OF SAN MARCOS FOR THE FUNDING OF THE
ZORN PUBLIC SAFETY RADIO COMMUNICATION PROJECT**

This agreement is entered into by and between the County of Guadalupe (County), a political subdivision of the State of Texas, and the City of San Marcos (City), a municipal corporation situated in Guadalupe County, Texas. Authority is granted pursuant to Chapter 791 of the Texas Government Code.

WHEREAS, the County and the City have a mutual interest in providing the best possible public safety radio coverage to our first responders to handle increased density and provide better coverage;

WHEREAS, the County received grant funds through the American Rescue Plan Act (ARPA);

WHEREAS, the Lower Colorado River Authority (LCRA) has issued a Construction/Installation Proposal for the Zorn Tower located at 14906 North State Highway 123 San Marcos, Guadalupe County, Texas & San Marcos P25 Site Upgrades (Project) in the amount of \$1,520,000.00; and the County and the City agreed to share the total project owner costs on an equal basis; and

WHEREAS, since the tower project benefits Guadalupe County Public Safety, the County’s portion of the project will be funded by the County’s ARPA grant funding.

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, Guadalupe County and the City of San Marcos agree as follows:

I.

The term of this agreement shall begin on the date of last approval by the City and the County and shall continue in effect until the Project is completed.

II.

The County and the City agree that it will have appropriate funding for the Project available from current budget resources beginning in fiscal year 2024 and continuing through the completion of the Project by December of 2026.

III.

The County agrees to fund \$760,000.00, which is the entirety of the County's portion of the Project. The County will issue the entire \$760,000.00 to the City, which will satisfy the County's obligation for the Project.

IV.

The City agrees to fund \$760,000.00, which is the entirety of the City's portion of the Project. The City agrees to issue Purchase Orders to the Lower Colorado River Authority (LCRA) for \$1,520,000.00, which is the entire funding obligation of the project for the equipment and labor.

V.

Notice to the County shall be delivered to the County Judge, Guadalupe County Courthouse, 101 E. Court St., Seguin, Texas 78155.

Notice to the City shall be delivered to the City Manager, City of San Marcos, 630 E Hopkins, San Marcos, TX 78666.

This agreement shall be binding upon and inure to the benefits of the parties hereto and their respective legal representatives, successors and assigns where permitted by the agreement.

VI.

In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

VII.

This Agreement between the parties hereto and with the exception of any agreement with respect to planning responsibilities supersedes any prior understandings or written or oral agreements

between the parties respecting the Project. With the exception of items set forth herein, this Agreement shall not have any effect on any other agreements between the parties.

This Agreement is executed this the 13 day of August 2024.

COUNTY OF GUADALUPE

CITY OF SAN MARCOS


By:



Kyle Kutscher
County Judge
Guadalupe County

Stephanie Reyes
City Manager
City of San Marcos

Attest:



Teresa Kiel
County Clerk



Elizabeth Trevino
City Clerk