



COMMISSIONERS COURT
COMMUNICATION

REFERENCE NUMBER

PAGE 1 OF

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DATE: 12/13/2022

SUBJECT: **APPROVAL OF THE SECOND AMENDMENT TO THE
INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND
THE TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO.
1 AS PART OF THE TARRANT COUNTY FISCAL RECOVERY
FUNDS PROGRAM**

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve the second amendment to the Interlocal Agreement (ILA) between Tarrant County and the Tarrant County Emergency Services District (ESD) No. 1 as part of the Tarrant County Fiscal Recovery Funds program.

BACKGROUND

On September 27, 2021, the Commissioners Court, through Court Order #136137, approved an ILA between Tarrant County and the Tarrant County ESD No. 1 to fund the first fiscal year of the ESD's program to improve access to care in the unincorporated area of Tarrant County. The ESD provides fire, first responder, and ambulance services to the unincorporated portion of Tarrant County through contracts with twenty-six (26) municipal and volunteer departments.

On April 26, 2022, the Commissioners Court, through Court Order #137956, approved the First Amendment to the ILA between Tarrant County and the ESD to increase the total amount of funding to \$12,000,000.00. The COVID-19 pandemic increased the need for first responders and accelerated the need to replace equipment. This reimbursement program aides and supports municipal and volunteer service providers that serve the County through meeting equipment replacement needs, personal protective equipment, and related expenses.

This Second Amendment increases the agreement from \$12,000,000.00 to \$15,000,000.00. The Amendment also conforms eligible uses to the U.S. Treasury's Final Rule.

FISCAL IMPACT

Funding in the amount of \$3,000,000.00 is available in CARPA-2023.

This item has been recommended or approved for ARPA/FRF funding.

SUBMITTED BY: Administrator's Office

PREPARED BY: Russell Schaffner
APPROVED BY:



**SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN TARRANT
COUNTY AND THE TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1**

This Second Amendment to the Interlocal Agreement Between Tarrant County and the Tarrant County Emergency Services District No. 1 ("Amendment") is entered into effect as of Tarrant County Commissioners Court approval, between the Tarrant County Emergency Services District No. 1 ("ESD") and Tarrant County, Texas ("County").

RECITALS

WHEREAS, County and ESD entered into an Interlocal Agreement Between Tarrant County and the Tarrant County Emergency Services District No. 1 ("Agreement") on August 24, 2021 as reflected in Commissioners Court Order Number 136137, distributing State and Local Fiscal Recovery Funds ("FRF") from County to ESD;

WHEREAS, the County and ESD entered into the First Amendment to the Interlocal Agreement Between Tarrant County and the Tarrant County Emergency Services District No. 1 ("First Amendment") on April 26, 2022 as reflected in Commissioners Court Order Number 137956, distributing additional FRF from County to ESD;

WHEREAS, this Amendment is made pursuant to the authority of chapter 791 of the Texas Government Code;

WHEREAS, a need exists for ESD to receive additional reimbursement from the County using FRF funds for eligible expenses to effectuate the governmental services and functions outlined in Item II of the Agreement, entitled DESCRIPTION OF SERVICES;

WHEREAS, County retains sufficient FRF funds to provide additional reimbursement to ESD;

WHEREAS, it is the desire of ESD and County to increase the total amount of FRF funds available to ESD beyond the current terms of the Agreement; and

WHEREAS, ESD and County will continue to make any payments or performance required by the Agreement and this Amendment from current revenues legally available.

NOW THEREFORE, County and ESD agree as follows:

1. County and ESD accept this Amendment which adjusts the total amount of FRF funds made available by the County to ESD.
2. Total available funding is increased from TWELVE MILLION DOLLARS (\$12,000,000.00) as stated in the original terms of the Agreement to FIFTEEN MILLION DOLLARS (\$15,000,000.00) as authorized by this Second Amendment.
3. Item 3 of the First Amendment is hereby deleted and replaced with the following language:

The COUNTY shall make available an amount of up to FIFTEEN MILLION DOLLARS (\$15,000,000.00) to ESD from the COUNTY'S FRF funds to reimburse ESD for expenses related to FRF eligible uses as outlined in the Treasury's Final Rule according to Appendix A.

ESD Acknowledges that it is a Sub-Recipient of the COUNTY'S FRF FUNDS and shall follow guidelines as provided in Appendix C, and all guidance issued by the U.S. Treasury pertaining to the proper use of FRF FUNDS.

4. The Program Budget included within Item 4 of the First Amendment is hereby deleted and replaced with the following language:

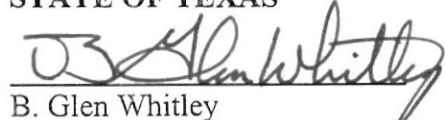
Program Budget

Category	Total Program Budget
Personnel	\$
Fringe	\$
Travel	\$
Equipment	\$
Supplies	\$
Contractual	\$14,950,000
Other	\$
Direct Total	\$14,950,000
Indirect	\$50,000
Total	\$15,000,000

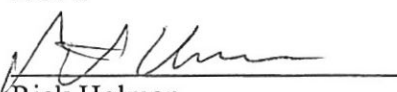
5. Except as amended herein, the Agreement is unchanged.

SIGNED AND EXECUTED this 13 day of December, 2022.

COUNTY OF TARRANT
STATE OF TEXAS

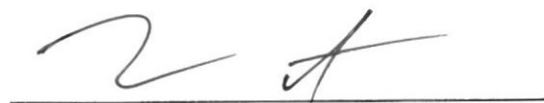

B. Glen Whitley
County Judge

EMERGENCY SERVICES DISTRICT
NO. 1


Rick Holman
President

APPROVED AS TO FORM:

CERTIFICATION OF
AVAILABLE FUNDS: \$ 3,000,000.00


Criminal District Attorney's Office*


Tarrant County Auditor

*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.