

CONTRACT

(NUECES COUNTY; FLOUR BLUFF BUSINESS ASSOCIATION)

STATE OF TEXAS

*** KNOW ALL MEN BY THESE PRESENTS**

COUNTY OF NUECES

This agreement entered into on the date of its execution as set forth below by and between Nueces County, hereinafter called "County," and the Flour Bluff Business Association, herein after called "Business Association," an organization founded for the promotion of businesses, creation of jobs, and overall economic benefit of Flour Bluff and surrounding areas within Nueces County.

WITNESSETH:

WHEREAS, to stimulate business and commercial activity in Nueces County, the Commissioners Court is authorized by § 381.004 (b) of the Texas Local Government Code to develop and administer a program to stimulate, encourage, and develop business location and commercial activity in the county; to promote or advertise the county and its vicinity or conduct a solicitation program to attract conventions, visitors, and businesses; and for local economic development; and,

WHEREAS, the Nueces County Commissioners Court has created a program by resolution adopted on November 12, 2008, designed to

promote business activity, provide direction, and organize efforts for the economic benefit of Nueces County and surrounding areas; and,

WHEREAS, the Commissioners Court is authorized to contract with a private corporation such as Business Association pursuant to § 381.004 (c) of the Texas Local Government Code and Texas Attorney General Opinion No. JM-516 (1986) for the administration of such a program;

NOW, THEREFORE, for and in consideration and exchange of mutual covenants and conditions contained herein, the County and Business Association agree as follows:

I.

The Business Association agrees to administer the County's program for local economic development as follows: 1) by stimulating, encouraging, and developing business location and commercial activity in the county; and 2) promoting or advertising the county and its vicinity or conducting a solicitation program to attract conventions, visitors, and businesses for the economic benefit of Flour Bluff and surrounding areas within Nueces County. The Business Association will provide program access or remove barriers to accessibility under the Americans with Disabilities Act to allow individuals with disabilities the opportunity to participate and receive benefits of services, programs and activities.

II.

The Business Association will submit a report to the County detailing activities by the Business Association in performance of its obligations pursuant to this agreement. The Business Association shall include in its report a detailed accounting of expenditures of County funds and any measurable results obtained with regard to local economic development, business location and commercial activity developed, jobs created, and the promotion or advertisement of the Flour Bluff and surrounding areas within Nueces County or the solicitation program to attract conventions, visitors and businesses. Such reports shall be presented to the County Commissioners Court at a noticed meeting.

III.

The Business Association will diligently use its resources to promote the cause of administration of the program with respect to the economic development of Nueces County.

IV.

As payment for these services to be rendered in the County's fiscal year 2017-2018, the County will provide \$5,000.00 subject to appropriations for administration of the program pursuant to the 2017-2018 County Budget.

V.

The Business Association will cause this funding to be segregated from other funds used for activities of the Business

Association unrelated to the purposes of this agreement.

VI.

This agreement shall continue in force and effect until September 30, 2018. In the event the Business Association terminates the program activities subject to this agreement prior to the expiration of this agreement, the balance of any remaining funds shall be returned to the County in the same proportion that County funds bear to the total funds received or in the possession by the Business Association to conduct program activities related to this agreement.

WITNESS our hands on this ____ day of _____, 2018.

NUECES COUNTY

Flour Bluff
Business Association

BY: _____
Samuel L. Neal, Jr.
County Judge

BY: _____
Chairman

ATTEST:

BY: _____
Kara Sands, County Clerk

Approved as to form:

BY: _____
Laura Garza Jimenez
County Attorney