

**CONTRACT**

**(NUECES COUNTY/THE ARK)**

**STATE OF TEXAS**

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**KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF NUECES**

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This agreement entered into on the date of its execution as set forth below by and between Nueces County, hereinafter called "County," and The Ark Assessment Center and Emergency Shelter for Youth, herein after referred to as "The Ark," a nonprofit organization licensed by the Texas Department of Family and Protective Services which provides shelter for abused and neglected children from infancy to seventeen (17) years old who have been removed from their homes by the Texas Department of Family and Protective Services.

**WITNESSETH:**

WHEREAS, the Commissioners Court finds that there is a need for programs to provide services to and support of children in need of protection and care; and

WHEREAS, The Ark has developed programs designed to provide services as a shelter offering a caring, loving environment for children from infancy to seventeen (17) years old who have been removed from their homes by the Texas Department of Family and Protective Services; and

WHEREAS, the Commissioners Court is authorized to provide for services to and support of children in need of protection and care without regard to the immigration status of the child or the child's family pursuant to § 264.006 of the Texas Family Code and the determination of Texas Attorney General Opinion No. JC-0439 (2001);

NOW, THEREFORE, for and in consideration and exchange of mutual covenants and conditions contained herein to provide services to and support of children in need of protection and care, the County and The Ark agree as follows:

I.

The Ark will provide a shelter offering a caring, loving environment for children from infancy to seventeen (17) years old who have been removed from their homes by the Texas Department of Family and Protective Services and therefore are in need of protection and care. The Ark 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 Ark will submit semi-annual reports to the County indicating activities by The Ark in performance of its obligations pursuant to this agreement. The Ark shall include in its reports a detailed accounting of expenditures of County funds and the direct and measurable results obtained with regard to the effect of the program providing a shelter offering a caring, loving environment for children from infancy to seventeen (17) years old who have been removed from their homes by the Texas Department of Family and Protective Services. Such reports shall be presented to the County Commissioners Court at a noticed meeting.

III.

The Ark will diligently use its resources to provide the aforementioned program providing a shelter designed to help and support the children in Nueces County who have

been removed from their homes by the Texas Department of Family and Protective Services.

IV.

As payment for these services to be rendered in the County's fiscal year 2019-2020, the County will provide \$3,000 subject to appropriations for the administration of The Ark's program pursuant to the 2019-2020 County Budget.

V.

The Ark will cause this funding to be segregated from other funds used for activities of The Ark unrelated to the purposes of this agreement.

VI.

This agreement shall continue in full force and effect until September 30, 200. In the event The Ark terminates its program services related to the purposes of 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 Ark to conduct program services related to this agreement.

WITNESS our hands on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

NUECES COUNTY

THE ARK

BY: \_\_\_\_\_  
Barbara Canales  
County Judge

\_\_\_\_\_  
Executive Director

ATTEST:

BY: \_\_\_\_\_  
Kara Sands, County Clerk

Approved as to form:

BY: \_\_\_\_\_  
Laura Garza Jimenez  
County Attorney