

MEMORANDUM OF UNDERSTANDING

Whereas, Aransas County is applying for a Community Development Block Grant- Mitigation (CDBG-MIT) grant to fund the design, and construction of a fiber optic loop (herein "Project") that will enhance communication capabilities, especially during emergency/disaster events; and

Whereas, this Project will enhance the communication capabilities of entire Coastal Bend region; and

Whereas, Nueces County supports Aransas County in the development of this Project.

Now, therefore, this Memorandum of Understanding ("MOU") is made by and between Nueces County and Aransas County.

- A. This MOU is for planning purposes only and is not intended to constitute a legally binding or enforceable agreement or commitment on the parties.
- B. **Purpose.** The purpose of this MOU is to memorialize the willingness and intent of Nueces County to support Aransas County in this Project.
- C. **Intent.** After CDBG-MIT grant award for Project and prior to start of construction of the Project the parties intend to enter into an interlocal agreement wherein Nueces County would pay a total of \$25,000 for indefinite access to the public safety telecom network from North Beach to Victoria and public safety towers along the same route..
- D. **Costs.** There are no costs under this MOU. Aransas County intends to apply for a grant for the Project. Nueces County will not be a joint applicant or participate in the grant application.
- E. **Term.** This MOU shall become effective upon the last date of the last signature below and shall remain in full force and effect until an interlocal is entered as described in paragraph C above or upon CDBG-MIT denial of Aransas County's Project application. Any party may withdraw upon notice to the other party.
- F. **No Waiver.** Nothing in this MOU is intended, nor may it be deemed, to waive any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this MOU and the performance of the terms contained in this MOU.
- G. **Entire MOU.** This MOU represents the entire agreement between the parties. Any oral representations or modifications concerning this MOU shall be of no force or effect unless contained in a subsequent writing signed by both parties.

Nueces County

Aransas County

By: _____

By: _____

Barbara Canales
County Judge

C.H. "Burt" Mills, Jr.
County Judge

Date: _____

Date: _____