

County of Nueces



MIKE PUSLEY
County Commissioner
Precinct 1

JOE A. GONZALEZ
County Commissioner
Precinct 2

OSCAR ORTIZ
County Commissioner
Precinct 3

BRENT CHESNEY
County Commissioner
Precinct 4

SAMUEL LOYD NEAL, JR.
County Judge
Nueces County Courthouse, Room 303
901 Leopard Street
Corpus Christi, Texas 78401-3697

CONTRACT

Nueces County and Focus Foundation

This agreement entered into on the date set forth below by and between Nueces County, hereinafter called "County," and Focus Foundation, hereinafter called "Focus," a non-profit organization supporting a program designed to provide youth between the ages of 9-16 in the Coastal Bend area with a healthy start through good nutrition and physical fitness.

WITNESSETH:

WHEREAS, Commissioners Court finds that diabetes constitutes a public health problem in Nueces County; and

WHEREAS, the community has recognized the need for endeavors designed to promote diabetes prevention and awareness that will benefit Nueces County; and

WHEREAS, Diabetes is a chronic, incurable disease and is the fifth leading cause of death in the United States. Over 18.8 million people in the United States, or 8.3% of the population, have been diagnosed with diabetes and approximately 7 million people are unaware that they have the disease. Approximately 9.4% of the people in Nueces County have diabetes; and

WHEREAS, Although the cause of diabetes continues to be a mystery, both genetics and environmental factors such as obesity, eating habits, and lack of exercise, appear to play key roles as risk factors for developing the disease; and

WHEREAS, It has been proven that early detection of people at high risk of developing Type 2 diabetes, combined with a program to support healthy eating, physical activity, and achievable weight loss, can prevent up to 58% of expected diabetes; and

WHEREAS, The Commissioners Court finds the need to promote health services providing diabetes prevention through good nutrition and physical fitness for the youth of Nueces County; and

WHEREAS, In an effort to promote diabetes prevention, Nueces County will partner with Focus, to bring about systemic changes in lifestyles that will result in long term health improvement of Nueces County youth through exercise and proper

nutrition taught through a sport and wellness program held in a university environment; and

WHEREAS, The Commissioners Court is authorized to appropriate and spend money from the county general revenues for public health and sanitation in the county pursuant to §122.001 of the Texas Health and Safety Code and the determinations of Texas Attorney General Opinion Nos. JM-158 (1984) and JM-103 (1983):

THEREFORE, LET IT BE RESOLVED, for and in consideration and exchange of mutual covenants and conditions contained herein, the County and Focus, agree to the following:

- I. Focus will diligently use its resources to provide diabetes awareness and prevention by promoting systemic changes in lifestyles that will result in long term health improvement of Nueces County youth through exercise and proper nutrition taught through a sport and wellness program held at Texas A & M University Corpus Christi. Focus 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. Focus will submit a written report to the County indicating activities by Focus in performance of its obligations pursuant to this agreement. Focus shall include in its report a detailed accounting of expenditures of County funds. Such report should be presented to the County Commissioners' Court at a noticed meeting.
- III. As payment for these services to be rendered in the County's fiscal year 2015-2016, the County will provide \$3,000, subject to appropriations, for the continuation of Focus's diabetes prevention activities pursuant to the 2015-2016 County budget.
- IV. Focus will cause this funding to be segregated from other funds used for activities of the program unrelated to the purposes of this agreement.
- V. This agreement shall continue in force and effect until September 30, 2016. In the event the Focus terminates its activities 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 Focus to conduct activities related to this agreement.

Approved, this day, the _____ day of _____ 2016.

Nueces County

Focus Foundation

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

BY: _____

ATTEST:

BY: _____
Kara Sands, County Clerk

APPROVED AS TO FORM:

BY: _____
Laura Garza Jimenez
County Attorney