



City of Saginaw

City of Saginaw

Meeting Date: 8/15/2017

Staff Contact: Dan O'Leary

Interim City Manager

Agenda Item: 11
(CC-0817-20)

E-mail: doleary@saginawtx.org

Phone: 817-230-0324

SUBJECT: Consideration and Action regarding an Interlocal Agreement with Tarrant County approving the nomination for Ventura Foods, LLC to be considered part of Tarrant County's allocated Enterprise Project designations and agreeing that Tarrant County shall be the governmental body having administration authority for the Ventura Foods, LLC Enterprise Project designation

BACKGROUND/DISCUSSION:

Ventura Foods will also be applying for Enterprise Zone designation and funding with the State of Texas. They are coordinating this through Tarrant County's Economic Development Department. As part of the application they are required to have an interlocal agreement between the county and the city. The attorney has reviewed the agreement and modified it to meet Local Government Code requirements.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

Attachments

Proposed Agreement

THE STATE OF TEXAS §

**Interlocal Agreement Regarding
Ventura Foods, LLC Project**

COUNTY OF TARRANT §

THIS AGREEMENT is made and entered into by and between the **CITY OF SAGINAW, TEXAS**, a home-rule municipal corporation acting by and through its duly authorized Assistant City Manager (hereafter referred to as “**City**”), and **TARRANT COUNTY, TEXAS**, acting by and through its County Judge or his designee (hereafter referred to as “**County**”).

WHEREAS, Chapter 791 of the Texas Government Code authorizes the formulation of interlocal cooperation agreements between and among municipalities and counties for the performance of governmental functions; and

WHEREAS, the Texas Enterprise Zone Act, Chapter 2303, Section 2303.004 of the Texas Government Code, permits the governing body of a county to nominate for designation as an Enterprise Project a project or activity of a qualified business that is located within the jurisdiction of a municipality located in the county; and

WHEREAS, the County has not exceeded its permitted nine (9) designations per biennium, as permitted under Section 2303.406(d) of the Texas Government Code; and

WHEREAS, the nominated project or activity will be performed by Ventura Foods, LLC, located at 1100 Defiel Court, Saginaw, Texas; and

WHEREAS, pursuant to Section 2303.004(c) of the Texas Government Code, the nominating county must enter into an interlocal agreement with the municipality that has jurisdiction of the territory in which the nominated project or activity will be located.

NOW, THEREFORE, the City and County agree as follows:

1. Both City and County agree to approve the nomination for Ventura Foods, LLC, and said nomination is to be considered a part of Tarrant County’s allocated Enterprise Project designations.
2. City and County further agree that Tarrant County is the governmental body having administration authority for the Ventura Foods, LLC Enterprise Project designation under Section 2303.201 of the Texas Government Code.
3. County authorizes and resolves that the Ventura Foods, LLC Enterprise Project shall take effect on the date of designation of the Enterprise Project by the Office of the Governor of Economic Development and Tourism and terminate five years from the date of said designation.

4. Both City and County agree to pay for the performance of the governmental functions or services described herein from current revenues available to the paying party.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers on the last date written below.

CITY OF SAGINAW, TEXAS:

By: _____

Name:

Title:

Date: _____

ATTEST:

APPROVED AS TO FORM AND LEGALITY
FOR THE CITY OF SAGINAW, TEXAS:

City Secretary

City Attorney

TARRANT COUNTY, TEXAS

By: _____

B. Glen Whitley
County Judge

Date: _____

ATTEST:

APPROVED AS TO FORM*:

Deputy County Clerk

Asst. Criminal District Attorney

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