

**Memorandum of Understanding
Between Expose Excellence Youth Program Cooperative and Fort Bend County**

This Memorandum of Understanding is made and entered into by and between Fort Bend County, (hereinafter "County"), a body corporate and Fort Bend County Expose Excellence Youth Program Cooperative (the "Cooperative") a nonprofit corporation in the State of Texas.

Recitals

Whereas, the County is a unit of government located in Fort Bend County, Texas, and

Whereas, the Cooperative is an independent nonprofit corporation organized under the Texas Business Organizations Code (hereinafter called the "Act"), and exempt from taxation pursuant to the Internal Revenue Code 501 (c) (3), and

Whereas, the Cooperative is organized and operated exclusively for youth development purposes and to receive and disburse funds, property and gifts of any kind exclusively for the benefit of the Fort Bend County District Attorney's Office Expose Excellence Youth Program (hereinafter "the Program"), and

Whereas, the Commissioners Court is the proper body to receive and accept donations on the County's behalf pursuant to Local Government Code section 81.032;

Now therefore, in consideration of the mutual covenants, promises and conditions herein contained, the County and the Cooperative agree as follows:

- I. Purpose
The purpose of this MOU is to memorialize the roles and responsibilities of the County and the Cooperative in order to support and enhance a positive and productive relationship between the parties.

- II. Cooperative Roles and Responsibilities: To the best of its ability and in accordance with legal mandates, Cooperative policies, and organizational and administrative needs, the Cooperative agrees to the following:
 1. To publicly support the Program.
 2. To use its best efforts to solicit, collect, invest and administer funds for the Cooperative, which shall be donated to the County for the purpose of enrichment and enhancement of the Fort Bend County District Attorney's Office Expose Excellence Youth Program.
 3. Require Cooperative personnel to follow all policies and procedures of the County when representing the County or the Cooperative in any capacity.
 4. To recognize the Program as the sole beneficiary of its solicitation program.
 5. To maintain fiduciary responsibility for the operation of the Cooperative and the

authorization of the expenditures of funds.

6. Maintain its status as a tax exempt, charitable organization under state and federal laws.
 7. Consult with the County before accepting any gift for the benefit of the County that contains restrictive terms or conditions.
 8. Consult with the Fort Bend County District Attorney before accepting any gift for the benefit of the Fort Bend County District Attorney's Office Expose Excellence Youth Program that creates a conflict of interest with the District Attorney's sworn duty under Texas state law.
 9. Coordinate with the County, by and through the Fort Bend County District Attorney's Office, in planning events that take place on County grounds or in County facilities.
 10. Conduct Cooperative activities in a manner that promotes and does not hinder the ability of County staff members to provide services as determined by County.
 11. To support the Program with Cooperative funds, which must be approved for acceptance by the Fort Bend County Commissioners Court.
 12. To include a member of the District Attorney's Office or designee as a non-voting presence at all Cooperative meetings.
 13. To use any and all monies raised and/or accepted for support of the Program, unless otherwise agreed to by both parties.
 14. To seek grants and/or restricted funds only in coordination with the County and to notify and provide a copy of the grant application to the District Attorney.
 15. To acknowledge that the Commissioners Court has the sole authority to determine whether to accept or decline any and all gifts or donations to the County, including but not limited to books and materials, programs and materials, and furniture, fixtures, and equipment, and to determine when and whether any particular item will be transferred, discarded, or otherwise removed from use by the County.
 16. To provide the County and the District Attorney with an annual report, which shall be presented to the County at a public Commissioner's Court meeting.
- III. County Roles and Responsibilities: To the best of its ability and in accordance with legal mandates, and administrative needs, County agrees to the following undertakings:
1. To keep the Cooperative informed of long term goals and direction of the Program.
 2. To discuss annually with the Cooperative how the Cooperative's resources and financial support might help promote the direction of the Program.
 3. To share annually with the Cooperative appropriate documentation identifying priorities and projects, and resource requirements, so that the Cooperative may align its programs and campaigns consistent with the strategic objectives of the Fort Bend County District Attorney.
 4. To acknowledge Cooperative's support of the Program in publicity and promotional materials.
 5. To permit the Cooperative use of facilities, consistent with County policies and procedures, for Cooperative activities and programming.

IV. Term

This MOU will remain in effect until it is terminated by written notice from either party.

V. Modification

No changes, amendments, or alterations to this MOU shall be effective unless in writing and executed by both parties.

VI. Notices

Any notice required to be given pursuant to the terms and provisions hereof shall be in writing and shall be sent by first class mail to the Parties at:

County: Fort Bend County
Attn: County Judge
401 Jackson
Richmond, TX 77469

Cooperative: _____

AGREED TO this _____ day of _____, 2021.

Fort Bend County

Fort Bend County Expose
Excellence Youth Program Cooperative

KP George
County Judge

President

ATTEST:

ATTEST:

Laura Richard
County Clerk

Secretary

Reviewed:

Brian Middleton
Fort Bend County District Attorney

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