

ORDINANCE NO. 2015-297

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF DENTON, TEXAS, AND THE DENTON CHAMBER OF COMMERCE REGARDING AN ECONOMIC DEVELOPMENT PARTNERSHIP; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Denton deems it is in the public interest and serves a municipal and public purpose to enter into an agreement with the Denton Chamber of Commerce for the purpose of providing for a program to promote economic development through the joint effort of the parties hereto; NOW, THEREFORE,

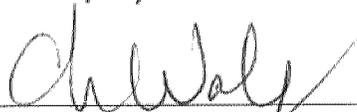
THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. City Council finds that the Agreement between the City of Denton and the Denton Chamber of Commerce serves a valid municipal and public purpose and is in the public interest.

SECTION 2. The Agreement between the City of Denton and the Denton Chamber of Commerce attached hereto and made a part hereof by reference (the "Agreement") is hereby approved. The Mayor, or in his absence, the Mayor Pro Tem, is hereby authorized to execute the Agreement on behalf of the City of Denton. The City Manager is hereby authorized to carry out the City's rights and duties under the Agreement including authorization for the expenditure of funds provided for in the Agreement.

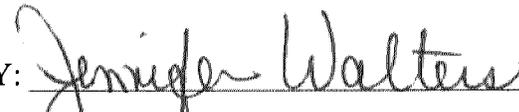
SECTION 3. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 15 day of September, 2015.



CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: 

**ECONOMIC DEVELOPMENT PROGRAM AGREEMENT
BETWEEN THE CITY OF DENTON AND THE DENTON
CHAMBER OF COMMERCE**

This Agreement is made between the City of Denton, Texas, (“City”) and the Denton Chamber of Commerce (“Chamber”) for the purpose of providing for a program to promote economic development through the joint effort of the parties hereto, who in consideration of their mutual promises, agree as follows:

- 1. Chamber Office of Economic Development (“Office”).** During the term of this Agreement, the Chamber shall maintain an Office of Economic Development managed by the Vice President of Economic Development, who shall perform the duties of the office.

- 2. Duties of the Office.** The Chamber of Commerce shall:
 - a. Develop and maintain positive relationships with key economic development allies, including but not limited to, private sector investors, the Governor’s Office of Economic Development, Dallas Regional Chamber, and national, regional and local real estate brokers and land developers.
 - b. Maintain memberships and involvement in economic development organizations, such as the International Economic Development Council and Texas Economic Development Council.
 - c. Work in cooperation with the Assistant Director for Economic Development for the City of Denton to implement the two-year Strategic Action Agenda as adopted by the Economic Development Partnership Board in 2015.
 - d. Work in cooperation with the Assistant Director for Economic Development for the City of Denton to evaluate existing marketing efforts, establish and/or amend a Marketing Plan, and produce branding and marketing materials to promote Denton through a collaborative effort with economic development stakeholders, including Denton Enterprise Airport, Denton Municipal Electric, University of North Texas, Texas Woman’s University, North Central Texas College, Denton Independent School District, private Chamber investors, and others as appropriate.

The plan will be presented annually to the Economic Development Partnership Board and will include a plan/timeline for the placement of advertising in trade publications, the use of social media, and the upgrade of economic development materials and website (DentonEDP.com).

- e. Work in cooperation with the Assistant Director for Economic Development for the City of Denton on the Strategic Action Agenda's Recruitment Team to identify the attributes of desirable businesses, identify target industries, and develop recruitment strategies and a cohesive Recruitment Plan through a collaborative effort with economic development stakeholders, including Denton Enterprise Airport, Denton Municipal Electric, University of North Texas, Texas Woman's University, North Central Texas College, Denton Independent School District, private Chamber investors, and others as appropriate. The Recruitment Plan will be compiled by the Recruitment Team, which will be coordinated by the Assistant Director for Economic Development with the City of Denton. The plan will be presented to the Economic Development Partnership Board annually and will include strategies for recruitment, division of recruitment duties, and the identification of target industries.
- f. Represent Denton Economic Development and recruit prospective businesses through attendance at target market trade shows, consultant's forums, targeted business meetings/conventions and other special events; and coordinate travel calendar and budget with the City of Denton to identify strategies to allocate staff and financial resources for a cohesive presence at events and trade shows.
- g. Serve as a principal point of contact for prospect communications, the production and submittal of site proposals, prospect visitation itineraries, and prospect follow-up for businesses interested in locating in Denton. Work in cooperation with the City of Denton's Economic Development Division to facilitate prospect responses with other local allies. Share lead information with the Assistant Director for Economic Development for the City of Denton on a frequent basis during regular partnership meetings, and with other members of the Recruitment Team as appropriate in order to compile the most comprehensive site proposals possible utilizing all resources available. As appropriate,

share electronic copies of site proposals with Recruitment Team for feedback and suggestions regarding strategy and content.

- h. In conjunction with the City of Denton's Economic Development Division, develop and maintain positive relationships with Denton businesses through a business retention and expansion program.
- i. Work closely with the City of Denton's Economic Development Division in the development of programs and policies to enhance economic development, including but not limited to incentives, business retention and expansion visits, retail recruitment, strategic planning and other areas of mutual interest.
- j. Work in coordination with the Assistant Director for Economic Development for the City of Denton to carry out objectives for the year, including the development of a "shovel-ready" sites program, workforce development strategies, and the development and implementation of a Strategic Plan. Work in cooperation with the City of Denton to identify performance measures for economic development annual work plan and objectives.
- k. Prepare and obtain approval of the annual work plan and budget from the Economic Development Partnership Board. Provide the Board with monthly activity reports. On a quarterly basis, include performance measures and accomplishments, and financial reports that include expenses by category and budget-to-actual figures. The financial report will be reviewed and approved quarterly by the Economic Development Partnership Board.

3. Support Services and Funding. The Chamber shall provide the office space, equipment and support staff necessary to the operations of the Chamber Office of Economic Development. For the fiscal year 2015-2016, the Chamber shall solicit and contribute private sector funds in the amount of \$63,875, and the City shall provide funding in the amount of \$242,896, which may be funded from the General Fund, the Utility Fund, or some combination thereof. The balance of any unused City funds shall be returned to the City at the end of the fiscal year.

Any funds provided by the City pursuant to this Agreement shall be retained in an account separate and segregated from the Chamber's general operating fund and shall only be used for the purpose provided for in this Agreement. The Chamber and the Office shall keep current and

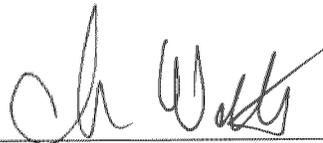
accurate records of all funds received and expended, which shall be subject to inspection and audit by the City at all reasonable times. All such financial records shall be subject to the Texas Public Information Act, Tex. Gov't Code Ch. 552.

4. **Status of Office.** The Chamber Office of Economic Development shall be under the direct supervision and control of the Chamber and all personnel of the Office shall be considered employees or agents of the Chamber. The Chamber shall be responsible for the processing of all benefits or payment of liabilities of such employees or agents, including the withholding or payment of personal income or social security taxes, as provided by applicable law, and the payment of worker's compensation premiums. The Chamber shall maintain policies of insurance in the minimum amounts required by law to protect against liability arising from the operation of any vehicles used by employees of the Office and **the Chamber agrees to defend against, and indemnify and hold the City, its elected officials, officers, agents, employees and representatives harmless from any claim arising from any negligent act of such employees.**

5. **Term of Agreement.** This Agreement shall be effective from October 1, 2015 through September 30, 2016. Either party may terminate this Agreement by giving written notice to the other party with thirty (30) days advance notice, in which case any unexpended funds provided by the City shall be returned to the City.

EXECUTED this the 15 day of September, 2015.

CITY OF DENTON



CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: Jennifer Walters

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY
ATTORNEY

BY: Anita Burgess

DENTON CHAMBER OF COMMERCE

BY: Charles Caputo