

A RESOLUTION 2008-02-14-0011R

NOMINATING VALERO SERVICES, INC., TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM AS A "STATE ENTERPRISE ZONE PROJECT," WHICH WILL QUALIFY VALERO SERVICES, INC. FOR STATE SALES AND USE TAX REFUNDS BASED ON JOB CREATION AND INVESTMENT AND SPECIFYING THAT VALERO SERVICES, INC. MEET THE STATUTORY REQUIREMENTS FOR STATE ENTERPRISE ZONE PROJECTS IN ACCORDANCE WITH CHAPTER 2303 OF THE TEXAS GOVERNMENT CODE.

* * * *

WHEREAS, the United States Department of Housing and Urban Development ("HUD") designated the San Antonio Federal Empowerment Zone on December 31, 2001; and

WHEREAS, Texas Economic Development (the "Agency") designated the San Antonio Empowerment Zone Enterprise Zone (the "Zone") on January 11, 2002 pursuant to Section 2303.109(b), Subchapter C of the Texas Enterprise Zone Act, Texas Government Code (the "Act"); and

WHEREAS, the City of San Antonio (the "City") has previously passed Ordinance No. 99627 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 99627; and

WHEREAS, the Office of the Governor Economic Development and Tourism (EDC) through the Economic Development Bank (Bank) will consider the Valero Services, Inc. as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the Zone and to provide employment to residents of the Zone and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, Valero Services, Inc. has applied to the City to designate the Valero Services, Inc. as an Enterprise Project; and

WHEREAS, the City finds that Valero Services, Inc. meets the criteria for designation as an Enterprise Project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Valero Services, Inc. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business in the Zone and at least twenty-five percent (25%) of the business' new employees will be residents of a Zone within the City's jurisdiction or economically disadvantaged individuals; and
2. The Valero Services, Inc. is located in the Zone, or has made a substantial commitment to locate in the Zone, which has an unemployment rate of not less than one and one-half (1-1/2) times the state unemployment rate; and
3. There has been and will continue to be a high level of cooperation between public, private and neighborhood entities within the Zone; and
4. The designation of the Valero Services, Inc. as an Enterprise Project will contribute significantly to the achievement of the plans of the City for development and revitalization of the Zone; and

WHEREAS, the City finds that the Valero Services, Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates the Valero Services, Inc. project on the grounds that it will be located wholly within the Zone, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate the Valero Services, Inc. as an Enterprise Project pursuant to the Act; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

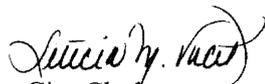
SECTION 1. The findings of the City Council set out above and its actions approving this resolution taken at the City Council meeting are hereby approved and adopted.

SECTION 2. Valero Services, Inc. is a “qualified business”, as defined in Section 2303.402 of the Act, and the Valero Services, Inc. project meets the criteria for designation as an Enterprise Project, as set forth in Section 2303, Subchapter F of the Act.

SECTION 3. The Enterprise Project shall take effect on the date of designation of the Enterprise Project by the Agency and terminate five (5) years after that date of designation.

PASSED AND APPROVED this 14th day of FEBRUARY 2008.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

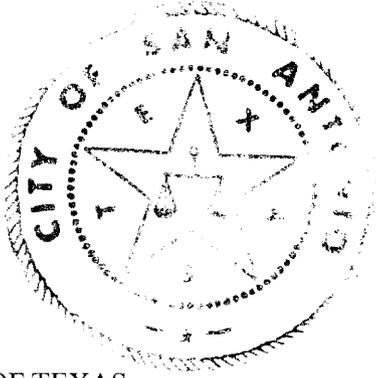
APPROVED AS TO FORM: 
City Attorney

THE STATE OF TEXAS

COUNTY OF BEXAR

I, Leticia M. Vacek, City Clerk of the City of San Antonio, Texas do hereby certify that the above and foregoing is a true and correct copy of Resolution Number 2008-02-14-001R passed by the City of San Antonio City Council on the this 14th day of February, 2008.

(City Seal)



Leticia M. Vacek
Leticia Vacek
City Clerk

THE STATE OF TEXAS
COUNTY OF BEXAR

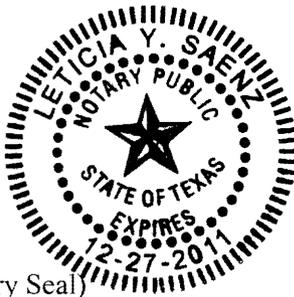
BEFORE ME, the undersigned authority, on this day personally appeared LETICIA M. VACEK of the City of San Antonio, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 14th day of February, 2008

Leticia Y. Saenz
Notary Public, State of Texas

My commission expires: 12-27-2011

(Notary Seal)



Agenda Item:	25 (in consent vote: 6, 8, 9, 10, 14, 15, 17, 18, 20, 21, 22, 23, 24, 25, 27A, 27B, 27C, 27D)						
Date:	02/14/2008						
Time:	10:14:41 AM						
Vote Type:	Motion to Approve						
Description:	A Resolution nominating Valero Services, Inc. ("Valero") to the Office of the Governor, Economic Development and Tourism Department, as a State Enterprise Zone Project. [Pat DiGiovanni, Deputy City Manager; Robert Peche, Director, Economic Development]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				x
John G. Clamp	District 10		x				