RR
05/07/15
Item No. 19

A RESOLUTION 2015-05-07-0034R

AUTHORIZING THE CITY OF SAN ANTONIO TO NOMINATE UNITED PARCEL SERVICE, INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM ("OOGEDT") THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT ("PROJECT") UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT").

* * * * *

WHEREAS, the City Council of San Antonio (the "City") previously passed Ordinance No. 2008-02-14-0105 on February 14, 2008 electing to participate in the Texas Enterprise Zone Program and amended this Ordinance on April 9, 2015 to update the incentives offered by the City; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 2015-04-09-0299; and

WHEREAS, the Office of the Governor Economic Development and Tourism (OOGEDT) through the Economic Development Bank (the "Bank") will consider United Parcel Service, 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 City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), United Parcel Service, Inc. has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that United Parcel Service, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. United Parcel Service, 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 at a qualified business site located outside of an enterprise zone and at least thirty-five percent (35.0%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and

2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

3. The designation of United Parcel Service, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area; and

WHEREAS, the City finds that United Parcel Service, Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates United Parcel Service, Inc. for enterprise project status on the grounds that it will be located at the qualified business site, 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 United Parcel Service, Inc. as an enterprise project pursuant to the Act; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO that the findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted;

BE IT FURTHER RESOLVED that United Parcel Service, Inc. is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

BE IT FURTHER RESOLVED that the enterprise project shall take effect on the date of the designation of the enterprise project by OOGEDT and terminate five years from the date of designation.

PASSED BY THE CITY COUNCIL of the City of San Antonio this 7th day of May 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek
City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda
Acting City Attorney

Agenda Item:	**19 (in consent vote: 5, 6, 7, 8, 9, 10, 12, 13, 15, 17, 18, 19, 22, 24, 25B)**
Date:	05/07/2015
Time:	09:27:20 AM
Vote Type:	Motion to Approve
Description:	A Resolution nominating United Parcel Service, Inc. for consideration and designation as a State Enterprise Project qualifying the company for a potential refund of up to $1.25 million over 5 years in state sales and use taxes. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development Department]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				x
Alan Warrick	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

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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 2015-05-07-0034R passed by the City of San Antonio City Council on this 7th day of May, 2015.

[CITY SEAL]

Leticia M. 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 she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 7th day of May, 2015.

Notary Public, State of Texas

My commission expires: 6/28/2016

[NOTARY SEAL]