

A RESOLUTION **2012-11-15-0043R**

**AUTHORIZING THE CITY OF SAN ANTONIO TO NOMINATE VALERO SERVICES, 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 of San Antonio (the “City”) has previously passed Ordinance No. 2008-02-0105 on February 14, 2008 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. 2008-02-14-0105; and

**WHEREAS**, the Office of the Governor Economic Development and Tourism (OOGEDT) through the Economic Development Bank (the “Bank”) will consider 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 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"), Valero Services, Inc. has applied to the City for designation 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 at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) 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 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 area; and

**WHEREAS**, the City finds that Valero Services, Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates Valero Services, 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

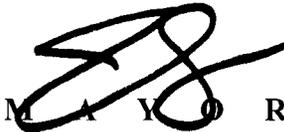
**WHEREAS**, the City finds that it is in the best interest of the City to nominate Valero Services, Inc. as an enterprise project pursuant to the Act; **NOW THEREFORE:**

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

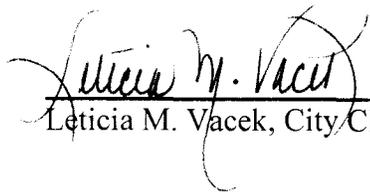
**BE IT FURTHER RESOLVED** that Valero Services, Inc. is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

**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.

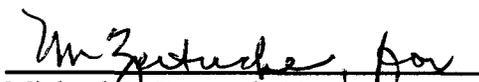
PASSED BY THE CITY COUNCIL of the City of San Antonio this 15<sup>th</sup> day of November, 2012.

  
M A Y O R  
Julián Castro

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael D. Bernard, City Attorney

THE STATE OF TEXAS

COUNTY OF BEXAR

I, Leticia 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 2012-11-15-0043R passed by the City of San Antonio City Council on the this 15<sup>th</sup> day of NOVEMBER, 2012.



Leticia Vacek  
Leticia Vacek  
City Clerk

THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared Julian Castro Mayor 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 15<sup>th</sup> day of November, 2012

Melissa A. Lopez  
Notary Public, State of Texas

My commission expires: June 28, 2016

[NOTARY SEAL]





Request for  
**COUNCIL**  
ACTION

City of San Antonio



## Agenda Voting Results - 24

<b>Name:</b>	6, 7, 8, 9, 10, 13A, 13B, 14A, 14B, 14C, 17, 19, 20, 21, 22, 23, 24, 25						
<b>Date:</b>	11/15/2012						
<b>Time:</b>	09:56:02 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	A Resolution nominating Valero Services, Inc. for consideration and designation as a State Enterprise Project qualifying the company for a potential refund of up to \$1,250,000.00 over 5 years in state sales and use taxes based on project investment over \$5 million and the retention of 500 jobs. [Pat DiGiovanni, Deputy City Manager; Rene Dominguez, Director, Economic Development]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	District 2	x					
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				x
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				