

**RESOLUTION NO . 2016-05-\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, NOMINATING ENCORE WIRE CORPORATION TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM (OOGEDT) THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE**

**WHEREAS,** the City of McKinney, Texas ("City") on May 18, 2010, passed Ordinance No. 2010-05-014 electing to participate in the Texas Enterprise Zone Program ("Program") as authorized by the Texas Enterprise Zone Act ("Act"). The City subsequently passed Ordinance No. 2016-01-006 amending the Program on January 19, 2016. The local economic development incentives available in the City are the same on this date as were outlined in Ordinance No. 2010-05-014, as amended by Ordinance No. 2016-01-006; and,

**WHEREAS,** the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") will consider ENCORE WIRE CORPORATION as an enterprise project pursuant to a nomination and an application made by the City; and,

**WHEREAS,** the City Council of the City desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the City and to provide employment to residents of such areas; and,

**WHEREAS,** pursuant to Chapter 2303, Subchapter F of the Act, ENCORE WIRE CORPORATION has applied to the City for designation as a Texas Enterprise Project; and,

**WHEREAS,** the City finds that ENCORE WIRE CORPORATION meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- (a) ENCORE WIRE CORPORATION 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 within the governing body's jurisdiction, located inside of an enterprise zone and at least twenty-five percent (25%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals, and
- (b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area, and
- (c) The designation of ENCORE WIRE CORPORATION as a Texas 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 ENCORE WIRE CORPORATION meets the criteria for tax relief and other incentives adopted by the City 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 ENCORE WIRE CORPORATION as an enterprise project pursuant to the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

- Section 1. The City nominates ENCORE WIRE CORPORATION for Enterprise Project status.
- Section 2. The local incentives identified and summarized briefly in the attached Exhibit A, at the election of the governing body, are or will be made available to the nominated Project or activity of the qualified business site.
- Section 3. The McKinney City Council directs and designates the City Manager or his designee as the City's liaison to communicate and negotiate with the OOGEDT through the Bank and enterprise project(s) and to oversee enterprise zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.
- Section 4. ENCORE WIRE CORPORATION 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.
- Section 5. The Enterprise Project shall take effect on the date of the designation of the enterprise project by OOGEDT and terminate five (5) years from the date of designation.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 17<sup>TH</sup> DAY OF MAY, 2016**

CITY OF MCKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

ATTEST

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SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE, TRMC  
Assistant City Secretary

APPROVED AS TO FORM

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MARK S. HOUSER  
City Attorney

### Exhibit A

	Name of Incentive	Description of Incentive	Availability
1	Tax Abatement	Property tax reductions	Citywide
2	Freeport Exemption	Exempts goods-in-transit from ad valorem taxes	Citywide
3	Zoning Changes/Variances	The City Department may make zoning changes which would have the effect of expediting the development process	Citywide
4	Building Code Variances	City may provide certain building code variances to expedite the development process	Citywide
5	Impact/ Inspection Fee Exemptions	The City may exempt impact/ inspection fees	Citywide
6	Infrastructure Improvements	The City may provide infrastructure improvements for industries	Citywide
7	Streamlined Permitting	City may allow permit applications and supporting materials to be tendered to one department for distribution to the appropriate City departments	Citywide
8	Targeted Improved Fire and Police Services	City may provide targeted safety and fire services for City residents including the Fire Department's McTown Klownz Kids Program and Community Fire Prevention Week	Citywide
9	Community Crime Prevention Programs	City may provide school Crime Stopper programs, the Police Crime Awareness and Education Unit, and the Police-to-Citizen System	Citywide
10	Capital Improvements Plan for Water and Sewer Facilities	City may provide resources for a capital improvement plan for enhanced water and sewer service	Citywide
11	Road Repair	City's Street Department is responsible for maintaining and repairing City Streets	Citywide
12	Promotion and Marketing Service	McKinney Economic Development Corporation, and City Communications and Marketing Department	Citywide
13	Job Training and Employment Services	Offered by community colleges, technical schools, North Texas Job Corp, and the McKinney Workforce Development Center	Citywide
14	Retraining Program	Offered by community colleges, technical schools, North Texas Job Corp, and the McKinney Workforce Development Center	Citywide
15	Literacy and Employment Skills Services	Offered by local community colleges, technical schools, North Texas Job Corp and the McKinney Workforce Development Center	Citywide
16	Creation or Improvement of Parks	Offered to maintain healthy lifestyle for City residents	Citywide
17	Vocational Education	Offered by local community colleges, technical schools and the McKinney Workforce Development Center	Citywide

Name of Incentive		Description of Incentive	Availability
18	Customized Job Training	Offered by local community colleges, technical schools and the McKinney Workforce Development Center	Citywide
19	One-Stop Permitting, Problem Resolution Center	City may offer one-stop permitting	Citywide
20	Type 4A/Type 4B Sales Tax	Sales Tax for Community Development and Economic Development	On Case By Case Basis
21	Tax Increment Financing	TIRZ Zones	Designated Zones in City
22	Other residential financial incentives	City may offer financial incentives through the McKinney Housing Finance Corporation bonds	On Case By Case Basis
23	Special Public Transportation Routes or Reduced Fares	City may contract with transit providers to provide enhanced municipal transportation services to residents and business	Citywide
24	Provision of Publicly Owned Land for Development Purposes	City may offer business and industrial development on public land	Citywide
25	Transfer of Abandoned Housing to Community Groups	City may offer vacant lot acquisitions to build affordable housing to community non-profit groups	Citywide
26	Chapter 380 and Local Sales Tax Refunds	City may offer financial incentives including Chapter 380 agreements, business grants, sales and use tax grants	On Case By Case Basis