

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Office of Economic Development
AGENDA DATE: June 19, 2007
CONTACT PERSON/PHONE: Kathy Dodson, PhD, Director 541-4682
DISTRICT(S) AFFECTED: ALL (site location District 1)

CITY CLERK DEPT.
07 JUN 14 AM 11:00

SUBJECT:

BACKGROUND/DISCUSSION:

On June 7, 2007 the Econ Dev & Com Dev LRC unanimously approved in Executive Session that this item go to Council for discussion and action. This item is presented pursuant to this directive. Tax Abatement & Texas Enterprise Zone Project nomination used as an inducement for ADP to construct a new facility and provide new quality job opportunities for El Pasoans.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?
Regular Agenda: March 13, 2007 Council approved an incentive package for current operations.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

General Fund

BOARD/COMMISSION ACTION:

Enter appropriate comments or N/A

Request council approve a resolution nominating ADP as an enterprise zone project.

Request council approve resolution that the City Manager be authorized to send written notice to the governing body of each taxing entity of the City of El Paso's intent to enter into a Tax Abatement Agreement with ADP and that the City Manager be authorized to sign a Tax Abatement Agreement with ADP, Inc. after the expiration of the seven (7) day notice period required by 312.0241 of the Texas Tax Code.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: If RCA is initiated by Purchasing, client department should sign also). *Information copy to appropriate Deputy City Manager*

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.
07 JUNE AM 11:00

**A RESOLUTION NOMINATING ADP, INC.
AS A TEXAS STATE ENTERPRISE ZONE PROJECT**

WHEREAS, the City Council of the City of El Paso ("City") passed Ordinance No. 15933 on November 24, 2004, authorizing the City to participate in the Texas Enterprise Zone Program;

WHEREAS, the local incentives offered under this Resolution are substantially the same as those outlined in Ordinance No. 15933;

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

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

WHEREAS, ADP desires to construct and operate a new Solutions/Technical Support Facility on the property described in Attachment "A" as attached and fully incorporated herein;

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;

WHEREAS, the City finds that the construction and operation of this second ADP, Inc. facility meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. ADP, 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 ADP, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that this second facility as proposed by ADP, Inc. meets the criteria for tax relief and other incentives adopted by the City and agrees to nominate this new

project as proposed by ADP, Inc. for enterprise zone 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 this new project proposal as requested by ADP, Inc. as an enterprise project pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That ADP, 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;
2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation;
3. That the City Manager or her designee be authorized to sign any and all documentation required by EDT to complete the nomination process for this new project.

ADOPTED this ____ day of June 2007.

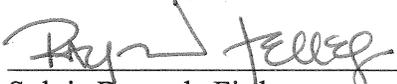
THE CITY OF EL PASO:

John F. Cook
Mayor

ATTEST:

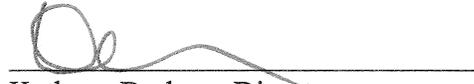
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

for: 

Sylvia Borunda Firth
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Kathryn Dodson, Director
Economic Development Department