



"City of Choice"

ORDINANCE NO. 1051

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS, ORDAINING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING SANJEL (USA), Inc. – CIBOLO, TEXAS FACILITY TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS AN ENTERPRISE PROJECT (PROJECT)

WHEREAS, the City of Cibolo, Texas (City) has previously passed Ordinance No. 880 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this Ordinance are the same on this date as were outlined in Ordinance No. 880; and

WHEREAS, the Office of the Governor Economic Development and Tourism (EDT) through the Economic Development Bank (Bank) will consider Sanjel (USA), Inc. - Cibolo, Texas Facility Project as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City Council of the City of Cibolo, Texas 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"), Sanjel (USA), Inc. - Cibolo, Texas Facility Project has applied to the City for designation as an enterprise project; and

WHEREAS, a public hearing to consider this ordinance was held by the City Council on March 12, 2013; and

WHEREAS, the City finds that Sanjel (USA), Inc. - Cibolo, Texas Facility Project meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds; and

- 1) Sanjel (USA), Inc. - Cibolo, Texas Facility Project 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 outside of an

enterprise zone and at least thirty-five percent (35%) 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 Sanjel (USA), Inc. - Cibolo, Texas Facility Project 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 Sanjel (USA), Inc. - Cibolo, Texas Facility Project meets the criteria for tax relief and other incentives adopted by the City and nominates Sanjel (USA), Inc. - Cibolo, Texas Facility Project for enterprise project status (***or double jumbo enterprise project status or triple jumbo 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 Sanjel (USA), Inc. - Cibolo, Texas Facility Project as an enterprise project pursuant to the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS:

Section 1: The City nominated Sanjel USA, Inc. – Cibolo, Texas Facility Project for enterprise project status.

Section 2: The following local incentives, at the election of the governing body, are or will be made available to the nominated project or activity of the qualified business:

(a.) The City may provide regulatory relief to businesses, including:

- 1) Exemption from unnecessary building code requirements, impact fees, or inspection fees: or
- 2) Streamlined permitting.

Section 3: The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

Section 4: The City of Cibolo and the City Council directs and designates the “City Manager” as the City’s liaison and his designated staff member(s) to communicate and negotiate with the EDT through the Bank and enterprise projects(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

Section 5: The City finds that Sanjel USA, Inc. – Cibolo, Texas Facility Project meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- (a.) Sanjel USA, Inc. – Cibolo, Texas Facility Project 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 outside of an enterprise zone and at least thirty-five percent (35%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and

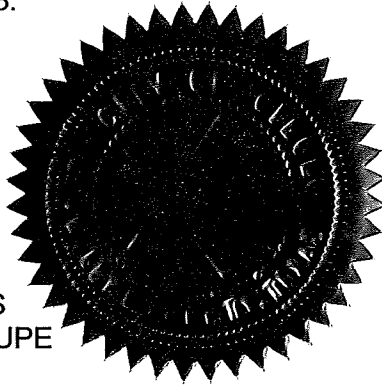
- (b.) There has been and will continue to be a high level of cooperation between public, private and neighborhood entities in the area: and
- (c.) The designation of Sanjel USA, Inc. – Cibolo, Texas Facility Project as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

Section 6: That the findings of the City and its actions approving this Ordinance taken at the council meeting are hereby approved and adopted.

BE IT FURTHER RESOLVED that Sanjel (USA), Inc. - Cibolo, Texas Facility Project 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 designation of the enterprise project by the EDT/ Agency and terminate five (5) years on and by as designated by the State of Texas (Enterprise Zone Program Regulations).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS this 12th day of March, 2013.

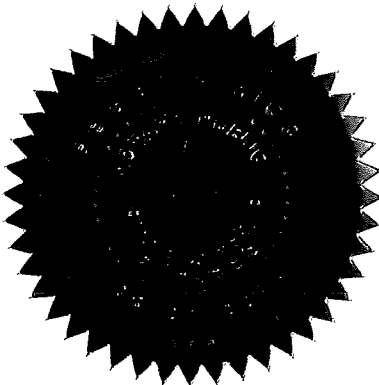


Jennifer Hartman
for _____
Jennifer Hartman
Mayor
City of Cibolo, Texas

THE STATE OF TEXAS
COUNTY OF GUADALUPE

BEFORE ME, the undersigned authority, on this day personally appeared Councilman Steve Liparoto of the City of Cibolo, 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 the office this 12 day of March, 2013.



Peggy Annis

Notary Public, State of Texas

My commission expires: August 7, 2014