

RESOLUTION NO. 2015- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, NOMINATING EPIC PIPING, LLC (FKA UNITED WELD OPERATIONS, LLC) TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM, THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; DESIGNATING A LIAISON FOR THE COMMUNICATION WITH INTERESTED PARTIES; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City of San Marcos ("City") has previously passed Ordinance No. 2011-42 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. 2011-42;

WHEREAS, the Office of the Governor Economic Development and Tourism (EDC) through the Economic Development Bank (Bank) will consider **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** as an enterprise project pursuant to a nomination and an application made by the City;

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, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** has applied to the City for designation as an enterprise project;

WHEREAS, the City finds that **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC) 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 **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** 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 **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)**, meets the criteria for tax relief and other incentives adopted by the City and nominates **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** for single 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 **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** as an enterprise project pursuant to the Act;

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

PART 1. That the findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

PART 2. That **EPIC PIPING, LLC (fka UNITED WELD OPERATIONS, LLC)** 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.

PART 3. That the enterprise project shall take effect on the date of designation of the enterprise project by the agency and terminate on **June 1, 2020**.

PASSED by the city council of the City of San Marcos, Texas on May 19, 2015.

Daniel Guerrero
Mayor

THE STATE OF TEXAS

COUNTY OF HAYS

I, Jamie Lee Pettijohn, City Clerk of the City of San Marcos, Texas do hereby certify that the above and foregoing is a true and correct copy of Resolution Number _____ passed by the City of San Marcos City Council on May 19, 2015.

(City Seal)

Jamie Lee Pettijohn
City Clerk

THE STATE OF TEXAS

COUNTY OF HAYS

BEFORE ME, the undersigned authority, on this day personally appeared Jamie Lee Pettijohn, City Clerk of the City of San Marcos, 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 ____ day of May, 2015.

Notary Public, State of Texas