

RESOLUTION NO. R-13-11-14-__

WHEREAS, Insys Therapeutics, Inc., (“Insys”) has expressed to the City of Round Rock (“City”) its desire to expand its operations in the City which will provide jobs and additional tax base to the City, and

WHEREAS, §380.001 Local Government Code provides that a municipality may establish an economic development program (“Program”) to promote local economic development and to stimulate business and commercial activity in the municipality, and

WHEREAS, the City Council has determined that the Program described in Exhibit “A” will meet the goals set forth in said §380.001 and will be of mutual benefit to both parties, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City offers to Insys a §380.001 Program in exchange for Insys expanding its operations in the City, and

BE IT FURTHER RESOLVED

That the offer of the Program shall be as generally outlined in Exhibit “A” attached hereto and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 14th day of November, 2013.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk

EXHIBIT A

ECONOMIC DEVELOPMENT PROGRAM

The terms of the \$380,001 Economic Development Program to be offered to Insys Therapeutic, Inc. ("Insys") in exchange for Insys's expanding its operations in the City of Round Rock are as generally outlined below:

1. Insys's obligations:
 - 1.1. Insys agrees to open a new, expanded facility ("Facility") at 2700 Oakmont Drive, Round Rock, Texas for the purpose of pharmaceutical manufacturing.
 - 1.2. Insys agrees to invest at least \$10,500,000 in the purchase and installation of Facility improvements and new equipment.
 - 1.3. Insys agrees to retain its 12 current full-time employees and to add 30 new full-time employees over the next four years.
2. City's obligations:
 - 2.1. City agrees to waive City permit fees associated with building permits.
 - 2.2. City agrees to expedite City approval of required permits.
 - 2.3. City agrees to make an initial Economic Incentive Payment of \$150,000 to Insys if it meets its obligation to spend at least \$10,500,000 for Facility improvements and new equipment for the Facility.
 - 2.4. City agrees to make additional Economic Incentive Payments to Insys's upon its satisfaction of its obligation to retain and create jobs in accordance with the following: The City will pay an additional EIP of \$20,000 if the December 31, 2014 job requirement is satisfied. Thereafter, the City will pay an additional \$10,000 per year if the job requirements for 2015, 2016, and 2017 are satisfied.
3. The terms and provisions of this Program will be set out in more detail in the Economic Development Program Agreement of even date herewith.