

**RESOLUTION NO. R-2018-6130**

**A RESOLUTION AUTHORIZING THE CITY OF ROUND ROCK TO NOMINATE WAYNE FUELING SYSTEMS LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE.**

**WHEREAS**, The City of Round Rock, Texas (the “City”) previously passed Ordinance No. G-09-10-22-10A1 on October 22, 2009 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. G-09-10-22-10A1; and

**WHEREAS**, the Office of the Governor Economic Development and Tourism through the Economic Development Bank will consider Wayne Fueling Systems LLC as an enterprise project pursuant to a nomination and an application made by the City; and

**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, veterans 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”), Wayne Fueling Systems LLC has applied to the City for designation as an enterprise project at its 3814 Jarret Way facility on the Round Rock campus; and

**WHEREAS**, the City finds that Wayne Fueling Systems LLC meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Wayne Fueling Systems 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 within the governing body’s jurisdiction located outside of an enterprise zone and at least twenty-five percent (25.0%) of the business’ new employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans; 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 Wayne Fueling Systems LLC 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 Wayne Fueling Systems LLC meets the criteria for tax relief and other incentives adopted by the City and nominates Wayne Fueling Systems LLC for 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 Wayne Fueling Systems LLC as an enterprise project pursuant to the Act;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK:**

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

**BE IT FURTHER RESOLVED** that Wayne Fueling Systems LLC is a “qualified business,” as defined in the 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 Office of the Governor Economic Development and Tourism and terminate five (5) years from the date of designation.

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 20<sup>th</sup> day of November, 2018.

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CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

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SARA L. WHITE, City Clerk