

RESOLUTION NO.

WHEREAS, economic development agreements authorized under Chapter 380 of the Texas Local Government Code (“Chapter 380 Agreements”) are evaluated based on fiscal impact, linkages to the Austin economy, impact on City services, character and number of jobs, quality of life, environmental initiatives, project investment and other related items; and

WHEREAS, there is a public benefit in including community values as part of economic development agreements; and

WHEREAS, the City Council enacted Resolution No. 20030612-015 establishing an Economic Development Policy and Program including a Firm Based Incentive Matrix used to determine the eligibility of a Firm seeking economic incentives from the City; and

WHEREAS, the City Council enacted Resolution No. 20041028-003 to amend the Firm Base Incentive Matrix; and

WHEREAS, the City Council formed the Special Committee on Economic Incentives (“Committee”) by Resolution No. 20120524-092 to make recommendations to Council regarding improvements to the City’s existing Economic Development Policy; and

WHEREAS, the Committee held six public meetings to consult with other governmental jurisdictions, gather information from experts regarding economic incentive policies, and provide ample opportunity for public input; and

WHEREAS, based on the feedback received during the public input process, the Committee recommended requiring companies entering into Chapter 380 Agreements to ensure compliance with the City's prevailing wage program for construction work funded by the Firm, the City's living wage for construction workers and employees that have permanent jobs with the company, and offer domestic partner and health insurance benefits for its employees as core values; and

WHEREAS, the Committee recommended an exception process to the requirements of living wage, health insurance, and domestic partner benefits; and

WHEREAS, the exception application attached as Exhibit A gives ultimate flexibility in the Chapter 380 Agreement terms that will be considered for exceptions by providing an option for open communication about what community benefits could be considered in exchange for an exception; and

WHEREAS, Resolution 20120112-058 requires that eligible third-party agreements including Chapter 380 Agreements comply with the standards and principles of the City's MBE/WBE Ordinance; and

WHEREAS, the matrix attached as Exhibit B reflects the recommendations passed by the Committee and retains previously existing requirements for Chapter 380 Agreements including locating in the Desired Development Zone, conducting business in compliance with environmental regulations, and compliance with the requirements imposed by other council action including the City's MBE/WBE Ordinance; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Firm Based Incentive Matrix used as part of the Chapter 380 Agreement approval process cited in Resolution No. 20041028-003 is hereby amended to read as shown on the matrix attached as Exhibit B.

BE IT FURTHER RESOLVED:

That an exception process, including the attached application form, to allow a Firm to be exempt from the identified Minimum Project Requirements in Section 1. of the matrix, shall be established for Council consideration. The completed exception application will be made available to Council and to the public at the time of the staff presentation required by Ordinance No. 20091001-011. Exceptions to the Matrix will require approval by a two-third majority vote of Council to be accepted as part of the Chapter 380 Agreement.

ADOPTED: _____, 2013

ATTEST: _____
Jannette S. Goodall
City Clerk