

RESOLUTION NO. 2020-042

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, PARTICIPATING IN THE TEXAS ENTERPRISE ZONE PROGRAM AND NOMINATING TYSON PREPARED FOODS, INC. FOR DESIGNATION AS AN ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE.

WHEREAS, NORTH RICHLAND HILLS (City) has previously passed Ordinance No. 3010 dated August 26, 2008, a copy of which is attached to this resolution as Exhibit A, 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 that Order;

WHEREAS, the Governor's Office of Economic Development and Tourism (EDC), through the Economic Development Bank (Bank), will consider TYSON PREPARED FOODS, INC. (TYSON) 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"), TYSON has applied to the City for designation as an enterprise project;

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

1. TYSON 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 board's jurisdiction location 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 TYSON 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 TYSON meets the criteria for tax relief and other incentives adopted by the City and nominates TYSON 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 TYSON as an enterprise project pursuant to the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1. The City Council hereby finds that the recitals set forth above are true and correct and are incorporated into this Resolution as if written herein.

SECTION 2. TYSON 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.

SECTION 3. The enterprise project shall take effect on the date of the designation of the enterprise project by the agency and terminate on May 9, 2027.

SECTION 4. This Resolution shall take effect and be in full force and effect from and after the date of its adoption, and it is so resolved; and all Resolutions of the City Council of the City in conflict herewith are hereby amended or repealed to the extent of such conflict.

PASSED AND APPROVED on this 9th day of November, 2020.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maeshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Craig Hulse, Director of Economic
Development

EXHIBIT A

ORDINANCE NO. 3010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AUTHORIZING THE CITY OF NORTH RICHLAND HILLS TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"), PROVIDING POSSIBLE TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH THE INTERESTED PARTIES, AND NOMINATING TYSON PREPARED FOODS, INC. TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM ("OOGEDT") THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") AS AN ENTERPRISE PROJECT ("PROJECT").

WHEREAS, the City Council of the City of North Richland Hills, Texas (the "City") desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of the City; and

WHEREAS, the Project is not located in an area designated as an enterprise zone; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, Tyson Prepared Foods, Inc. has applied to the City for designation as an Enterprise Project; and

WHEREAS, the City finds that Tyson Prepared Foods, Inc. could meet the criteria for tax relief and other incentives adopted by the City on the grounds that it is located at a qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, a public hearing to consider this ordinance was held by the City Council of the City of North Richland Hills, Texas on August 26, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

SECTION 1. The City nominates Tyson Prepared Foods, Inc. for Enterprise Project status.

SECTION 2. The local incentives identified and summarized briefly in the attached Exhibit A, at the election of the governing body, are or could be made available to the nominated Project or activity of a qualified business.

SECTION 3. The City of North Richland Hills City Council directs and designates the Director of Economic Development or his designee as the City's liaison to communicate with the OOGEDT through the Bank and Enterprise

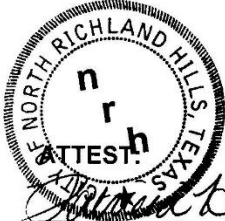
Project(s) and to communicate with qualified businesses and other entities affected by an Enterprise Project.

SECTION 4. The City finds that Tyson Prepared Foods, Inc. meets the following criteria for designation as an Enterprise Project under Chapter 2303, Subchapter F of the Act on the following grounds:

- (a.) Tyson Prepared Foods, Inc. 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 has committed that 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 Tyson Prepared Foods, Inc. as an Enterprise Project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

SECTION 5. The Enterprise Project shall take effect on September 2, 2008 and terminate on September 2, 2013.

PASSED AND APPROVED on this the 26th day of August, 2008.



CITY OF NORTH RICHLAND HILLS

By: *Oscar Trevino*
Oscar Trevino, Mayor

Patricia Hutson
Patricia Hutson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

George A. Staples
George A. Staples, City Attorney

APPROVED AS TO CONTENT:

Craig Hulse
Craig Hulse, Economic Development Director

Exhibit A

	Name of Incentive	Description of Incentive	Availability
1	Local Sales and Use Tax Refunds	The City may allow sales and use tax refunds.	On Case By Case Basis
2	Tax Abatement	Property tax abatement.	On Case By Case Basis
3	Freeport Exemption	Property tax exemption for Freeport property.	Citywide
4	4B Sales Tax	Sales Tax for Crime Control and Prevention District, Parks and Recreation Development District and Economic Development	On Case By Case Basis
5	Zoning Changes/Variances	The City may make zoning changes to expedite the development process.	On Case By Case Basis
6	Building Code Process Exemptions	The City may provide certain building code process exemptions to expedite the development process.	On Case By Case Basis
7	Impact/ Inspection Fee Exemptions	The City may exempt impact/ inspection fees.	On Case By Case Basis
8	Streamlined Permitting	The City may streamline permitting procedures to promote economic activity.	Citywide
9	Improved Fire and Police Protection	Safety and protection of City residents.	Citywide
10	Community Crime Prevention Programs	Crime Control and Prevention District, Neighborhood Watch Programs, CrimeReports.com, and Crimeweb.net	Citywide
11	Capital Improvements In Water and Sewer Facilities	The City may provide resources for a capital improvement plan related to water and sewer service.	On Case By Case Basis
12	Road Repair	The City is responsible for maintaining and repairing public streets and alleys inside City limits.	Citywide
13	Creation or Improvement of Parks	Parks and Recreation Development District, to develop and maintain parks and promote healthy lifestyle for City residents.	Citywide
14	Provision of Publicly Owned Land for Development Purposes	The City may provide publicly owned land for development purposes.	On Case By Case Basis

Exhibit A (continued)

	Name of Incentive	Description of Incentive	Availability
15	One-Stop Permitting, Problem Resolution Center	The City may offer one-stop permitting.	Citywide
16	Promotion and Marketing Service	Northeast Tarrant Chamber of Commerce.	Citywide
17	Job Training and Employment Services	Offered through ATI-Career Training Center, and Tarrant County College.	Citywide
18	Retraining Program	Offered through ATI-Career Training Center, and Tarrant County College.	Citywide
19	Literacy and Employment Skills Services	Offered through ATI-Career Training Center, and Tarrant County College.	Citywide
20	Vocational Education	Offered through ATI-Career Training Center, and Tarrant County College.	Citywide
21	Customized Job Training	Offered through ATI-Career Training Center, and Tarrant County College.	Citywide
22	Infrastructure Improvements	The City may provide infrastructure improvements for industries.	On Case By Case Basis