



**SPECIAL MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET  
CITY COUNCIL CHAMBERS – 2<sup>ND</sup> FLOOR**

**TEMPLE, TX**

**MONDAY, AUGUST 30, 2010**

**4:30 P.M.**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. REGULAR AGENDA**

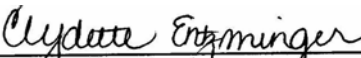
3. [2010-4374](#): SECOND READING – PUBLIC HEARING - Consider adopting an ordinance establishing the City's participation in the Texas Enterprise Zone Program and nominating Wilsonart International, Inc., as a qualified enterprise project.

---

***The City Council reserves the right to discuss any items in executive (closed) session  
whenever permitted by the Texas Open Meetings Act.***

---

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 10:45 AM, on August 26, 2010.

  
\_\_\_\_\_  
Clydette Entzminger  
City Secretary

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on \_\_\_\_\_ day of \_\_\_\_\_ 2010.



## COUNCIL AGENDA ITEM MEMORANDUM

---

08/30/10  
Item #3  
Regular Agenda  
Page 1 of 1

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** SECOND READING – PUBLIC HEARING - Consider adopting an ordinance establishing the City's participation in the Texas Enterprise Zone Program and nominating Wilsonart International, Inc., as a qualified enterprise project.

**STAFF RECOMMENDATION:** Conduct public hearing and adopt ordinance on second and final reading.

**ITEM SUMMARY:** Wilsonart is a world-leading producer of decorative surfacing products for residential and commercial applications, operating 2 primary facilities in Temple – 10501 NW H.K. Dodgen Loop (manufacturing) and 2400 Wilson Place (corporate headquarters), as well as a research and product development facility at 505 South General Bruce Drive. The company employs approximately 1,000 full-time employees in Temple, and has plans for the future modernization of the company's manufacturing operations in Temple.

In accordance with the requirements of V.T.C.A., Government Code, Section 2303.4051, Wilsonart has requested the City of Temple's nomination of its company for Enterprise Zone Designation for September 1, 2010. The City must find that Wilsonart meets the criteria for incentives adopted by the City on the grounds that it will be located at a qualified business site (10501 NW H.K. Dodgen Loop and 505 South General Bruce Drive), and will create a higher level of employment, economic activity, and stability. Designated projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and job created (or retained as defined under the program rules) at the qualified business site. Local communities must nominate a company as an Enterprise Project in order to participate in the Enterprise Zone Program. Communities may nominate projects, for a designation period up to five years, non-inclusive of a 90-day window prior to the application deadline. Employment and capital investment commitments must be incurred and met within this timeframe.

**FISCAL IMPACT:** If approved, Wilsonart's modernization project is expected to result in a \$5 million capital investment with job retention of 500 full-time employees.

### **ATTACHMENTS:**

[Ordinance](#)

**ORDINANCE NO. 2010-4374**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; DESCRIBING AVAILABILITY OF CERTAIN LOCAL INCENTIVES; DESIGNATING A LIAISON; NOMINATING WILSONART INTERNATIONAL, INC., AS A QUALIFIED ENTERPRISE PROJECT THROUGH NOTICE TO THE TEXAS ECONOMIC DEVELOPMENT BANK; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City Council of the City of Temple, Texas desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in certain areas of the City, and to provide employment to residents of such areas;

**Whereas**, the project or activity considered herein is not located in an area designated as an enterprise zone;

**Whereas**, pursuant to the Texas Enterprise Zone Act, V.T.C.A., Government Code, Chapter 2303 (the "Act"), specifically in accordance with Section 2303.404, Subchapter F of the Act, Wilsonart International, Inc., has applied to the City for designation as an enterprise project;

**Whereas**, the City finds that Wilsonart International, Inc., meets the criteria for incentives adopted by the City on the grounds that it will be located at a qualified business site, that being 10501 Northwest H K Dodgen Loop and 505 South General Bruce Drive, Temple, Texas, and 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 on August 30, 2010.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:**

**Part 1**: The City hereby nominates Wilsonart International, Inc., for enterprise project status.

**Part 2:** In accordance with V.T.C.A., Government Code, Section 2303.4051, the City hereby identifies and summarizes local incentives that, at the election of the governing body, are or may be made available to Wilsonart International, Inc.:

A. Tax abatement, deferral, refunds, or other tax incentives: The City may offer tax abatements for new business construction and existing industry expansions, as well as personal property tax abatements associated with real property. The level of abatement is based upon the extent to which the business receiving the abatement creates jobs for qualified employees, in accordance with the City's Tax Abatement Guidelines, with "qualified employee" being defined by the Act.

B. Programs to improve and increase value of real estate and new investment: The City may provide programs to improve and increase the value of real estate and new investment, including:

- (1) Chapter 380 grants
- (2) Local sales tax refunds; and
- (3) Tax Increment Financing
- (4) Tax abatement.

C. Regulatory relief: The City may provide regulatory relief to businesses, including:

- (1) Zoning changes or variances;
- (2) Building code exemptions
- (3) Reduction or exemptions from inspection fees; and
- (4) Streamlined permitting.

D. Enhanced municipal services: The City may provide enhanced municipal services to businesses, including:

- (1) Improved police and fire protection;
- (2) Institution of community crime prevention programs; and
- (3) Special public transportation routes or reduced fares.

E. Improvements in community facilities: The City may provide improvements in community facilities, including:

- (1) Capital improvements in water and sewer facilities;

- (2) Road repair; and
- (3) Creation and improvement of parks.

F. Improvements to housing: The City may provide improvements to housing, including:

- (1) Low-interest loans for housing rehabilitation, improvement, or new construction.

G. Business and industrial development services: The City may provide business and industrial development services, including:

- (1) Creation of special permitting processes and programs; and
- (2) Promotion and marketing services.

H. Job training and employment skills programs: The City may provide, through its funding of other agencies, job training and employment services, including:

- (1) Job training and employment services
- (2) Retraining programs
- (3) Literacy and employment skills programs
- (4) Vocational education
- (5) Customized job training

**Part 3:** In accordance with V.T.C.A., Government Code, Section 2303.204, the City Council hereby directs and designates its Director of Finance as the City’s liaison to oversee enterprise projects it has nominated and to communicate and negotiate with the Texas Economic Development Bank or the Texas Economic Development and Tourism Office within the Office of the Governor, with the enterprise project, and with other entities in an enterprise zone or affected by an enterprise project, including a qualified business, within the jurisdiction of the City.

**Part 4:** The City Council hereby finds that Wilsonart International, Inc., meets the criteria for designation as an enterprise project under the Act on the following grounds:

A. Wilsonart International, Inc., is a “qualified business” under Section 2303.402 of the Act;

B. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area;

C. The designation of Wilsonart International, Inc., as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**Part 5:** The enterprise project shall take effect on the date of designation of the enterprise project by the Texas Economic Development and Tourism Office within the Office of the Governor, and shall terminate on the same date five (5) years therefrom.

**Part 6:** This Ordinance shall be and become effective immediately upon and after its proper passage and approval.

**Part 7:** The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance 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.

PASSED AND APPROVED on First Reading on the 19<sup>th</sup> day of August, 2010.

PASSED AND APPROVED on Second Reading and Public Hearing on the 30<sup>th</sup> day of August, 2010.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clydette Entzminger  
City Secretary

\_\_\_\_\_  
Jonathan Graham  
City Attorney