

**TOWN OF ADDISON, TEXAS**

**RESOLUTION NO. R11-009**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS NOMINATING MARY KAY INC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE TEXAS ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING ANEFFECTIVE DATE.**

**WHEREAS**, the City Council of the Town of Addison, Texas (the “City”) has previously passed Ordinance No. 010-021 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. 010-021;

**WHEREAS**, the Office of the Governor Economic Development and Tourism (“EDT”) through the Economic Development Bank (“Bank”) will consider Mary Kay Inc. 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 or economically disadvantaged individuals;

**WHEREAS**, pursuant to Subchapter F of Chapter 2303 (the Texas Enterprise Zone Act) of the Texas Government Code (the “Act”), Mary Kay Inc. has applied to the City for designation as an enterprise project;

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

1. Mary Kay 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 City, located outside of an enterprise zone and at least thirty-five percent (35%) of Mary Kay Inc.’s new employees will be residents of an enterprise zone or economically disadvantaged individuals;
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 Mary Kay Inc. 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 Mary Kay Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates Mary Kay Inc. for enterprise project status on the

grounds that it is located at the qualified business site and will create a higher level of employment, economic activity and stability in the area; and

**WHEREAS**, the City finds that it is in the best interest of the City to nominate Mary Kay Inc. as an enterprise project pursuant to the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

Section 1. That the findings of the City and its actions approving this Resolution taken at the Council meeting are hereby approved and adopted.

Section 2. That Mary Kay Inc. 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 Subchapter F of the Act.

Section 3. That the enterprise project shall take effect on the date of designation of the enterprise project by the Bank and terminate five (5) years after the date on which the designation is made.

Section 4. This Resolution shall take effect upon its passage and approval.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this the 12<sup>th</sup> day of July, 2011.

  
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Todd Meier, Mayor

ATTEST:

By:   
\_\_\_\_\_  
Lea Dunn, City Secretary

APPROVED AS TO FORM:

By:   
\_\_\_\_\_  
John Hill, City Attorney