

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**AN ORDINANCE**

**AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH NEC NETWORKS, LLC. D/B/A CAPTURERX, INC., IN AN AMOUNT NOT TO EXCEED \$614,000.00; AUTHORIZING A SAWS IMPACT FEE WAIVER IN THE AMOUNT OF \$158,160.00.**

\* \* \* \* \*

**WHEREAS**, CaptureRX is seeking to relocate its corporate headquarters into a building located at 420 Broadway Street (the “Project Site”) in downtown San Antonio, in City Council District 1; and

**WHEREAS**, upon relocation, CaptureRX is anticipated to cause to be invested approximately \$10.5 million in real and personal property improvements, retain 114 full-time jobs, and create an additional 200 full-time jobs at the Project Site for a cumulative total of 314 full-time jobs paying an annual wage of \$50,000.00 annually (the “Project”); and

**WHEREAS**, pursuant to Chapter 380 of the Texas Local Government Code, the City of San Antonio (the “City”) is authorized to establish and provide for the administration of one or more programs, including programs for making grants of public money to promote state or local economic development and to stimulate business and commercial activity in the municipality; and

**WHEREAS**, in accordance with City Ordinance No. 100684, the City created an Economic Development Program (the “Program”) for the purpose of making grants available for economic development projects that the City finds will accomplish the purpose and goals of Chapter 380; and

**WHEREAS**, the City finds that the goals of Chapter 380 will be met by assisting CaptureRX in undertaking and completing the Project and has identified economic development funds for use in carrying out this purpose; and

**WHEREAS**, the location of the Project Site makes the Project eligible to receive a SAWS impact fee waiver in the amount of \$158,160.00; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Council approves the terms and conditions of a Chapter 380 Economic Development Program Grant Agreement with NEC Networks, LLC. d/b/a CaptureRX.

**SECTION 2.** The City Manager or her designee is authorized to execute a Chapter 380 Economic Development Program Grant Agreement with CaptureRX in accordance with the terms and conditions of this Ordinance. A copy of the Agreement, in substantially final form, is attached to this Ordinance as **Attachment I**. The final agreement shall be filed with this Ordinance upon execution.

**SECTION 3.** Funding in the amount of \$614,000.00 for this ordinance is contingent upon approval of the Fiscal Year 2015's Budget for Fund 29059000, Cost Center 1604010001 and General Ledger 5201040.

**SECTION 4.** If approved by council, payment not to exceed the budgeted amount is authorized to CaptureRX and should be encumbered with a purchase order.

**SECTION 5.** A SAWS Impact Fee waiver in the amount of \$158,160.00 is authorized for the Project.

**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This Ordinance shall become effective immediately upon its passage by eight (8) votes or more and upon ten (10) days following its passage if approved by fewer than eight (8) votes.

**PASSED AND APPROVED this \_\_\_\_ day of September, 2017.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
City Attorney

## **Attachment I**

DRAFT