

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

**AN ORDINANCE**

**AUTHORIZING AN AMENDMENT TO THE TAX PHASE-IN AND CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH LOWE’S HOME CENTER, LLC. (“LOWE’S”) TO PROVIDE FOR THE USE OF CONTRACT EMPLOYEES, A REDUCTION IN FULL-TIME POSITIONS AND A REDUCTION IN THE PERCENTAGE OF TAXES TO BE ABATED.**

\* \* \* \* \*

**WHEREAS**, on June 29, 2006, the City Council authorized a Tax Phase-In Agreement and Chapter 380 Economic Development Program Grant Agreement (the “Agreements”) with Lowe’s to: (i) establish a data center at 10045 Rogers Run, San Antonio, TX 78251 (the “Project Site”), (ii) invest \$60 million in real and personal property improvements, (iii) and create 22 Full-Time jobs at the Project Site (the “Project”); and

**WHEREAS**, due to workforce efficiencies and technological advances, Lowe’s is seeking to amend the Agreements to provide for the use of contract employees, reduce the required number of full-time employees from 22 to 15, and reduce the amount of abated taxes from 100% to 63%; and

**WHEREAS**, the City finds that the goals of Chapter 380 continue to be met by assisting Lowe’s in undertaking the Project; **NOW THEREFORE**:

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

**SECTION 1.** The terms and conditions of the First Amendment to the Tax Phase-In and Chapter 380 Economic Development Program Grant Agreement (the “Amendment”) are hereby approved. The City Manager, or her designee, is authorized to execute said Amendment, a copy of which, in substantially final form, is set out in **Attachment I** and is made a part of this Ordinance. The final copy of the Amendment shall be attached when fully executed.

**SECTION 2.** 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 \_\_\_\_\_ **2013.**

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

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

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Michael D. Bernard, City Attorney

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