

AN ORDINANCE

2012-06-14-0451

**AUTHORIZING THE CREATION AND DESIGNATION OF THE
MARUCHAN, INC. INDUSTRIAL DISTRICT; AUTHORIZING A FIVE
(5) YEAR NON-ANNEXATION AGREEMENT AND ASSOCIATED FIRE
SERVICE AGREEMENT WITH MARUCHAN, INC.**

* * * * *

WHEREAS, Texas Local Government Code §42.044 provides for a governing body of a municipality to designate any part of its extraterritorial jurisdiction as an industrial district and allows the governing body to treat the designated area in a manner considered by the governing body to be in the best interests of the municipality; and

WHEREAS, the statute also provides for the governing body to make written contracts with the owners of land in the industrial district to guarantee the continuation of the extraterritorial status of the district and its immunity from annexation by the municipality for a period not to exceed fifteen (15) years; and

WHEREAS, Maruchan, Inc. ("Maruchan") shall be the fee-simple owner of a portion of real property which is located at Medio Creek Business Park, Von Ormy, Texas 78073 (the "Property"), and is more particularly described in **Exhibit A**; and

WHEREAS, Maruchan is engaging in an economic development project consisting of the establishment of a manufacturing facility and the creation of approximately 538 full-time jobs to be located on the Property; and

WHEREAS, Maruchan has petitioned the City to designate the Property as an industrial district and has requested a five (5) year non-annexation agreement; and

WHEREAS, Maruchan has also requested a Basic Fire Protection Agreement with the City for the provision of fire service on the Property; and

WHEREAS, the City Council finds that it is in the best interest of the municipality to grant Maruchan's petitions; **NOW THEREFORE:**

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

SECTION 1. The City Council designates the Property located at Medio Creek Business Park, Von Ormy, Texas 78073 (as further described in Exhibit A) as the Maruchan, Inc. Industrial District in accordance with Texas Local Government Code §42.044.

SECTION 2. The negotiation and execution of an Industrial District Non-Annexation Agreement and Basic Fire Service Agreement (the "Agreements") between the City and Maruchan, Inc. is hereby approved. The City Manager or her designee is authorized to execute

the Agreements in accordance with this Ordinance. Copies of the final Agreements shall be attached and made a part of this Ordinance.

SECTION 3. Funds generated by this Ordinance will be deposited into Fund 11001000, Internal Order 2200000000011 and General Ledger 4404141.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 14th day of June, 2012.




M A Y O R
Julián Castro

ATTEST:

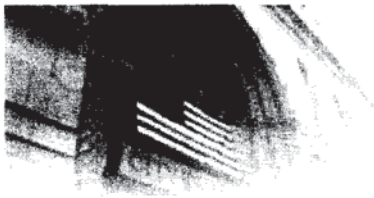


Letidia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**

City of San Antonio

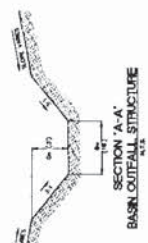
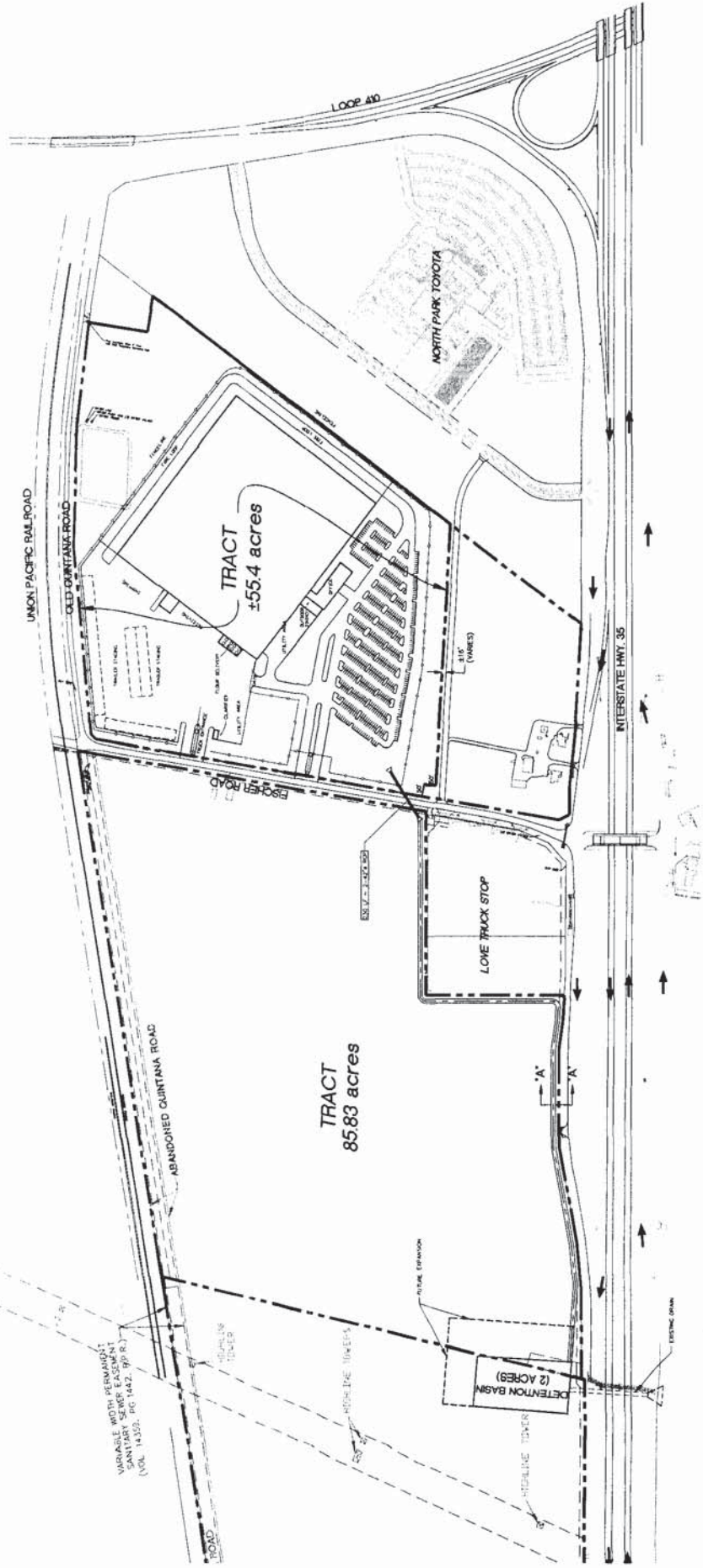


Agenda Voting Results - 38A

Name:	4, 5, 6, 8, 11, 12, 13, 15, 16, 17, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37A, 38A, 38B, 39A, 39B, 39C, 39D, 39E, 40A, 40B, 40C, 40D, 40E, 40F						
Date:	06/14/2012						
Time:	09:27:40 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance designating the Maruchan Industrial District in the City's extraterritorial jurisdiction; approving a five-year Non-Annexation Agreement and a Basic Fire Services Agreement with Maruchan, Inc.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

EXHIBIT A

PRELIMINARY SITE PLAN AND PROPERTY DESCRIPTION



MARUCHAN FOOD PLANT
SITE LAYOUT OPTION - 3
(WITH NO PROPOSED ROAD)

DATE: MAY 23, 2012



505 EAST PARKWAY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.272.8800
 FAX: 210.272.8802
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, CIVIL REGISTRATION # 140
 ENGINEER: JAMES L. PAPE, P.E. LICENSE # 11226
 PROJECT: MARUCHAN FOOD PLANT, 11226 MARUCHAN ROAD, SAN ANTONIO, TEXAS 78216