

AGENDA



Recommendation for Council Action

Austin City Council

Item ID

59697

Agenda Number

27.

Meeting Date:

8/18/2016

Department:

Economic Development

Subject

Authorize negotiation and execution of an interlocal agreement with Travis County to coordinate the compliance monitoring of economic development agreements executed with companies by both the City and the County under their Chapter 380 and Chapter 381 Economic Development Programs, respectively.

Amount and Source of Funding

There is no unanticipated fiscal impact.

Fiscal Note

A fiscal note is not required.

**Purchasing
Language:**

**Prior Council
Action:**

**For More
Information:**

Sylvia Holt-Rabb, Assistant Director, Economic Development Department, (512) 974-3131

**Council
Committee,
Boards and
Commission
Action:**

MBE / WBE:

Related Items:

Additional Backup Information

The purpose of this interlocal agreement is to expand a cooperative relationship between the City and Travis County regarding compliance monitoring and independent verification of compliance with certain obligations in the County's Chapter 381 economic development agreements with Apple Inc., HID Global Corporation, Samsung Austin Semiconductor, The Domain Mall, LLC, and future companies in which both governmental entities have an agreement. The City has a Chapter 380 economic development agreement with each of these companies. Most of the requirements in each company's Chapter 380 agreement are also in the County's Chapter 381 agreement with that company. However, each company's Chapter 381 agreement also has some unique requirements. The purpose of this agreement is to allow the City and the County to continue to collaborate in monitoring these agreements, including establishing procedures to verify compliance with the requirements unique to each Chapter 381 agreement, and including these procedures in each annual, third party, independent report contracted by the City. Under the interlocal agreement, each company will continue to report compliance with its obligations annually as directed by the respective Chapter 380 and Chapter 381 agreements. The City and County will continue to collaborate to conduct a joint review of each company annually. The City will coordinate the review process, including the third party review, and will continue to develop procedures to verify compliance with the terms common to the Chapter 380 and

Chapter 381 agreements. The County will draft procedures to verify compliance with the terms and requirements that are unique to each Chapter 381 agreement. In accordance with Ordinance No. 20090312-005, the results of the third party review will be available for public inspection.

Travis County will pay the City for their portion of actual costs incurred by the City and agreeable to both parties for each third party report developed under this interlocal agreement.

The current Interlocal Cooperation Act agreement between the City and County, executed August 7, 2009 will be terminated.

The interlocal agreement will be renewable annually as long as the City's Chapter 380 agreement and the County's Chapter 381 agreement with Apple Inc. or HID Global Corporation, Samsung Austin Semiconductor, The Domain Mall, LLC, or other company, in which both entities have an agreement, remain in effect.