

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS APPROVING THE ECONOMIC PERFORMANCE AGREEMENT BETWEEN THE PFLUGERVILLE COMMUNITY DEVELOPMENT CORPORATION AND LDDF, INC. (TESCOM).**

**WHEREAS**, the Pflugerville Community Development Corporation (PCDC) has entered into an Economic Development Performance Agreement (EDPA) with LDDF, Inc. (LDDF); and

**WHEREAS**, the PCDC Board of Directors approved the EDPA on November 17, 2016; and

**WHEREAS**, LDDF provides test equipment calibration, repair, and assembly services and provides these services nationally for telecommunications firms; and

**WHEREAS**, City Council has determined that the Project set forth in the EDPA is an “Authorized Project” as that term is defined in Chapter 505 of the Texas Local Government Code, as amended; and

**WHEREAS**, City Council has determined that the payment of \$25,000 in financial incentives described in the EDPA is a permissible “Project Cost” as that term is defined in Chapters 501 and 505 of the Texas Local Government Code, as amended; and

**WHEREAS**, City Council has determined that the Project includes the purchase of land, buildings, equipment, facilities, expenditures and improvements are suitable for use to promote or develop new or expanded manufacturing and industrial facilities that create or retain primary jobs; and

**WHEREAS**, City Council has determined that granting LDDF an economic incentive of \$25,000 to acquire and improve land, to acquire machinery and equipment, and to allow it to relocate its National Headquarters to the City of Pflugerville, Texas (City) builds and serves the City; and

**WHEREAS**, this EDPA is conditional in the event the City receives a petition no later than the 60th day after the date notice of this Project is published, which is duly certified and accepted by the City Council, from more than 10% of the registered voters of the City, requesting that an election be held before the Project is undertaken in accordance with Section 505.160 of the Texas Local Government Code, as amended; and

**WHEREAS**, that the terms, conditions and obligations made by PCDC and accepted by LDDF are conditional upon the authority granted by Section 501.073(a) of the Texas Local Government Code (requiring the City Council to approve all programs and expenditures of the PCDC), and accordingly this EDPA is not effective until the City Council has approved this Project in accordance with Texas law; and

**WHEREAS**, City Council finds it is just, proper, and in the best interest of the City to approve the EDPA between PCDC and LDDF.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:**

1. The above recitals are hereby adopted verbatim as if recited herein.
2. The Economic Development Performance Agreement by and between Pflugerville Community Development Corporation and LDDF, Inc. dated November 15, 2016 is approved.

**PASSED AND APPROVED** this 22nd day of November 2016.

---

Jeff Coleman, Mayor

**ATTEST:**

---

Karen Thompson  
City Secretary