

STATE OF TEXAS	§	INTERLOCAL AGREEMENT
	§	FOR NOMINATING
	§	MARATHON PETROLEUM COMPANY, LP
COUNTY OF BEXAR	§	TO THE OFFICE OF THE GOVERNOR

THIS INTERLOCAL AGREEMENT (hereafter referred to as "the Agreement" or "this Agreement") for nominating Marathon Petroleum Company, LP ("Marathon") a Delaware Limited Partnership, authorized to do business in Texas as an Enterprise Project pursuant to nomination and application made by the County of Bexar, Texas, to the Office of the Governor. This Agreement is by and between the City of San Antonio, Texas, a Texas Home Rule Municipality (the "City") and the County of Bexar, a political subdivision of the State of Texas (the "County"), acting by and through its officers, hereto duly authorized. City and County singularly or collectively shall be referred to herein as "Party" or "the Parties." This Agreement is entered into by the City and the County pursuant to the authority granted by the provisions of the Interlocal Cooperation Act, Texas Government Code, Chapter 791. This Agreement is intended to further the purpose of the Interlocal Cooperation Act by increasing the efficiency and effectiveness of local governments.

WITNESSETH

WHEREAS, the Commissioners Court of the County previously adopted an order after a public hearing held on February 21, 2012, electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined therein; and

WHEREAS, the order so adopted was filed with the Bexar County Clerk and can be located at Volume 902, page 376 therein, a copy of which is attached and incorporated hereto as **Exhibit I**; and

WHEREAS, the nominated project or activity will be performed by Marathon located at 19100 Ridgewood Parkway, San Antonio, Bexar County, Texas; and

WHEREAS, the County desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises and to provide employment to residents of the County; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act (the "Act"), the nominating county must enter into an interlocal agreement with the municipality that has jurisdiction of the territory in which the nominated project or activity will be located; and

WHEREAS, MARATHON is a "qualified business," as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303 of the Act; and

WHEREAS, the City has jurisdiction of the territory in which the nominated project will be located and is the governmental body having administration authority under Section 2303.201 of the Act and both Parties approve the nomination; and

WHEREAS, the Parties are requesting the Office of the Governor, Economic Development and Tourism through the Economic Development Bank will consider Marathon, authorized to do business in Texas, an Enterprise Project pursuant to nomination and application made by the County;

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, the Parties agree as follows:

ARTICLE I. PURPOSE

- 1.01 The purpose of this Agreement is to comply with the legal requirements of the Act of the Texas Government Code. The City is approving the nomination of Marathon by the County as required by the Act, but is not utilizing one of its nominations to nominate Marathon.
- 1.02 The City is the governing body which has the administration authority under Section 2303.201 of the Act, which states that the governing body of an enterprise zone is the governing body of the municipality or county with jurisdiction over the area designated as an enterprise zone.
- 1.03 Both the County in which the project or activity is located, and the City in whose jurisdiction the project or activity is located approve the nomination of Marathon pursuant to Section 2303.004(c) of the Act, and said nomination is to be considered a part of County's allocated Enterprise Project designations; City is not utilizing one of its nominations to nominate Marathon.
- 1.04 The nominated project or activity will be performed by Marathon Petroleum Company, LP located at 19100 Ridgewood Parkway, San Antonio, Bexar County, Texas.

ARTICLE II. TERM

- 2.01 Except as otherwise provided herein, this Agreement shall commence upon the execution date of the last signatory party to the Agreement and shall end upon five years from the date Marathon is designated as an Enterprise Project.

ARTICLE III. MULTIPLE COUNTERPARTS

3.01 This Agreement may be executed in separate identical counterparts by the Parties hereto and each counterpart, when so executed and delivered, shall constitute an original instrument and all such separate identical counterparts shall constitute but one and the same instrument.

EXECUTED IN TRIPLICATE ORIGINALS, each of which shall have the full force and effect of an original, on this ____ day of _____, 2022.

CITY OF SAN ANTONIO, TEXAS

By: _____
ERIK WALSH
City Manager

Date: _____

ATTEST:

DEBBIE RACCA-SITTRE
City Clerk

APPROVED AS TO FORM:

ANDREW SEGOVIA
City Attorney

COMMISSIONERS COURT AUTHORIZATION

This Agreement was approved by Order of the Commissioners Court dated this the ____, day of _____, 2022 authorizing the County Judge to execute this Agreement on behalf of County.

IN WITNESS WHEREOF, this Agreement is executed in triplicate originals effective this _day_ of _____, 2022.

COUNTY OF BEXAR, TEXAS

NELSON W. WOLFF
County Judge

Date: _____

ATTEST:

LUCY ADAME-CLARK
County Clerk

APPROVED AS TO LEGAL FORM:

Criminal District Attorney
County of Bexar, Texas

GERARD A. CALDERON

Assistant Criminal District Attorney, Civil Section

APPROVED AS TO FINANCIAL CONTENT:

LEO S. CALDERA, CIA, CGAP
County Auditor

DAVID SMITH
County Manager

APPROVED:

DEBORAH CARTER
Executive Director, Economic and Community Development

EXHIBIT 1
BEXAR COUNTY ORDER

(ATTACHED)

DRAFT