

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
ECONOMIC DEVELOPMENT DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Ramiro Cavazos, Director, Economic Development

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Christopher J. Brady, Andrew Martin, Milo Nitschke, Trey Jacobson,  
Manuel Longoria Jr., Louis Lendman, file

**SUBJECT:** Authorization to create the Starbright Industrial Development Corporation,  
a non-profit corporation formed under the Development Corporation Act  
of 1979 as amended, for the purpose of undertaking authorized economic  
development activities necessary to fulfill obligations under the Project  
Starbright Agreement.

**DATE:** February 20, 2003

**SUMMARY AND RECOMMENDATIONS**

This resolution would authorize all steps necessary for the creation of the Starbright Industrial Development Corporation, a non-profit corporation being formed under the Development Corporation Act of 1979 as amended, for the purpose of undertaking authorized economic development activities to fulfill obligations under the Project Starbright Agreement. Such activities include, but are not limited to, the issuance of debt, acquisition and conveyance of real and/or personal property, and other related actions necessary to meet the anticipated terms of the City's commitments to Toyota Motor Manufacturing under the Project Starbright Agreement, which is being finalized in negotiations. The City Council would serve as the Board of Directors for the corporation. To file incorporation documents with the Secretary of State in a timely manner, approval of this resolution with an immediate effective date is requested.

Staff recommends approval of this Resolution.

**BACKGROUND INFORMATION**

State, County, City, and other municipal officials have been working in a collaborative effort to attract Toyota Motors to locate its sixth automobile manufacturing plant near San Antonio. Official announcements of this decision by Toyota were made on Monday, February 10, 2003.

The terms, responsibilities, and obligations of the public entities offering some form of incentive or infrastructure investment to Toyota are outlined in the "Project Starbright Agreement," which is presently being finalized in negotiations.

The City anticipates that the final agreement will include certain responsibilities, such as funding for the acquisition and site preparation of the Toyota plant site, which the Starbright Industrial Development Corporation will undertake on behalf of the municipality.

### **POLICY ANALYSIS**

This action is consistent with the City's economic development strategy, and is a necessary step to meet certain obligations under the Project Starbright Agreement. The City Council has received a petition for the creation of the corporation (attached). This resolution would also approve the corporation's articles of incorporation and by-laws for submission to the Secretary of State. The are attached as exhibits to this memo.

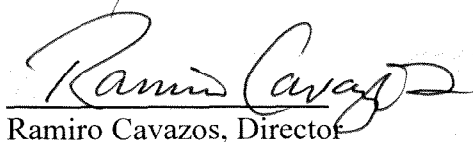
### **FISCAL IMPACT**

There is no significant fiscal impact to this action.

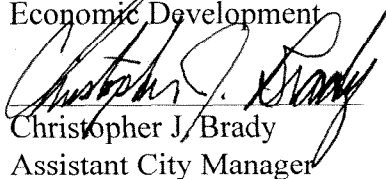
### **COORDINATION**

This item was coordinated with the City Manager's Office, Finance Department, City Attorney's Office, and outside counsel.

### **SIGNATURES**

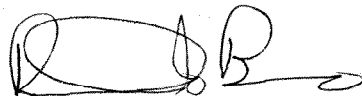


Ramiro Cavazos, Director  
Economic Development



Christopher J. Brady  
Assistant City Manager

Approved:



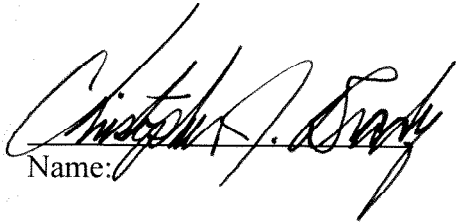
1 Terry M. Brechtel  
City Manager

APPLICATION TO THE CITY OF SAN ANTONIO REQUESTING THAT THE CITY COUNCIL AUTHORIZE AND APPROVE THE CREATION OF THE CITY OF SAN ANTONIO STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION AND APPROVE THE ARTICLES OF INCORPORATION AND BYLAWS OF THEREOF

The undersigned natural persons, each of whom is of the age of eighteen years or more and a qualified elector of the City of San Antonio, Texas (the "City of San Antonio" or the "Unit"), acting as incorporators of a Corporation under the Development Corporation Act of 1979, Article 5190.6, Vernon's Annotated Texas Civil Statutes, as amended (the "Act"), do hereby:

REQUEST that the City Council of the City of San Antonio authorize and approve the creation of the CITY OF SAN ANTONIO STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION (the "Corporation") and approve the Articles of Incorporation and Bylaws of the Corporation in substantially the form attached hereto as Exhibits "A" and "B" respectively.

IN WITNESS WHEREOF, we have hereunto set our hands this 14<sup>th</sup> day of February, 2003.

  
Name:

  
Name:

  
Name:

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF BEXAR     §

I, the undersigned, a Notary Public, do hereby certify that on this 14<sup>th</sup> day of February, 2003, personally appeared before me:

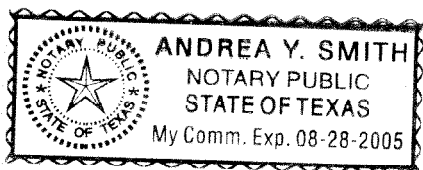
*Christopher J. Brady*  
*Michelle White*

and

*Ramiro Carayon*

who each being by me first duly sworn, severally declared that they are the persons who signed the foregoing application as incorporators, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.



*Andrea L.*  
Notary Public in and for  
The State of Texas

(SEAL)