

COURT ORDER

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ORDER NO. 2011 2054

DATE: November 29, 2011

STATE OF TEXAS §

COUNTY OF DALLAS §

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 29th day of November, 2011, on a motion made by Dr. Elba Garcia, Commissioner of District No. 4, and seconded by John Wiley Price, Commissioner of District No. 3, the following Order was adopted:


WHEREAS, on November 22, 2011, the Dallas County Commissioners Court was briefed on a recommendation to update the County's foreign trade zone policy which was adopted in 1994 under Court Order 94-1178; and

WHEREAS, the recommended revisions will allow the County to better address requests to either create foreign trade zones or to modify existing zone boundaries and to better coordinate the review process for zone requests with those of other local taxing entities; and


WHEREAS, updating the County's foreign trade zone policy is consistent with the County's strategic plan which specifically recommended that the County conduct activities which facilitate economic development and that it coordinate and conduct these activities with other local governments.

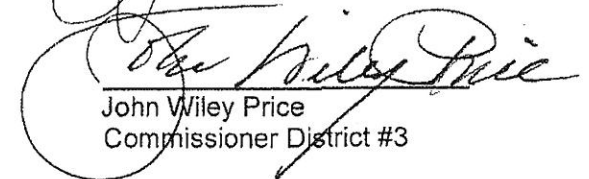
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Dallas County adopts the attached foreign trade zone policy, that it shall replace the policy that was previously authorized under Court Order 94-1178, and that it shall be used to evaluate all foreign trade zone-related requests submitted to the County.

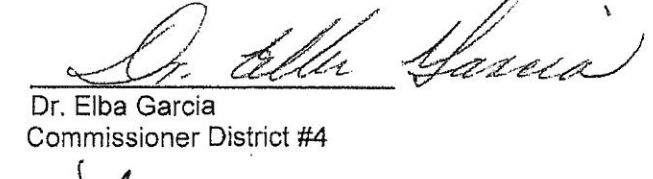
DONE IN OPEN COURT this the 29th day of November, 2011.


Clay Lewis Jenkins
County Judge

ABSENT
Maurine Dickey
Commissioner District #1


Mike Cantrell
Commissioner District #2


John Wiley Price
Commissioner District #3


Dr. Elba Garcia
Commissioner District #4

Recommended by: 

DALLAS COUNTY FOREIGN TRADE ZONE POLICY

I. INTRODUCTION

One of the factors that the U.S. Foreign Trade Zone Board takes into consideration when deciding whether to establish a Foreign Trade Zone (which, for the purposes of this policy, is defined to also include a foreign trade subzone) or to revise the boundaries of any zone is the degree to which the proposed zone or boundary modification is supported by the local taxing entities.

Since local government support is thus taken into consideration when a foreign trade zone (FTZ) is being proposed, Dallas County may be asked on occasion to endorse the creation of or the revision to the boundary of a zone in the Dallas area. So that the County can consistently review all such requests for FTZ endorsement, the following policy has been developed. It shall govern the submission and review of all FTZ endorsement requests received by Dallas County, and it shall be used by the Dallas County Commissioners Court to determine whether Dallas County and/or the Dallas County Hospital District shall endorse any specific zone proposal.

II. GENERAL REQUIREMENTS

Dallas County, on behalf of it and/or the Hospital District, will consider supporting a request to establish an FTZ or to revise the boundary of an existing zone/subzone only when the following conditions are first met:

- (1) The request is made in writing;
- (2) The businesses that will be located within the zone certify that they are equal opportunity employers;
- (3) The proposed zone/boundary revision does not involve the relocation of an existing business from one Dallas County city to another unless the move has the formal approval of the original host city;
- (4) The proposed zone/boundary revision is formally supported by both the city and school district in which it is located; and
- (5) The proposed zone/boundary revision will, within three years, contain at least \$1 million of assessed personal property and employ 35 people on a full-time, permanent basis.

Meeting these requirements does not place the County or the Hospital District under any obligation to support an FTZ or boundary revision proposal; it only qualifies the proposal for further consideration.

III. GENERAL CONSIDERATIONS

In determining whether to support a proposed FTZ or a boundary revision to an existing zone, the County will consider a number of related factors. Such factors shall include, but not be limited to, the degree that the zone surpasses this policy's employment and/or business personal property requirements, the short-term and long-term impact of the zone on the County's tax base, the location of the zone, its impact on the surrounding area and the local economy, the existence of any environmental or displacement issues, the background, performance, and stability of the involved firm(s) and their market/industry, current economic conditions, the likelihood of the zone being successful, the need for the zone, the type and quality of the jobs that are being created and/or retained, the ability of the zone to provide meaningful employment to the chronically unemployed, and the degree that the zone utilizes or is served by alternative forms of transportation.

IV. APPLICATION REQUIREMENTS

Requests for FTZ/boundary revision endorsement must be submitted in writing to Dallas County's Director of Planning & Development, 411 Elm Street, Dallas, Texas 75202. These requests must also be accompanied with the following information which will be used to evaluate them:

- (1) Name of FTZ applicant;
- (2) Name, telephone number and address of contact person;
- (3) Map showing location of zone/proposed boundary modification;
- (4) Name of businesses that will be located within zone;
- (5) Description of business activity that will occur within zone;
- (6) Description of financial and relocation histories of businesses that will be located within the zone;
- (7) Explanation of why zone/boundary modification is needed;

- (8) Explanation of why public will benefit from zone/boundary modification;
- (9) Estimated start date for zone/boundary modification and any new investment/construction;
- (10) Description of types/numbers/salary level of jobs to be created and/or retained because of the zone;
- (11) Estimated or actual assessed valuations for zone's real property and total personal property. Discussion of whether these totals will increase as a result of the zone;
- (12) Estimated amount (in dollars) of personal property assessment to be exempt from taxation;
- (13) Identification of any environmental or displacement issues and discussion of how these issues will be satisfactorily resolved; and
- (14) Evidence of formal support from host city and school district.

Besides the information outlined above, additional information may be requested by the County at a later date.

So as to help facilitate the review of any FTZ endorsement requests, applicants are encouraged to contact the County's Director of Planning & Development at (214) 653-7601 as soon as possible.