

May 13, 2020

WHEREAS, on August 14, 2019, Dallas City Council authorized a business personal property tax abatement and Chapter 380 grant agreement (“Incentive Agreement”) with Uber Technologies, Inc. or an affiliate thereof (“Uber”) in connection with the proposed expansion of certain corporate operations into a new two-phase office development located at 2550 Pacific Avenue in accordance with the City’s Public/Private Partnership Program by Resolution No. 19-1166; and

WHEREAS, the Incentive Agreement was executed by the City of Dallas and Uber on October 9, 2019; and

WHEREAS, business in the City of Dallas are impacted by COVID-19; and

WHEREAS, the economic impact of COVID-19 has resulted in delays to the Uber project; and

WHEREAS, the City of Dallas and Uber agree to amend the Incentive Agreement to extend certain deadlines to mitigate the construction and hiring delays caused by COVID-19.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute an amendment to Resolution No. 19-1166, previously approved on August 14, 2019 for the Chapter 380 Economic Development Grant Agreement and Business Personal Property Tax Abatement with Uber Technologies, Inc. and all related documents to **(1)** extend the city-imposed contractual deadlines due to the economic impact of COVID-19; and **(2)** modify the termination date of the Incentive Agreement to be consistent with monitoring requirements, approved as to form by the City Attorney.

SECTION 2. That the terms of the Incentive Agreement are further amended to include the following:

- a. Extend the commencement of the five-year BPP Tax Abatement Period in **Section 1D** of the Incentive Agreement from on or before **January 1, 2024** to on or before **January 1, 2026**;
- b. Extend the completion deadline for the Leasehold Improvements in **Section 1E** of the Incentive Agreement from on or before **December 31, 2023** to on or before **December 31, 2025**;
- c. Extend the completion deadline for the business personal property investment in **Section 1F** of the Incentive Agreement from on or before **December 31, 2023** to on or before **December 31, 2025**;

SECTION 2. (continued)

- d. Extend the deadline to create or relocate the minimum permanent FTEs in **Section 2C** of the Incentive Agreement from on or before **December 31, 2023** to on or before **December 31, 2025**, and modify the maintenance of the number of permanent FTEs from **December 31, 2033** to **December 31, 2035**;
- e. Extend the deadline for the attainment date of the Threshold Resident Hire Requirement (defined as a minimum of 15% of the 2,500 FTEs which must be Dallas residents in order to receive any payment of the job grant under the Incentive Agreement) in **Section 2D** of the Incentive Agreement from no later than **December 31, 2023** to no later than **December 31, 2025**;
- f. Extend the deadline for the attainment date of the Minimum Average Annual Salary Requirement in **Section 2E** of the Incentive Agreement from no later than **December 31, 2023** to no later than **December 31, 2025**; modify the maintenance period for the Minimum Average Annual Salary Requirement from **December 31, 2033** to **December 31, 2035**; and modify the maintenance period of the Salary Threshold Requirement (defined as the minimum annual salary that FTEs created or relocated pursuant to the Job Creation Requirement be paid, not inclusive of overtime, bonuses, or benefits) from **December 31, 2031** to **December 31, 2033**;
- g. Extend the deadline for the achievement date of the Job Recruitment Requirement in **Section 2F** of the Incentive Agreement from **December 31, 2022** to **December 31, 2024**;
- h. Extend the deadline for the achievement date of the P-Tech Requirement in **Section 2G** of the Incentive Agreement from **December 31, 2020** to **December 31, 2022**; and
- i. Extend the deadline for completion date of BPP Investment in **Section 4** of the Incentive Agreement from on or before **December 31, 2023** to on or before **December 31, 2025**; and
- j. Modify the termination date in **Section 12** of the Incentive Agreement from **December 31, 2024** to **December 31, 2035** to provide consistency with monitoring requirements.

SECTION 3. That all other prior terms in Resolution No. 19-1166 remain in effect.

May 13, 2020

SECTION 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the Incentive Agreement, until such time as the amendments are duly approved by all parties and executed.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.