

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS, AMENDING A POLICY FOR TAX ABATEMENT FOR THE CITY OF DENTON TO ESTABLISH POLICIES, GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENTS AND INCENTIVES WHICH WILL BE KNOWN AS "DENTON POLICY FOR TAX ABATEMENTS AND INCENTIVES"; REPEALING RESOLUTION R2015-042; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on June 6, 2000, the City Council approved guidelines and criteria, known as the Denton Policy for Tax Abatement ("Policy"), by passing Resolution No. R2000-28; and

WHEREAS, on May 1, 2001, the City Council amended the Policy to allow waiver of the five million dollar threshold and the maximum tax abatement percentage; to define professional positions; and, to make other changes as set forth in the amended Policy; and

WHEREAS, the Texas Tax Code requires the tax abatement policies be adopted every two years;

WHEREAS, on August 19, 2003, the City Council amended and adopted the Policy; and

WHEREAS, on December 6, 2005, the City Council amended and adopted the Policy; and

WHEREAS, on December 5, 2008, the City Council adopted the Policy; and

WHEREAS, on April 20, 2010, the City Council amended and adopted the Policy; and

WHEREAS, on April 17, 2012, the City Council amended and adopted the Policy; and

WHEREAS, on May 6, 2014, the City Council amended and adopted the Policy; and

WHEREAS, on November 3, 2015, the City Council adopted Resolution R2015-042 approving a policy specifically for aircraft tax abatement and establishing guidelines and criteria governing such agreements; and

WHEREAS, on April 5, 2016, the City Council amended and adopted the Policy; and

WHEREAS, the Policy expires on April 5, 2018; and

WHEREAS, the City Council desires to promote economic development within Denton; and

WHEREAS, providing tax abatements and incentives within the City or its extraterritorial jurisdiction will likely contribute to the economic development of Denton by encouraging major investment, the creation of jobs, and other economic development benefits; and

WHEREAS, the Property Development and Tax Abatement Act, Chapter 312, Texas Tax Code, allows the City to establish its own criteria for tax abatements which the City had previously adopted guidelines for tax abatement by passing Resolution Nos. R90-18, R98-004, R2000-028,

R2001-020, R2003-021, R2005-057, R2008-003, R2010-009, R2012-009, R2014-016, R2015-042, and R2016-009; and

WHEREAS, the City Council deems it in the public interest to repeal Resolution R2015-042 approving a policy specifically for aircraft tax abatement and instead address such cases under the Policy; and

WHEREAS, the City Council deems it in the public interest to continue to be eligible for participation in tax abatements and incentives and to adopt policies, guidelines, and criteria for tax abatement and incentives which will be known collectively as the "Denton Policy for Tax Abatements and Incentives"; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. The policies, guidelines, and criteria, set forth in the attached as Exhibit which is made a part of this Resolution and incorporated herein for all purposes, is approved, and adopted and shall be known as the "Denton Policy for Tax Abatements and Incentives".

SECTION 2. From and after the effective date of this Resolution, the attached Denton Policy for Tax Abatements and Incentives shall constitute the policies, guidelines and criteria for tax abatement and other incentive agreements for the City of Denton in accordance with Chapter 312 of the Texas Tax Code.

SECTION 3. Resolution R2015-042 is hereby repealed.

SECTION 4. Pursuant to Texas Tax Code Section 312.002(c), the Denton Policy for Tax Abatements and Incentives approved herein shall be effective for two (2) years from the date of approval of this Resolution, during which time may be amended or repealed by a vote of $\frac{3}{4}$ of the members of the Council.

SECTION 5. The City Council reasserts its decision to become eligible to participate in tax abatement and other incentives. The City Council provides certain tax abatements and incentives applicable to business enterprises in various reinvestment zones which are established in the City in accordance with the applicable provisions of Chapter 312 of the Texas Tax Code and in accordance with the Denton Policy for Tax Abatements and Incentives.

SECTION 6. The Denton Policy for Tax Abatements and Incentives shall be filed in the official records with the City Secretary.

SECTION 7. This resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2018.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY: 