

RESOLUTION NO. 2019-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING CERTAIN ECONOMIC INCENTIVES TO JOHNSON AUTO PLAZA, INC. IN THE FORM OF A 50 PERCENT USE TAX REBATE AND A REBATE OF SALES TAX COLLECTED IN AN AMOUNT NOT TO EXCEED \$338,000.00; SETTING FORTH THE REQUISITE FINDINGS RECOGNIZING THE VALID PUBLIC PURPOSE AND COGNIZABLE BENEFIT JUSTIFICATIONS FOR SUCH ECONOMIC INCENTIVES; APPROVING THE INCENTIVE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

WHEREAS, the City Council, through the enactment of Resolutions 99-24 and 04-121, has found and determined that the stimulation of economic development through the creation of new employment opportunities, the establishment of a sound tax base, and the promotion of business and industry, serves the general welfare of the citizens of Brighton; and

WHEREAS, the City Council, through those same Resolutions, has established a justification for an economic incentives program to foster economic development within the City; and

WHEREAS, Johnson Auto Plaza has submitted an application for the development of a new automotive parts and service facility of approximately 44,000 square feet (the "Project") on the Property; and

WHEREAS, the Project will create additional employment opportunities and it is anticipated that the Project will increase the sales tax and real property tax base of the City; and

WHEREAS, the City desires to offer certain economic development incentives to Johnson Auto Plaza as an inducement to complete this Project within the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. A valid purpose and cognizable benefit to the City exists for the Project, and the Project justifies the provision of economic incentives for the following reasons:

- a. Creation of new jobs;
- b. Generation of increased sales taxes annually;
- c. Promotion of new business and industry;
- d. Generation of new business into the Brighton market; and
- e. Significant investment in the construction of the Project.

Section 2. The economic incentive of a fifty percent (50%) reimbursement of use taxes paid by Johnson Auto Plaza on construction materials related to the construction of the Project as well as a rebate of sales tax in an amount in excess of \$512,000.00 paid by Johnson Auto Plaza to the City for sales within the City for that same twelve-month period, for a total incentive not to exceed \$338,000.00, is approved, subject to the conditions, requirements, understandings, and agreements set forth in the Incentive Agreement.

Section 3. The Incentive Agreement between Johnson Auto Plaza and the City is hereby approved.

Section 4. The Mayor is hereby authorized to execute the Incentive Agreement on behalf of the City and the City Clerk to attest thereto, in substantially the form presented at this meeting, with such technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution.

RESOLVED THIS 1st DAY OF OCTOBER, 2019.

CITY OF BRIGHTON, COLORADO

KENNETH J. KREUTZER, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney