

**RESOLUTION NO. 040819-1**

**A RESOLUTION ESTABLISHING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM IN THE CITY OF LINDSAY; PROVIDING GENERAL CRITERIA FOR DETERMINING THE AMOUNT OF A LOAN OR GRANT; PROVIDING FOR AN APPLICATION PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Lindsay desires to establish and provide for a program under Chapter 380 of the Texas Local Government Code that will promote economic development in the City; and

**WHEREAS,** such a program will benefit the citizens of the City by creating new jobs and stimulating business and commercial activity in the City; and

**WHEREAS,** the City Council has determined that it is appropriate to establish general criteria for the granting of economic incentives under the program and a procedure for making application for such incentives;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDSAY, TEXAS:**

**SECTION 1.**

**Establishment of Chapter 380 Economic Development Program**

- (a) The City Council hereby establishes a City of Lindsay Chapter 380 Economic Development Program ("Program") pursuant to Chapter 380 of the Texas Local Government Code. Under the Program, the City will consider granting economic incentives to encourage business and commercial enterprises to operate their businesses in the City.
- (b) Each project will be reviewed individually and a decision will be made based upon:
- (1) the amount of tax revenues the City expects to be generated by the operation of the commercial enterprise; and
  - (2) the extent of economic enhancement and stimulation that the City will derive from operation of the commercial enterprise's business; and
  - (3) the number and quality of new employment opportunities which the City expects will result, directly and indirectly, from the operation of the commercial enterprise.

## **SECTION 2.**

### **Incentives**

As incentives to business enterprises, the City may provide economic development incentives to the commercial enterprise in a lump sum or in installments.

## **SECTION 3.**

### **Procedures, Criteria and Limitations on Incentives**

The procedures for implementation of an economic development incentive will be developed based upon the requirements of the project at issue. In determining what, if any, incentives to provide, the City Council will consider to what extent, if any, such incentives are necessary to attract such commercial enterprise, what type of incentive would provide the City with the most benefit for the cost and meet the needs of the commercial enterprise, the economic benefit that the City will derive from operation of the commercial enterprise's business in the City, the City's budgetary limitations, and the amount of any financial participation by the commercial enterprise.

## **SECTION 4.**

### **Economic Development Agreement**

The incentives provided will be reflected in an Economic Development Program Agreement between the City and the commercial enterprise. The Agreement will specify:

- (a) The amount, character and type of the incentives to be paid or provided to the commercial enterprise, and the terms, limitations and qualifications thereon.
- (b) Such terms and conditions as the City Council determines are necessary to insure that the incentives will be used for purposes intended, and will stimulate business and commercial activity in the City, consistent with the objectives and purposes of Chapter 380 of the Texas Local Government Code.

## **SECTION 5.**

### **Effective Date**

This resolution shall take effect immediately from and after its adoption, and it is accordingly so resolved.

Passed and approved this 8 day of April, 2019.

  
MAYOR

ATTEST:

  
CITY SECRETARY