

**A RESOLUTION APPROVING A REVISED COMMERCE CITY ECONOMIC
DEVELOPMENT INCENTIVE PROGRAM POLICY**

NO. 2025-158

WHEREAS, the City of Commerce City (the “City”) has historically provided economic development incentives to existing and prospective City businesses on a case by- case basis;

WHEREAS, on May 24, 2010, the City’s Council (“City Council”) adopted Resolution 2010-33, which accepted the recommendations of the Business Advancement Task Force and approved certain rebates and benefits for economic development in the City, and directed the City’s Economic Development Division to implement an economic development incentives program;

WHEREAS, on August 4, 2014, the City Council adopted Resolution 2014-56, which approved the Commerce City Economic Development Incentive Program (“2014 Policy”);

WHEREAS, on May 2, 2022, the City Council adopted Resolution 2022-47 to broaden the scope of the availability of commercial development fee waivers in the 2014 Policy to include new categories of businesses that may qualify for the various fee waivers originally set forth in Exhibit A to Resolution No. 2019-53;

WHEREAS, on November 6, 2007, the residents of the City voted to approve Ballot Issue 2A, allowing the City to proceed with imposition of the Lodging Tax pursuant to the City’s taxation authority under the Colorado Constitution;

WHEREAS, on May 2, 2022, the City Council adopted Resolution 2022-48, which further amended the 2014 Policy to incentivize hotels to locate within the City through the creation of a Lodging Tax Rebate Program (“Lodging Incentive Program”), through which qualified businesses may request partial Lodging Tax rebates from the City’s Economic Development Division;

WHEREAS, City Council finds that the 2014 Policy, as revised, has helped spur economic growth and development within the City;

WHEREAS, given the City’s current economic conditions, the City Council has determined that the existing 2014 Policy should be revised to increase the number of development projects that will have a positive economic impact within the City; and

WHEREAS, the City Council hereby finds and determines that the Commerce City Economic Development Incentives Program Policy (the “2025 Policy”) should be updated as set forth in the document in Exhibit A hereto (the “2025 Policy Document”), to achieve the goals stated herein and that adoption thereof is and will be in the best interests of the residents of the City.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Adoption and Effective Date. The 2025 Policy is hereby adopted effective January 1, 2026.

SECTION 2. Resolutions Repealed. Resolutions 2014-56, 2022-47, and 2022-48 and the 2014 Policy, as amended, are hereby repealed in their entirety.

SECTION 3. Implementation and Administration. City Manager shall direct City Staff to implement the 2025 Policy and develop detailed guidelines for the administration thereof, all in conformance with the goals and priorities set forth in the 2025 Policy Document. City Manager shall direct City Staff to update such guidelines from time-to-time as necessary to comply with new or amended laws, regulations and City operational procedures.

SECTION 4. No Reliance. Nothing contained in this Resolution or the 2025 Policy Document shall in any manner constitute an agreement binding or obligating the City to offer, provide or pay to any applicant any economic development incentive, and no applicant therefor shall seek to rely on this Resolution or the 2025 Policy Document as an offer or acceptance by the City of any alleged (or actual) contract term or provision.

RESOLVED AND PASSED THIS 20TH DAY OF OCTOBER 2025.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Kim Garland, Acting City Clerk