

**RESOLUTION APPROVING ECONOMIC DEVELOPMENT BUSINESS INCENTIVES
FOR MCLANE FOODSERVICE, INC.**

NO. 2016-26

WHEREAS, the City Council of the City of Commerce City (“City Council”), by Resolution No. 2014-56, adopted the Commerce City Economic Development Incentives Program (“Incentive Program”), effective January 1, 2015;

WHEREAS, McLane Foodservice, Inc., whose principal business address is 4747 McLane Parkway, Temple, TX 76504, (“Business”) has submitted a Business Incentive Application under the Incentive Program in connection with proposed new development and business operations in the City of Commerce City (“City”);

WHEREAS, the estimated combined value of capital improvements planned for the opening of the Business in the City, including fixed value assets and new construction (collectively, “Capital Improvements”), is \$28,700,000, and the Business anticipates creating 255 new full or part time jobs in the City;

WHEREAS, the City Council has reviewed the Business Incentive Application and staff report and finds and determines that granting incentives to the Business, subject to conditions to be established by an Incentive Agreement consistent with this Resolution, is and shall be in the best interests of the residents of the City.

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

1. The City is authorized to rebate to the Business the following amounts as incentives for the Capital Improvements:
 - a. **Thirty percent (30%)** of the City’s non-dedicated sales and use taxes (at the 3.5% rate) payable and remitted to the City in connection with the Capital Improvements; and
 - b. **Thirty percent (30%)** of the building permit fees and building plan review fees payable and remitted to the City in connection with the Capital Improvements;

Such incentives shall apply whether the taxes and fees are paid to the City directly by Business or through vendors or contractors.

2. All incentives provided to Business shall be conditioned on verification of the City sales and/or use tax and fee payments received by the City, and completion of the Capital Improvements, as set forth in the schedule below:

<u>Capital Improvements</u>	<u>Completion Date no later than:</u>
Building Construction	September 1, 2017

Equipment Purchase

September 1, 2017

3. The City Manager is authorized to negotiate and execute an Incentive Agreement with the Business consistent with the Incentive Program and this Resolution to establish any additional conditions deemed necessary and in the City's best interests, which conditions shall govern and be conditions to the payment of any incentives.

RESOLVED AND PASSED THIS 16TH DAY OF MAY 2016.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk