



Economic Development Assistance Policy 8.2.2015

Economic Development Assistance Policy

POLICY OBJECTIVES

The Town of Bennett is committed to targeting new opportunities and expand existing growing businesses that diversify our economic base and continue to provide for the fiscal health of our community while respecting our environment and *our* unique small town feel. The Town of Bennett Economic Development Assistance (EDA) policy is created to:

- Attract and retain a variety of employment opportunities for Bennett residents.
- Encourage and support a high level of diverse, quality retail and services, with an emphasis on local businesses that contribute to Bennett's sales and property tax base so that needed infrastructure, physical amenities, services and expansion of such services are provided.
- Attract manufacturing and light industry companies that will provide long-term direct and indirect economic benefits to the community, Adams and Arapahoe Counties and the Eastern I-70 Corridor.
- Create a vibrant, unique downtown as a "destination" for Bennett.
- Encourage and support tourism, entertainment, arts and culture as an important contributor to our overall economic health and small Town feel.
- Sustain the long-term economic well-being of the Town and its citizens through development, redevelopment and revitalization efforts.

This policy does not commit the Town to provide economic assistance. The policy is intended to customize economic development assistance, based upon the need of the project, and meeting long term community goals by the creation of a vibrant economically healthy community.

ELIGIBILITY REQUIREMENTS AND CRITERIA

The Town of Bennett, at its sole discretion, may provide certain economic development assistance based upon meeting the goals and objectives of the Town and its community. Participation in an EDA shall be based upon approval by the Town Board of Trustees, exercising its legislative discretion in good faith. Any owner or applicant of a newly established or proposed business, or the owner or applicant of an existing business which wishes to expand substantially, may apply to the Town provided that the new or expanded business is reasonably likely to generate enhanced or increased sales and/or use taxes, and/or permit fees. Applicants shall meet goals and objectives, established in the agreement, to achieve assistance.

A majority of the members of the Town Board of Trustees must approve an application for assistance at a public meeting. Approvals shall be based upon meeting a majority of the following criteria:

- Brings high quality development
- Retains basic jobs to the Town
- Retains existing sales tax to the Town
- Creates new sales tax to the Town

- Utilizes an existing building(s)
- Complements existing Town businesses (i.e. a buyer or supplier that serves an existing business in the City)
- Creates new basic jobs to the Town
- Represents redevelopment to an area or building in the Town
- Represents job diversity in industry sectors and is part of a growing industry
- Represents retail diversity
- Brings a value added result to the Town or a development within the Town (i.e. moves the company's corporate headquarters to Bennett)
- The amount of the business assistance is based on a percentage of new revenue created by the relocation of this company to the Town of Bennett or the expansion of an existing business
- The conformance of the applicant's property or project with the comprehensive plan, zoning ordinances and building codes of the Town

TARGETED BUSINESSES

Underrepresented businesses within the corporate limits of the Town of Bennett and those meeting the stated "Policy Objectives" represent "Targeted Businesses" the Town wishes to encourage by providing various incentives and assistance. This allows staff to customize an incentive request per the needs of the business while considering overall Town priorities and objectives. Examples of these specific targeted businesses that meet the Town's stated community goals are as follows:

1. Primary, quality employment opportunities, which contribute to the daytime economy of the Town defined as a business that: sells goods and/or services outside of the Town of Bennett that would bring new sales tax dollars into the Town, and/or create or retain 10 or more jobs which meet or exceed the average wage level within the Town of Bennett.
2. Retail establishments currently underrepresented in the Town of Bennett, such as clothing stores, bakeries, restaurants, specialty food stores, sporting goods stores, unique non-franchise retail stores, and other types of commercial retail that does not currently exist in the Town.
3. Health and wellness facilities, hotel and lodging and other personal services that are currently outside the Town limits.
4. Businesses that directly support and enhance Bennett's Downtown area and goals of the Downtown Plan.
5. Cultural facilities such as art and science venues, family-oriented recreational and entertainment facilities, including but not limited to sporting facilities and "family fun" facilities.

LIMITATIONS

Prior to receiving EDA, the Town Board of Trustees must approve an agreement between the Town and the applicant outlining the type of assistance to be provided and the terms and conditions thereof. As a general guideline, an EDA agreement may provide for and include the following terms and conditions:

- Assistance shall take the form of rebates or reimbursements and not fee waivers.
- Assistance of up to 50% percent of the enhanced taxes or fees to be generated by the business; provided, however, that applicant shall use said amounts only for improvements such as those specified in the obligation on participant section and which are expressly approved by the Town Board of Trustees at the time of consideration of the application.

- The time period in which said sales and/or use taxes or fees may be shared shall not commence until all improvements are completed and meet Town standards, and shall be limited by the Town Board of Trustees, in its sole discretion, to a specified time, up to 10 years, or until an amount of enhanced sales taxes specified in the agreement.
- The maximum amount of sales and/or use taxes or fees to be shared, and the maximum time during which said agreement shall continue, it being expressly understood that any such agreement shall expire and be of no further force and effect upon the occurrence of the earlier to be reached of the maximum time of the agreement (whether or not the maximum amount to be shared has been reached) or the maximum amount to be shared (whether or not the maximum time set forth has expired.)
- A statement that the agreement shall never constitute a debt or obligation of the Town within any Constitutional or statutory provision.
- An affirmative statement that the obligations, benefits, and provisions of the agreement may not be assigned in whole or in any part without the express, written authorization of the Town Board of Trustees.

AVAILABLE ASSISTANCE

The Town offers a variety of economic development assistance options for projects. The specific type of assistance will depend upon the needs of the business as well as the benefits created by the proposed business. Examples of the type of incentives and assistance available for a specific project are as follows:

- Rebate or reduction of Town Land Development Application fees (Town portion only).
- Rebate of Town collected property tax
- Rebate of Town collected sales tax
- Rebate or reduction in Water and Sewer Taps Fees
- Rebate in Water Acquisition Fees
- Rebate of Town impact fees
- Rebate of the monthly Town water and sewer rate for a period of time

APPLICATION PROCESS

To be considered for available assistance, interested parties need to submit both a preliminary and final application.

Preliminary Application

A Preliminary Application shall be submitted to the Town Administrator. The purpose of the preliminary application process will determine whether the applicant meets the “Eligibility Requirements and Criteria” as described in this policy. Applications that are determined to meet generally the Town’s requirements shall be invited to submit a Final Application. All decisions made by the Town Administrator regarding Preliminary Applications shall be final.

The following information shall be provided as part of a Preliminary Application:

1. Description of the proposed project including the type of assistance being requested, location of the project, general description of the project and the project timeline.
2. Description of the applicant, including ownership information.
3. Description of the Community Objectives that would be met by the project.

4. Explanation of why the proposed project constitutes a “Targeted Business” which will be met by the project.
5. Description of the applicant’s financial and business capability to accomplish and sustain the proposed project.
6. Any other information that may be required by the Town Administrator to evaluate or describe the project.

Final Application

Upon approval of the Preliminary Application by the Town Administrator, a Final Application shall be submitted to the Town Administrator for consideration. The Town Administrator reserves the right to request additional information if it is determined necessary to fully evaluate the Final Application. A minimum of two copies of the Final Application material must be submitted.

All Final Applications shall include the following information:

1. Detailed description and documentation of project ownership and management, including ownership, management, principles and experience in the business activity for which assistance is requested.
2. Detailed description of the proposed project, including property location, annexation status, current zoning and development entitlements, and description of the proposed project.
3. Detailed description of how the proposed project meets the community objectives including achievement of eligibility guidelines and criteria.
4. Description of the types of economic development assistance requested, how the assistance will be applied to enhance the project or achieve a greater community benefit than would occur absent any assistance.
5. Proposed project timeline through projected business opening date.
6. Demonstration of project financial viability, including (a) financial capability of applicant and/or applicant company, (b) market analysis or other information demonstrating project viability, and (c) a business plan for the project.
7. Signed affidavit certifying whether (a) any ownership partner or shareholder has declared bankruptcy, (b) any ownership partner or shareholder has defaulted on a debt, and (c) any ownership partner or shareholder is a party to any pending litigation.
8. Projected project costs, including taxable construction, furnishings and equipment.
9. Projected annual sales, separated by taxable and non-taxable sales, for five years from business opening date.
10. Number of jobs being created and average salaries and/or retained.
11. Other information in support of the application.

Town Board Approval

The approval of any economic development assistance agreement shall be at the sole discretion of the Town Board and subject further to sufficient funds being budgeted and appropriated by the Town Board. This policy confers no rights, duties or entitlements to any applicants or proposers

RESOLUTION NO. 598-15

A RESOLUTION ADOPTING THE TOWN OF BENNETT ECONOMIC DEVELOPMENT ASSISTANCE POLICY AND THE BENEFITS OF BENNETT PLAN

WHEREAS, the Board of Trustees desires to establish an economic development assistance policy, the purposes of which is to recruit businesses and employers within the Town, thereby stimulating the economy of and within the Town, providing employment for residents of the Town and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the Town, and further increasing the sales taxes and fees collected by the Town; and

WHEREAS, the Board of Trustees also desires to establish a reimbursement grant program, to be known as the Benefits of Bennett Plan, for qualifying projects that upgrade the appearance of existing storefronts, building facades and primary public entrances in order to help create a positive commercial environment; and

WHEREAS, the Board of Trustees finds that increased tax and fee collections realized in connection with such programs will enable the Town to provide expanded and improved municipal services to and for the benefit of the Town, while at the same time providing public or public-related improvements to the Town and its taxpayers and residents; and

WHEREAS, the Board of Trustees finds that the creation of an economic development assistance program and reimbursement grant program is in the furtherance of the public health, safety and welfare;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO, AS FOLLOWS:

Section 1. The Bennett Economic Development Assistance Policy and the Benefits of Bennett Plan in the forms attached hereto are hereby adopted.

INTRODUCED, ADOPTED AND RESOLVED THIS 25 DAY OF August 2015.



Charles C. Bayley Mayor Pro Tem
Sue F. Horn, Mayor
Town of Bennett

ATTEST:

Lynette F. White
Lynette F. White, CMC
Town Clerk