

RESOLUTION NO. 9-14-21-B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEVELAND,
TEXAS READOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT IN
THE CITY OF CLEVELAND, TEXAS

* * * * *

WHEREAS, by Resolution originally passed, approved and adopted on the 10th day of December 2002, a copy of which is attached hereto as Exhibit A, the City Council of the City of Cleveland adopted guidelines and criteria for granting tax abatement; and,

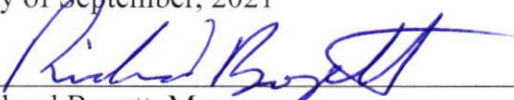
WHEREAS, the current guidelines and criteria expired on February 7, 2007, and was readopted and approved on December 9, 2008 by Resolution 12-9-2001-1 for a term to expire on December 10, 2010, and readopted on September 17, 2019 by Resolution 09-17-2019 and,


WHEREAS, the City Council deems it appropriate to readopt such guidelines and criteria for an additional period of two years; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND,
TEXAS:

That the guidelines and criteria for granting tax abatement set forth in Exhibit A attached hereto be and they are hereby, readopted for a two-year period beginning September 14, 2021 and ending September 14, 2023.

PASSED AND APPROVED this 14th day of September, 2021


Richard Boyett, Mayor

ATTEST: 
Angela Smith, City Secretary

RESOLUTION NO. 9-17-19-E

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEVELAND,
TEXAS READOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT IN
THE CITY OF CLEVELAND, TEXAS

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WHEREAS, by Resolution originally passed, approved and adopted on the 10th day of December 2002, a copy of which is attached hereto as Exhibit A, the City Council of the City of Cleveland adopted guidelines and criteria for granting tax abatement; and,

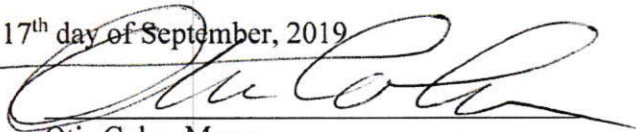
WHEREAS, the current guidelines and criteria expired on February 7, 2007, and was readopted and approved on December 9, 2008 by Resolution 12-9-2001-1 for a term to expire on December 10, 2010, and,

WHEREAS, the City Council deems it appropriate to readopt such guidelines and criteria for an additional period of two years; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND,
TEXAS:

That the guidelines and criteria for granting tax abatement set forth in Exhibit A attached hereto be and they are hereby, readopted for a two-year period beginning September 17, 2019 and ending September 17, 2021.

PASSED AND APPROVED this 17th day of September, 2019



Otis Cohn, Mayor

ATTEST:



Angela Smith, City Secretary

RESOLUTION NO. 12-9-2008-1

RESOLUTION READOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT
IN THE CITY OF CLEVELAND, TEXAS.

* * * * *

WHEREAS, by Resolution originally passed, approved and adopted on the 10th day of December, 2002, a copy of which is attached hereto as Exhibit A, the City Council of the City of Cleveland adopted guidelines and criteria for granting tax abatement; and,


WHEREAS, the current guidelines and criteria expired on February 7, 2007, and,

WHEREAS, the City Council deems it appropriate to readopt such guidelines and criteria for an additional period of two years; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS:

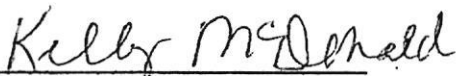
That the guidelines and criteria for granting tax abatement set forth in Exhibit A attached hereto be, and they are hereby, readopted for a two-year period beginning December 9, 2008, and ending December 10, 2010.

PASSED AND APPROVED this 9th day of December, 2008.



Jill B. Kirkonis, Mayor

ATTEST:



Kelly McDonald, City Secretary

EXHIBIT A

RESOLUTION ESTABLISHING GUIDELINES AND CRITERIA
FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE
CREATED IN THE CITY OF CLEVELAND, TEXAS

WHEREAS, the creation and retention of job opportunities that bring new wealth is a high civic priority; and

WHEREAS, new jobs and investment will benefit the area economy, provide needed opportunities, strengthen the real estate market and generate tax revenue to support local services; and

WHEREAS, the City of Cleveland ("City") must compete with other localities across the nation currently offering tax inducements to attract jobs and investments; and

WHEREAS, any tax incentives offered in the City would reduce needed tax revenue unless strictly limited in application to those new and existing industries that bring new wealth to the community; and

WHEREAS, tax incentives should not have a substantial adverse effect on the competitive position of existing companies operating in the City; and

WHEREAS, tax incentives should not be used to attract those industries that have demonstrated a lack of commitment to protecting our environment, but should be used to encourage projects designed to protect our environment; and

WHEREAS, the abatement of property taxes, when offered to attract primary jobs in industries which bring money from outside a community instead of merely recirculating dollars within a community, has been shown to be an effective method of enhancing and diversifying an area's economy; and

WHEREAS, Texas law requires any eligible taxing jurisdiction to establish Guidelines and Criteria as to eligibility for tax abatement agreements prior to granting any tax abatement,

said Guidelines and Criteria to be unchanged for a two year period unless amended by three-quarters vote; and

WHEREAS, Liberty County has adopted Guidelines and Criteria for tax abatement agreements; and

WHEREAS, the City Council deemed it appropriate to adopt Guidelines and Criteria substantially the same as those adopted by Liberty County; now, therefore,

BE IT RESOLVED that the City Council of the City of Cleveland, Texas does hereby adopt these Guidelines and Criteria for granting tax abatement in reinvestment zones in the City.

I.

POLICY BASIS

This Tax Abatement Policy shall apply to approved present or potential owners of taxable property in the City of Cleveland, who: (1) own or are in the process of acquiring eligible property in a Reinvestment Zone approved by the City; (2) are willing to execute tax abatement agreements on property improvements and developments designed to provide benefits to eligible property and to utilize area contractors and work force to the maximum extent feasible; and (3) are operators of new, expanded or modernized manufacturing, research, distribution, service, administrative, corporate or other business or industry facilities on the subject of real property.

II.

APPLICATION

- (a) Any current or potential owner of taxable property in the City may request the creation of a reinvestment zone or tax abatement by filing a completed application with the City Manager.

- (b) A completed application shall consist of a completed application form accompanied by: a general description of the new improvements to be undertaken; a descriptive list of the improvements for which an abatement is requested; a list of the kind, number and location of all proposed improvements to the property; a map and legal description of the property; and a time schedule for undertaking and completing the proposed improvements. The applicant shall also include information pertaining to the reasons the abatement is necessary in order to have the project undertaken in the City, including information on the project's competitive siting. The applicant shall also include a certification of the current number of permanent, part-time and contract employees of the applicant, by category, at the time of the application. In the event the project is to be located in a leased facility, the applicant shall provide with the application the name and address of the lessor and a copy of the lease, if executed, or option contract. In the case of modernization a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The application form may require evidence of financial capacity and other matters. The application shall include a profile of each of the individual applicants or its officers and directors.
- (c) Each tax abatement application will be individually reviewed by the City Council and approved or disapproved based on the merits of the application and the guidelines and criteria set forth herein.
- (d) The City Council, in its sole discretion, shall either approve or disapprove each application for tax abatement. The City Manager shall notify the applicant of approval or disapproval. Any disapproved applicant may reapply for tax abatement.

Granting of total or partial ad valorem tax exemption or devaluation to any part of the property during the tax abatement period shall cancel any and all tax abatement on the property and render the terms of any tax abatement agreement on the property null and void;

- (k) The resulting facility will have a minimum expected life in excess of ten (10) years.

III.

DISCRETIONARY CONSIDERATIONS

The following matters may be considered by the City Council in its discretionary approval or disapproval of each tax abatement application:

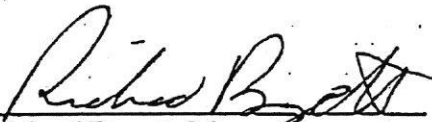
- (a) The proposed improvements will increase City tax revenue at least \$10,000.00 annually after the abatement period expires, based upon the City tax rate for the year in which the tax abatement is granted;
- (b) The proposed improvements will create a minimum of 25 new permanent jobs in the City upon opening for business and should promote further employment in the City; or should increase City tax revenue substantially over the minimum amount set forth in paragraph III, A., above; and
- (c) The proposed improvements will not have the sole or primary effect of transferring employment from one part of the City to another.

IV.

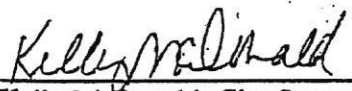
PUBLIC HEARING

- (a) The City Council may not establish a reinvestment zone until it has held a public hearing at which interested persons are entitled to speak and present evidence for or against the designation. Notice of the hearing shall be given as required by law.

PASSED, APPROVED AND ADOPTED this 10th day of December, 2002.


Richard Boyett, Mayor

ATTEST:


Kelly McDonald, City Secretary