

## **RESOLUTION NO. 17-1810**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING A RETAIL DEVELOPMENT IMPACT FEE INCENTIVE PROGRAM, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE RETAIL AND ENTERTAINMENT INCENTIVES PROGRAM TO ENCOURAGE RETAIL AND ENTERTAINMENT DEVELOPMENT IN THE CITY OF GOODYEAR AUTHORIZING CITY STAFF TO TAKE ACTIONS CONSISTENT WITH TERMS OF RESOLUTION AND PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.**

BE IT RESOLVED, by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, as follows:

WHEREAS, the City recognizes that retail and entertainment venues are the most requested businesses by Goodyear residents; and

WHEREAS, the City recognizes that the location of more retail and entertainment businesses within the City with its sales tax revenue generation will provide a significant public benefit to the City and its citizens; and

WHEREAS, the City recognizes that increased retail and entertainment operations in Goodyear will have significant economic impact on the City, including but not limited to: tax revenues generated; increased economic activity, or multiplier effect, associated with its operations being located within the City; and

WHEREAS, the City recognizes that it has experienced significant residential growth over the last fifteen years, and due in part to the Great Recession, retail and entertainment businesses have lagged residential growth in the City negatively impacting City revenues; and

WHEREAS, the tax revenues generated by retail and entertainment businesses are crucial in funding the ongoing operations of the City including but not limited to public safety, parks, street maintenance, library, courts and other services necessary to the new and existing residential and other development within the City; and

WHEREAS, the City finds that its residents benefit from a vibrant and thriving retail and entertainment establishments and that those businesses are necessary to the creation of a well-rounded and healthy community for its residents; and

WHEREAS, the City recognizes that reduced development impact fees can have an impact on the timing of the decision of a retail or entertainment business, and

WHEREAS, this Retail Development Impact Fee Incentive Program will accelerate the development of retail and entertainment businesses within the city providing crucial tax revenue necessary to provide essential public services; and

WHEREAS, increasing tax revenues for essential public services is necessary to protect the health, safety and welfare for Goodyear residents; and

WHEREAS, the City recognizes that it will be responsible, by Arizona Revised Statutes, to reimburse the City's impact fee accounts by the amount which is reduced, and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, AS FOLLOWS:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The City Council finds and determines it is in the City's best interest to create an incentive for new retail and entertainment development within the City to increase the City tax revenues which are needed to provide necessary public services for city residents and which provide an essential public benefit to City residents.

SECTION 3. The City finds and determines that consideration of a multi-year allocation of City revenues to provide a reduction of non-utility City impact fees to new retail and commercial establishments is in the City's best interests and is a proper expenditure under Ariz. Rev. Stat. § 9-500.11 and the public benefits received from new retail development far exceeds the incentives to new retail development within the city.

SECTION 4. The Goodyear Retail Development Impact Fee Program (the "Program") is hereby created as follows:

- A. Any property for which a building permit is issued for a Retail and Entertainment use in excess of 5,500 square feet, after July 1, 2017, but before June 30, 2019, is eligible to receive a reduction in City of Goodyear Non-Utility Impact Fees in the following amounts otherwise due, subject to available funding and the following:
  1. "Retail and Entertainment Use" for the purposes of the Program is defined as a proposed development in excess of 5,500 sq./ft. that would otherwise be assessed under the Commercial designation of the currently adopted Goodyear Development Impact Fees and whose primary business would encompass selling goods, prepared foods or services directly to a consumer for consumption rather than resale, and would not include other traditional office or medical office types of uses. The City Economic Development Director shall make the determination of whether a proposed use qualifies as a Retail and Entertainment Use for the Purposes of the Program. An applicant may appeal the denial of their application to the Goodyear City Manager, whose decision is final and not subject to further appeal.
  2. Pursuant to its fiscal year 2017-18 budget, the City of Goodyear has appropriated \$2,000,000 to fund the Program. Any funds unused in the 2017-18 fiscal year budget will be presented as a "carry-over" request for City Council approval in the 2018-19 Budget after which the Program will end. The

3. For the purposes of this Program, the impact fees that are subject to reduction are the City development impact fees for Parks & Rec, Streets, Police, and Fire and exclude impact fees for Water and Wastewater.
4. For the 2017-18 Fiscal Year, Non-Utility Impact Fees for eligible retail uses shall be reduced by 100%, and the corresponding impact fee category shall be reimbursed by Program funds pursuant to A.R.S. § 9-463.05(B)(13).
5. For the 2018-19 Fiscal Year, Non-Utility Impact Fees for eligible retail uses shall be reduced by 75%, and the corresponding impact fee category shall be reimbursed by Program funds pursuant to A.R.S. § 9-463.05(B)(13).

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Arizona, this 5th day of June, 2017.

Date: \_\_\_\_\_

APPROVED AS TO FORM:

Roric Massey, City Attorney

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the City of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 17-1810 is a true, correct and accurate copy of Resolution No. 17-1810, passed and adopted at a regular meeting of the Council of the City of Goodyear, Maricopa County, Arizona, held on June 5, 2017, at which a quorum was present and, by a vote, voted in favor of said resolution.

Given under my hand and sealed this \_\_\_\_\_ day of June 2017.

Seal

\_\_\_\_\_  
Maureen Scott, City Clerk