

**A Resolution of the City of Plano, Texas, designating and providing for the planning, acquisition, establishment, development, construction, and renovation of a sports and community venue project under Chapter 334 of the Texas Local Government Code and designating methods of financing for the project, subject to voter approval at an election called for such purpose.**

**WHEREAS**, the City of Plano, Texas (the “City”) is currently undertaking the planning, acquisition, establishment, development, and construction of a new multipurpose arena project for professional or amateur sports, entertainment and civic events and related infrastructure in The Shops at Willow Bend shopping mall area in the City under Chapter 311 of the Texas Tax Code (“Chapter 311”) and has created Reinvestment Zone Number Six, City of Plano, Texas pursuant to Chapter 311 (the “Zone”) and plans to use a portion of the tax increment revenues generated in the Zone to finance such undertaking; and

**WHEREAS**, Chapter 334 of the Texas Local Government Code (“Chapter 334”) authorizes the City to provide for the planning, acquisition, establishment, development, construction, and renovation of a sports and community venue project, subject to voter approval in a duly called election; and

**WHEREAS**, Chapter 334, Section 334.001(5) defines a “sports and community venue project” or “venue project” as a venue and related infrastructure that is planned, acquired, established, developed, constructed, or renovated under Chapter 334; and

**WHEREAS**, Chapter 334, Section 334.003 provides that the City may use Chapter 334 for a venue project relating to a venue and related infrastructure planned, acquired, established, developed, constructed, or renovated under other law, such as Chapter 311; and

**WHEREAS**, Chapter 334, Section 334.001(4) defines “venue” as an arena, coliseum, stadium, or other type of area or facility that is planned for use for one or more professional or amateur sports events, community events, or other sports events, including rodeos, livestock shows, agricultural expositions, promotional events, and other civic or charitable events, provided that a facility financed wholly or partly with revenue from a tax imposed under Subchapter H of Chapter 334 is not, or will not be, primarily used for community, civic, and charitable events that are attended only by residents of the community, and for which a fee for admission is charged or is planned to be charged; and

**WHEREAS**, Chapter 334, Section 334.001(3) defines “related infrastructure” to include any store, restaurant, on-site hotel, concession, automobile parking facility, area transportation facility, road, street, water or sewer facility, park, or other on-site or off-site improvement that relates to and enhances the use, value, or appeal of a venue, including areas adjacent to the venue, and any other expenditure reasonably necessary to construct, improve, renovate, or expand a venue, including an expenditure for environmental remediation; and

**WHEREAS**, Chapter 334, Section 334.021 requires the City, by resolution, to designate venue projects, including related infrastructure, and the proposed method of financing such venue projects; and

**WHEREAS**, the City Council of the City of Plano (the "City Council") desires to support the continued economic, cultural, and civic vitality of the City by providing for the development of a new multipurpose arena project for professional or amateur sports, entertainment and civic events in The Shops at Willow Bend shopping mall area in the City, including related infrastructure improvements; and

**WHEREAS**, accordingly, the City Council desires to designate as a venue project in accordance with Chapter 334 the construction of a new multipurpose arena project and related infrastructure for professional or amateur sports, entertainment and civic events in The Shops at Willow Bend shopping mall area in the City (the "Venue Project"); and

**WHEREAS**, in addition to the tax increment revenues generated in the Zone, if approved by the voters pursuant to Chapter 334, the City may finance the Venue Project through a combination of (i) the imposition of a short-term motor vehicle rental tax at the maximum rate of 5.0%, (ii) the imposition of a hotel occupancy tax at the maximum rate of 2.0%, subject to the statutory maximum combined hotel occupancy tax rate of 17%, (iii) the imposition of an event parking tax in an amount not to exceed \$3.00 per vehicle, (iv) the imposition of an event admissions tax at a rate not to exceed 10% of the price of admission to an event, and (v) the imposition of a venue facility use tax at an amount not to exceed \$5,000 per game on each member of a major league team that plays in the Venue Project; and

**WHEREAS**, the current combined hotel occupancy tax rate from all applicable sources in the City is 13.0%, and the proposed increase would raise the combined rate to 15.0%, which does not exceed the statutory maximum allowed under Chapter 334, Section 334.254(d); and

**WHEREAS**, before calling an election, Chapter 334, Section 334.022 requires the City to submit a copy of this Resolution to the Texas Comptroller of Public Accounts (the "Comptroller") who must review whether implementation of this Resolution would have a significant negative fiscal impact on state revenue and, if so, provide recommendations to mitigate such impact; and

**WHEREAS**, with this Resolution, the City Council desires to submit a venue project description, together with the proposed methods of financing for the Venue Project, to the Comptroller for review and approval as required by Chapter 334, Section 334.022 in connection with a proposed venue tax election to be held at an upcoming election date; and

**WHEREAS**, upon the earlier of (a) receiving written notice from the Comptroller that the implementation of this Resolution will not result in a significant negative fiscal impact on state revenue or (b) the expiration of 30 days from the date the Comptroller

receives a copy of this Resolution if no such written notice is provided by the Comptroller, the City Council may proceed to order an election in accordance with Chapter 334, to submit to the voters the question of approving and implementing this Resolution; and

**WHEREAS**, the City Council hereby finds and determines that this action is in the best interests of the citizens of the City and will enhance the economic vitality, cultural amenities, and public facilities of the City; and

**WHEREAS**, it is further found and determined that this Resolution is adopted pursuant to the requirements of and in conformity with Chapter 334, Section 334.021, and that the meeting at which this Resolution is adopted was open to the public, and that public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I. VENUE PROJECT DESIGNATION**

The City Council hereby designates, and subject to approval at a duly called election, authorizes the following Venue Project, which constitutes a “venue project” within the meaning of Chapter 334:

The planning, acquisition, establishment, development, construction, renovation, equipping, financing, maintenance, and operation of a new, state-of-the-art multipurpose arena for professional or amateur sports events, including, but not limited to, facilities for hockey games, concerts, entertainment events, community and educational events, and conventions, as well as all necessary and related site improvements, infrastructure, public spaces, parking facilities, utilities, roadways, drainage systems, landscaping, technology and communications systems, security systems, public art, signage, and wayfinding, located in or around The Shops at Willow Bend shopping mall area in the City; together with the planning, design, permitting, acquisition, construction, maintenance, operation, and improvement of all related or supporting infrastructure and facilities.

**Section II. FINDINGS CONCERNING ELIGIBILITY**

The City Council finds that the designated Venue Project:

- 1) Is not and will not be used primarily for community, civic or charitable events attended only by residents of the community; and
- 2) Is not a venue project described by Sections 334.2515 or 334.2517 of Chapter 334.

### **Section III. METHODS OF FINANCING**

The City Council hereby designates the following methods of financing the Venue Project, subject to voter approval:

- 1) The imposition of a short-term motor vehicle rental tax within the City on gross rental receipts at a rate not to exceed 5.0%, as and to the extent authorized by Subchapter E of Chapter 334; and/or
- 2) The imposition of a hotel occupancy tax within the City at a rate not to exceed 2.0% of the price paid for a room in a hotel, as and to the extent authorized by Subchapter H of Chapter 334, resulting in a maximum combined hotel occupancy tax rate imposed from all sources in the City of 15.0% of the price paid for a room in a hotel, which does not exceed the 17% statutory maximum under Chapter 334, Section 334.254(d); and/or
- 3) The imposition of an event parking tax on each motor vehicle parking in a parking facility of the Venue Project in an amount not to exceed \$3.00 per vehicle, as and to the extent authorized by Subchapter G of Chapter 334; and/or
- 4) The imposition of an event admissions tax at a rate not to exceed 10% of the price of each ticket sold as admission to an event at the Venue Project, as and to the extent authorized by Subchapter F of Chapter 334; and/or
- 5) The imposition of a venue facility use tax in an amount not to exceed \$5,000 per game on each member of a major league team that plays a professional sports game in the Venue Project, as and to the extent authorized by Subchapter I of Chapter 334.

### **Section IV. SUBMISSION TO COMPTROLLER**

The City Manager, or his designee, is hereby authorized and directed to submit a copy of this Resolution to the Comptroller, along with any additional information requested by the Comptroller for a determination regarding whether the implementation of this Resolution will have a significant negative fiscal impact on state revenue. If the Comptroller issues a written determination that the implementation of this Resolution will not have a significant negative fiscal impact on state revenue, or if no such analysis is provided within 30 days, the City Council may proceed to call an election pursuant to Chapter 334 on the question of approving and implementing this Resolution.

### **Section V. SEVERABILITY**

If any provision of this Resolution or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect the other provisions or applications, and the remainder of the Resolution shall continue in full force and effect.

**Section VI. INCORPORATION OF RECITALS**

All of the above recitals are hereby adopted as findings of fact and incorporated into this Resolution as if fully set forth herein.

**Section VII. FURTHER PROCEDURES**

The Mayor, City Manager, Deputy City Managers, City Secretary, City Attorney and any other officer or agent of the City (each an "Authorized Officer"), and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name of the City all other such documents, certificates and instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution, including the calling of an election under Chapter 334, and taking any other action contemplated by the Chapter 334.

**Section VIII. EFFECTIVE DATE**

This Resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** on the 8<sup>th</sup> day of June, 2026.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY