

ORDINANCE NO. 19-34

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING ECONOMIC DEVELOPMENT; AMENDING CHAPTER 2-29 OF THE MANATEE COUNTY CODE OF ORDINANCES TO MODIFY THE REQUIREMENTS TO GRANT ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS TO NEW BUSINESSES AND EXPANSIONS OF EXISTING BUSINESSES IN ACCORDANCE WITH APPLICABLE LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 196.1995, *Florida Statutes*, and Section 3, Article VII of the Florida Constitution (collectively, the “Act”), provide that the Board of County Commissioners (the “Board”) may call a referendum to determine whether the Board may grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses in Manatee County; and

WHEREAS, the Board called a referendum to be held on June 18, 2013, in which a majority of the qualified electors of Manatee County voted to authorize the Board to grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses pursuant to the Act; and

WHEREAS, the Board adopted Article XIV of Chapter 2-29 of the Manatee County Code of Ordinances (the “Code”) to establish a program to exercise the authority granted to the Board by the electors, to grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses pursuant to the Act; and

WHEREAS, granting economic development ad valorem tax exemptions to qualifying businesses will provide Manatee County with an additional economic development incentive to encourage new businesses to relocate to Manatee County and to encourage existing businesses to expand within Manatee County; and

WHEREAS, it is in the best interests of the public health, safety and welfare to amend Article XIV of Chapter 2-29 of the Code to modify the requirements to grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses as provided in this Ordinance.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set forth in, the Act.

Section 2. Findings. The recitals set forth above are true and correct and are hereby adopted as finding of the Board.

Section 3. Amendment of Chapter 2-29 of the Code. Article XIV of Chapter 2-29 of the Code is hereby amended as set forth in Exhibit "A" to this Ordinance.

Section 4. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Code.

Section 5. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective as provided by law.

DULY ADOPTED with a quorum present and voting this 18th day of June, 2019.



BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

By: Stephen R. Jansson
Chairperson

ATTEST: ANGEL COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Robin Dethlefsen
Deputy Clerk

Exhibit "A"
Amendments to Articles XIV of Chapter 2-29
(Sections 2-29-156 & 2-29-157)
Manatee County Code of Ordinances
(underlined language to be added, strike-through language to be deleted)

Sec. 2-29-166. Application for exemption.

- (1) *Application.* Any eligible business which desires an exemption shall file with the Board a written application that includes all information required pursuant to Section 196.1995(8) of the Act and this Article XIV. The application form shall be established by resolution of the Board. The application shall be filed no later than March 1 of the year the exemption is proposed to take effect.
- (2) *Review.* Upon submittal of the application, the County Administrator or his designee shall review same and, within ten days of submission, notify the applicant of any facial deficiencies. A complete application shall be scheduled for a public hearing before the Board no later than 45 days following receipt thereof. The 45-day period shall include the Property Appraiser's review pursuant to Section 2-29-157(1). The applicant shall be notified of the date and time of the public hearing.
- (3) *Performance Agreement.* In order to be considered eligible for an exemption, a business shall submit with its application an executed performance agreement obligating the business to continue to satisfy the business maintenance and continued performance conditions set forth in the application. The form of the performance agreement shall be established by resolution of the Board.

Sec. 2-29-167. Board consideration of applications.

- (1) *Property Appraiser Review.* In accordance with Section 196.1995(9) of the Act, ~~before~~ Before the Board takes action on an application, a copy of the application, once deemed complete, shall be delivered to the Property Appraiser for review. Within 15 days of receipt of the complete application, the Property Appraiser shall provide a report to the Board, which shall include the following:
 - A. The total revenue available to the County for the current fiscal year from ad valorem tax sources, or an estimate of such revenue if the actual total available revenue cannot be determined;
 - B. The amount of revenue lost to the County for the current fiscal year by virtue of exemptions previously granted, or an estimate of such revenue if the actual revenue lost cannot be determined;
 - C. An estimate of the amount of revenue which would be lost to the County for the current fiscal year if the exemption applied for was granted had the property for which the exemption is requested otherwise been subject to taxation;

- D. A determination as to whether the property for which an exemption is requested is to be incorporated into a new business or the expansion of an existing business, or into neither, which determination the Property Appraiser shall also affix to the face of the application. Upon request, the department will provide the Property Appraiser such information as it may have available to assist in making this determination; and
- E. Any other information required pursuant to the Act.

The report shall be prepared in substantially a form to be established by the Board by resolution.

(2) *Eligibility Threshold.* The threshold for eligibility is whether the business meets the definition of a new business or of an expansion of an existing business.

(3) Criteria; Economic Development Policy Guidelines. In accordance with Section 196.1995(10) of the Act, in~~In~~ making its determination as to whether to grant the exemption, and, if granted, the duration and percentage of the exemption, the Board shall take into account~~apply the Manatee County Economic Development Policy Guidelines adopted by Board resolution, which include~~ the following factors:

~~A. Number of current and projected employees of the business located in the County;~~

~~B. Average wage of employees of the business located in the County;~~

~~C. Amount of capital investment;~~

~~D. Innovative business;~~

~~E. Commitment to local procurement;~~

~~F. Net positive contribution to the local economy; and~~

~~G. Sales factor as applied to enterprise zones.~~

A. The total number of net new jobs to be created by the applicant;

B. The average wage of the new jobs;

C. The capital investment to be made by the applicant;

D. The type of business or operation and whether it qualifies as a targeted industry as may be identified from time to time by the Board;

E. The environmental impact of the proposed business or operation;

F. The extent to which the applicant intends to source its supplies and materials within the County; and

G. Any other matter required pursuant to the Act.

In addition to the above factors, in accordance with Section 196.1995(10) of the Act, the Board may consider any other economic-related characteristics or criteria deemed necessary by the Board. Accordingly, the Board shall also consider Manatee County Economic Development Policy Guidelines adopted by Board resolution, which shall include the following:

A. Innovative business;

B. Commitment to local procurement;

C. Net positive contribution to the local economy; and

E. Anyany other activity or factor that promotes the sustainability of economic development within the County.

The Board may waive the consideration of any of the above Policy Guidelines for good cause shown.

- (4) *Ordinance.* After consideration of the Application and the Property Appraiser's review, the criteria set forth in the Act and Section (3) above, the Economic Development Policy Guidelines, and such other information it deems relevant, the Board may adopt an ordinance granting the exemption for up to 100 percent (or such lesser percentage as the Board deems appropriate) of the assessed value of the qualifying property for up to ten years (or such lesser term as the Board deems appropriate). In accordance with Section 196.1995(12) of the Act. If the exemption is granted and the ordinance adopted, such ordinance shall include the following information:

A. The name and address of the new business or the expansion of the existing business;

~~B. The name of the owner(s) of the new business or the expansion of the existing business;~~

~~C.~~ The total amount of revenue available to the County from ad valorem tax sources for the current fiscal year, the total amount of the revenue lost to the County for the current fiscal year by virtue of exemptions currently in effect and the estimated amount of revenue attributable to the exemption granted to the new business or the expansion of the existing business;

~~CD.~~ The period of time for which the exemption will remain in effect and the expiration date of the exemption, which shall beis ten years or less (depending upon the duration of the exemption granted) from the date the Board enacts the ordinance granting the exemption;

DE. A finding that the business meets the definition of a new business or an expansion of an existing business; and

EF. Any other finding, information or provision required by the Act.

BRADENTON HERALD

Bradenton.com

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
663169	0004246981	NOTICE OF PUBLIC HEARING NOTICE IS HER	Ord 19-22 PH	\$149.76	1	12.80 In

Attention: Debbie Parkison

MANATEE CO UTILITY OPERATIONS
4410 66TH ST W
BRADENTON, FL 34210

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66(2)(a), Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing on June 18, 2019, beginning at 9:00 a.m. or as soon thereafter as possible, in the Commission Chambers, located on the first floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon an ordinance entitled as follows:

ORDINANCE NO. 19-22
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING PUBLIC UTILITIES; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING THE MANATEE COUNTY CODE OF ORDINANCES (THE "CODE"); ADOPTING A NEW SCHEDULE OF FACILITY INVESTMENT FEES EFFECTIVE AS OF OCTOBER 1, 2019, BASED ON THE MOST RECENT FACILITY INVESTMENT FEE STUDY COMPLETED BY THE COUNTY IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT; AMENDING AND RE-STATING ARTICLE VIII OF CHAPTER 2-31 OF THE CODE; FACILITY INVESTMENT FEES TO PROVIDE FOR A TITLE, AUTHORITY AND APPLICABILITY; TO PROVIDE FOR LEGISLATIVE FINDINGS; RELIANCE UPON THE FACILITY INVESTMENT FEE STUDY; AND INTENT; TO PROVIDE DEFINITIONS; TO PROVIDE FOR FACILITY INVESTMENT FEES TO BE IMPOSED; TO PROVIDE EXEMPTIONS; TO PROVIDE FOR CALCULATION OF FACILITY INVESTMENT FEES; TO PROVIDE FOR USE OF FACILITY INVESTMENT FEE FUNDS; TO PROVIDE FOR CREDITS AGAINST FACILITY INVESTMENT FEES; TO PROVIDE FOR APPEALS; AND TO PROVIDE MISCELLANEOUS PROVISIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTICE OF THE NEW AND AMENDED FACILITY INVESTMENT FEES IN ACCORDANCE WITH THE FLORIDA IMPACT FEE ACT AND PROVIDING AN EFFECTIVE DATE.

Copies of the proposed ordinance may be inspected by the

THE STATE OF TEXAS
COUNTY OF DALLAS

Before the undersigned authority personally appeared VICTORIA RODELA, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Public Notice**, was published in said newspaper in the issue(s) of:

1 Insertion(s)

Published On
June 05, 2019

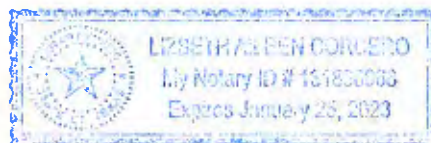
THE STATE OF FLORIDA
COUNTY OF MANATEE

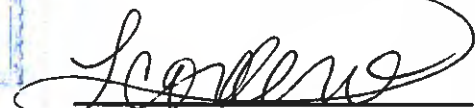
Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



(Signature of Affiant)

Sown to and subscribed before me this
5th day of June in the year of 2019





SEAL & Notary Public

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

hearing may be inspected by the public during normal business hours at the Manatee County Utilities Department, 4410 66th Street West Bradenton Florida 34210. Interested parties may appear at the meeting or public hearing and be heard with respect to the proposed ordinance.

The Public is invited to speak at this hearing subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain.

The Public may also provide written comments for the Board of County Commissioners to consider. All written comments will be entered into the record.

Interested parties may appear and be heard at the meeting with respect to the proposed Ordinance. Pursuant to Section 286.0105 Florida Statutes any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the above-referenced meeting or public hearing will need a record of the proceedings, and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact Kaycee Ellis at (941)742-5800; TDD ONLY (941)742-5802 and wait 60 seconds; FAX (941)745-3790.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 20, 2019

Honorable Angelina Coloneso
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Robin Toth

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of **Manatee County Ordinance 19-34, which was filed in this office on June 20, 2019.**

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: ords@municode.com
To: tammy.larsen@mymanatee.org; [Robin Toth](#)
Subject: Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 108
Date: Friday, June 21, 2019 10:25:46 AM
Attachments: [ATT00001.bin](#)
[ATT00002.bin](#)

****THIS IS AN AUTOMATICALLY GENERATED EMAIL****

Below, you will find the material that we have received/recorded to your account. This material is being considered for inclusion in your next/current update, Supplement 108

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 19-15	6/18/2019	6/21/2019	Word
Ordinance No. 19-22	6/18/2019	6/21/2019	Word
Ordinance No. 19-29	6/18/2019	6/21/2019	Word
Ordinance No. 19-31	6/18/2019	6/21/2019	Word
Ordinance No. 19-34	6/18/2019	6/21/2019	Word



Update the internet version of your Code more often than a printed supplement. We can update the Internet quarterly, monthly, even weekly.



We can post newly enacted ordinances in the online Code after each meeting.