

ORDINANCE NO. 20-21

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING ECONOMIC DEVELOPMENT; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING ARTICLE XVI OF CHAPTER 2-29 OF THE MANATEE COUNTY CODE OF ORDINANCES TO ESTABLISH A NEW SECTION 2-29-174 GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO POWER DESIGN RESOURCES 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 has adopted Article XV of Chapter 2-29 of the Manatee County Code of Ordinances (the "Code"), establishing an application process for economic development ad valorem tax exemptions for new businesses and expansions of existing businesses; and

WHEREAS, Power Design Resources has submitted an application in accordance with Article XV of Chapter 2-29 of the Code, and the Board has determined that granting an economic development ad valorem tax exemption to Power Design Resources is in the best interests of the public health, safety and welfare and will create employment opportunities that will benefit the entire community.

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 Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

- A. The recitals set forth above are true and correct;

- B. Article XIV of Chapter 2-29 of the Manatee County Code of Ordinances (the “Code”) sets forth the process and procedures for implementing the economic development ad valorem tax exemption program.
- C. Pursuant to Section 2-29-166 of the Code, Power Design Resources submitted an application to the County requesting an ad valorem tax exemption for up to 100 percent of the assessed value of the qualifying improvements to real property and qualifying tangible personal property specified in its application for a period of ten years, commencing with Tax Year 2022. The Power Design Resources Application is incorporated herein by reference, and a copy of said Application shall be retained by the Manatee County Redevelopment and Economic Opportunity Department for at least the duration of the exemption period.
- D. In its application, Power Design Resources stated the following:

- 1. Name of business: Power Design Resources

Location: Lots 3-7, Gulfcoast Corporate Park, Phase 3, as recorded in Plat Book 44, pages 186-190 of the public records, Manatee County Florida.

Business owner: Mitch Permuy / Dana Permuy

- 2. It will create a total of 80 new jobs by December 31, 2024, comprised of 80 new full-time jobs with an average wage of \$46,900 for all non-management jobs and an average wage of \$69,000 for all management jobs and 0 new seasonal jobs;
- 3. Through December 2023 it will invest approximately \$19 Million in the creation / expansion of its Manatee County facility, including the purchase of new equipment;
- 4. **Innovation statement from application:** One of Power Design’s core values is innovation and we actively encourage thoughtful and creative ideas. We recognize that, not only is our company growing and evolving, but so is our industry. We must continuously innovate to stay competitive, create scalability and maintain connection with our expanding workforce. We have a team of business analysts in IT and Business Process Improvement that work with the various business units to determine what is needed and how to implement.

We recently implemented Workday, an enterprise solution for HR and Payroll, and Achievers, an employee recognition platform that has the feel of a social media feed to keep employees engaged in each other’s milestones and accomplishments regardless of how geographically dispersed they are. Our IT team won several awards

for an app they created called Crew Connect that we use on every job site to check in people who visit a jobsite using facial recognition, including employees and subcontractors. They also developed our custom project management platform that creates alignment between all our departments and the various scopes that interact on one project, including scheduling, raising and resolving issues, and managing production. We offer full-service design and coordination and use BIM modeling to create efficiencies on our jobsites, like using lasers for lay outs instead of manual measurement.

Our distribution warehouse in Atlanta, GA recently implemented a new warehouse management system that employs bar code technology which will make our distribution operation much more efficient. This was done in preparation for the move to a new larger facility which would not have been successful using a more manual system. In response to the labor shortage in the construction industry, we have explored new ways to deliver our product, including kitting and prefab. We are currently running a small prefab test site in DC and a prefab lab at our corporate headquarters, so we are prepared to start a full prefab operation in the new distribution facility.

5. **Local procurement statement from application:** Power Design is committed to investing in the communities where we operate. We strive to be a good neighbor and make a positive impact on the area. We are a growing company with a national footprint, and we choose to locate our facilities in areas that can support that growth with a rich talent pool and a variety of local vendors. The level of service, response time and availability tend to be better when local resources are used, and the local economy benefits as well.
6. **Sustainability statement from application:** Several years ago, we implemented our V5 program, named for our 5 values, where we recycle scrap material from our jobsites and donate the proceeds to charity. Last year, we donated around \$216,000 to various charities through the V5 program. Donations are made to charities across the country based on requests submitted by employees for causes that are special to them. Most of the charities are local to where the employee works and/or the jobsites that contribute to the program. We also participate in a recycling program at our corporate headquarters where trash is separated from recyclable waste. Both programs are expected to be implemented at the Manatee facility.

7. The sales projected to be processed and shipped from the Manatee County facility is estimated to be \$8,547,996 inside the Metropolitan Statistical Area and \$31,952,004 everywhere else; and
 8. All other information required pursuant to the Act.
- E. Pursuant to Section 2-29-167(1) of the Code, the Property Appraiser completed its review of the Power Design Resources Application and submitted its report to the County, dated February 25, 2020. The Property Appraiser report included the following information:
1. Total revenue available to the County for the current fiscal year from ad valorem tax sources: \$250,458,509.
 2. Revenue lost to the County for the current fiscal year by virtue of exemptions previously granted under this section: \$0.
 3. Estimate of the revenue which would be lost to the County during the current fiscal year if the exemption were granted, assuming that the subject property would otherwise have been subject to taxation: \$59,875.
 4. Estimate of the taxable value lost to the County if the exemption were granted: Improvements to real property: \$8,415,000; personal property: \$893,000.
 5. A determination that the property listed in the Power Design Resources Application met the definition of a new business, as defined in Section 196.012(15), Florida Statutes.
- F. The Power Design Resources Application meets all statutory and ordinance requirements.
- G. Pursuant to 2-29-167(4) of the Code, the Board has reviewed the Power Design Resources Application, has applied the Manatee County Economic Development Policy Guidelines, and hereby determines that:
1. Currently employs 0 full-time employees at its Manatee County facility and represents that it will create a total of 80 new jobs by December 31, 2024, comprised of 80 new full-time jobs with an average wage of \$46,900 for all non-management employees and an average wage of \$69,000 for all management employees, and 0 new seasonal jobs.
 2. Power Design Resources represents that it will invest \$19 Million in the expansion of its Manatee County facility, including the purchase of new equipment;

3. Power Design Resources is an innovative business with an aggressive marketing plan to expand its presence throughout the country;
 4. The creation of its Manatee County facility, including the purchase of new equipment, by Power Design Resources will not result in any adverse environmental impacts;
 5. Power Design Resources represents that to the extent that qualified suppliers are available in Manatee County, it will purchase its materials and equipment locally;
 6. Power Design Resources represents the majority of its workforce will reside in Manatee County;
 7. Power Design Resources makes a net positive contribution to the local economy; and
 8. More than seventy-eight percent of its product is shipped outside of the Metropolitan Statistical Area;
- H. After consideration of the Power Design Resources Application and the Property Appraiser's report, the Board finds that granting an economic development ad valorem tax exemption to Power Design Resources to encourage location of its business will promote economic sustainability within the County through the creation of jobs and utilization of local resources.

Section 3. Amendment of Chapter 2-29 of the Code. Article XVI of Chapter 2-29 of the Code is hereby amended to establish a new Section 2-29-174 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 amendment 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.

[signature page to follow]

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 16th day of June 2020.



**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: 
Chairperson

**ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT
COURT AND COMPTROLLER**

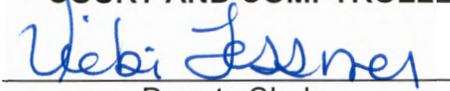
By: 
Deputy Clerk

Exhibit “A”

**New Section 2-29-174
Manatee County Code of Ordinances
Economic Development Ad Valorem Tax Exemption
Power Design Resources**

2-29-174. Power Design Resources tax year 2022 through tax year 2029.

(1) *Grant of Ad Valorem Tax Exemption.*

A. After consideration of the application submitted to the County by Power Design Resources requesting an ad valorem tax exemption for up to 100 percent of the assessed value of the qualifying improvements to real property and qualifying tangible personal property specified for a period of 8 years, commencing with Tax Year 2022, the Board hereby grants to Power Design Resources and establishes on behalf of Power Design Resources an economic development ad valorem tax exemption as follows:

Year 1 (2022):	100%
Year 2 (2023):	100%
Year 3 (2024):	90%
Year 4 (2025):	80%
Year 5 (2026):	60%
Year 6 (2027):	40%
Year 7 (2028):	20%
Year 8 (2029):	10%

of the assessed value of the net increase in qualifying improvements to real property and qualifying tangible personal property as set forth in the Power Design Resources Application, to facilitate the expansion of its business. (Power Design Resources, Ad Valorem Tax Exemption).

B. The Power Design Resources Ad Valorem Tax Exemption shall be effective for a period of 8 tax years (the “Exemption Period”), commencing with Tax Year 2022 and remaining in effect through Tax Year 2029. Pursuant to Section 2-29-166(3) of the Code, the Power Design Resources Ad Valorem Tax Exemption is conditioned upon entering into a performance agreement, in the form established by the Board by Resolution, with the County stating that it shall remain in compliance with Article XV of Chapter 2-29 of the Code throughout the exemption period as well as the business maintenance and

continuing performance provision of the Power Design Resources Application. Should Power Design Resources fail to comply with Article XV of Chapter 2-29 of the Code, the maintenance and continuing performance provision of the Power Design Resources Application, or the requirements of the performance agreement, the Board may revoke the Power Design Resources Ad Valorem Tax Exemption and recover any taxes exempted during the exemption period pursuant to 2-29-170 of the Code.

- (2) *Applicability.* Pursuant to Florida Statute 196.1995 and Section 2-29-171 of the Code, the County ad valorem tax exemption granted herein applies only to ad valorem taxes levied by Manatee County on the qualifying improvements to real property and qualifying tangible property specified in the (Name of Company) Application. The exemption does not apply to taxes levied by a municipality, school district, any special taxing district or any other governmental entity, or to taxes levied by the County for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9 and Section 12, Article VII of the State Constitution.
- (3) *Sunset Date.* Power Design Resources Ad Valorem Tax Exemption shall be in effect through Tax Year 2029, at the conclusion of which it shall automatically sunset and no longer be in force and effect for any subsequent tax year.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 18, 2020

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

Attention: Vicki Tessmer

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 20-21, which was filed in this office on June 18, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

From: [Ords Admin](#)
To: [Vicki Tessmer](#)
Subject: RE: Manatee County, FL Code of Ordinances - 1981(10428) OrdLink/OrdBank, Manatee County, FL Land Development Code - 2016(12202) OrdBank, Manatee County, FL Comprehensive Plan - 2017(15530) OrdBank
Date: Monday, June 29, 2020 2:53:06 PM
Attachments: [image001.png](#)

We have received your file.

Thank you and have a nice day,

Ords Administrator

ords@municode.com

1-800-262-2633

P.O. Box 2235

Tallahassee, FL 32316

When available, please send all documents in WORD format to Ords@municode.com.

However, if WORD format is not available, we welcome any document format including PDF.

ems

municode

From: Vicki Tessmer <vicki.tessmer@ManateeClerk.com>

Sent: Monday, June 29, 2020 11:15 AM

To: Ords Admin <ords@municode.com>

Subject: Manatee County Ordinance

Hello,

Please find attached manatee county ordinance 20-21 which was adopted June 16, 2020.

Thank you,

Vicki Tessmer

Supervisor, Board Records, Tax Deeds, and VAB

For Angelina "Angel" Coloneso

Clerk of the Circuit Court and Comptroller of Manatee County

www.manateeclerk.com

vicki.tessmer@manateeclerk.com

941-741-4081



From: [Robin Toth](#)
To: [Quantana Acevedo](#); [Vicki Tessmer](#)
Subject: FW: Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 112
Date: Thursday, August 13, 2020 10:38:54 AM

For your ordinances.

Robin

From: ords@municode.com [mailto:ords@municode.com]
Sent: Thursday, August 13, 2020 10:27 AM
To: tammy.larsen@mymanatee.org; Robin Toth
Subject: Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 112

****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 112

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 20-21	6/16/2020	7/9/2020	Word
Ordinance No. 20-24	8/11/2020	8/13/2020	PDF
Ordinance No. 20-31	6/23/2020	7/9/2020	Word
Ordinance No. 20-39	7/28/2020	7/30/2020	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.