

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, PROVIDING AN AD VALOREM TAX EXEMPTION FOR CITY ELECTRIC SUPPLY, LOCATED AT 11675 TOM MACKIE BOULEVARD PORT ST. LUCIE, FLORIDA, TO ENCOURAGE ECONOMIC DEVELOPMENT WITHIN THE CITY FOR THE EXPANSION OF AN EXISTING BUSINESS, PROVIDING THE ESTIMATED REVENUE FOR THE CURRENT FISCAL YEAR WHICH WOULD BE LOST BECAUSE OF THE EXEMPTION GRANTED TO CITY ELECTRIC SUPPLY, PROVIDING FOR AN EXPIRATION DATE OF THE EXEMPTION, PROVIDING A FINDING THAT CITY ELECTRIC SUPPLY MEETS THE DEFINITION OF AN EXPANDING BUSINESS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 115 of the City's Code of Ordinances is known as the City of Port St. Lucie Economic Development Ad Valorem Tax Exemption Regulations for Economic Development; and

WHEREAS, City Electric Supply Company ("City Electric") has applied for ad valorem tax exemption from the City of Port St. Lucie pursuant to the provision of said Regulations; and

WHEREAS, the City Council has considered City Electric's application for tax exemption and the Property Appraiser's report, the Council has determined that City Electric meets the criteria for tax exemption pursuant to section 115.06 of the City's Code, as an expansion of an existing business; and

WHEREAS, City Council has considered City Electric's anticipated number of employees, average wage, type of industry or business, environmental impacts, volume of business and production and has determined that City Electric's business would significantly improve economic development in the city.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. This ordinance shall be known as the City Electric Supply Company tax exemption

Section 2. The area subject to this ordinance shall be located in the incorporated area of the City of Port St Lucie.

Section 3. The City Council grants a tax exemption to City Electric whose principal place of business is 11675 SW Tom Mackie Boulevard Port St Lucie, Florida 34987.

Section 4. The amount of revenue currently available from ad valorem tax sources for the current fiscal year is \$54,425,825.97. The City lost \$3,595.41 for the current fiscal year due to exemptions previously granted under the City of Port St. Lucie Economic Development Ad

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Valorem Tax Exemption Regulation for Economic Development. The estimated revenue lost during the current fiscal year if the exemption applied for by City Electric is granted is \$191,456.64.

Section 5. City Electric constructed a new 411,000 square manufacturing and distribution facility which received its certificate of occupancy in January 2020. The capital investment was valued by the Property Appraiser's Office as \$32,900,434 in real property value and \$4,976,521 in personal property value.

Section 6. City Electric is currently a business establishing ten (10) or more jobs to employ ten (10) or more full-time employees in the City, which manufactures, processes, compounds, fabricates, or produces for sale items or tangible personal property at a fixed location and which comprises an industrial or manufacturing plant.

Section 7. City Electric has met the initial criteria for the expansion of an existing business pursuant to section 115.06(3)(b)(1).

Section 8. This exemption shall run for a period of ten (10) years beginning with fiscal year 2019 and continuing through fiscal year 2029. The exemption will expire thereafter.

Section 9. The exemption shall be 100% for the first five (5) years the exemption is granted. The exemption will decrease to 90% in year six; 80% in year 7; 60% in year 8; 40% in year 9; and 20% in year 10.

Section 10. In order to continue to be eligible for the tax exemption City Electric must meet the following job creation and retention guidelines: (1) retention of the existing 210 existing jobs; and (2) creation of 50 new jobs over the next five years, which includes the following employment schedule; 2021 - 10 jobs, 2022 - 8 jobs, 2023 - 12 jobs, 2024 - 10 jobs and 2025 - 10 jobs. Verification of existing employment will begin 2020. City Electric Supply will provide a copy of their affidavit and quarterly reports for 2020 in January 2021. The employment reports will be reviewed by staff to confirm the company retained 210 existing jobs. The City and County will both send confirmation to the St. Lucie County Property Appraiser's Office that the company retained their existing employees. Verification of the creation of new employment will begin in the second year of the exemption pursuant to the job creation schedule. City Electric Supply will provide a copy of an employment affidavit and quarterly employment reports for 2021 in January 2022. The employment reports will be reviewed by staff to confirm the company retained 210 existing jobs and created the additional jobs in compliance with the schedule. The City and County

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will both send confirmation to the St. Lucie County Property Appraiser's Office that the company retained their existing employees and created the additional new jobs required for the relevant time period. All documentation evidencing job retention and job creation in compliance with this Section must be submitted to the City's Business Navigator and Finance Department for review and approval.

Section 11. The City Council reserves the right to repeal this Ordinance and the exemption granted hereunder should City Electric fail to meet the criteria set forth for any of the years the exemption is granted.

Section 12. City Electric, shall be required to submit proof of continued compliance with the criteria on an annual basis in order to maintain the grant of the tax exemption. City Electric shall submit documentation evidencing continued entitlement to this exemption each year. Should City Electric fail to meet the job criteria required in any given year, City Electric shall not be eligible for the tax exemption.

Section 13. If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property or circumstance.

Section 14. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 15. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 16. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

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PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this
11th day of May, 2020.


CITY COUNCIL
CITY OF PORT ST. LUCIE

By: 
Gregory J. Oravec, Mayor

ATTEST:


Karen A. Phillips, City Clerk

APPROVED AS TO FORM:


James D. Stokes, City Attorney

Melany Crawford,
Chief Assistant City Attorney

