

RESOLUTION 21-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING A TEN YEAR AD VALOREM TAX EXEMPTION FOR FED EX FACILITY SUBJECT TO ADOPTION OF AN ORDINANCE ALLOWING ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION FOLLOWING THE DECEMBER 7, 2021 REFERENDUM ELECTION AND SUBJECT TO ADOPTION OF AN ORDINANCE APPROVING THE EXEMPTION AND COMPLIANCE WITH THE PROCEDURE OUTLINED IN SECTION 115.06 OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2010, the City Council of the City of Port St. Lucie requested the authority to grant economic development ad valorem tax exemptions pursuant to section 196.1995, Florida Statutes;

WHEREAS, the request was approved via referendum for a period of ten (10) years; and

WHEREAS, pursuant to section 196.1995(7), Florida Statutes, the authority to grant economic development tax exemptions expires ten (10) years after the date such authority was approved in an election; and

WHEREAS, the City's authority to grant such tax exemptions may be renewed for subsequent ten-year periods if each ten-year renewal is approved by referendum; and

WHEREAS, a referendum election is being held throughout the City of Port St. Lucie on December 7, 2021, which will be held in conjunction with the City of Port St. Lucie's previously scheduled special election for the purpose of submitting to the City's electors a referendum question as to whether to authorize the City Council to grant economic incentive development ad valorem exemptions to qualifying businesses; and

WHEREAS, to qualify for this exemption, the business's improvements to real property must be made or the tangible personal property must be added or increased after approval by motion or resolution of the local governing body, subject to ordinance adoption or on or after the day the ordinance is adopted; and

WHEREAS, on December 7, 2020, the City Council approved a package of economic incentives for Project Denny (FedEx Ground Package System, Inc./Lessee and PSL Industrial Owner, LLC/Lessor located on Lot 1 of Southern Grove Plat No. 33 as recorded in Plat Book 9, Page 32 of the Public Records of St. Lucie County, Florida) ("FedEx Facility") through Resolution 20-R131; and

WHEREAS, the package included the following incentive:

The City of Port St. Lucie Ad-Valorem Tax Exemption: The Council authorizes City staff to assist Project Denny in the application for a 10-year ad valorem tax

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exemption valued at 100% for the first five years and for the last five years on a declining percentage schedule for the remaining period (90%, 80%, 60%, 40%, 20%) as described in the City's Economic Development Ad Valorem Tax Exemption program. The Council also authorizes staff to prepare all documents necessary to the Resolution 20-R131 application process, including a proposed ordinance providing an ad valorem tax exemption for Project Denny consistent with the City's Economic Development Ad Valorem Tax Exemption program.

WHEREAS, through this resolution the City Council desires to formerly approve a ten year ad valorem tax exemption valued at 100% for the first five years and for the last five years on a declining percentage schedule for the remaining period (90%, 80%, 60%, 40%, 20%) as described in the City's Economic Development Ad Valorem Tax Exemption program, subject to the following conditions:

- A. Adoption of an ordinance allowing economic development ad valorem tax exemptions pursuant to section 196.1995, Florida Statutes, following the December 7, 2021 referendum election.
- B. Adoption of an ordinance approving the exemption and compliance with the procedure and criteria currently outlined in section 115.06 of the City's Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 3. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

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PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this
____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney