

City of Tampa

Economic Development Ad Valorem Tax Exemption Program Fact Sheet

- The purpose of the Economic Development Ad Valorem Tax Exemption Program is to provide the City with an additional economic development incentive for businesses to locate or expand within the City of Tampa and create jobs.
- Applicants must meet the definition of a new business or expansion of an existing business. The business must also be classified as a Target Industry such as Environmental Technology; Manufacturing; Information, Financial and Professional Services; Life Sciences; Corporate Headquarters; and Aviation, Aerospace, Security/Defense or a High Value Business that has a significant economic impact as a result of the number of its employees, its average annual wage, capital investment, or additional jobs created.
- Any business in violation of any federal, state, or local law or regulation will not be eligible.
- Exemptions are provided for Citywide Ad Valorem taxes on the assessed value of **improvements** to real property and on tangible personal property attributable to the expansion.
- Exemptions of 50% - 75% of taxes are provided on a 3 Tier system for 5 – 10 years based on the number and types of jobs created, average annual wages, and location of the business.
- An Applicant is required to notify the City of Tampa of its intent to apply for an exemption before the business locates or expands in the City, indicate why the exemption is needed, and how it will impact the business decision to locate or expand in the city but for the exemption.

City of Tampa

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- Prior to City Council action on an application, the Property Appraiser must review and provide a report which includes the total ad valorem revenue available to the City for the applicable fiscal year; the amount of any revenue lost to the City by virtue of previous exemptions granted and for the application being considered; and a determination as to whether the property is a New Business or Expansion of an Existing Business.
- Each application must be approved by the City Council, adopted by ordinance at 2 public hearings, and the business will be required to enter into an agreement with the City.
- Eligibility to receive an exemption for the period granted is conditioned upon the applicant's ability to maintain its status as a Qualified Business throughout the entire period. Approved applicants are required to submit an annual report and renewal statement. The City Council may enact an ordinance revoking the exemption or take other corrective action for failure to comply with the terms of the agreement.
- The City joins Hillsborough County in offering the tax exemptions. A business locating in the City could apply for exemptions on both Hillsborough County and City of Tampa taxes. The City of Tampa and Hillsborough County are cooperating on administration of the program for businesses that are applying for exemptions from both jurisdictions.
- The Economic Development Ad Valorem Tax Exemption Ordinance shall expire on March 1, 2021, 10 years after the date the voters granted the authority to enact the exemption program, as required by Florida statute.
- For more information and to apply please contact Bob McDonough, Acting Economic Development Administrator, at 274-8245 or Bob.McDonough@tampagov.net. Information is also available on the City's web site at: <http://www.tampagov.net/economicdevelopment>

City of Tampa

Economic Development Ad Valorem Tax Exemption Program Frequently Asked Questions

What is the Economic Development Ad Valorem Tax Exemption Program?

The Economic Development Ad Valorem Tax Exemption Program is an incentive that was established under Chapter 196.1995, Florida Statutes, and authorized by City of Tampa voters by referendum on March 1, 2011. The City of Tampa program was adopted by city Council as Ordinance 2011-57 on May 5, 2011, as required by State statute.

The Program is intended to encourage new businesses to locate or existing businesses to expand and create new jobs in the City of Tampa.

How does Tampa's Program work?

- Applicants must meet the definition of a new business or expansion of an existing business and meet job creation thresholds. The business must also be classified as a Target Industry or a High Value Business. Details on these definitions are provided below.
- Exemptions are provided for Citywide Ad Valorem taxes on the assessed value of improvements to real property and on tangible personal property attributable to the expansion.
- Exemptions of 50% - 75% of taxes are provided on a 3 Tier system for 5 – 10 years based on the number and types of jobs created, average annual wages, and location of the business, according to the recommended Exemption Criteria (see attachment).

Can a new or expanding business in Tampa also apply for exemptions related to Hillsborough County ad valorem taxes?

Yes. The City joins Hillsborough County in offering the tax exemptions. A business locating in the City could apply for exemptions on both Hillsborough County and City of Tampa taxes. Exemptions would not apply to taxes levied by other taxing authorities such as the School Board.

The City of Tampa and Hillsborough County are cooperating on administration of the program for businesses that are applying for exemptions from both jurisdictions.

Are there differences between the programs offered by the City of Tampa and Hillsborough County?

Yes. There is one difference between the two programs. Unlike the County's program, the City's program **does not** apply to Destination Retail Businesses. Other than that difference, the City and the County have intentionally kept their respective programs virtually identical to simplify the process for business applicants.

How will the Program impact city tax revenues and services?

The Program will not impact the City's existing ad valorem tax base and therefore, will not impact the City's existing programs and services. The Program is expected to incentivize new and expanding businesses and generate tax revenue that would not have existed but for the Program. New revenue will be added since only 50% to 75% of the assessed value is being exempted during the exemption period and 100% of the value will be taxed permanently at the conclusion of the exemption period for each business and after the Program sunsets.

How much will it cost to administer the program?

It is difficult to predict how many businesses will participate in the program. Initially, the program will be administered through the Economic and Urban Development Department using existing staff resources.

Is there a cap on the dollar amount of new tax revenues the City will forego because of this Program?

Yes. The Exemptions granted by the City for each fiscal year are limited to an estimated aggregate annual amount not to exceed Two Million Dollars (\$2,000,000.00) of forgone new ad valorem tax revenues, or such other amount approved by a supermajority vote of the City Council. This cap allows for \$350,000,000 in assessed value of improvements to be exempted.

What is a new or expanding business?

A "New Business" means a business new to Tampa and Florida that is creating new jobs. An "Expansion of an Existing Business" means a business currently located in Tampa that is creating new jobs in addition to existing employment. Both New Businesses and Expansions of Existing Businesses must create a minimum of 10 or more new full time jobs. Minimum job creations standards vary based on the type of business and are detailed in the Economic Development Ad Valorem Tax Exemption Ordinance.

What is a "High Value Business"?

"High Value Business" means an expansion of an existing business or a new business that is expected to have a significant economic impact as a result of the number of its Full-Time Equivalent Employees, its Average Annual Wage, the Capital Investment in the Business, or additional jobs subsequently created.

What is a "Target Industry Business"?

"Target Industry Business" means an expansion of an existing business or a new business that is engaged in a target industry, as designated by the State. Examples are Environmental Technology; Manufacturing; Information, Financial and Professional Services; Life Sciences; Corporate Headquarters; and Aviation, Aerospace, Security/Defense. A detailed listing of the State's qualified targeted businesses can be found at the City's website, www.Tampagov.net, on the Economic and Urban Development Department's Incentives page.

Are there additional benefits for businesses in certain areas of the City?

Yes. Businesses that are located in an Enterprise Zone, Community Redevelopment Area, or Brownfield Area may be eligible for a “bonus” that provides a larger exemption, for a longer period, and may meet a lower wage threshold. You can find out more about Enterprise Zone and Community Redevelopment areas and their boundaries at the City’s website, www.Tampagov.net, on the Economic and Urban Development Department’s Incentives page. For more information about Brownfield Areas please contact the City’s office of Environmental Coordination at (813) 348-1094.

How can a business participate in the Program?

- ❑ An Applicant is required to notify the City of Tampa of its intent to apply for an exemption before the business locates or expands in the City, indicate why the exemption is needed, and how it will impact the business decision to locate or expand in the City but for the exemption.
- ❑ The business consults with City staff and completes the application.
- ❑ Prior to City Council action on an application, the Property Appraiser must review and provide a report which includes the total ad valorem revenue available to the City for the applicable fiscal year; the amount of any revenue lost to the City by virtue of previous exemptions granted and for the application being considered; and a determination as to whether the property is a New Business or Expansion of an Existing Business.
- ❑ Each application must be approved by the City Council, adopted by ordinance at 2 public hearings, and the business will be required to enter into an agreement with the City.
- ❑ If the business is located in a City of Tampa CRA, City Council shall receive input from the City of Tampa Community Redevelopment Agency Board prior to adopting the ordinance.

Are there ongoing eligibility requirements?

Yes. Eligibility to receive an exemption for the period granted is conditioned upon the applicant’s ability to maintain its status as a Qualified Business throughout the entire period. Approved applicants are required to submit an annual report and renewal statement. The City Council may enact an ordinance revoking the exemption or take other corrective action for failure to comply with program requirements.

Are there other eligibility restrictions?

Yes. Any business in violation of any federal, state, or local law or regulation will not be eligible.

Do other communities in Florida have ad valorem tax exemption programs?

Yes. Prior to August 2010, about 35 of Florida's 67 counties administered some form of an ad valorem tax exemption program. Most of these counties are rural and none were located in the Tampa Bay Region. Since then, however, Hillsborough County and Plant City, as well as Polk and Sarasota Counties have obtained voter approval of the exemption program. Temple Terrace is considering a future ballot initiative.

Are qualifying businesses exempt from paying all ad valorem taxes?

No. The exemption applies only to 50% to 75% of the assessed value of improvements to real property and tangible personal property attributable to the expansion. Further, the exemption applies only to ad valorem taxes levied by the county or municipality granting the exemption. The exemption does not apply, however, to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the State Constitution.

What is the potential benefit of this program to a business?

By offering a cost saving to businesses, this program has the potential to attract private sector investment and job creation that might otherwise not occur. Typically, such programs are used in conjunction with other State incentive programs such as the Qualified Target Industry program. As noted above, a business may also claim tax exemptions from both the City of Tampa and Hillsborough County.

Benefit Illustration. Exemptions are based on the property tax millage rate of the jurisdiction granting the exemption and the amount of improvement value, i.e., real property, infrastructure or tangible personal property, being made by the business. Assuming the City of Tampa was authorized to implement a 50% ad valorem tax exemption to a new or expanding business located within the City of Tampa, the benefit for a project including \$250,000 in capital improvements would be calculated as follows:

\$250,000 improvement value x County millage of .0057423 x 50% = \$718 annual County exemption.

\$250,000 improvement value x City millage of .0057326 x 50% = \$717 annual City exemption.

Totaling an annual exemption of \$1,435 for the duration of the exemption period.

How long will this program be in effect?

The Economic Development Ad Valorem Tax Exemption Ordinance expires on March 1, 2021, ten years after the date the voters granted the authority to enact the exemption program, as required by Florida statute. The Program will likely be reviewed periodically to insure it continues to be needed and is achieving its intended purpose.

How can I find out more about the Program?

The entire program is contained in City of Tampa Ordinance 2011-57 adopted by City Council on May 5, 2011. For more information and to apply for the tax exemptions please contact Bob McDonough, Acting Economic Development Administrator, 274-8245 or Bob.McDonough@tampagov.net. Program information is also available on the City of Tampa web site at:

<http://www.tampagov.net/economicdevelopment>.

City of Tampa
Economic Development Ad Valorem Tax Exemption Program
Exemption Criteria

Tier	Number of New Jobs	Aggregate Average Annual Wage or Capital Investment per job	Period	Maximum Exemption
One	10 or more Full-Time Equivalent Employees in manufacturing jobs; or 25 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 50 or more Full-Time Equivalent Employees in office jobs if a New Business.	115% of the Average Annual Wage or Capital Investment exceeding \$200,000 per Full-Time Equivalent Employee	5 Years	50%
<i>BONUS - Enterprise Zone, Brownfield Area, or Community Redevelopment Area</i>	<i>10 or more Full-Time Equivalent Employees in manufacturing jobs; or 25 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 50 or more Full-Time Equivalent Employees in office jobs if a New Business.</i>	100%	5 Years	75%
Two	30 or more Full-Time Equivalent Employees in manufacturing jobs; or 75 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 100 or more Full-Time Equivalent Employees in office jobs if a New Business.	115% of the Average Annual Wage or Capital Investment exceeding \$200,000 per Full-Time Equivalent Employee	7 Years	50%
<i>BONUS - Enterprise Zone, Brownfield Area, or Community Redevelopment Area</i>	<i>30 or more Full-Time Equivalent Employees in manufacturing jobs; or 75 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 100 or more Full-Time Equivalent Employees in office jobs if a New Business.</i>	100%	7 Years	75%
Three	90 or more Full-Time Equivalent Employees in manufacturing jobs; or 100 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 200 or more Full-Time Equivalent Employees in office jobs if a New Business.	150%	10 Years	50%
<i>BONUS - Enterprise Zone, Brownfield Area, or Community Redevelopment Area</i>	<i>90 or more Full-Time Equivalent Employees in manufacturing jobs; or 100 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 200 or more Full-Time Equivalent Employees in office jobs if a New Business.</i>	100%	10 Years	75%

ORDINANCE NO. 2011- 57

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, ESTABLISHING AN EXEMPTION FROM CERTAIN AD VALOREM TAXATION FOR CERTAIN NEW BUSINESSES AND EXPANSIONS OF EXISTING BUSINESSES; PROVIDING A SHORT TITLE; PROVIDING FOR ENACTMENT AUTHORITY; PROVIDING FINDINGS OF FACT; PROVIDING FOR DEFINITIONS OF TERMS; PROVIDING FOR THE ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION; PROVIDING FOR AN APPLICATION FOR AN EXEMPTION; PROVIDING FOR THE CITY COUNCIL AND THE MAYOR'S CONSIDERATION OF SUCH APPLICATION; PROVIDING FOR NO APPLICATION FEES; PROVIDING FOR CONTINUING PERFORMANCE; PROVIDING FOR CITY COUNCIL REVOCATION OF EXEMPTION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A SUNSET DATE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Tampa believes that local governments should support economic growth by providing an incentive for employment opportunities that will lead to the improvement of the quality of life of the residents of The City of Tampa (the "City"), and the positive expansion of the economy; and

WHEREAS, to this end, the Mayor and the City Council desire to offer ad valorem tax exemptions to new businesses relocating to the City and to expansions of businesses already situated in the City; and

WHEREAS, the granting of ad valorem tax exemptions to such businesses will provide the City with an additional economic development incentive which will enhance the ability of the City to be competitive when trying to encourage new business development in the City and retain local businesses with planned expansions; and

WHEREAS, such exemptions are authorized pursuant to Article VII, Section 3, of the Constitution of the State of Florida and Section 196.1995, Florida Statutes, upon the successful passage of a referendum; and

WHEREAS, the electors of the City have authorized the granting of ad valorem tax exemptions by the successful passage of a referendum held on March 1, 2011;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, THAT:

SECTION 1. TITLE. This Ordinance shall be known as the "City of Tampa Economic Development Ad Valorem Tax Exemption Ordinance."

SECTION 2. ENACTMENT AUTHORITY. Article VII, Section 3, of the Constitution of the State of Florida and Section 196.1995, Florida Statutes, empower the City to grant Economic Development Ad Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses after the electors of the City, voting on the question in a referendum, authorize such exemptions. In a referendum held on March 1, 2011, the electors of the City of Tampa authorized the City to grant Economic Development Ad Valorem Tax Exemptions.

SECTION 3. FINDINGS OF FACT.

(A) It is a recognized function of local government to promote economic development within its jurisdiction by providing financial incentives that will encourage new businesses to relocate within its jurisdiction and existing businesses to expand, thereby creating employment opportunities that will benefit the entire community.

(B) The current economic climate has resulted in a high unemployment rate in the City, impacting the quality of life for the citizens of the City and the sustainability of local businesses.

(C) In order to ensure that applications for Economic Development Ad Valorem Tax Exemptions are considered in a non-arbitrary and non-discriminatory manner, it is necessary to establish guidelines that further the City's economic development policy to assist the Administration in making its determinations.

(D) The City determines that the granting of Economic Development Ad Valorem Tax Exemptions to new businesses locating in the City and to existing businesses expanding in the City as provided in this Ordinance will promote and strengthen the local economy which will enhance the health, safety and welfare of the citizens of the City, which action is in the best interest of the City and serves a public purpose.

SECTION 4. DEFINITIONS. The following words, phrases and terms shall have the meanings set forth below. Except where indicated otherwise such words, phrases and terms shall have the same meanings attributed to them in the Florida Statutes and the Florida Administrative Code as amended from time to time:

"Applicant" means any person, firm, partnership or corporation who files an Application with the City seeking an Exemption.

"Application" means a written application for an Exemption on the form prescribed by the Department, together with any supplemental form prescribed by the Mayor and any additional information requested by the Mayor.

"Average Annual Employment" means the sum of the number of Full-Time Equivalent Employees as of the last day of each month of the preceding calendar year divided by twelve (12).

"Average Annual Private Sector Wage" means the lesser of the average annual private sector wage throughout the State of Florida, the MSA or Hillsborough County.

"Average Annual Wage" means the sum of the Wages paid to Full-Time Equivalent Employees included in the Average Annual Employment, divided by the Average Annual Employment

"Brownfield Area" means an area designated as a brownfield area pursuant to Section 376.80, Florida Statutes.

"Business" means any activity engaged in by any person, firm, partnership, corporation, or other business organization or entity, with the object of private or public gain, benefit, or advantage, either direct or indirect.

"Capital Investment" means any expenditure for an Expansion of an Existing Business or a New Business to be located in the City which can be capitalized under generally accepted accounting principles.

"City" means the City of Tampa, Florida.

"City Council" means the City Council of the City of Tampa, Florida.

"Community Redevelopment Agency" means the **Community Redevelopment Agency of the City of Tampa**; public agency created pursuant to Section 163.357, Florida Statutes.

"Community Redevelopment Area" means an area designated as a community redevelopment area pursuant to Part III, Chapter 163, Florida Statutes.

"Department" means the Florida Department of Revenue.

"Economic Development Ad Valorem Tax Exemption" or "Exemption" means an ad

valorem tax exemption granted by the City in its sole and absolute discretion to a Qualified Business pursuant to this Ordinance as authorized by Article VII, Section 3 of the Constitution of the State of Florida and Section 196.1995, Florida Statutes.

"Enterprise Zone" means an area designated as an enterprise zone pursuant to Section 290.0065, Florida Statutes.

"Exemption Criteria" means the criteria to be applied by the City in making its determination as to whether to grant an Exemption, as provided for in Subsection 7(D) of this Ordinance.

"Expansion of an Existing Business" means:

(A) 1. A business establishing 10 or more jobs to employ 10 or more full-time employees in this city, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or

2. A business establishing 25 or more jobs to employ 25 or more full-time employees in this city, the sales factor of which for the facility with respect to which it requests an Exemption is less than 0.50 for each year the Exemption is claimed; provided that such business increases operations on a site co-located with a commercial or industrial operation owned by the same business, resulting in a net increase in employment of not less than 10 percent or an increase in productive output of not less than 10 percent.

(B) Any business located in an Enterprise Zone or Brownfield Area that increases operations on a site co-located with a commercial or industrial operation owned by the same business.

"Full-Time Equivalent Employee" means a person who is employed by a Business that works at least 35 hours per week and is eligible to receive benefits, including health benefits, through their employer, subject to any eligible vesting periods.

"Goods" means all personal property when purchased primarily for personal, family, or household use, but not including personal property sold for commercial or industrial use.

"High Value Business" means an Expansion of an Existing Business or a New Business that is expected to have a significant economic impact as a result of the number of its Full-Time Equivalent Employees, its Average Annual Wage, the Capital Investment in the Business, or additional jobs subsequently created as a result of such Business.

"Improvements" means physical changes made to raw land, and structures placed on or under the land surface, including all Tangible Personal Property acquired to facilitate an Expansion of an Existing Business provided that the Tangible Personal Property is added or increased on or after the day an ordinance specifically granting a Business an Exemption is adopted. However, Tangible Personal Property acquired to replace existing property shall not be considered to facilitate a business expansion.

"Mayor" means the chief administrative officer of the CITY, or the Mayor's designee.

"Metropolitan Statistical Area" or "MSA" means a geographical region with a relatively high population density at its core and close economic ties throughout the area. For purposes of this Ordinance, the MSA includes Hillsborough, Hernando, Pasco and Pinellas Counties.

"New Business" means:

(A) 1. A business establishing 10 or more jobs to employ 10 or more full-time employees in this state and city, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant;

2. A business establishing 25 or more jobs to employ 25 or more full-time employees in this state and city, the sales factor of which for the facility with respect to which it requests an Exemption is less than 0.50 for each year the Exemption is claimed; or

3. An office space in this city owned and used by a corporation newly domiciled in this state and city; provided such office space houses 50 or more full-time employees of such corporation; provided that such business or office first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business.

(B) Any business located in an Enterprise Zone or Brownfield Area that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business.

(C) A business that is situated on property annexed into a municipality and that, at the time of the annexation, is receiving an Exemption from the County.

"Qualified Business" means a business that is a high value business or target industry business.

"Sales Factor" means a fraction, the numerator of which is the total sales of the taxpayer in this state during the taxable year or period and the denominator of which is the total sales of the taxpayer everywhere during the taxable year or period.

"Tangible Personal Property" shall have the meaning set forth in Section 192.001(11)(d), Florida Statutes.

"Target Industry Business" means an Expansion of an Existing Business or a New Business that is engaged in a Business designated as a target industry business pursuant to Section 288.106, Florida Statutes.

"Wages" means all compensation including salaries, bonuses, commissions and the value of exercised stock options subject to federal income tax, but excluding fringe benefits; provided, stock options shall be included in the calculation of wages in a manner consistent with the program established pursuant to Section 288.106, Florida Statutes.

SECTION 5. ESTABLISHMENT OF ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION.

(A) Incentive. There is herein established an Economic Development Ad Valorem Tax Exemption for ad valorem taxes levied by the City. The Exemption is a local option tax incentive for a Qualified Business which may be granted or refused at the sole and absolute discretion of the City.

(B) Ineligible Improvements. The Exemption shall not accrue to Improvements made by or for the use of a Qualified Business when such Improvements have been included on the tax rolls prior to the effective date of an ordinance specifically granting a Business an Exemption.

(C) Eligible Improvements. At the sole and absolute discretion of the City, and except as otherwise provided for in this Ordinance, the Exemption may be granted for up to 100 percent of the assessed value of all Improvements made by or for the use of a qualifying New Business and of all Tangible Personal Property of such New Business, or up to 100 percent of the assessed value of all added Improvements made to facilitate the qualifying Expansion of an Existing Business and of the net increase in all Tangible Personal Property acquired to facilitate such Expansion of an Existing Business, provided that the Improvements are made or the Tangible Personal Property is added or increased on or after the day the Ordinance

specifically granting an Exemption is adopted. Property acquired to replace existing property shall not be considered to facilitate a business expansion.

(D) Land. No exemption shall be granted for the land upon which a New Business or an Expansion of an Existing Business is to be located.

(E) Exemption. Except as otherwise provided for in this Ordinance, the Exemption may be for a period of up to 10 years from the date the City adopts the ordinance specifically granting an Exemption.

(F) Taxes Applicable. The Exemption shall apply only to taxes levied by the City. The exemption shall not apply to taxes levied by the County, school district, or water management district, or to taxes levied for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9(b) or 12, Article VII of the Florida Constitution.

(G) Maximum Amount of Annual Exemptions. Notwithstanding any other provision of this Ordinance, the Exemptions granted by the City for each fiscal year shall not result in an estimated aggregate annual amount of forgone ad valorem tax revenues in excess of Two Million Dollars (\$2,000,000.00) or such other amount approved by a supermajority vote of the City Council, which amount shall be calculated based on the Property Appraiser's estimates on the revenue lost to the City during the then particular fiscal year by virtue of Exemptions previously granted plus Exemptions under consideration in such particular fiscal year.

SECTION 6. APPLICATION FOR EXEMPTION.

(A) Application. Any eligible person, firm, partnership or corporation which desires an Exemption shall file with the City a written Application. The Application must be filed no later than March 1st of the year the Exemption is desired to take effect.

(B) Review. Upon submittal of the Application, the City shall review it and, within 10 days of submission, notify the Applicant of any facial deficiencies. Complete Applications shall be scheduled for a public hearing before the City Council no later than forty-five (45) days following receipt by the City of the Property Appraisers report provided for in this Ordinance. The Applicant shall be notified of the date and time of the public hearing.

(C) Agreement. As a condition to receiving an Exemption, a Business will be

required to enter into an agreement with the City to ensure that the Business satisfies all requirements associated with the granting and continuation of the Exemption.

(D) Community Redevelopment Agency. If a New Business is locating to, or an Expansion of an Existing Business is occurring in, a Community Redevelopment Area, the Community Redevelopment Agency of the City of Tampa ("CRA") shall be provided a copy of the Application for review and comment. Input from the CRA will be considered by the City Council in deciding whether an Exemption is to be granted. Should the CRA object to the granting of an Exemption, the CRA must submit an objection in writing to the City Council for its consideration.

(E) Additional Submission Requirements. An Application for an Exemption shall be submitted in advance of any necessary permit application changing the future land use or changing zoning. In the case of existing sites or facilities where adequate zoning and future land use is in place, an Application shall be submitted prior to permits regarding building occupancy submittals.

SECTION 7. CITY COUNCIL CONSIDERATION OF APPLICATIONS.

(A) Property Appraiser Review and Report. Before the City Council takes action on an Application, a copy of the Application, once deemed complete, shall be delivered to the Property Appraiser for review. After careful consideration of the Application, the Property Appraiser shall provide a report to the City which shall include the following:

1. The total revenue available to the City for the current fiscal year from ad valorem tax sources, or an estimate of such revenue if the actual total revenue available cannot be determined;
2. The amount of any revenue lost to the City 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;
3. An estimate of the amount of revenue which would be lost to the City during the current fiscal year if the exemption applied for were granted had the property for which the Exemption is requested otherwise been subject to taxation; and
4. 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 such determination.

(B) 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 as provided in this Ordinance.

(C) Ineligible Business. Any Business in violation of any federal, state, or local law or regulation, including but not limited to, environmental matters, will not be eligible for an Exemption.

(D) Exemption Criteria. In making its determination as to whether to grant an Exemption, the City shall apply the Exemption Criteria provided below; ; provided that the City, in its sole and absolute discretion, may deviate from the Exemption Criteria when considering Applications from a High Value Businesses if the City determines that such deviation is in the best interest of the City:

Tier	Number of New Jobs	Average Annual Wage or Capital Investment per job	Period	Maximum Exemption
One	10 or more Full-Time Equivalent Employees in manufacturing jobs; or 25 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 50 or more Full-Time Equivalent Employees in office jobs if a New Business.	115% of the Average Annual Private Sector Wage or Capital Investment exceeding \$200,000 per Full-Time Equivalent Employee	5 Years	50%

<p>BONUS Enterprise Zone, Brownfield Area or Community Redevelopment Area</p>	<p>10 or more Full-Time Equivalent Employees in manufacturing jobs; or 25 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 50 or more Full-Time</p>	<p>100%</p>	<p>5 Years</p>	<p>75%</p>
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	<i>Equivalent Employees in office jobs if a New Business.</i>			
Two	30 or more Full-Time Equivalent Employees in manufacturing jobs; or 75 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 100 or more Full-Time Equivalent Employees in office jobs if a New Business.	115% of the Average Annual Private Sector Wage or Capital Investment exceeding \$200,000 per Full-Time Equivalent Employee	7 Years	50%
BONUS. <i>Enterprise Zone, Brownfield Area or Community Redevelopment Area</i>	<i>30 or more Full-Time Equivalent Employees in manufacturing jobs; or 75 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 100 or more Full-Time Equivalent Employees in office jobs if a New Business.</i>	100%	7 Years	75%
Three	90 or more Full-Time Equivalent Employees in manufacturing jobs; or 100 or more Full-Time Equivalent Employees where the Business's Sales Factor is	150%	10 Years	50%

	less than 50%; or 200 or more Full-Time Equivalent Employees in office jobs if a New Business.			
BONUS Enterprise Zone, Brownfield Area or Community Redevelopment Area	<i>90 or more Full-Time Equivalent Employees in manufacturing jobs; or 100 or more Full-Time Equivalent Employees where the Business's Sales Factor is less than 50%; or 200 or more Full-Time Equivalent Employees in office jobs if a New Business.</i>	100%	10 Years	75%

(E) City Ordinance. After consideration of the Application, the Property Appraisers report, input from the CRA, if applicable, and such other information it deems relevant, and the application of the Exemption Criteria, the City may choose in its sole and absolute discretion to adopt an ordinance granting an Exemption to the Applicant. If the City decides to adopt such an ordinance, the ordinance shall be adopted in the same manner as any other general ordinance of the City, and shall include the following:

1. The name and address of the New Business or the Expansion of an Existing Business to which the Exemption is granted;
2. The name of the owners of the New Business or the Expansion of an Existing Business;
3. The total amount of revenue available to the City from ad valorem tax sources for the current fiscal year, the total amount of revenue lost to the City for the current fiscal year by virtue of Exemptions currently in effect, and the estimated revenue loss to the City for the current fiscal year attributable to the Exemption of the business named in the ordinance;
4. The period of time for which the Exemption will remain in effect and the expiration date of the Exemption; and

5. A finding that the Business named in the ordinance meets the requirements of Section 196.012(15) or (16), Florida Statutes.

(F) Precedent; Standard for Consideration of Applications. No precedent shall be implied or inferred by the granting of an Exemption. Each Application shall be considered by the City on a case by case basis, after considering the Property Appraisers report on the Application and the Exemption Criteria.

SECTION 8. APPLICATION FEES.

No fees shall be charged for processing Applications or any Exemption ordinance adopted by the City.

SECTION 9. CONTINUING PERFORMANCE.

(A) Change in Ownership.

1. The Business granted an Exemption shall be required to inform the City in writing within ten (10) days as to any changes in ownership of the Business granted an Exemption. Moreover, the transferee Business shall continue to comply with all Exemption requirements and shall assume in writing all of the obligations of the transferor Business provided for in the agreement required pursuant to Subsection 6(c) of this Ordinance.

2. Failure of the Business granted an Exemption to notify the City of any such changes in ownership is cause for revocation of the ordinance granting the Exemption, at the City's discretion.

(B) Annual Filings. The ability to receive an Exemption for the period granted shall be conditioned upon the Applicant's ability to maintain the Qualified Business throughout the entire period. The Applicant shall be required to submit an annual renewal statement and an annual report to the City on or before March 1st of each year for which the Exemption was granted. The Applicant shall also timely comply with all filing required pursuant to Section 196.011, Florida Statutes.

1. The annual renewal statement shall certify that the information provided in the original Application has not changed.

2. The annual report shall provide a report on the status of the business,

evidencing satisfaction of the business maintenance and continued performance conditions set forth in the Application. The report shall be prepared in substantially the form approved by the City and shall contain such information as the City may reasonably deem necessary for the purpose of determining continuing performance by the Business of the conditions provided for in this Ordinance, the ordinance specifically granting the Business an Exemption and the representations made in the Application.

SECTION 10. CITY REVOCATION.

Should any Business granted an Exemption pursuant to this Ordinance fail to file the annual renewal statement and/or annual report on or before March 1st of each year the Exemption has been granted as required by this Ordinance, fail to continue to meet the definition of a New Business or an Expansion of an Existing Business, fail to timely inform the City of a change of ownership, fail to file a new Application upon any change in the information provided in the original Application, fail to fulfill any other representation made to the City during the Application process, and/or fail to comply with any other requirement provided for in this Ordinance, the City, may, upon thirty (30) days written notice to the respective Business, adopt an ordinance revoking the Exemption or take such other action with respect to the Exemption as it deems appropriate.

(A) Notification. Upon revocation, the City shall immediately notify the Property Appraiser.

(B) Recovery of Taxes. If it is determined that a Business was not in fact entitled to an Exemption in any year for which the Business received an exemption, the City, Property Appraiser or Tax Collector shall be entitled to recover all taxes not paid on tangible personal property as a result of the Exemption, plus interest at the maximum rate allowed by law, plus all costs of collection, including, without limitation, reasonable attorney's fees.

(C) Reapplication. Nothing herein shall prohibit a Business from reapplying for an ad valorem tax exemption pursuant to state law.

SECTION 11. APPLICABILITY.

This Ordinance shall be applicable in all areas of the City.

SECTION 12. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications. To this end, the provisions of this Ordinance are declared severable.

SECTION 13. CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby superseded or repealed to the extent of such conflict.

SECTION 14. SUNSET DATE.

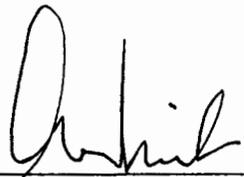
Pursuant to Section 196.1995, Florida Statutes, this Ordinance shall expire on March 1, 2021, ten (10) years after the date such authority to grant Economic Development Ad Valorem Tax Exemptions was approved by the electors of the City voting on the question in a referendum; provided that for purposes of enforcement and revocation, this Ordinance shall survive such expiration date. No business shall be allowed to begin receiving an Exemption after that date; however, the expiration shall not affect the operation of any Exemption for which a Business has qualified under this Ordinance prior to March 21, 2021.

SECTION 15. That this Ordinance shall take effect immediately upon becoming a law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA,
FLORIDA, ON MAY 05 2011

ATTEST:


CITY CLERK/DEPUTY CITY CLERK


CHAIRMAN/CHAIRMAN PRO-TEM,
CITY COUNCIL

PREPARED BY AND APPROVED
AS TO LEGAL SUFFICIENCY:

E/S
SALVATORE TERRITO
CHIEF ASSISTANT CITY ATTORNEY

APPROVED BY ME ON MAY 06 2011


BOB BUCKHORN, MAYOR