

ORDINANCE 2019-40

AN ORDINANCE OF THE CITY OF PALM BAY BREVARD COUNTY, FLORIDA, GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION TO MIDWEST DENTAL ARTS, WHICH PROPERTY IS LOCATED AT LOT 6 BLOCK 3042 PORT MALABAR UNIT 56, SPECIFYING THE ITEMS EXEMPTED, PROVIDING FOR THE EXPIRATION DATE OF THE EXEMPTION, FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF SECTION 196 1995(8) FLORIDA STATUTES PROVIDING FOR AN ANNUAL REPORT BY MIDWEST DENTAL ARTS, PROVIDING FOR A REVOCATION CLAUSE PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, economic development and the creation and retention of value-added jobs is a priority of the City Council of the City of Palm Bay and

WHEREAS the citizens of Palm Bay voted to provide economic incentives to qualified new and expanding businesses in the November 2008 general election and

WHEREAS Midwest Dental Arts has requested that the City Council of the City of Palm Bay exempt ad valorem taxes for a future building and tangible personal property at Lot 6 Block 3042 Port Malabar Unit 56 and

WHEREAS, Midwest Dental Arts meets the requirements of Section 196 1995(8) Florida Statutes as a business planning to expand in Palm Bay Florida

WHEREAS the Palm Bay Chamber of Commerce Committee of 100 has recommended approval of the exemption for Midwest Dental Arts and

WHEREAS the Property Appraiser has provided the Palm Bay City Council with its report as required by Section 196 1995(8) Florida Statutes and

WHEREAS it has been determined that Midwest Dental Arts meets the requirements of Section 196.012 Florida Statutes as an expanding business in Palm Bay Florida

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY BREVARD COUNTY FLORIDA, as follows

SECTION 1 The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this ordinance

SECTION 2. An Economic Development Ad Valorem Tax Exemption is hereby granted to Midwest Dental Arts for its new construction and tangible personal property

SECTION 3. The total amount of revenue available to the City from ad valorem tax sources for the current fiscal year is \$30,395,936.09

SECTION 4. \$512,885.17 is lost to the City for the current fiscal year by exemptions currently in effect from previous years

SECTION 5. The tax exemption hereby granted shall be for a term of eight (8) years commencing with the first year the expanded facility and tangible personal property are added to the assessment roll and lasting eight (8) years thereafter for eighty percent (80%) of City ad valorem taxes

SECTION 6 In accordance with the findings of the City Council of the City of Palm Bay and the Property Appraiser the property hereby exempted from ad valorem tax exemption meets the definition of an expansion of an existing business as defined by Section 196.012 Florida Statutes

SECTION 7 Midwest Dental Arts shall submit to the City Manager at the beginning of each year an annual report providing evidence of continued compliance with the definition of an expansion of an existing business for each of the eight (8) years during which is Midwest Dental Arts eligible to receive ad valorem tax exemption. If the annual report is not received or if the annual report indicates Midwest Dental Arts no longer meets the criteria of Section 196.012 Florida Statutes the City Manager shall make a report to the City Council of the City of Palm Bay for consideration of revocation of this Ordinance granting the tax exemption

SECTION 8. If the City Manager or designee receives written notice that the company qualifying for an ad valorem tax abatement under the authority of this ordinance has decided not to undertake or complete the new business activity or expansion of an existing business activity including construction or equipment purchases giving rise to an ad valorem tax exemption granted under this section the exemption granted shall be void shall not take effect and shall not be implemented. If such a notice is received the foregoing provision shall be self-executing and no further action of the City Council of the City of Palm Bay will be required to void the granted exemption. Upon the City's receipt of any such notice, the City Manager or designee shall forward the notice to the Property Appraiser along with a copy of this subsection of the ordinance.

SECTION 9. If the City Council of the City of Palm Bay revokes this Ordinance it shall be a requirement of the company to reimburse those County ad valorem taxes abated in favor of Midwest Dental Arts for that period of time that it was determined that Midwest Dental Arts no longer met the criteria of Section 196.012 Florida Statutes.

SECTION 10. If any portion clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional invalid inapplicable inoperative or void then such declaration shall not be construed to affect other portions of the ordinance it is hereby declared to be the express opinion of the City Council of the

City of Palm Bay that any such unconstitutional invalid inapplicable inoperative or void portion or portions of this ordinance did not induce its passage and that without the inclusion of any such portion or portions of this ordinance the City Council would have enacted the valid constitutional portions thereof

SECTION 11 The City Clerk shall file a certified copy of this ordinance with the State of Florida Office of the Secretary of State within ten (10) days of its enactment


SECTION 12. The provisions within this ordinance shall take effect immediately upon the enactment date

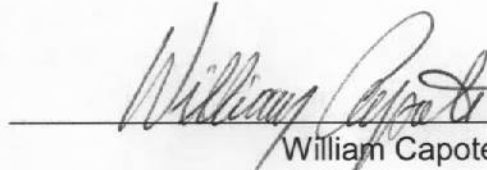
Read in title only at Meeting No 2019 15 held on July 2 2019 and read in title only and duly enacted at Meeting No 2019-16 held on July 18, 2019

ATTEST



Terese M Jones, CITY CLERK

Reviewed by CAO 



William Capote MAYOR

cc. 07 19-19 Andy Anderson Director of Economic Development (3 certified copies)
Midwest Dental Arts
Greater Palm Bay Chamber of Commerce
State of Florida Office of the Secretary State