

ORDINANCE NO. 2018-__

AN ORDINANCE OF ORANGE COUNTY, FLORIDA
RELATING TO TAXATION; REVOKING THE
ECONOMIC DEVELOPMENT AD VALOREM TAX
EXEMPTION GRANTED TO DAVITA RX, LLC BY
ORDINANCE NO. 2014-02; PROVIDING AN EFFECTIVE
DATE.

WHEREAS, Article VII, Section 3, of the Florida Constitution, and Section 196.1995, Florida Statutes, authorize granting of economic development ad valorem tax exemptions to qualifying new businesses and expansions of existing businesses upon the successful passage of a referendum; and

WHEREAS, the electors of Orange County authorized the granting of such exemptions by the successful passage of a referendum held on January 31, 2012; and

WHEREAS, subsequent to the passage of such referendum, on February 2, 2012, the Orange County Board of County Commissioners enacted Ordinance No. 2012-05, entitled the "Orange County Economic Development Ad Valorem Tax Exemption Ordinance" ("Program Ordinance"), to establish a program ("Program") for granting such exemptions from certain ad valorem taxation for qualifying new businesses and expansions of existing businesses and to provide procedures and guidelines for the submissions of applications for the Board's consideration of granting such exemptions; and

WHEREAS, DaVita Rx, LLC, a Delaware limited liability company authorized to conduct business in the state of Florida (the "Company"), submitted an application for an exemption for the expansion of an existing business indicating that its business expansion would result in an economic benefit to Orange County; and

WHEREAS, on January 28, 2014, the Orange County Board of County Commissioners adopted Ordinance No. 2014-02 ("Exemption Ordinance") granting the Company an economic development ad valorem tax exemption from fifty percent (50%) of the assessed value of all Improvements made by or for the use of the Company's Expansion of an Existing Business ("Expanding Business") located at 2252 Commerce Park Drive, Suite 350, Orlando, Orange County, Florida for a period of five (5) years ("Exemption"); and

WHEREAS, the granting of the Exemption was contingent upon the Company's compliance with the terms and conditions of the Exemption Ordinance and of an Economic Development Ad Valorem Tax Exemption Agreement ("Agreement") entered into between the Company and the County; and

WHEREAS, the Company's most recent annual report reflected that the Company did not attain certain job creation requirements required by the Exemption Ordinance and the Agreement; and

WHEREAS, the Exemption Ordinance provides that if the Company fails to satisfy the conditions of the Exemption, the Orange County Board of County Commissioners may revoke the Exemption or take such other action with respect to the Exemption that it deems appropriate; and

WHEREAS, pursuant to the requirements of the Program, on April 25, 2018, the County notified the Company that it intended to revoke the Exemption effective January 1, 2018; and

WHEREAS, the Orange County Board of County Commissioners desires to revoke the Exemption as set forth herein.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY, FLORIDA:

Section 1. Revocation of Economic Development Ad Valorem Tax Exemption. The economic development exemption from certain ad valorem taxation granted to DaVita Rx, LLC by Ordinance No. 2014-02 is hereby revoked effective January 1, 2018.

Section 2. *Effective date.* This ordinance shall become effective as provided by general law.

ADOPTED THIS ____ DAY OF _____, 2018.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____
Teresa Jacobs,
County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk