



## **NOTICE OF INTENT - PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Board of County Commissioners of Indian River County, Florida, will conduct a Public Hearing to consider adoption of a proposed ordinance entitled:

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, CREATING A NEW SECTION 1100.15 (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION GRANTED TO PCP TACTICAL, LLC ("BUSINESS")) OF CHAPTER 1100 (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION) OF TITLE XI (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION) OF THE CODE OF INDIAN RIVER COUNTY GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO PCP TACTICAL, LLC; MAKING FINDINGS AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

The Public Hearing will be held on Wednesday, October 28, 2020 at 2:00 p.m., or as soon thereafter as the matter may be heard, in the County Commission Chambers located on the first floor of Building A of the County Administrative Complex, 1801 27th Street, Vero Beach, Florida 32960, at which time interested parties may be heard with respect to the proposed ordinance.

The proposed ordinance may be inspected by the public, by appointment, during regular business hours (8:30 a.m. to 5:00 p.m., Monday through Friday) by calling the Office of the Clerk to the Board of County Commissioners at 772-226-1916; or alternatively, the proposed ordinance may be inspected at [www.ircgov.com](http://www.ircgov.com).

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is based.

Anyone who needs a special accommodation for this meeting must contact the County's Americans With Disabilities Act (ADA) Coordinator at 772-226-1223 at least 48 hours in advance of the meeting.

**INDIAN RIVER COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**SUSAN ADAMS, CHAIRMAN**

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, CREATING A NEW SECTION 1100.15 (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION GRANTED TO PCP TACTICAL, LLC (“BUSINESS”)) OF CHAPTER 1100 (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION) OF TITLE XI (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION) OF THE CODE OF INDIAN RIVER COUNTY GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO PCP TACTICAL, LLC; MAKING FINDINGS AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Title XI of the Code of Indian River County, entitled “Economic Development Ad Valorem Tax Exemption Ordinance,” authorizes the Board of County Commissioners to grant economic development ad valorem tax exemptions (“Exemption”) to certain new or expanding businesses; and

**WHEREAS**, Section 196.1995(11), Florida Statutes, requires that any action of the Board granting an Exemption to a new or expanding business be set forth in an ordinance; and

**WHEREAS**, the Board has determined that all prerequisites to the granting of an Exemption to PCP Tactical, LLC have been met, and the granting of such Exemption will promote and strengthen the local economy and thereby enhance the health, welfare and general well-being of the citizens of Indian River County,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, THAT:**

**Section 1. Enactment Authority.**

Section 3, Article VII of the Florida Constitution and Section 196.1995, Florida Statutes, authorize the Board of County Commissioners to grant economic development ad valorem tax exemptions to certain new and expanding businesses, upon majority vote in favor of such authority in a referendum called for such purpose. In a referendum held on November 2, 2010, a majority of voters in Indian River County voted in favor of such authority, and Title XI of the Code of Indian River County, entitled “Economic Development Ad Valorem Tax Exemption Ordinance” became effective.

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**Section 2. Findings.**

The Board finds that the above “Whereas” clauses are true and correct, and hereby incorporates such clauses as findings of the Board. Additionally, the Board specifically finds that PCP Tactical, LLC meets the requirements of Section 196.012(15), Florida Statutes.

**Section 3. Creation of Section 1100.15 of Chapter 1100 (Economic Development Ad Valorem Tax Exemption).**

Section 1100.15 of Chapter 1100 (Economic Development Ad Valorem Tax Exemption) of the Code of Indian River County, Florida, is hereby created to read as follows:

**CHAPTER 1100. - ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION**

\* \* \*

Section 1100.15 Economic Development Ad Valorem Tax Exemption Granted to PCP Tactical, LLC (“Business”).

- (1) An economic development ad valorem tax exemption is hereby granted to Business whose address is 3895 39<sup>th</sup> Square, Vero Beach, FL, 32960. The exemption shall apply to its new improvements to real property and its new tangible personal property related to its planned expansion of its existing business to be located at 4155 49<sup>th</sup> Avenue, Vero Beach, Florida, 32967 described as lots 2, 3, and 4, Indian River Industrial Center, according to the plat thereof recorded in Plat Book 23, Page 9, of the Public Records of Indian River County, Florida. This exemption shall apply only to the improvements to real property and the tangible personal property described in Business’ Application for such exemption.
- (2) The exemption shall be for a term of 10 years commencing with the first year the new improvements or new tangible personal property are added to the assessment roll. The amount of the exemption shall be a specified percentage of county ad valorem taxes for the General Fund, Municipal Services Taxing Units, and Emergency Services District, which would otherwise be due with respect to the new improvements or new tangible personal property in the absence of the exemption. The approved exemption percentages are, as follows:

<u>Year 1 (January 1, 2023 tax roll)</u>	<u>. . . . .100%</u>
<u>Year 2 (January 1, 2024 tax roll)</u>	<u>. . . . .100%</u>
<u>Year 3 (January 1, 2025 tax roll)</u>	<u>. . . . .100%</u>
<u>Year 4 (January 1, 2026 tax roll)</u>	<u>. . . . .90%</u>
<u>Year 5 (January 1, 2027 tax roll)</u>	<u>. . . . .80%</u>
<u>Year 6 (January 1, 2028 tax roll)</u>	<u>. . . . .70%</u>

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<u>Year 7 (January 1, 2029 tax roll) . . . . .</u>	<u>.60%</u>
<u>Year 8 (January 1, 2030 tax roll) . . . . .</u>	<u>.50%</u>
<u>Year 9 (January 1, 2031 tax roll) . . . . .</u>	<u>.40%</u>
<u>Year 10 (January 1, 2032 tax roll) . . . . .</u>	<u>.30%</u>

- (3) On or before January 15<sup>th</sup> of each year, beginning in 2023, PCP Tactical, LLC shall submit to the County Community Development Department an annual report providing evidence of continued compliance with the definition of an expanding business and the Indian River County Ad Valorem Tax Abatement Application Scoring Guidelines used to set the exemption percentages set forth above for each of the ten years during which PCP Tactical, LLC is eligible to receive ad valorem tax exemption. If the annual report is not received, or if the annual report indicates PCP Tactical, LLC no longer meets the criteria of F.S. § 196.012, or no longer meets the Indian River County Ad Valorem Tax Abatement Application Scoring Guidelines used to set the exemption percentages set forth above, the County Community Development Director shall make a report to the Board of County Commissioners for consideration of revocation or reduction of the tax exemption awarded under this section.
- (4) The total amount of revenue available to the County from ad valorem tax sources for the current fiscal year is \$119,796,352; the total amount of revenue lost to the County for the current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect is \$0; and the estimated revenue loss to the County for the current fiscal year attributable to the exemption granted in this section is \$0. The estimated revenue loss to the County for fiscal year 2023 is \$28,204.80.
- (5) The exemption shall be subject to all provisions set forth in sections 1100.01 through 1100.13. Without limitation, the continuation of the exemption shall be contingent upon Business' compliance with section 1100.10 relating to "Continuing Performance."
- (6) The Board specifically finds that Business meets the requirements of section 196.012(15), Florida Statutes.

**Section 4. Severability.** If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

**Section 5. Effective Date.** This ordinance shall become effective upon enactment by the Board of County Commissioners and filing with the Department of State.

This ordinance was advertised in the Indian River Press Journal on the 18<sup>th</sup> day of October, 2020, for a public hearing to be held on the 28<sup>th</sup> day of October, 2020, at which

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time it was moved for adoption by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and adopted by the following vote:

Chairman Susan Adams \_\_\_\_\_  
Vice Chairman Joseph E. Flescher \_\_\_\_\_  
Commissioner Tim Zorc \_\_\_\_\_  
Commissioner Peter D. O'Bryan \_\_\_\_\_  
Commissioner Bob Solari \_\_\_\_\_

The Chairman thereupon declared the ordinance duly passed and adopted this 28<sup>th</sup> day of October, 2020.

**BOARD OF COUNTY  
COMMISSIONERS OF INDIAN RIVER  
COUNTY, FLORIDA**

By: \_\_\_\_\_  
Susan Adams, Chairman

**ATTEST: Jeffrey R. Smith, Clerk  
and Comptroller**

By: \_\_\_\_\_  
Deputy Clerk

EFFECTIVE DATE: This Ordinance was filed with the Department of State on the \_\_\_\_\_ day of October, 2020.