

Code
Change

ORDINANCE NO.2021- 1 _____

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AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, PERTAINING TO ECONOMIC DEVELOPMENT INCENTIVES; AMENDING CHAPTER 2 ("ADMINISTRATION") OF THE CITY OF TAMPA CODE BY ADDING ARTICLE X ENTITLED "ECONOMIC DEVELOPMENT INCENTIVES", DIVISION 1 ("GENERALLY"), SECTION 2-800 ("DEFINITIONS"), SECTION 2-801 ("SWORN AFFIDAVIT"), AND SECTION 2-802 ("EXCEPTIONS"); REQUIRING RECIPIENTS OF CITY OF TAMPA ECONOMIC DEVELOPMENT INCENTIVES TO EXECUTE AND SUBMIT A SWORN AFFIDAVIT AFFIRMING THE ACCURACY OF ANY REQUIRED REPORTS TO THE CITY OF TAMPA; RESERVING SECTIONS 2-803 – 2-825; PROVIDING FOR THE REPEAL OF ALL OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.021(8)(a), *Florida Statutes*, expressly recognizes that "there is a need to enhance and expand economic activity in the municipalities of this state by attracting and retaining manufacturing development, business enterprise management, and other activities conducive to economic promotion, in order to provide a stronger, more balanced, and stable economy in the state, to enhance and preserve purchasing power and employment opportunities for the residents of this state, and to improve the welfare and competitive position of the state"; and

WHEREAS, Section 166.021(8)(b), *Florida Statutes*, also expressly recognizes that "the governing body of a municipality may expend public funds to attract and retain business enterprises, and the use of public funds toward the achievement of such economic development goals constitutes a public purpose"; and

WHEREAS, Section 166.021(8)(c), *Florida Statutes*, likewise states that "it constitutes a public purpose to expend public funds for economic development activities, including, but not limited to, developing or improving local infrastructure, issuing bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants, leasing or conveying real property, and making grants to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community"; and

WHEREAS, the State of Florida has also developed several economic development incentive programs, which require participation from a local government for an economic development project located within that local government's boundaries; and

WHEREAS, Sections 166.021(8)(d) and (e), *Florida Statutes*, also require that reports be filed with the State of Florida Office of Economic and Demographic

E2020-8 CH2

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Research regarding economic development incentives provided by either a municipality or by an economic development agency on behalf of a municipality; and

WHEREAS, it is in the best interest of the City of Tampa (the "City") and the taxpayers of the City to require private entities, businesses or enterprises that receive economic development incentives from the City to affirm, under oath, the accuracy of any written reports required to be provided to the City in connection with economic development incentives provided by the City; and

WHEREAS, duly noticed public hearings as required by law were held by the City Council of the City of Tampa, in connection with this Ordinance at which public hearings all residents and interested persons were given an opportunity to be heard.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That Chapter 2 of the City of Tampa Code entitled "ADMINISTRATION" is hereby amended by adding the underlined words containing a new "ARTICLE X – ECONOMIC DEVELOPMENT INCENTIVES", "DIVISION 1 – GENERALLY", Sections 2-800 – 2-802 and reserving Sections 2-803 – 2-825 as follows:

"ARTICLE X – ECONOMIC DEVELOPMENT INCENTIVES"

DIVISION 1 – GENERALLY

Sec. 2-800 – Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business entity means a corporation, partnership, limited partnership, limited liability company, limited liability corporation, limited liability partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual or trust, whether fictitiously named or not, receiving economic development incentive(s) from the City.

City means the City of Tampa, Florida.

1 Economic development incentive(s) mean monetary funds or property (real or
2 personal) worth more than \$100,000 granted, given or conveyed by the City to a
3 private person or business entity, or a tax exemption or concession worth more than
4 \$100,000 annually granted by the City to a private person or business entity, on a
5 discretionary basis, for the purpose of developing or creating a new business,
6 industry or enterprise or expanding an existing business, industry or enterprise in
7 the City, including, without limitation, the creation of new full time jobs for either a
8 new or an existing business, industry or enterprise located in the City.

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11 Economic development incentives agreement means a written agreement
12 between the City and a private person or business entity regarding the grant,
13 donation or conveyance of economic development incentives by the City to that
14 private person or business entity, including, without limitation, any agreement
15 required by federal or state law in connection with a federal or state economic
16 development incentive in which the City is participating.

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19 Person means an individual human being or anyone receiving an economic
20 development incentive that is not a business entity.

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24 **Sec. 2-801 –Sworn Affidavit Required.**

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26 Any person or business entity receiving economic development incentives from the
27 City, if required to file a report with the City in connection with such economic
28 development incentives, shall also submit a sworn affidavit with that report
29 executed by either an authorized representative or officer of the business entity or
30 the person receiving the economic development incentives, affirming the accuracy
31 of the information provided in that report.

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34 **Sec. 2-802 – Exceptions.**

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37 The following are exceptions from the sworn affidavit requirement contained in
38 Section 2-801:

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40 (a) If the requirement for a sworn affidavit contained in Section 2-801 conflicts
41 with the reporting or monitoring required in connection with a federal,
42 state, county or other governmental economic development incentive
43 program in which the City has agreed to participate; or
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45 (b) If the requirement for a sworn affidavit contained in Section 2-801 conflicts
46 with an economic development incentive agreement between the City and
47 a person or business entity executed prior to the effective date of this
48 ordinance; or
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(c) Any grants or incentives provided by the City of Tampa Community Redevelopment Agency so long as said grants or incentives are subject to a written agreement between the Community Redevelopment Agency and the person or business entity receiving the grant or incentives; or

(d) Any ad valorem tax exemptions or concessions granted by the City for purposes other than economic development incentives.

Sec. 2-803 – 2-825 – Reserved”

Section 2. That all ordinances of the City of Tampa or portions thereof in conflict with this Ordinance are hereby repealed to the extent of any conflict.

Section 3. That should a court of competent jurisdiction declare any part of this Ordinance invalid, the remaining parts hereof shall be severed and remain in effect and shall not be affected by such determination as to the invalid part.

Section 4. That this Ordinance shall become effective immediately upon becoming a law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA,

ON JAN 14 2021.



CHAIRMAN/CHAIRMAN PRO-TEM
CITY COUNCIL

ATTEST:


CITY CLERK/DEPUTY CITY CLERK

APPROVED BY ME ON 1/20/21


Jane Castor, MAYOR

PREPARED AND APPROVED
AS TO LEGAL SUFFICIENCY BY:

Lesl Morris Massey
Deputy City Attorney

Publisher's Affidavit

LA GACETA

PUBLISHED WEEKLY
Tampa, Hillsborough County, Florida

State of Florida

County of Hillsborough,

Before the undersigned authority personally appeared

Patrick Manteiga

who under oath says he is the Publisher of La Gaceta, a weekly newspaper published in Tampa, Hillsborough County, Florida, that the attached copy of advertisement, being a

NOTICE OF PUBLIC HEARING

Ord. No. 2021-1

in the matter of

ORDINANCES FOR ENACTMENT
JANUARY 14, 2021 @ 9:30 A.M.

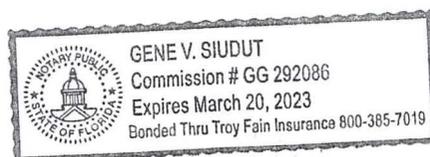
Legal Advertisement
Attached To
Reverse Side

In the Thirteenth Judicial Circuit Court, was
published in said newspaper in the issues of 01/08/2021

Affiant further says that the said La Gaceta is a newspaper published in Tampa, in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each week and has been entered as second class mailing matter at the post office in Tampa, in said Hillsborough County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


personally known sworn to and subscribed before me
on this 8TH day of JANUARY, A.D. 2021





NOTICE OF PUBLIC HEARING

ON **January 14, 2021 @ 9:30 A.M.** IN THE TAMPA CONVENTION CENTER, 333 S. FRANKLIN STREET (MEETING ROOMS 14-17, 1ST FLOOR, CHANNEL ENTRANCE ONLY), TAMPA, FLORIDA, A PUBLIC HEARING WILL BE HELD BY THE TAMPA CITY COUNCIL TO CONSIDER THE FOLLOWING ORDINANCES FOR ENACTMENT:

File No. E2020-8 CH 2

An ordinance of the City of Tampa, Florida, pertaining to economic development incentives; amending Chapter 2 ("Administration") of the City of Tampa code by adding Article X entitled "Economic Development Incentives", Division 1 ("generally"), Section 2-800 ("definitions"), Section 2-801 ("sworn affidavit"), and Section 2-802 ("exceptions"); requiring recipients of City of Tampa economic development incentives to execute and submit a sworn affidavit affirming the accuracy of any required reports to the City of Tampa; reserving Sections 2-803 – 2-825; providing for the repeal of all or parts of ordinances in conflict; providing for severability; and providing an effective date.

File No. VAC-20-06

An ordinance vacating, closing, discontinuing and abandoning two rights-of-way located within the block South of 26th Avenue, North of Plymouth Street, East of Taliaferro Avenue, and West of Nebraska Avenue, within the plat of Bonnieventure subdivision, a subdivision in the City of Tampa, Hillsborough County, Florida, as more fully described in Section 1 hereof, subject to certain easement reservation(s), covenants, conditions and restrictions as more particularly set forth herein; providing an effective date.

File No. REZ-20-63

An Ordinance An ordinance rezoning property in the general vicinity of 501 North Howard Avenue, 2113 West Gray Street, and 2114 and 2118 West Carmen Street, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) PD (planned development) and RS-50 (residential, single-family) to PD (planned development, medical office and business/professional office); providing an effective date.

File No. REZ-20-21

An ordinance rezoning property in the general vicinity of 6805 North Navin Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) SH-RS (Seminole Heights, residential, single-family) to SH-PD (Seminole Heights, planned development, residential, single-family, semi-detached); providing an effective date.

File No. REZ-20-82

An ordinance rezoning property in the general vicinity of 801 East 26th Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential, single-family) to PD (planned development, residential, multi-family); providing an effective date.

File No. REZ-20-85

An ordinance rezoning property in the general vicinity of 2302 West Virginia Avenue, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential, single-family) to PD (planned development, residential, single-family detached); providing an effective date.

File No. REZ-20-89

An ordinance rezoning property in the general vicinity of 3205 West Arch Street, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential, single-family) to PD (planned development, residential, single-family detached); providing an effective date.

File No. REZ-20-90

An ordinance rezoning property in the general vicinity of 3718 North 31st Street, in the City of Tampa, Florida, and more particularly described in Section 1, from zoning district classification(s) RS-50 (residential, single-family) to PD (planned development, residential, single-family detached); providing an effective date.

SAID ORDINANCES MAY BE INSPECTED AT THE OFFICE OF THE CITY CLERK, CITY HALL, 3RD FLOOR CITY HALL, 315 E. KENNEDY BLVD., TAMPA, FL, DURING REGULAR BUSINESS HOURS, 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

INTERESTED PARTIES MAY APPEAR AND BE HEARD AT SAID HEARING.

SHIRLEY FOXX-KNOWLES, CMC

CITY CLERK