

RESOLUTION NO. 2019- 129

**A RESOLUTION OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING POLICY GUIDELINES AND REQUIREMENTS FOR THE ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM.**

**WHEREAS**, in order to encourage economic development opportunities within the county, Polk County Ordinance No. 19-056, the Amended and Restated Comprehensive Impact Fee Ordinance ("Impact Fee Ordinance") allows certain Qualified Target Industry Businesses or Owners to mitigate any real or perceived disadvantage occurring from the imposition of Impact Fees on Capital Facilities Impact Construction; and

**WHEREAS**, the Impact Fee Ordinance provides that in order to be eligible for an economic development Impact Fee mitigation, the Capital Facilities Impact Construction must meet the requirements set by the Polk County Board of County Commissioners ("Board"); and

**WHEREAS**, the Impact Fee Ordinance requires that any Person seeking economic development Impact Fee mitigation must file an application for mitigation with the County Manager, along with an administrative review fee, prior to the Impact Fee payment date, and if the County Manager finds that the Capital Facilities Impact Construction meets the program requirements as adopted by the Board, then an Impact Fee mitigation agreement shall be presented to the Board for approval; and

**WHEREAS**, the Board desires to adopt policy guidelines and requirements for the Economic Development Impact Fee Mitigation program.

**NOW THEREFORE, BE IT RESOLVED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:**

**Section I.** All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Impact Fee Ordinance.

**Section II.** To be eligible for an economic development Impact Fee mitigation, the Capital Facilities Impact Construction must qualify as a Qualified Target Industry Business and meet each of the following requirements:

1. Create a minimum of ten (10) new full time jobs paying an average annual wage of at least 115% of the Average Wage for Polk County (including overtime and bonus wages, but excluding benefits);
2. Provide a benefit package that includes health insurance and retirement;
3. Make a capital investment in Polk County of no less than ten million dollars (\$10,000,000) in construction, renovations, equipment purchases, or other major capital investment items; and
4. Maintain the Qualified Target Industry Business within Polk County, including the jobs created at the target salary levels, for a minimum of seven (7) years.

An Owner of real property upon which Capital Facilities Impact Construction is to occur shall also be eligible for an economic development Impact Fee mitigation, so long as such facilities are leased for an initial term of no less than seven (7) years to a Qualified Target Industry Business that qualifies for an economic development Impact Fee mitigation under this Section II.

**Section III.** If the Capital Facilities Impact Construction meets the requirements provided above for mitigation, either the Qualified Target Industry Business or the Owner, but not both, shall be eligible to receive an economic development Impact Fee mitigation in the following amounts:

Number of jobs created	Average Wage	Min. Capital Investment	Mitigation Amount
Minimum of 10	115%	\$10 million	25% of total Impact Fees
Minimum of 25	115%	\$10 million	35% of total Impact Fees
Minimum of 50	115%	\$10 million	50% of total Impact Fees
Minimum of 10	125%	\$10 million	35% of total Impact Fees
Minimum of 10	150%	\$10 million	50% of total Impact Fees

**Section IV.** Notwithstanding anything herein to the contrary, if a Qualified Target Industry Business or the Owner submits a complete application for economic development Impact Fee mitigation to the County on or prior to December 31, 2019, then the mitigation criteria and requirements set forth in Ordinance 18-048 shall govern.

**Section V.** It is the intent of the Board that this Resolution is to provide a general policy, and nothing herein shall create a right or cause of action for any person or entity. No precedent shall be implied or inferred by authorization of any actions in accordance with this Resolution.

**Section VI.** This Resolution shall take effect on January 1, 2020.

**PASSED AND DULY ADOPTED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 3rd DAY OF DECEMBER, 2019.**

ATTEST: Stacy M. Butterfield, Clerk

By: Atison Holland  
Deputy Clerk

POLK COUNTY, FLORIDA  
Board of County Commissioners

BY: W.C. Braswell  
W.C. Braswell, Chairman



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