

BCC Mtg. Date: June 5, 2018

EFFECTIVE DATE: June 13, 2018

**ORDINANCE NO. 2018-12**

**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

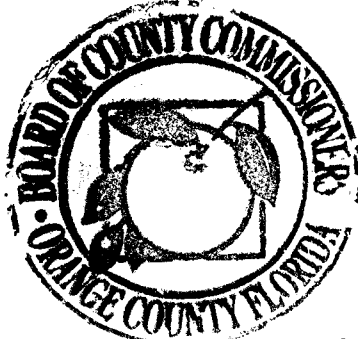
**WHEREAS**, the Orange County Board of County Commissioners desires to revoke the Exemption as set forth herein.

**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 5TH DAY OF JUNE, 2018.



**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs,  
County Mayor

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

By: *Craig A. Stopera*  
for Deputy Clerk