CITY OF BONITA SPRINGS FLORIDA
RESOLUTION NO. 13 - 05

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; CREATING THE ADMINISTRATIVE CODE CONTAINING ECONOMIC DEVELOPMENT INCENTIVES AVAILABLE FOR BOTH QUALIFIED TARGET INDUSTRIES AND ALL BUSINESSES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Bonita Springs City Council, as the duly elected governing body for the City of Bonita Springs, has the authority to adopt administrative codes for the operation of City business; and

WHEREAS, the Bonita Springs City Council has determined that an Administrative Code setting forth the policy and procedures to obtain economic development incentives that are available to qualified target industries and all businesses will provide a fair process as the economic development incentives evolves.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Lee County, Florida, that:

1. City Council declares that the procedures set forth herein, attached hereto, and incorporated by reference herein by Exhibit "A", is applicable for Economic Development Incentives to entice businesses to the City of Bonita Springs.

2. The Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Florida this 6th day of February, 2013.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM:

City Attorney

Vote:

Nelson	Aye	Simmons	Aye
McIntosh	Aye	Simons	Aye
Martin	Absent	Lonkart	Aye
Slachta	Aye		

Date Filed With City Clerk: 2-7-13

EXHIBIT "A"

ADMINISTRATIVE CODE
ECONOMIC DEVELOPMENT INCENTIVES

CODE NUMBER:	AC-13-05
TITLE:	**ECONOMIC DEVELOPMENT INCENTIVES**
ADOPTED:	February 6, 2013
ORIGINATING DEPARTMENT:	Development Services
PURPOSE /SCOPE:	The purpose of this Administrative Code is to set forth the policies and procedures to administer the various economic development incentives that are available exclusively from the City of Bonita Springs to qualified target industries, as well as other businesses in the downtown area.

POLICY/PROCEDURE:

Rule 1.0 How to use this code.

1.1. This Administrative Code sets forth the policies and procedures to administer the various economic development incentives that are available exclusively from the City of Bonita Springs to qualified target industries and all businesses.

1.2. It is the intent of this code to be supplemental to other incentives available privately, nationally, or through Lee County or the State of Florida. Whenever practical, the same application form will be able to be used for application for economic development incentives.

1.3. City of Bonita Springs is required to follow Florida Statutes §166.021, setting forth the economic development reporting requirements for municipal governments. Pursuant to this statute, 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. The statute authorizes Cities to make grants to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community. The City Manager will meet the statutory reporting with a copy of the report on the City's website.

1.4. The Director of Development Services serves as the Business Advocate for the City of Bonita Springs. The role of the Business Advocate is to guide businesses as they go through permitting, which because of working with separate entities involved in the process, the Business Advocate acts as a liaison to make it a one-stop permitting process.

1.5. This Administrative Code is separated into incentives for only the Old 41 Redevelopment Area and incentives available City-wide. The Administrative Code also distinguishes between all businesses, and qualified targeted industries as defined by Florida Statutes §288.106 as summarized below, with the City of Bonita

Springs inclusion of eco-tourism (not eligible for State of Florida of Lee County incentives).

Targeted Industries:
Internet Technology and Related Services
Life Sciences
Aviation
Corporate Headquarters
Back Office and Shared Services
Clean Manufacturing and Green Technologies
Attractions
Eco Tourism

1.6 So that the City of Bonita Springs can document compliance with any of the programs, by submitting an application, the applicant agrees that the Business Advocate may inspect records to verify accuracy with any statements. Records may be brought to the Business Advocate or the Business Advocate may go to the place of business, during regular work hours established by that business, to perform a records audit.

Rule 2.0: Incentives Limited to the Old 41 Redevelopment Area

2.1 Bonita Springs Commercial Rent Subsidies Program:

City will offer up to 25% rent subsidy for one year for any new business located in Downtown Bonita (i.e., restaurant or boutique). Program requires a minimum two (2) year lease. City subsidy begins in the second year. Rent subsidies will not to exceed $5,000.00 per business. Required minimum of five (5) new jobs created.

2.2 Bonita Springs Beautification and Landscaping Matching Grant:

Qualifying applicants are existing, expanding and relocating businesses within the City limits. City will fund 80% of the project with a match of 20% by the owner in Downtown Bonita. City will release monies on a reimbursement basis, not to exceed $5,000.00 in City matching funds per project.

2.3 Downtown Bonita Springs Façade Matching Grant:

Qualifying applicants are existing, expanding and relocating businesses within Downtown Bonita. City will fund 80% of the project with a match of 20% by the owner. City will release monies on a reimbursement basis, not to exceed $10,000.00 in City matching funds per project. Work must comply with the architectural guidelines and color palette established for downtown.

2.4 Bonita Springs Historic Preservation Grant:

Qualifying properties must be designated within the Bonita Springs Register of Historic Places. City will fund 80% of the project with a match of 20% by the owner. City will release monies on a reimbursement basis, not to exceed $10,000.00 in City matching funds per project. Work must comply with the architectural guidelines and color palette established for downtown and required historic preservation guidelines (i.e., certificate of appropriateness).

2.5 Incentive Award Program:

Any individual who provides a substantial lead to the City and/or the EDC that directly results in the location of any business within the designated Downtown Bonita Area may be recognized in an award program which could include a cash incentive. City Council determines who qualifies as a substantial lead on a case by case basis. The business must create a minimum of five (5) new jobs within the first year. Total cash incentive shall not exceed $1,500 per project. Anyone that the City determines has provided a substantial lead providing individual may receive 50% of the incentive when the business opens and the remaining 50% of the incentive when the five (5) jobs are created, or one year, whichever comes first. City may prorate or defer (for a time period not to exceed six months) the incentive at the one year mark if not all five (5) jobs are created. Members of the EDC Board of Directors and city employees are excluded from being considered for this incentive award program.

Rule 3.0: Incentives Available City-Wide

3.1 Bonita Spring Job Cash Incentive Program for Targeted Industries:

$1,500.00 per job created above the Lee County Average Wage.*
$1,000.00 per job at 90%-100% of the Lee County Average Wage.*

*Wage based on the Cape Coral-Fort Myers MSA (Lee) Wage.
2010 Average Annual Wage: $35,383 Hourly: $17.01

The program would be a reimbursement based on job creation within a time limit. Minimum of five (5) new jobs within first three (3) years. Only eligible for first 20 jobs.

3.2 Bonita Springs Commercial Rent Subsidies Program:

City will offer up to 25% rent subsidy for one year for targeted businesses citywide. Program would require a minimum two (2) year lease. City subsidy begins in the second year. Rent subsidies will not to exceed $5,000.00 per business. Required minimum of five (5) new jobs created.

3.3 Bonita Springs Municipal Rebates for Allowable Fees:

City will rebate allowable municipal fees collected for a targeted industry with the creation of a minimum of five (5) new jobs at the Lee County Average Annual Wage. Allowable fees may include impact fees, planning and zoning fees, and other non-ad valorem revenue directly collected by the City of Bonita Springs and not necessary for repayment of any City obligations. City will release monies on a reimbursement basis, not to exceed $2,000.00 per year per business. Rebate not to exceed three (3) years from date new business is created within the City's boundaries.

3.4 Bonita Springs Beautification and Landscaping Matching Grant:

Qualifying applicants are existing, expanding and relocating businesses within the City limits. City will fund 50% of the project with a match of 50% by the owner for projects outside the downtown along designated corridors (Bonita Beach Road, US 41 Road, Old 41 Road, Imperial Parkway, and Terry Street). City will release monies on a reimbursement basis, not to exceed $5,000.00 in City matching funds per project.

3.5 Bonita Springs Utilities Aid in New Construction (ANC) Fee Credits for Economic Development:

The City has partnered with Bonita Springs Utilities (BSU) to provide an Aid in New Construction (ANC) fee credits program. The program permits identified economic development projects to receive a reduction in their connection costs to BSU. This would be a credit to a one-time charge for plant capacity (including water storage) utilization by developers or landowners for plant capacity who receive water, wastewater or irrigation water service from the utility. The decision to issue credit is determined by City Council on a case-by-case basis through adoption of a resolution prepared by the Business Advocate.

3.6 Bonita Springs Code Enforcement Lien Mitigation Program:

City will consider mitigating code enforcement liens on commercial properties when the nuisance has been abated and the property is changing in ownership, and there is a change from vacant to occupied for commercial use. The factual circumstances will ultimately determine the level of mitigation. Business advocate will coordinate with applicant through the Code Enforcement Hearing Examiner process.

3.7 Bonita Springs Priority Permitting Process:

Applications for targeted businesses will be placed at the "front of the line" for local permits and receive expedited processing. City will dedicate specific resources to proactively mitigate impediments to assist in meeting specific project deadlines. This includes full access to the Business Advocate.

3.8 Incentive Award Program:

Any individual who provides a substantial lead to the City and/or the EDC that directly results in the location of a targeted business within the city limits may be recognized in an award program which could include a cash incentive. The targeted business must create a minimum of five (5) new jobs within the first year. Total cash incentive shall not exceed $1,500 per project. City Council determines who qualifies as a substantial lead on a case by case basis. Anyone that the City determines has provided a substantial lead providing individual may receive 50% of the incentive when the business opens and the remaining 50% of the incentive when the five (5) jobs are created, or one year, whichever comes first. City may prorate or defer (for a time period not to exceed six months) the incentive at the one year mark if not all five (5) jobs are created. Members of the EDC Board of Directors and city employees are excluded from being considered for this incentive award program.

Rule 4.0: Application Form

The Business Advocate will assist applicants with the use of the simplified form, attached as an exhibit to this Administrative Code. Certain programs, such as the Historic Preservation Grant will need to show additional application criteria provided by the applicant. Likewise, the Business Advocate is authorized to create forms to be used for reporting to the State the grants, with sufficient detail to show that any public funds given to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community meet the achievement of such economic development goals as a public purpose.

Bonita Springs Economic Development Incentive Application

Name of Business:			
Contact Person:			
Address:			
	City:	**State:**	**Zip:**
Telephone:		**Cell:**	
Email Address:		**Is business existing:** YES NO	
Is business relocating or expanding? YES NO			
Is business new to Bonita Springs? YES NO			

Business Qualifies for the Following Programs:

To be completed by the City's Business Advocate:

Incentives limited to the Old 41 Redevelopment Area

- ☐ Old 41 Commercial Rent Subsidies Program:
- ☐ Old 41 Beautification and Landscaping Matching Grant:
- ☐ Downtown Bonita Springs Façade Matching Grant:
- ☐ Bonita Springs Historic Preservation Grant:
- ☐ Incentive Award Program:

Incentives Available City-Wide

- ☐ Bonita Spring Job Cash Incentive Program for Targeted Industries
- ☐ Bonita Springs Commercial Rent Subsidies Program
- ☐ Bonita Springs Municipal Rebates for Allowable Fees
- ☐ Bonita Springs Beautification and Landscaping Matching Grant
- ☐ BSU ANC Fee Credits
- ☐ Bonita Springs Code Enforcement Lien Mitigation Program
- ☐ Bonita Springs Priority Permitting Process
- ☐ Incentive Award Program
- ☐ Community Partners Incentives

By submitting this application, the applicant acknowledges that the information in this application is true and correct, and the applicant is eligible for programs sought in this application. Applicant agrees to assist the Business Advocate to verify qualification, including inspection of records and physical inspection of the facility. Applicant will complete any forms that are specific to the individual program. All of the incentives are subject to availability. In the event the number of applications exceeds the amount funded by the City in the given year for that specific incentive program, the applicant may either withdraw the application or accept funding (be placed in a queue) for when funding is available.

Signature of Applicant _____ Date _____

Business Advocate _____ Date _____