

Ordinance No. 2026-_____

An ordinance amending Polk County Ordinance 2021-006, the Economic Development Ad Valorem Tax Exemption for Agro-Iron, LLC; amending the definition of Exemption Period; amending the effective date of the Agro-Iron Tax Exemption; amending the expiration date of the Ordinance; increasing the average annual wage to be paid in order to qualify for the Agro-Iron Tax Exemption each year of the Exemption Period; providing for severability; and providing an effective date.

Whereas, on January 19, 2021, the Board of County Commissioners (the "Board") adopted Ordinance 2021-006 (the "Ordinance") granting an Economic Development Ad Valorem Tax Exemption to Agro-Iron, LLC (the "Company") pursuant to Ordinance 2013-017, the Polk County Economic Development Ad Valorem Tax Exemption Ordinance, as amended; and

Whereas, the Exemption Period was initially defined in the Ordinance as seven (7) tax years commencing with Tax Year 2026 through Tax Year 2032; and

Whereas, the Company has been delayed in the construction of improvements and purchase of equipment as specified in Section 4.c. of the Ordinance and in the Application, and has requested that the Exemption Period be delayed by two years; and

Whereas, due to the length of time that has passed since the Board's initial approval of the Ordinance in 2021 and the increase to the reported average annual wage for Polk County since that time, the Company has agreed to increase the average annual wage required to be paid under the Ordinance to qualify for the Exemption, which increased rate better aligns with current wage rates for the area.

Whereas, the Board hereby agrees to amend the Ordinance to adjust the dates of the Exemption Period during which the Company is eligible to receive the Exemption, amend the average annual wage requirement to be paid thereunder, amend the effective date of the Exemption, and amend the expiration date of the Ordinance.

Now therefore, be it ordained by the Board of County Commissioners of Polk County, Florida, that:

1. The recitals above are true and correct and are fully incorporated herein. Capitalized terms not otherwise defined herein have the meaning ascribed in the Ordinance.
2. Article III, Section 2, of the Ordinance is hereby amended and restated in its entirety as follows: “The Agro-Iron Exemption shall be for a period of seven (7) tax years (the “Exemption Period”) commencing with Tax Year 2028 through Tax Year 2034.”
3. Article VI of the Ordinance is hereby amended and restated in its entirety as follows: “The exemption granted herein shall automatically expire on December 31, 2034 and shall no longer be in force or effect thereafter.”
4. The second sentence of Article VII of the Ordinance is hereby amended and restated in its entirety as follows: “The exemption granted herein shall take effect commencing with Tax Year 2028.”
5. Notwithstanding Section 4.b of the Ordinance referencing the 2020 average annual wage for Polk County, the Agro-Iron Exemption is hereby conditioned upon the Company entering into an amendment to the Performance Agreement whereby the Company agrees to create, by the end of the third (3rd) year of the Exemption Period, at least twenty-five (25) new full-time jobs in Polk County, paying an average annual wage equal to or in excess of \$63,978, which is 115% of the 2026 reported average annual wage for Polk County.
6. If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of this ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.
7. A certified copy of this ordinance shall be filed in the Department of State by the Clerk of the Board within ten (10) days after enactment by the Board and the ordinance shall take effect as provided by law.

DULY ADOPTED in regular session, this 5th day of May, 2026.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY, FLORIDA

BY: _____

Martha Santiago, Ed. D., Chair

ATTEST:

Clerk

(SEAL)