

RESOLUTION 97- 19

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA RECOMMENDING THAT A COMPANY THAT IS CURRENTLY ENGAGED IN MANUFACTURING IN ST. JOHNS COUNTY, FLORIDA BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106 FLORIDA STATUTES; COMMITTING TO PAY \$22,500 DURING EACH OF THE STATES 1997-1998, 1998-1999, 1999-2000 AND 2000-2001 FISCAL YEARS AS AND FOR THE LOCAL FINANCIAL SUPPORT THAT IS REQUIRED TO ENABLE THE COMPANY TO PARTICIPATE DURING EACH SUCH YEAR IN THE STATE'S SECTION 288.106 TAX REFUND PROGRAM; PROVIDING CONDITIONS TO SUCH COMMITMENT; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of St. Johns County, Florida (the "Board") has been advised by the St. Augustine and St. Johns County Chamber of Commerce (the "Chamber") that a company (the "Company") that the Chamber identifies as project # 97-0010 has a manufacturing facility currently located within St. Johns County and that the Company is considering consolidating its operations and relocating \$2 - 3 million worth of machinery and equipment from one facility to another, either to the facility in St. Johns County or to a facility in another state depending on cost factors; and

WHEREAS, the Board has also been advised by the Chamber that the relocation of such machinery and facilities to St. Johns County will result in (i) approximately 80 - 90 new employees being hired for the St. Johns County facility at wages that meet the high wage criteria of Section 288.106 Florida Statutes and (ii) significant additional annual personal property taxes being paid by the Company to the County for the County and the County School Board, which additional personal property taxes will exceed \$30,000 each year; and

WHEREAS, the Board has been advised by the Chamber that the Company's St. Johns County facility has been an asset to the community and a good corporate citizen of St. Johns County for well over ten years; and

WHEREAS, the Board has been advised by the Chamber that the Company intends to apply to Florida's Office of Tourism, Trade and Economic Development to participate in the State's tax refund program for qualified target industry businesses (Florida Statute 288.106) (the "State Program") in order to enable it to consolidate its facilities to St. Johns County; and

WHEREAS, the Company's ability to qualify for the tax refunds provided by the State Program depends upon a local commitment to provide the State with 20% of the amount of the tax refund that is paid to the Company by the State pursuant to such program; and

WHEREAS, the Board hereby finds that providing tax refunds to the Company and to other companies under the above circumstances is vital to the County's public purpose of employing St. Johns County citizens and ensuring the County's economic vitality; and

WHEREAS, Section 288.106 Florida Statutes authorizes the Florida Office of Tourism, Trade and Economic Development to qualify companies for tax refunds under the State Program pursuant to strict State guidelines that are designed to assure the County that the County's public purpose for providing the 20% local financial support will be realized.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA as follows:

Section 1. The Board hereby recommends that the Company be approved as a qualified target industry business pursuant to Section 288.106 Florida Statutes. This recommendation is contingent upon the Director of the Office of Tourism, Trade and Economic Development (the "Director") first determining that the Company will meet the Section 288.106 Florida Statutes jobs and high wage criteria that are required for such approval solely (i) by the Company's expansion of its manufacturing facilities within St. Johns County, Florida and (ii) by the statutorily required new high wage jobs being provided at such facility.

Section 2. The Board hereby finds that commitments of local financial support necessary for the Company to receive tax refunds pursuant to Section 288.106 exist in the following manner and under the following circumstances and conditions:

A. The tax refunds must be available by reason of the Company expanding its manufacturing facilities within St. Johns County, Florida and by reason of its creating new high wage jobs at such facility.

B. The Board has identified a total of \$90,000 as the local financial support that is to be made available to the Florida Economic Trust Fund in the manner and under the conditions provided by this resolution.

C. The \$90,000 described in paragraph B above will be paid, subject to the conditions set forth in paragraph D below, by the County to the Florida Economic Trust Fund in the following increments as the section 288.106 Florida Statute tax refunds become due to the Company:

During State Fiscal Year 1997-1998 - up to \$22,500.00

During State Fiscal Year 1998-1999 - up to \$22,500.00

During State Fiscal Year 1999-2000 - up to \$22,500.00

During State Fiscal Year 2000-2001 - up to \$22,500.00

D. Each of the payments described in paragraph C above is conditioned (i) upon the availability to the Board of non committed funds that may legally be used for such purpose and the appropriation by the Board during each of the County's corresponding fiscal years of sufficient amounts from such funds to make the payments; (ii) upon each such payment being an amount that equals the 20 percent local participation amount, not to exceed \$22,500, required by Section 288.106 Florida Statutes; (iii) upon each such payment being applied as the 20 percent local financial support portion of the section 288.106 Florida Statute tax refund paid by the State to the Company with the State providing and paying to the Company the other 80 percent;(iv) upon the Company having

completed the relocation of at least \$2,000,000 worth of machinery and equipment from one or more of its facilities located outside St. Johns County to its facility located in St. Johns County; and (v) upon the County Administrator of St. Johns County receiving a letter or other verification from the Office of Tourism, Trade, and Economic Development (the "Office") prior to July 20, 1997 disclosing the name and address of the Company and confirming that the Office has entered into the written agreement with the Company that is required by section 288.106(5)(a) Florida Statutes and that the agreement requires the Company project and full-time equivalent jobs that are described in the agreement to be located and provided solely within St. Johns County. (The Board will rely upon the Company to cause the Office to timely provide such letter or verification to the County Administrator.)

Section 3. The County Administrator or his designee is directed to perform such acts as are within the scope of his powers to further the intent of this resolution.

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 28 day of January, 1997.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 

Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 

Deputy Clerk