

RESOLUTION NO. R-20-119

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING ECONOMIC DEVELOPMENT; AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES PURSUANT TO FLORIDA STATUTE 125.045 FOR “PROJECT HAWK” FOR FISCAL YEARS 2021 THROUGH 2026; PROVIDING FINDINGS; APPROVING ECONOMIC DEVELOPMENT INCENTIVES; APPROVING THE FORM OF A FUNDING AGREEMENT; AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT; PROVIDING THAT INCENTIVES ARE SUBJECT TO AVAILABILITY OF FUNDS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statue 125.045 (the “Act”) provides that the County 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, including expending public funds to make grants to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community; and

WHEREAS, a business has applied for economic development incentives for a project to expand in the County within the meaning of the Act, and the project has been designated “Project Hawk” (hereinafter, the “Project”); and

WHEREAS, the Project is an advanced manufacturing employer that pays in excess of 115% of the average 2018 Manatee County annual wage; and

WHEREAS, the Project will expand a facility in the Southwest District in Manatee County and will create 36 new jobs over the next five years; and

WHEREAS, expansion of the tax base and growth of higher paying jobs is vital to maintaining economic diversity and improving quality of life in Manatee County; and

WHEREAS, the Manatee County Board of County Commissioners wishes to provide financial incentives for the Project to expand in Manatee County as authorized pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS. The Board hereby makes the following findings:

- A. The recitals set forth above are true and correct;

- B. Providing economic development incentives for the Project serves a valid public purpose pursuant to the Act; and
- C. It is in the best interest of the County, and furthers the purposes of the Act, to approve economic development incentives for the Project, and to approve the form of, and authorize the execution of, a funding agreement for such economic development incentives.

SECTION 2. APPROVAL OF ECONOMIC DEVELOPMENT INCENTIVES. Based on the findings set forth above, the Board hereby approves the following economic development incentives for the Project:

- A. If the Project meets the local Economic Development Incentive (“EDI”) Grant program criteria for creation of a minimum of ten (10) and a maximum of thirty-six (36) quality jobs, the Project may receive an EDI for expanding in Manatee County in an amount not to exceed:

EDI	<u>\$36,000</u>
SWD-EDI	<u>\$36,000</u>
SWD Local jobs bonus	<u>\$18,000</u>
SWD Inclusive ED bonus	<u>\$27,000</u>

The total extent of Manatee County’s participation shall not exceed \$36,000 for the EDI Grant and \$36,000 for the SWD-EDI Grant. The project may receive bonus EDI funding for up to 25% of jobs created annually in the amount of \$2,000 per local hire not to exceed \$18,000. The project may also receive SWD Inclusive Economic Development bonus of \$3,000 per local hire not to exceed \$27,000. The participation shown above shall be subject to the Project’s employment requirements and annual appropriations in the County budget each fiscal year.

- B. If the Project meets the EDI Grant program criteria for creation of a minimum of 10 quality jobs, the Project may receive Multi-modal Transportation Impact Fee Incentive (“MTIFI”) for expanding in Manatee County in an amount not to exceed:

MTIFI	<u>\$16,262.50</u>
SWD-MTIFI	<u>\$16,262.50</u>

The MTIFI is estimated to be \$ **16,262.50**, and **16,262.50** for the SWD MTIFI and shall not exceed \$ **24,393.76 for each**.

The actual amount of the MTIFI and SWD-MTIFI shall be determined when building permits are approved for construction, and shall be based on the current

Manatee County impact fee schedule set forth in Chapter 11 of the Manatee County Land Development Code. The Board of County Commissioners authorizes the County Administrator or the Director of Redevelopment and Economic Opportunity to approve the amount of the actual MTIFI and SWD-MTIFI to be paid at the time applicant receives certificate of occupancy or certificate of completion for construction activities. Based on the company's average annual wage of 115%, the incentive will be calculated at 50% for the MTIFI and 50% for the SWD MTIFI.

- C. If the Project meets the EDI Grant program criteria for creation of a minimum of 10 quality jobs, the Project may receive a Permit Fee Refund Incentive for expanding in Manatee County in an amount not to exceed:

SWD - Permit Fee Refund Incentive **\$4,804.69**

The actual amount of the Permit Fees shall be determined when building permits are approved for construction, and shall be based on the current Manatee County Building and Development Fee Schedule. The Board of County Commissioners authorizes the County Administrator or the Director of Redevelopment and Economic Opportunity to approve the actual amount to be refunded after the applicant receives certificate of occupancy or certificate of completion for construction activities.

All economic development incentives approved pursuant to this Section shall be subject to the terms and conditions of, and provided in accordance with, a funding agreement ("Funding Agreement") to be executed between the County and the Project owner in accordance with this Resolution and the Act.

SECTION 3. APPROVAL OF FUNDING AGREEMENT. The Board hereby approves the form of the Funding Agreement substantially in the form attached hereto as Exhibit "A".

SECTION 4. AUTHORIZATION TO EXECUTE. The County Administrator and the Director of Redevelopment and Economic Opportunity are hereby authorized and directed to execute, deliver, amend and accept the Funding Agreement consistently with this Resolution and the incentives approved in Section 1 hereof, substantially in the form attached hereto, with such insubstantial changes, insertions and omissions, and such exhibits thereto, as may be approved by the County Administrator or the Director of Redevelopment and Economic Opportunity, the execution thereof being conclusive evidence of such approval.

SECTION 5. INCENTIVES SUBJECT TO AVAILABILITY OF FUNDS. The economic development incentives for the Project authorized pursuant to this Resolution are subject to the budgeting and appropriation of legally available funds by the Board in each fiscal year for such purpose.

SECTION 6. SEVERABILITY. If any section, sentence, clause or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the

remaining sections, sentences, clauses or provisions of this Resolution.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

ADOPTED WITH A QUORUM PRESENT AND VOTING THIS THE 11th DAY OF AUGUST, 2020.

**MANATEE COUNTY, FLORIDA
BOARD OF COUNTY
COMMISSIONERS**

By: _____

Chairperson
Betsy Benac

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT
COURT AND COMPTROLLER

By: _____

Deputy Clerk

EXHIBIT "A"
FORM OF FUNDING AGREEMENT

[to be attached]