

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, THAT MAKES FINDINGS; PROVIDES DEFINITIONS; APPROVES AND ADOPTS A ST. JOHNS COUNTY TARGET INDUSTRY STUDY; ADOPTS AND IMPLEMENTS A ST. JOHNS COUNTY BUSINESS INCENTIVE PROGRAM THAT (1) IDENTIFIES OR TARGETS CERTAIN BUSINESSES AND INDUSTRIES WHOSE CREATION OR EXPANSION WITHIN THE COUNTY, OR RELOCATION TO THE COUNTY, WILL STIMULATE THE COUNTY'S ECONOMY AND PROVIDE ENHANCED EMPLOYMENT OPPORTUNITIES FOR THE COUNTY'S CITIZENS AND (2) ESTABLISHES CRITERIA FOR THE BOARD'S GUIDANCE IN MAKING ECONOMIC DEVELOPMENT GRANTS TO SELECTED TARGETED BUSINESSES AND INDUSTRIES; CREATES A PUBLIC ECONOMIC DEVELOPMENT AGENCY AND PROVIDES THAT CERTAIN RECORDS OF THE AGENCY ARE CONFIDENTIAL AS REQUIRED BY SECTION 288.075, FLORIDA STATUTES; APPROVES AN APPLICATION FORM TO BE USED BY THE MANAGEMENT OF TARGETED BUSINESSES AND INDUSTRIES TO APPLY FOR ECONOMIC DEVELOPMENT GRANTS FROM THE COUNTY; AUTHORIZES THE EXPENDITURE OF COUNTY FUNDS TO PROVIDE ECONOMIC DEVELOPMENT GRANTS TO SELECTED TARGETED BUSINESSES AND INDUSTRIES; PROVIDES PROCEDURES; REQUIRES THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY AND A SELECTED TARGETED BUSINESS OR INDUSTRY AS A CONDITION FOR THE GRANT; ALLOWS COUNTY STAFF TO EXPEDITE THE COUNTY'S PERMITTING AND DEVELOPMENT ORDER PROCESS FOR PROJECTS THAT RECEIVE COUNTY ECONOMIC DEVELOPMENT GRANTS; DECLARES THAT THE COUNTY'S BUSINESS INCENTIVE PROGRAM DOES NOT CREATE ANY ENTITLEMENTS TO GRANTS; ESTABLISHES OTHER GRANT PARAMETERS; AND PROVIDES AN EFFECTIVE DATE.

WHEREAS, Section 125.045, Florida Statutes, declares that a public purpose is served when a county makes economic development grants to private enterprises for the expansion of businesses existing in the county or the attraction of new businesses to the county; and

WHEREAS, Section 125.045, Florida Statutes, authorizes counties to spend public funds for economic development activities, including the making of economic development grants.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA (the "Board") as follows:

Section 1. Findings. The Board hereby finds, determines and declares the following:

- a. A paramount St. Johns County public purpose is served by providing economic development grants to private enterprises to expand businesses that exist within St. Johns County (the "County") and to attract new businesses to the County; and
- b. The County has very limited funds available to provide such grants; and
- c. The public interest is best served by identifying and targeting those businesses and industries that, if expanded within the County or attracted to the County, would provide the greatest economic benefits and employment opportunities to the County and its citizens.

Section 2. Definitions. As used in this ordinance capitalized terms have the following meanings:

- a. Application means the application for a County economic development grant that is described in Section 8 of this ordinance.
- b. Board means the Board of County Commissioners of St. Johns County, Florida.
- c. County means St. Johns County, a political subdivision of the State of Florida.
- d. County Administrator means the county administrator of the County and/or his or her designees when the county administrator and/or designees are not performing their duties as members or staff of the Public Agency.
- e. Full-time Equivalent Jobs means full-time equivalent positions, as such terms are consistent with terms used by the Florida Department of Labor and Employment Security and the United States Department of Labor for purposes of unemployment compensation tax administration and employment estimation, resulting directly from a Project in the County. This number shall not include temporary construction jobs involved in the construction of facilities for the Project or any jobs which have previously been included in any application for tax refunds under Sections 288.1045 or 288.106, Florida Statutes.
- f. Grant Agreement means a written agreement between the County and the grantee of a County economic development grant. A signed Grant

Agreement establishes the details of the economic development grant and is a pre-condition to a grantee's right to submit a claim for an economic development grant payment. The minimum terms and provisions within the Grant Agreement are set forth in Section 11 below.

- g. Program means the St. Johns County Business Incentive Program that is attached hereto as Exhibit B, as it may be amended from time to time.
- h. Project means the creation of a new business in St. Johns County; the relocation of a business from outside the County into the County and/or the expansion of an existing business within the County.
- i. Public Agency means the public economic development agency that is created by Section 7 of this ordinance.
- j. SIC code means the standard industrial classification code used by the federal government.

Section 3. Study and Program Approved. The St. Johns County Target Industry Study that is attached hereto as Exhibit A and the St. Johns County Business Incentive Program that is attached hereto as Exhibit B are hereby approved and adopted by the Board.

Section 4. Expenditure of Funds Authorized. The expenditure of County funds to provide economic development grants to selected targeted businesses and industries as an incentive for their expansion within the County, their creation within the County or their relocating to the County is hereby authorized.

Section 5. Budget/Program As Guideline/No Entitlements. The Board of County Commissioners intends, but is not required, to budget County funds to provide economic development grants to selected targeted private enterprises to create or expand their businesses within St. Johns County and/or to relocate their businesses to St. Johns County. The Board of County Commissioners will use the St. Johns County Business Incentive Program, as it may be amended from time to time (the "Program"), as a guideline (not a rigid formula) to select which businesses, if any, will be awarded economic development grants, the amounts of such grants and certain conditions pertaining to the grants. The Board of County Commissioners hereby expressly declares that the Program and this ordinance do not create an entitlement in any business or industry to an economic development grant from the County nor do they create a grant preference or advantage for any particular business expansion, creation or relocation over any other business expansion, creation or relocation.

Section 6. Grant Amounts and Grant Terms. The Board of County Commissioners hereby declares that the grant amounts and the other grant terms and provisions that can be determined in the manner provided in the Program are the grant amounts and the grant terms that the Public Agency shall include in the report that the Public Agency provides to the Board of County Commissioners pursuant to Section 9 of this ordinance. The Board of County

Commissioners may then modify those amounts and terms in the manner set forth in Sections 5 and 10 of this ordinance.

Section 7. Creation of the County's Public Economic Development Agency.

(A) The Board of County Commissioners hereby creates the public economic development agency that is defined in Section 288.075, Florida Statutes, (the "Public Agency"). The sole purpose of the Public Agency is to encourage the creation, expansion and relocation of targeted business and targeted industries within and to the County. The Public Agency shall not possess any power or authority pertaining to land acquisition, to land use, to issuance of development orders or permits nor any power or authority to expend or recommend the expenditure of County funds. The Public Agency shall have no funds of its own. The Public Agency shall consist of three County staff members. One member of the Public Agency shall be the then current county administrator of St. Johns County, Florida. The other members shall be appointed and removed by motion(s) of the Board of County Commissioners and shall serve at the will of the Board of County Commissioners. The county administrator shall be the chairperson of the Public Agency. The county attorney shall represent the Public Agency or shall appoint one assistant county attorney to represent the Public Agency. County staff shall, upon direction of the County Administrator, serve as staff for the Public Agency. The County Administrator is directed to provide County facilities, equipment and supplies for use by the Public Agency and may approve the expenditure of County funds to pay for any legal advertisements and notices that the Public Agency may need. All papers, documents or records of the Public Agency that are in the possession of its members, attorney and staff shall belong to the Public Agency. Neither the Public Agency nor its members, attorney or staff, when acting on behalf of the Public Agency, shall offer advice of any kind or make recommendations of any sort to the Board of County Commissioners or to other County employees or agents other than to request County facilities, equipment and supplies for the Public Agency's use and the publication of and/or payment for necessary legal ads and notices. The prohibitions contained in this Section shall not prevent the members, attorney and staff of the Public Agency from performing their duties as County employees when they are not using information they received, or the results of discussions that they held, in their capacity as Public Agency members and/or Public Agency attorney or staff and when they are not acting on behalf of the Public Agency.

(B) Present and former members, attorneys and staff of the Public Agency shall not disclose any information that it or they received in their capacity as Public Agency members, attorney or Public Agency staff unless (a) the confidentiality provisions of Section 288.075(2), Florida Statutes, do not apply or no longer apply to such information or the person or entity that requested Section 288.075(2), Florida Statute confidentiality for the information authorizes or requests that the information be disclosed, (b) disclosure is required by this ordinance, as amended from time to time, (c) disclosure of the information is ordered, required, or requested by a court of competent jurisdiction or by a Florida agency or department or (d) such member, attorney or staff person reasonably believes that such information will disclose a crime or the violation of a County regulation or Board of County Commissioners policy or that disclosure of such information could prevent a crime or the violation of a County regulation or Board of County Commissioners policy. In the event that such information pertains to a crime or potential crime, the member, attorney or staff person shall disclose such information only to the office of

the State Attorney and/or to the Sheriff's office. In the event that such information pertains to the violation or potential violation of a County regulation or Board of County Commissioners policy the member, attorney or staff person shall disclose such information only to the County Administrator, the County Attorney, the Chairman or Chairwoman of the Board of County Commissioners and/or the office of the State Attorney. Upon receipt of such information, the recipient may disclose, but is not required to disclose, such of the information as the recipient reasonably believes is appropriate to address, or prevent the commission of, the suspected crime or violation.

Section 8. The Application. A targeted business or industry may apply for an economic development grant from the County by submitting an application for a St. Johns County economic development grant (the "Application") in substantially the form attached hereto as Exhibit C to the Public Agency. The Application shall include, but is not limited to, the following information:

1. The applicant's name, federal employer identification number and the applicant's state sales tax registration number.
2. The permanent location in the County at which the applicant's Project is located or is to be located.
3. A description of the Project and the type of business activity or product covered by the Project, including four-digit SIC codes for all activities included in the Project.
4. The number of Full-time Equivalent Jobs that are or will be provided in the County as a result of the Project; a time schedule for when such jobs will be in place; and the average wages of those jobs. If more than one type of business activity or product is included in the Project, the number of jobs and average wage for those jobs must be separately stated for each type of business activity or product.
5. The total number of full-time employees currently employed by the applicant in the County.
6. The total number of full-time employees that will be employed by the applicant in the County when the Project is completed.
7. The anticipated commencement and ending dates of the Project.
8. The total amount of the economic development grant that is requested; the County fiscal years and the grant payment amounts during each County fiscal year that the applicant proposes to be paid; and the portions or items in the Program that the applicant believes support each annual grant payment.

9. A brief statement concerning the role that the County's economic development grant will play in the decision of the applicant to locate or expand its business in the County.
10. Optional: A request by the applicant that the records of the Public Agency which contain or would provide information concerning plans, intentions, or interests of the applicant to locate, relocate, or expand any of its business activities in St. Johns County be confidential to the extent and in the manner allowed by Section 288.075, Florida Statutes, with the exception that any specific such record(s) of the Public Agency may be released to the Board of County Commissioners and to the public upon written request(s) or authorization(s) to the Public Agency by the Applicant. If the Section 288.075, Florida Statutes, request for confidentiality is made, the applicant must also include the applicant's request that the report that is described in Section 9 of this ordinance and the Grant Agreement that is described in Section 11 of this ordinance, and appropriate drafts thereof, be released to the applicant for its review and comments.
11. This item must be included if item #10 is included. Otherwise, this item is not required: An authorization by the applicant to disclose, and a covenant or promise to hold the County and its officials and employees and the Public Agency and its members, attorney and staff harmless and to release them from any liability that they may incur should they or any of them disclose, information or records that the applicant has requested to be kept confidential in the manner and to the extent that is set forth in Section 288.075, Florida Statutes, when such disclosure is later requested or authorized to be disclosed by the applicant, when such information and records are no longer exempt from disclosure under the provisions of Section 280.075, Florida Statutes, when such disclosure results from an order, requirement or request by or from a court of competent jurisdiction or a Florida agency or department or when such disclosure is required or authorized to be disclosed by this ordinance as amended from time to time.
12. Any additional information requested by the Public Agency.

Section 9. Application Review and Report.

The Public Agency shall review the Application, obtain such additional information in the form of amendments to the Application by the applicant as the Public Agency deems necessary and make a written report to the Board of County Commissioners. The report shall make written findings of fact that compare the Application with applicable portions of the Program. The Public Agency shall treat the Program as a definitive set of criteria and not as guidelines. See also Section 6 above. The report shall contain no advice or recommendations. If the confidentiality procedures that are set forth in Section 288.075(2), Florida Statutes, have

been initiated by an applicant, the report shall not contain information that would expressly identify the applicant or disclose the applicant's interest in expanding or locating its business within or to the County and neither the Public Agency, its members, attorney or staff shall release or disclose the report to anyone other than the applicant until and unless (a) the Public Agency receives a written request from the applicant to schedule the public Board of County Commissioners meeting that is described in Section 10 below and to release the report to the Board of County Commissioners (and therefore to the public), (b) the Application and report are no longer exempt from disclosure under the provisions of Section 288.075, Florida Statutes or (c) disclosure of the Application and report is ordered, authorized, required or requested by a court of competent jurisdiction or by a Florida agency or department or is required or authorized to be disclosed by this ordinance as amended from time to time.

No record of the Public Agency that would provide information concerning plans, intentions, or interests of the applicant to locate, relocate or expand any of its business activities in the County shall be disclosed to any person or entity, other than to the applicant as provided in this ordinance, unless such disclosure is requested or authorized in writing by the applicant or unless the events or conditions set forth in (b) or (c) above occur.

Upon completing the report and when necessary obtaining the above described request for release of the report from the applicant, the Public Agency shall provide copies of the report to the Board of County Commissioners and to the applicant; will schedule a meeting with the Board of County Commissioners to present the report; and will provide the applicant with at least seven days advance notice of the time and place of the Board of County Commissioners meeting.

Section 10. Board of County Commissioners Meeting. During the Board of County Commissioners meeting described in the immediately preceding section, or during a continuation of such meeting, the Board of County Commissioners shall either deny the Application or instruct the Public Agency to prepare a Grant Agreement between the County and the applicant for the Board of County Commissioner's future consideration. During the meeting, the Board of County Commissioners shall provide the Public Agency with sufficient guidance to enable the Public Agency to specify the criteria that are set forth in Section 11 below and instructions to include any other provisions or criteria that the Board of County Commissioners may desire. The Board of County Commissioner's guidance and instructions to the Public Agency need not mirror the Application, the Program or the Public Agency's report. See also Sections 5 and 6 above.

Section 11. The Grant Agreement. The Public Agency shall, within 30 days of the Board of County Commissioners' guidance and instructions, prepare an appropriate Grant Agreement. If the confidentiality procedures that are set forth in Section 288.075(2), Florida Statutes, have been initiated by an applicant, the Grant Agreement shall not contain information that would expressly identify the applicant/grantee or disclose the applicant's interest in expanding or locating its business within or to the County and blanks may be inserted in places that would normally identify the grantee or disclose such interests. When Section 288.075, Florida Statutes, procedures have been initiated by the applicant, neither the Public Agency, its members, attorney or staff shall release or disclose the Grant Agreement to anyone other than the

applicant until and unless (a) the Public Agency receives a written request from the applicant to schedule the public Board of County Commissioners meeting that is described in Section 12 below and to release the Grant Agreement to the Board of County Commissioners (and therefore to the public), (b) the Grant Agreement is no longer exempt from disclosure under the provisions of Section 288.075, Florida Statutes or (c) disclosure of the report is ordered, authorized, required or requested by a court of competent jurisdiction or by a Florida agency or department or is required or authorized to be disclosed by this ordinance as amended from time to time. The Grant Agreement shall accurately reflect the instructions and guidance that were provided by the Board of County Commissioners during the Board of County Commissioners Meeting described in Section 10 above and shall specify or contain at a minimum:

1. The total number of new Full-time Equivalent Jobs in the County that the grantee will provide as a result of the Project, the average wage of those jobs, and a time schedule or plan for when such jobs will be in place and active in the County.
2. The maximum amount of the grant which the grantee will be eligible to receive on the Project and the amount of the grant payment that the grantee will be eligible to receive in each County fiscal year during which grant payments will be made.
3. The total amount of each of the following:
 - the general County portion of ad valorem taxes;
 - the general County portion of tangible personal property taxes;
 - the water unit connection fees;
 - the sewer unit connection fee;
 - and/or the County impact feesthat the grantee shall have paid prior to receiving each years identified grant payment.
4. That the Board of County Commissioners and its agents may review and verify the financial and personnel records of the grantee during each year that the Grant Agreement is in effect to ascertain whether the grantee is in compliance with the Grant Agreement.
5. The date after which, in each County fiscal year, the grantee may file an annual claim for grant payment under Section (14) of this ordinance.
6. A description of each item of performance that the grantee must perform as a condition to receive each individual annual grant payment.
7. An acknowledgement that the grantee's compliance with the terms and conditions of the Grant Agreement is a condition precedent to the receipt of a grant payment each year and that failure of the grantee to comply with

the terms and conditions of the Grant Agreement shall result in the loss of eligibility for that years grant payment and may result in the termination of the grant and the Grant Agreement.

8. An acknowledgement that no grant payments will be made by the County to the grantee unless the grantee submits the applicable claim(s) for grant payments that are described in Section 14 of this ordinance and such claim(s) are approved in the manner that is set forth in that Section.
9. A statement clearly printed on its face in bold type of not less than 10 points in size that: "This Grant Agreement is neither a general obligation of St. Johns County nor is it backed by the full faith and credit of St. Johns County. Payment of each grant payment is conditioned on and subject to specific annual appropriations by the Board of County Commissioners of St. Johns County of monies sufficient to pay the grant payment due that year."
10. This item must be included if the applicant has initiated the confidentiality provision of Section 288.075, Florida Statutes. Otherwise, this item is not required: An authorization by the applicant/grantee to disclose, and a covenant or promise to hold the County and its officials and employees and the Public Agency and its members, attorney and staff harmless and to release them from any liability that they may incur should they or any of them disclose, information or records that the applicant has requested to be kept confidential in the manner and to the extent that is set forth in Section 288.075, Florida Statutes, when such disclosure is requested or authorized to be disclosed by the applicant/grantee; when such information and records are no longer exempt from disclosure under the provisions of Section 288.075, Florida Statutes; when such disclosure results from an order, requirement or request by or from a court of competent jurisdiction or a Florida agency or department or when such disclosure is required or authorized to be disclosed by this ordinance, as amended from time to time.
11. Such other details and conditions as the Board of County Commissioners shall have required.

The Grant Agreement shall not contain any provisions or requirements that have not been pre-approved by the Board of County Commissioners.

Upon completing the Grant Agreement and when necessary obtaining the above described request for release of the Grant Agreement from the applicant, the Public Agency shall provide copies of the Grant Agreement to the Board of County Commissioners (and therefore to the public) and to the applicant; schedule a meeting with the Board of County Commissioners to present the Grant Agreement; and provide the applicant with at least seven days advance notice of the time and place of the Board of County Commissioners meeting.

Section 12. Approval and Execution of Grant Agreement. During the Board of County Commissioners meeting during which the Grant Agreement is considered by the Board of County Commissioners, or during a continuation of such meeting, the Board of County Commissioners shall either reject the proposed Grant Agreement, approve the proposed Grant Agreement or amend the proposed Grant Agreement and approve the Grant Agreement as amended. If a proposed Grant Agreement or amended Grant Agreement is approved by the Board of County Commissioners, the Public Agency shall forthwith notify the applicant of the Board of County Commissioners' approval and the applicant shall have 30 days from the date of the approval to execute and deliver two copies of the approved Grant Agreement to the Public Agency. The Public Agency shall then request the County Administrator to execute both copies on behalf of the County. The Public Agency shall then retain one executed copy and deliver the other executed copy to the applicant/grantee.

If the Grant Agreement that is approved by the Board of County Commissioners contains blanks because of the applicant's initiation of Section 288.075, Florida Statutes, confidentiality provisions, the blanks shall be filled in by the Public Agency prior to execution by either party. All Board of County Commissioners approvals shall be deemed to have authorized the Public Agency to fill in all blanks, if any, in the approved Grant Agreement prior to execution of the Grant Agreement by the County Administrator and the applicant/grantee. The executed Grant Agreement shall contain no blanks.

A failure by the applicant to meet the 30 day execution and delivery deadline shall result in the automatic termination of the Board of County Commissioners' approval and the Grant Agreement shall be deemed to have been rejected by the Board of County Commissioners.

Section 13. Expediting Permit and Development Order Processing. When a Grant Agreement has been executed by the County and a grantee, for as long as the Grant Agreement is in effect, the County Administrator may, upon receipt of a written request from the grantee (which request will be a public record that is subject to public disclosure), direct staff to expedite to the extent practicable the County's permitting and development order process for the Project to which the grant applies.

Section 14. Annual Claim For Grant Payment.

- (a) No grant payment shall be made during any County fiscal year unless and until the grantee submits a claim for grant payment and the claim is approved by the County Administrator in the manner set forth in this Section.
- (b) A grantee under an executed Grant Agreement may submit a claim for a scheduled grant payment only once each County fiscal year. The claim shall be submitted to the County Administrator. The claim for each years grant payment must be made on or after the date specified in the Grant Agreement. The first claim for a grant payment shall contain the grantee's

authorization for the Public Agency to deliver the Grant Agreement to the County Administrator and to disclose its contents to the public.

- (c) The claim for a grant payment by the grantee must include a copy of all receipts and data related to the achievement of each performance item specified in the Grant Agreement. The amount requested as a grant payment may not exceed the amount in the Grant Agreement specified for that County fiscal year.
- (d) Upon receipt of a claim for grant payment, the County Administrator shall make such investigation as the County Administrator deems appropriate to confirm that the grantee has met and complied with the conditions that are contained in the Grant Agreement for the payment of the requested grant payment, including the necessary appropriation of funds by the Board of County Commissioners to make the payment, and if the conditions have been fulfilled, the County Administrator shall approve the grant payment.
- (e) Upon approval of a grant payment by the County Administrator the County shall issue a check to the grantee for the amount of the approved grant payment.

Section 15. This Ordinance shall be effective upon filing a certified copy with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida this 17th day of September, 2002.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Gwanne King
Deputy Clerk

RENDITION DATE 09/20/02

Effective Date: September 23, 2002

ST. JOHNS COUNTY TARGET INDUSTRIES

- General Offices, including:
 - Corporate/Regional Headquarters (all industries)
 - Back Office Operations¹
 - Claims Processing Centers¹
 - Credit Processing Centers¹
 - Data Processing Services (7374)
 - Computer On-line Services (7375)
 - Telemarketing Centers (7389)

¹For financial services and insurance firms (602, 603, 614, 615, 621, 631, 632, 633, 637)

- Aircraft Parts and Equipment, including:
 - Sheet Metal Work (3444)
 - Engine Electrical Equipment (3619)
 - Aircraft Modification and Repair (3721)
 - Aircraft Parts and Equipment (3728)
 - Avionics (3812)

- Auto Parts and Accessories, including:
 - Automotive Stampings (3465)
 - Parts and Accessories (3714)
 - Engine Electrical Equipment (3694)

- Electronics and Electrical Equipment, including:
 - Printed Circuit Boards (3672)
 - Miscellaneous Electronic Components (3678, 3679, 3699)

- Medical Equipment and Supplies, including:
 - Surgical and Medical Instruments and Apparatus (3841)
 - Orthopedic, Prosthetic, and Surgical Appliances and Supplies (3842)
 - Ophthalmic Goods (3851)

- Drug Related Products, particularly:
 - Medicinals and Botanicals (2833)
 - Pharmaceutical Preparations (2834)

- Specialty Food Products, including:
 - Fruit and Vegetable Specialties and Frozen Products (2035, 2037)
 - Bread, Cake, and Related Products (2051, 2052)
 - Candy and Confectionery Products (2064, 2066)
 - Flavoring Extracts and Syrups (2087)
 - Potato Chips and Other Snack Foods (2096)

- Recreational Equipment, including:
 - Boatbuilding and Repair (3732)
 - Golf Carts, Jet Skis, etc. (3799)
 - Sporting and Athletic Goods (3949)

- Specialty Industrial Products, including:
 - Plastic Products (3083, 3088, 3089)
 - Metal Forming and Stamping (3354, 3357, 3469)
 - Fabricated Wire Products (3496)
 - Gears and Related Products (3566)

- Specialty Consumer Products, including:
 - Miscellaneous Paper & Related Products (2656, 2678, 2782)
 - Cosmetic and Toiletries (2844)
 - Plastic Products (3089)

- Specialized Health Services
 - Sports Medicine
 - Generic Wellness
 - Eldercare

- Distributors and Distribution Centers, particularly for
 - Retail Chains Serving Sub-state and Interstate markets
 - Recreational Equipment Manufacturers
 - Automotive Equipment Manufacturers

Exhibit "B"

St. Johns County established a point system for determining a base value a business/ industry could receive for their locating or expansion of their facility within St. Johns County, Florida.

The point system criteria is calculate independently for each element and must be substantiated upon completion of the physical construction, location in certain area of the County and/or the employment of full time employees.

The following are the listed categories and calculation criteria:

Section I

1. Target Industry Study

- A) Companies that are listed within the targeted industry study done for St. Johns County.

The initial target industry study for St. Johns County was accomplished in FY 1998 and updated in FY 2002. The study report and update focuses in and summarizes the counts strengths and weaknesses in the County's business makeup. It recommends businesses and industries that would be appropriate, beneficial and promote a balance for local employment opportunities.

- B) The County also considers the state's target industry study in its attempt to develop regional support in the northeast sector of the state.

Qualified target industry (2002)

State list	1 point
County list	2 points

Maximum points to be awarded = 3 points

- 2. The County calculates the ad volurem tax generated by the proposed locating and or expansion projects through the sq. ft. of construction and the estimated taxable value of post development improvements.

Size of facility (in sq. Ft.)

A) 10,000 to 24,999	5 point
B) 25,000 to 49,999	1.0 point
C) 50,000 to 99,999	1.5 points
D) 100,000 +	2. 0 points

- 3. The County calculates the potential social/economical benefit to the community partially through the number of new employees added to the County workforce.

Size of work force (new employees)

A) 5 to 29	.5 point
B) 30 to 69	1.0 point
C) 70 to 99	1.5 points
D) 100 +	2.0 points

4. The County additionally calculates the wage rate as compared to the existing County base wage rates and offers an incentive value for the percentage of wages above the County base rate.

100% to 115% of the average county's hourly base wage rate	.5 point
116% to 120% of the average county's hourly base wage rate	1.0 point
121% to 125% of the average county hourly base wage rate	1.5 points
126% + of the average county's hourly base wage rate	2.0 points

5. The County acknowledges the need to assist certain areas of the County that have been underutilized for business and industrial growth. The County refers to these geographically designated areas as underutilized business zone. A Company who desires to locate or expand within a designed underutilized area will receive the following additional incentive.

Location or expansion within an underutilized business zone 2.0 points

Section II.

1. Financial incentives derived through the accumulation of points assigned to the proposed business or industry upon a review of the applicant's incentive application.
2. Upon submittal of an economic incentive application to the county the proposed business or industry may accumulate incentive points as described in section I of exhibit b.
3. A failure to accumulate 5 points or better will result in no financial or procedural assistance from St. Johns County.
4. An accumulation of 5 to 7 points will support the county's offering of the following financial and procedural incentives:
 - A) Expedited permitting
 - B) Preparation and submittal upon request by the business or industry of state economic development transportation grant by the county on behalf of the business or industry.
 - C) two years ad valorem tax reimbursement (reimbursed over a five (5) year period)
Two years tangible personal property tax reimbursement (reimbursed over a 5 year period)
50% county subsidy for the water and sewer unit connection fee.
5. An accumulation of 7.5 points or higher will support the county's offering of the following financial and procedural incentives:
 - A) Expedited permitting
 - B) Preparation and submittal upon request by the business or industry of state economic development transportation grant by the county on behalf of the business or industry.
 - C) 1) four years ad valorem tax reimbursement (reimbursed over a five (5) year period)
2) Four years tangible property tax reimbursement (reimbursed over a five (5) year period.
3) 100% county subsidy for the water and sewer unit connection fees.

Section III (Existing Industry Expansion)

1. Target Industry Study

A) Companies that are listed within the targeted industry study done for St. Johns County.

The initial target industry study for St. Johns County was accomplished in FY 1998 and updated in FY 2002. The study report and update focuses in and summarizes the counts strengths and weaknesses in the County's business makeup. It recommends businesses and industries that would be appropriate, beneficial and promote a balance for local employment opportunities.

Qualified target industry (2002)

County list 1 point

Maximum points to be awarded = 1 point

2. Incentive is based on the size of the facilities addition.

Size of facility (in sq. Ft.)

A) up to 5,000 sq ft.	0.5 points
B) 5,001 to 10,000 sq ft	1.0 points
C) 10,001 to 20,000 sq ft	1.5 points
D) 20,001+ sq ft	2.0 points

3. The County calculates the potential social/economical benefit to the community partially through the number of new employees added to the County workforce.

Size of additional work force (new employees)

A) up to 5	0.5 points
B) 6 to 15	1.0 points
C) 16 to 30	1.5 points
D) 31 +	2.0 points

4. The County additionally calculates the wage rate as compared to the existing County base wage rates and offers an incentive value for the percentage of wages above the County base rate for new employees.

100% to 114.9% of the average county's hourly base wage rate	0.5 point
115% to 119.9% of the average county's hourly base wage rate	1.0 point
120% to 124.9% of the average county hourly base wage rate	1.5 points
125% + of the average county's hourly base wage rate	2.0 points

5. The County acknowledges the need to assist certain areas of the County that have been underutilized for business and industrial growth. The County refers to these geographically designated areas as underutilized business zone. A Company who desires to locate or expand within a designed underutilized area will receive the following additional incentive.

Location or expansion within an underutilized business zone 2.0 points

Section IV. Existing Industry Incentives

1. Financial incentives derived through the accumulation of points assigned to the proposed business or industry expansion upon a review of the applicant's incentive application.
2. Upon submittal of an economic incentive application to the county the proposed business or industry may accumulate incentive points as described in section I of exhibit b.
3. A failure to accumulate 5 points or better will result in no financial or procedural assistance from St. Johns County.
4. An accumulation of 5 to 7 points will support the county's offering of the following financial and procedural incentives:
 - D) Expedited permitting
 - E) Preparation and submittal upon request by the business or industry of state economic development transportation grant by the county on behalf of the business or industry.
 - F) two years ad valorem tax reimbursement (reimbursed over a five (5) year period)
Two years tangible personal property tax reimbursement (reimbursed over a 5 year period)
50% county subsidy for the water and sewer unit connection fee.
5. An accumulation of 7.5 points or higher will support the county's offering of the following financial and procedural incentives:
 - D) Expedited permitting
 - E) Preparation and submittal upon request by the business or industry of state economic development transportation grant by the county on behalf of the business or industry.
 - F) 1) four years ad valorem tax reimbursement (reimbursed over a five (5) year period)
2.)Four years tangible property tax reimbursement (reimbursed over five (5) year period)..
3) 100% county subsidy for the water and sewer unit connection fees.

ST. JOHNS COUNTY ECONOMIC DEVELOPMENT INCENTIVE APPLICATION

Applicant's name: _____

Federal Employer Identification Number: _____

State Sales Tax Registration Number: _____

Current Company Headquarters and address: _____

Primary Contact Person: _____

Primary Contact Person Title: _____

Primary Contact Person Address: _____

Contact Person Phone: (business): () _____

Contact Person Cell: () _____

Contact Person E-mail: _____

The company requires confidentiality in its requests for consideration on economic incentives.
_____ Yes _____ No

If yes, the company understands that any governmental consideration for economic incentives will not be confirmed until full disclosure is completed. For confidentiality to be removed will require written authorization by the applicant to disclose information. Compliance with section 8, paragraph 11 of the Business Incentive Ordinance is required.

Description of the primary and secondary business activities the company that is locating to St. Johns County, Florida is engaged in:

Type of Facility Development _____ new _____ expansion

Date construction is projected to begin: _____

Date facility will be complete and operational: _____

Estimated Square Footage of Facility Under Roof H/C: _____

Number of full-time employees to be employed: _____

Total number of full-time employees currently employed by the applicant in the county: _____

4-digit SIC Code for all activities included in the project: _____

An explanation of the type of employment proposed and the average annual pay rate:

Total amount of economic development grant requested (to be completed in coordination with the economic development agency in accordance with section 8, paragraph 8 of the Incentive Ordinance):

Capital Investment Values:

Real Property

Facility Value

Infrastructure to be public

Infrastructure private

Tangible assets

Description of the proposed project explaining the desire to locate or expand within St. Johns County. A brief statement explaining the role that the County's Economic Development Grant will play in the decision of the applicant to locate or expand its' business in the County:

Submit a Site Plan:

Location map identifying the proposed location and property boundaries with an explanation of the possible transportation impacts.

Applicant Signature and Title

Date

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared LINDA Y MURRAY

who on oath says that she is an Accounting Clerk of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a

NOTICE OF PUBLIC HEARING

In the matter of TARGET INDUSTRY STUDY

SJC BOARD OF COUNTY COMMISSIONERS

in the Court, was published in said newspaper in the issues of

SEPTEMBER 6, 2002

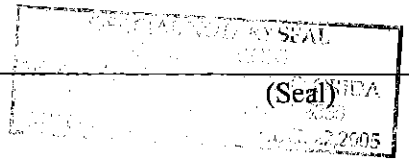
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 6TH day of SEPTEMBER 2002

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Notary Public]

Zoe Ann Moss



NOTICE OF A PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, September 17th, 2002 at 9:00 a.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S.1 North, St. Augustine, Florida, to consider adoption of the following ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, THAT MAKES FINDINGS; PROVIDES DEFINITIONS; APPROVES AND ADOPTS A ST. JOHNS COUNTY TARGET INDUSTRY STUDY; ADOPTS AND IMPLEMENTS A ST. JOHNS COUNTY BUSINESS INCENTIVE PROGRAM THAT (1) IDENTIFIES OR TARGETS CERTAIN BUSINESSES AND INDUSTRIES WHOSE CREATION OR EXPANSION WITHIN THE COUNTY, OR RELOCATION TO THE COUNTY, WILL STIMULATE THE COUNTY'S ECONOMY AND PROVIDE ENHANCED EMPLOYMENT OPPORTUNITIES FOR THE COUNTY'S CITIZENS AND (2) ESTABLISHES CRITERIA FOR THE BOARD'S GUIDANCE IN MAKING ECONOMIC DEVELOPMENT GRANTS TO SELECTED TARGETED BUSINESSES AND INDUSTRIES; CREATES A PUBLIC ECONOMIC DEVELOPMENT AGENCY AND PROVIDES THAT CERTAIN RECORDS OF THE AGENCY ARE CONFIDENTIAL AS REQUIRED BY SECTION 288.075, FLORIDA STATUTES; APPROVES AN APPLICATION FORM TO BE USED BY THE MANAGEMENT OF TARGETED BUSINESSES AND INDUSTRIES TO APPLY FOR ECONOMIC DEVELOPMENT GRANTS FROM THE COUNTY; AUTHORIZES THE EXPENDITURE OF COUNTY FUNDS TO PROVIDE ECONOMIC DEVELOPMENT GRANTS TO SELECTED TARGETED BUSINESSES AND INDUSTRIES; PROVIDES PROCEDURES; REQUIRES THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY AND A SELECTED TARGETED BUSINESS OR INDUSTRY AS A CONDITION FOR THE GRANT; ALLOWS COUNTY STAFF TO EXPEDITE THE COUNTY'S PERMITTING AND DEVELOPMENT ORDER PROCESS FOR PROJECTS THAT RECEIVE COUNTY ECONOMIC DEVELOPMENT GRANTS; DECLARES THAT THE COUNTY'S BUSINESS INCENTIVE PROGRAM DOES NOT CREATE ANY ENTITLEMENTS TO GRANTS; ESTABLISHES OTHER GRANT PARAMETERS; AND PROVIDES AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the public hearing.

Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 823-2505 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA CHERYL STRICKLAND, ITS CLERK By: Patricia DeGrande, Deputy Clerk L1931-2 Sept 6, 2002