

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

APR 23 2013 *SMK*

RESOLUTION
of the
**ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS**
regarding
**PUBLIX SUPERMARKETS, INC.
QUALIFIED TARGET INDUSTRY TAX REFUND**

Resolution No. 2013-M-11

PREMISES

WHEREAS, in 1994, the Florida legislature passed legislation establishing a “Qualified Target Industry Tax Refund Program” (“QTI Program”) to encourage the creation of new high-wage job opportunities in Florida by providing “tax refunds” to qualified target industries; and

WHEREAS, Publix Supermarkets, Inc. is headquartered in Lakeland, FL with locations throughout the southeastern United States; and

WHEREAS, Publix Supermarkets, Inc. is the nation’s largest employee-owned supermarket chain and one of the ten largest volume supermarket chains in the country; and

WHEREAS, Publix Supermarkets, Inc. employs over 150,000 and has a total of 1,067 retail stores in Florida, Georgia, South Carolina, Alabama and Tennessee; and

WHEREAS, Publix Supermarkets, Inc. produces private label products in Publix dairy, bakery and deli manufacturing facilities; and

WHEREAS, Publix Supermarkets, Inc. is considering opening a new Pharmacy Distribution Center project to include Central Pharmacy, Specialty Pharmacy and Call Center operations; and

WHEREAS, Publix Supermarkets, Inc. is considering Orange County for their new Pharmacy Distribution Center project; and

WHEREAS, Publix Supermarkets, Inc. anticipates creating approximately sixty-one (61) new jobs in Orange County at an average annual salary of at least \$46,955, which is 115% of the prevailing salary of \$40,830 in Orange County; and

WHEREAS, Publix Supermarkets, Inc. anticipates that the new jobs to be created will include approximately forty-seven (47) pharmacy technician positions and fourteen (14) pharmacy positions; and

WHEREAS, Publix Supermarkets, Inc. anticipates that these new jobs will be created according to the following schedule: twenty-nine (29) jobs by December 31, 2014; eleven (11)

jobs by December 31, 2015; ten (10) jobs by December 31, 2016; one (1) job by December 31, 2017; ten (10) jobs by December 31, 2018; and

WHEREAS, Publix Supermarkets, Inc. has applied to the Executive Office of the Governor, Office of Tourism, Trade, and Economic Development for approval as a qualified QTI Program applicant, and has applied for one hundred eighty-three thousand dollars (\$183,000) in tax refunds from the State of Florida under the QTI Program, representing three thousand dollars (\$3,000) per job; and

WHEREAS, in order for Publix Supermarkets, Inc. to be approved as a “qualified applicant” under the QTI Program, the Orange County Board of County Commissioners must adopt a resolution recommending the approval of Publix Supermarkets, Inc. as a “target industry business,” and committing “local financial support” in an amount equal to 20% of the annual tax refund up to but not exceeding thirty six thousand and six hundred dollars (\$36,600) over the course of Publix Supermarkets, Inc.’s eligibility as a “qualified applicant”; and

WHEREAS, competition for Publix Supermarkets, Inc.’s Pharmacy Distribution Center exists outside of Florida, and financial incentives are necessary to ensure that this project comes to Orange County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. The Board of County Commissioners of Orange County, Florida, hereby recommends that the State of Florida Office of Tourism, Trade, and Economic Development approve Publix Supermarkets, Inc. as a “qualified applicant” under the QTI Program.

Section 2. Subject to the terms of this Resolution, the Board hereby approves payments up to, but not exceeding, thirty-six thousand and six hundred dollars (\$36,600) in “local financial support” required under the QTI Program. Such amount shall be payable to the Economic Development Incentives Account within the Economic Development Trust Fund as specified herein.

Section 3. The Board’s promise to pay the amount specified in this Resolution is contingent upon (i) appropriation by the Board in each applicable year authorizing payment of the revenues hereunder, (ii) Publix Supermarkets, Inc. receiving the designation as a “qualified applicant” in connection with the QTI program, and (iii) on an annual basis, award by the State of Florida of tax refunds under the QTI program.

Section 4. Unless provided otherwise in this Resolution, the County shall pay “local financial support” in the following amounts:

FY 2014-2015	\$ 4,350
FY 2015-2016	\$ 6,000
FY 2016-2017	\$ 7,500
FY 2017-2018	\$ 7,650
FY 2018-2019	\$ 4,800
FY 2019-2020	\$ 3,150

FY 2020-2021 \$ 1,650
FY 2021-2022 \$ 1,500

Total \$ 36,600

Such sums shall be paid from any legally available source or sources of revenue other than those specified in the QTI Program (or rules promulgated thereunder) as being ineligible for such purpose.

Section 5. In the event Publix Supermarkets, Inc. is approved by the State of Florida for tax refunds in an amount less than the one hundred eighty-three thousand dollars (\$183,000) requested, the "local financial support" to be paid by the County to the Economic Development Incentives Account shall be proportionately reduced so that at no time will the County contribution exceed twenty percent (20%) of the annual tax refund awarded to Publix Supermarkets, Inc. under the QTI Program.

Section 6. This Resolution shall take effect upon receipt by the County of evidence that Publix Supermarkets, Inc. has been approved as a "qualified applicant" and has become eligible for tax refunds under the QTI program, as described herein.

ADOPTED THIS 23 DAY OF April, 2013.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

BY: *Teresa Jacobs*
Teresa Jacobs
County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

BY: *Kate Smith*
Deputy Clerk

