

Memorandum



Date: December 7, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 9(A)(5)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

Subject: Resolution in Support of Wal-Mart Stores East, LP for a State of Florida Brownfield
Redevelopment Bonus Refund

Recommendation

This item is placed on the agenda for consideration by the Board of County Commissioners (Board) on behalf of The Beacon Council. It is recommended that the Board support the approval of Wal-Mart Stores East, LP for a State of Florida (State) Brownfield Redevelopment Bonus Refund to expand into a new facility in the southwestern section of Miami-Dade County. Because the State assumes that the locality is providing financial support, the County must request a waiver to opt out of the 20 percent local match. It is further recommended that Miami-Dade County opt out of the 20 percent local match.

Scope

Although this project is located on the southeast corner of SW 211 Street and US Highway 1 in Commission District 8, the construction of this project will have a positive countywide impact due to direct and indirect employment and project investment.

Fiscal Impact / Funding Source

Approval of this Brownfield Redevelopment Bonus Refund will not create a negative fiscal impact to the County.

Through this program, the business is eligible to receive up to \$2,500 for each job created and the State will pay 80 percent (or \$2,000) for each job created, or up to \$420,000 for the estimated 210 jobs to be created. The County opts out of its 20 percent match in the Brownfield Redevelopment Bonus program because it can support businesses through other incentive programs, such as the Qualified Targeted Industry (QTI) and the Targeted Jobs Incentive Fund (TJIF) programs. Unfortunately, this particular project is not eligible for a QTI or a TJIF incentive, as retail is not a targeted industry under either of these two programs. However, under Florida Statute 288.107, the business is eligible for the Brownfield Redevelopment Bonus incentive providing that certain criteria are met, as specified in the statute and fully defined later in this memorandum.

Track Record/Monitor

This new facility will be an expansion of the Wal-Mart chain of retail discount super-center stores in Miami-Dade County. Wal-Mart currently has over 90,000 employees in the State of Florida. The State will pay the incentive and verify that all conditions have been met.

Background

The State of Florida created the Brownfield Redevelopment Bonus Refund Program as codified in Section 288.107 of the Florida Statutes. The Brownfield Redevelopment Bonus is available to encourage redevelopment and job creation within designated brownfield areas. Pre-approved applicants receive tax refunds of up to \$2,500 for each new job created. The amount of the refund is equal to 20 percent of the average annual wage of the new jobs created. While a minimum wage salary could be as low as \$15,400, the company has stated in its application that the average wage for its new jobs will be \$20,000. Refunds are based on taxes paid by the business, including corporate income, sales, ad valorem, intangible personal property, insurance premiums, and certain other taxes. No more than 25 percent of the total refund approved may be paid in any single fiscal year. Under Florida Statute 288.107

Wal-Mart Stores East, LP is eligible to apply for the Brownfield Bonus to help offset the cost of remediation associated with the company's acquisition of a former auto dealership/service center site.

As provided in Florida Statutes 288.107(3)(a)-(e) the criteria for participation in the program are, in relevant part:

- 1) Create at least ten new Florida full-time jobs with benefits, excluding construction and site remediation jobs. Wal-Mart is projecting the creation of 210 new jobs.
- 2) Be a business that can demonstrate a fixed capital investment of at least \$2 million in mixed-use business (including multi-unit housing, commercial, retail, and industrial) activity located in a brownfield area. Wal-Mart is investing \$29 million.
- 3) Demonstrate that the project will diversify and strengthen the economy of the area surrounding the site. Wal-Mart will invest towards the cleanup and redevelopment of the site and will diversify the economy by bringing in new retail and commercial development. This in return will increase the area's tax revenues.
- 4) Demonstrate that the project will promote capital investments in the area beyond that contemplated for the rehabilitation of the site. This is expected due to the significant investment and scope of the project.
- 5) Provide a local government resolution supporting the project with a local match, or in the alternative, a resolution supporting the project, but opting out of the match. This item, if approved, will meet this criterion.

This project involves the construction of a new 92,200 square foot retail super-center with retail discount operations, grocery store, gasoline stations, and a warehouse club, which will provide a wide variety of grocery and household items to consumers. The details of this project are listed below:

APPLICANT:	Wal-Mart Stores East, LP
LOCATION:	SE corner of SW 211 Street and US Highway 1 in Cutler Ridge
COMMISSION DISTRICT:	District 8
DATE OF APPLICATION:	September 24, 2010
OVERALL BUSINESS ACTIVITY/MISSION:	To construct and operate a 92,200 square foot retail super-center grocery store and warehouse club
PROPOSED LOCAL BUSINESS ACTIVITY:	National retail discount grocery store chain
PROPOSED CAPITAL INVESTMENT:	\$21,900,000 (excluding land)
TARGETED INDUSTRY:	Retail
PROPOSED LOCATION IN DESIGNATED PRIORITY AREA?	Yes, Brownfield
NEW OR EXPANDING BUSINESS?	Expanding
NUMBER OF DIRECT JOBS TO BE CREATED/RETAINED:	210
COMMENTS:	Project information provided by The Beacon Council

Attachments



Tony Ojeda
 Director, Office of Economic Development and International Trade



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 7, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 9(A)(5)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 9(A)(5)
12-7-10

RESOLUTION NO. _____

RESOLUTION SUPPORTING WAL-MART STORES EAST, LP FOR A STATE OF FLORIDA BROWNFIELD REDEVELOPMENT BONUS REFUND PURSUANT TO FLORIDA STATUTES § 288.107 WHILE OPTING OUT OF THE LOCAL MATCH AND FURTHER PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, the business under consideration is a general merchandise discount retail store specifically, WAL-MART STORES EAST, LP; and

WHEREAS, WAL-MART STORES EAST, LP is located on the SE corner of SW 211 Street and US Highway 1 in Cutler Ridge and within the Perrine designated brownfield area; and

WHEREAS, WAL-MART STORES EAST, LP is an expanding business with retail discount super-center stores throughout Miami-Dade County, and this project will invest \$21,900,000 in the construction of a new 92,200 square foot super-center retail store and \$7,200,000 for the purchase of land; and

WHEREAS, this project will hire 210 residents with annualized wages of \$20,000 for its retail discount operations, grocery store, gasoline station and warehouse club; and

WHEREAS, participation in the local financial support is optional and understood; and

WHEREAS, the Board of County Commissioners of Miami-Dade County requests a waiver from the local financial support requirement authorized under the Brownfield Redevelopment Bonus Refund Program pursuant to Florida Statutes § 288.106,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board supports Wal-Mart Stores East, LP for the State of Florida Brownfield Redevelopment Bonus Refund pursuant to Florida Statutes § 288.107.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|---------------------------------|-------------------|
| Dennis C. Moss, Chairman | |
| Jose "Pepe" Diaz, Vice-Chairman | |
| Bruno A. Barreiro | Lynda Bell |
| Audrey M. Edmonson | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Joe A. Martinez | Jean Monestime |
| Natacha Seijas | Rebeca Sosa |
| Sen. Javier D. Souto | |

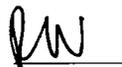
The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Rachel M. Wilhelm



THE BEACON COUNCIL

September 24, 2010

Attachment

Dr. Robert Cruz
Chief Economist
Miami-Dade County
Overtown Transit Building
701 NW 1st Court, 14th Floor
Miami, FL 33136

Miami-Dade
County's
Official
Economic
Development
Partnership

80 Southwest
Eighth Street
Suite 2400
Miami, Florida
33130
T: 305.579.1300
F: 305.375.0271
www.beaconcouncil.com

Dear Dr. Cruz:

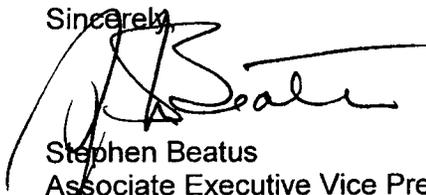
Enclosed you will find an application for the State of Florida Brownfield Redevelopment Bonus Tax Refund Program. The company, Wal-Mart, is applying for the Brownfield Bonus to help offset the cost of soil excavation, disposal, and remediation associated with the company's acquisition of a former auto dealership/service center site with petroleum contamination. As a result of the project, the company will create approximately 210 new jobs in a one-year period with an average salary of \$20,000. Wal-mart is making a capital investment in the amount of approximately \$21,900,000 for the construction of a new 92,200 sq. ft. facility and purchase of new equipment, along with another \$7,200,000 for the purchase of land.

We are referring this application to your office for review and preparation of a resolution of support from the Miami-Dade Board of County Commissioners, including a waiver of the County's local-match participation. The resulting resolution will be of no fiscal impact to Miami-Dade County. Attached is the complete application for review.

We are requesting that the item be placed on the Agenda of The Housing & Community Development Committee meeting scheduled for October 13, 2010 and the Miami-Dade Board of County Commissioners meeting scheduled for November 4, 2010.

We look forward to continuing to work together for the benefit of the economic development of Miami-Dade County. If you have any questions, please contact me at 305-579-1349.

Sincerely,


Stephen Beatus
Associate Executive Vice President

Cc: J.A. "Tony" Ojeda, Jr., Executive Director, The Jay Malina International Trade Consortium

GENERAL PROJECT OVERVIEW

WAL-MART STORES EAST, LP
Name of Business

GOULDS (CUTLER RIDGE) – STORE NUMBER 5912
Project Title or Code Name (1-5 word description)

FOR EFI USE ONLY		
Date Received	Date Revised	Date Completed
EFI Project Number		

Contact Enterprise Florida to discuss your project and application **before** submitting a formal proposal. The completed and signed application must be filed with:



The Atrium Building, Suite 201 • 325 John Knox Road
Tallahassee, Florida 32303
850/298-6620 • Fax: 850/298-6659
<http://www.eflora.com/>

GENERAL PROJECT OVERVIEW

To add text outside of the gray fields or click the statutory reference link, de-select the "Protect Form" (lock) button on the Forms toolbar.

1. BUSINESS INFORMATION

- A. **Name of Business Unit:** Wal-Mart Stores East, LP
- B. **Mailing Address:** 702 SW Eighth Street
Street Address
- Bentonville Arkansas 72716
City State Zip Code
- C. **Name of Parent Company:** Wal-Mart Stores, Inc.
- D. **Primary Business Unit Contact:** Jacquelyn Brigance
Title: Manager - Income Tax Incentives
- Mailing Address:** 805 Moberly Lane
Street Address
- Bentonville Arkansas 72716-0555
City State Zip Code
- Telephone:** (479) 204-7539 **Fax:** _____
jacquelyn.sturch@wal-
Email: mart.com **Website:** www.walmart.com
- E. **Business Unit's Federal Employer Identification Number:** 710862119

The Business Unit's Unemployment Compensation Identification Number is 1597688 (workforce is employed by a wholly owned subsidiary of Wal-Mart Stores, Inc., Wal-Mart Associates, Inc., FEIN 71-0794409).

- F. **Business Unit's Unemployment Compensation Number:** _____

Wal-Mart will apply for a location-specific sales tax registration number.

- G. **Business Unit's Florida Sales Tax Registration Number:** _____

- H. **Is the business unit minority owned?**

Yes No If yes, explain: _____

- I. **What is the business unit's tax year** (ex: Jan 1 to Dec 31): February 1 - January 31

2. PROJECT OVERVIEW

GENERAL PROJECT OVERVIEW

To add text outside of the gray fields or click the statutory reference link, de-select the "Protect Form" (lock) button on the Forms toolbar.

A. Which of the following best describes this business unit¹:

- New business unit to Florida
- Existing Florida business creating and / or retaining jobs^{2,3}
None. Wal-Mart Stores East, LP is an existing Florida Business Unit. The new facility in Cutler Ridge, Florida will be an expansion of said business unit. If an expansion, how many jobs are currently in the expanding business unit?

There are currently 90,810 individuals employed in Florida (as of February 2010).

B. How many individuals are employed at all Florida locations?

C. Are any jobs being transferred from other Florida locations⁴?

Yes No If yes, how many jobs and from where? _____
 Why are these jobs moving and why is it justified in light of the statutory language governing the applicable incentive program(s)?

N/A

D. Give a full description of this project, including the primary business activities / functions:

Wal-Mart operates retail discount stores, super-centers, grocery stores, gasoline stations, and warehouse clubs which provide a wide variety of grocery and household items to consumers.

The proposed project involves the construction and operation of a new 92,200 square foot retail Wal-Mart SuperCenter store in Cutler Ridge, Florida. The property has been utilized as an automotive dealership and service center for several years.

Environmental investigations to date have revealed the presence of significant levels of petroleum-related soil impacts. Remediation activities may consist of a combination of excavation and off-site disposal of impacted soils, and potentially the management of residual contamination on-site through the use of approved engineering controls, and the recording of a deed restriction. The estimated cost of environmental remediation of the site is approximately \$200,000.00 which includes labor, expenses, subcontractors, and transportation and disposal of the contaminated soils.

E. What is the project's Targeted Industry(ies)⁵: General Merchandise Store

F. Break down the project's primary function(s) and the corresponding wages:

Business Unit Activities	NAICS Code	Project	Annualized
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¹ Must be a separate business unit or reporting unit of a business unit that is or will be registered with the State of Florida for unemployment compensation purposes.

² A QTI Tax Refund award cannot be granted for existing Florida jobs.

³ Incentives may not be used in connection with a project that involves the relocation of jobs from one Florida community to another except in certain circumstances as described in statute.

⁴ Incentives may not be used in connection with a project that involves the relocation of jobs from one Florida community to another except in certain circumstances as described in statute.

⁵ Refer to the QTI Target Industry list.

GENERAL PROJECT OVERVIEW

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		Function <small>(total = 100%)</small>	Wage (\$)
Retail Outlet	452900	100%	\$20,000
		%	\$
		%	\$

G. What is the project's proposed location address:

N/A

Street Address

City

State

Zip Code

What is the project's current location address (if different):

N/A

Street Address

City

State

Zip Code

H. Is the project location within a current or proposed Brownfield site / area?

Yes No If yes, attach a copy of the official document designating the Brownfield area.

Is the project location in an Enterprise Zone?

Yes No If yes, which zone? South

Is the project location in a designated Rural area?

Yes No If yes, which Rural area? _____

I. Which of the following describes the applicant's operations (select all that apply):

- Multi-state business enterprise
- Multinational business enterprise
- Florida business enterprise (eligible for Brownfield Redevelopment Bonus incentive only)

J. Which of the following describes this business unit (select all that apply):

- Regional headquarters office
- National headquarters office
- International headquarters office
- This is not a dedicated headquarters office

K. What is the estimated percentage of gross receipts or final sales resulting from this project that will be made outside of Florida (if sales is not a reasonable measure, use another basis for measure and provide explanation below):

0% Explain, if necessary: _____

3. JOB AND WAGE OVERVIEW

A. How many jobs⁶ are expected to be created as part of this project?

210

B. If an existing business unit, how many jobs are expected to be retained as part of this project? (jobs in jeopardy of leaving Florida should only be included here; these jobs are not eligible for QTI)

N/A

⁶ A "full time equivalent job" means at least 35 hours of paid work per week.

GENERAL PROJECT OVERVIEW

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- C. What is the anticipated annualized average wage (excluding benefits) of the new to Florida jobs created as part of this project?** (Cash payments to the employees such as performance bonuses and overtime should be included. The wage reported here is only an estimate of the average wage to be paid and will not be used in the certification, agreement, and claim evaluation process.) \$20,000
- D. What is the annualized average value of benefits associated with each new job created as part of this project?** \$3,000
- E. What benefits are included in this value?** (health insurance, 401(k) contributions, vacation and sick leave, etc.)

Wal-Mart offers its employees health, dental, 401(K)/profit-sharing plans, bonuses, long and short term disability, vacation, holiday, maternity/paternity leave, and other benefits.

4. CAPITAL INVESTMENT OVERVIEW

- A. Describe the capital investment in real and personal property** (Examples: construction of new facility; remodeling of facility; upgrading, replacing, or buying new equipment. Do not include the value of land purchased for construction of a new building):

Construction of new facility, approximately \$29 million in capital investment. \$13 million will be associated with the construction of the building, \$6.7M on-site and off-site improvements to infrastructure and an additional \$2 million will be associated with furniture, fixtures, shelving, computers, etc.

- B. Will this facility be:**
- Leased space with renovations or build out
- Land purchase and construction of a new building
- Purchase of existing building(s) with renovations
- Addition to existing building(s) (already owned)
- Other (please describe in 4A above)

- C. List the anticipated amount and type of major capital investment to be made by the applicant in connection with this project:** (attach separate schedule if investment will be made over more than three years)

	Year 1	Year 2	Year 3
Land	\$7,200,000	\$	\$
Construction / Renovations	\$	\$19,900,000	\$
Manufacturing Equipment	\$	\$	\$
R&D Equipment	\$	\$	\$
Other Equipment (computer equipment, office furniture, etc.)	\$	\$2,000,000	\$
Total Capital Investment	\$7,200,000	\$21,900,000	\$

- D. What is the estimated square footage of the new or expanded facility?** 92,200 sf
- E. When is the final location decision anticipated (date)?** Fourth Quarter of 2010
- F. What is the anticipated date construction will begin?** 2011

GENERAL PROJECT OVERVIEW

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G. What is the anticipated date operations will commence? 2012

5. COMPETITIVE LANDSCAPE

A. What role will the incentive(s) play in the business unit's decision to locate, expand, or remain in Florida?

There is contamination present on the property and cleanup will likely be in the hundreds of thousands of dollars. Accordingly, a major factor in Wal-Mart's selection of this site was the project's potential receipt of state-based tax incentives offered through the Florida Brownfields Program. These incentives will assist in offsetting the environmental assessment and remediation associated with development and construction activities. Without these incentives, the feasibility and projected profitability of the project at this location would be at risk.

B. What other cities, states, or countries are being considered for this project?
None.

C. What advantages or incentives offered by these locations do you consider important in your decision?

Properly addressing the contamination issues at this site will require a significant amount of capital investment. Therefore, the receipt of the financial incentives such as the Brownfield Job Bonus Refund is essential to achieve site rehabilitation and redevelopment, as it will help offset the significant costs associated with remediating the environmental conditions identified at the site.

D. Indicate any additional internal or external competitive issues impacting this project's location decision?

Wal-Mart frequently chooses to redevelop economically and environmentally challenged properties that are occasionally located in distressed areas, such as the current site. By rehabilitating and redeveloping these sites, Wal-Mart prides itself in providing economically feasible shopping while removing environmental conditions that may pose a potential health risk to the community, which Wal-Mart expects to achieve with the proposed project.

6. ECONOMIC IMPACT AND CORPORATE RESPONSIBILITY

A. Provide a brief synopsis of the special impacts the project is expected to stimulate in the community, the state, and the regional economy. Include the impact on indicators such as unemployment rate, poverty rate, and per capita income.

The new project is expected to not only provide additional retail options for the area, but also provide new employment to the residents. The metropolitan-wide unemployment rate where the project will be located is 10.5% of the labor force. The project is also expected to attract new businesses and other economic and community service opportunities to the area. Therefore, by proceeding with this project, Wal-Mart will provide a new source of employment, increase the area's tax revenues, revitalize the community by providing infrastructure improvements, and bring desired retail and commercial development to the area.

GENERAL PROJECT OVERVIEW

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- B. Provide a summary of past activities in Florida and in other states particularly as they relate to environmental or growth management impacts.** For example, what kind of corporate citizen has the applicant been? Also list awards or commendations.

Wal-Mart takes pride in redeveloping many sites that are located in economically and environmentally challenged areas. If Wal-Mart chooses to construct a store at a site that is located in a distressed area, Wal-Mart enhances the general conditions of the area while providing clean, safe, and economical shopping for its residents.

Wal-Mart is committed to giving back locally and provides financial and volunteer support to over 100,000 charitable and community-focused organizations. Wal-Mart contributes to several charitable organizations that support a variety of causes including education, health and human services, job skills training, and sustainability. Some of Wal-Mart's contributions to these organizations are based on recommendations from its associates. Wal-Mart also provides opportunities for their customers and associates to give back to the community and actively supports an extensive volunteer network for its associates which has become one the largest volunteer programs in the U.S.

Furthermore, the company has established environmentally-friendly initiatives such as working with their suppliers to reduce the packaging on products, remove harmful materials out of the products it sells, and double the fuel efficiency of their trucks. Wal-Mart is also working to conserve energy and reduce waste in its stores.

Some of Wal-Mart's accolades include:

- 2008 Employer of the Year, National Association of Governor's Committees on People with Disabilities
- 2008 Top Ten Companies for Female Executives, National Association of Female Executives
- 2008 Best Companies for Multicultural Women, Working Mother Media
- 2008 Diversity Elite – Top Ten (#3), Hispanic Business
- 2008 Top 50 Companies for Diverse Managers to Work (#3), Diversity MBA
- 2008 Top 100 Employers (#22), The Black Collegian
- 2008 Best Companies for Asian Pacific Americans, Asian Enterprise
- #1 on the FORTUNE 500, a position held by the company in six of the past seven year.

Wal-Mart remains on FORTUNE's "Most Admired Companies" list after having been recognized as the "Most Admired Company in America" in both 2003 and 2004. Forbes has also named Wal-Mart the number one most generous company overall in terms of cash contributions to nonprofits.

-
- C. List and explain any criminal or civil fines or penalties or ongoing investigations that have been imposed upon the company, its executives, or its affiliates and any recent bankruptcy proceedings of the applicant or its parent company.**

Wal-Mart is a large nationwide company with numerous locations and has, at

GENERAL PROJECT OVERVIEW

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various times and locations, been subject to fines and penalties for infractions.

- D. Provide any additional information you wish to be considered as part of this incentive application or items that may provide supplementary background information on your project or company.**

The site is currently impacted with significant levels of petroleum-related soil. Based on the widespread impact of contamination at the site, the cleanup will be expensive and complicated. Accessing certain financial incentives that are available through the Florida Brownfields Program will assist in moving the project forward and is a key factor in Wal-Mart successfully achieving site rehabilitation and redevelopment.

7. CONFIDENTIALITY

- A. You may request that your project information (including information contained in this application) be confidential per F.S. 288.075, Confidentiality of Records for a 12 month period, with an additional 12 month extension available upon request for projects still under consideration.**

Please indicate your confidentiality preference: (Does not apply to SDST sales tax exemption applicants)

- Yes
 No

*****Be sure to attach the proper incentive attachment sheet(s)*****

GENERAL PROJECT OVERVIEW

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8. SIGNATURES

Application Completed By:

To the best of my knowledge, the information included in this application is accurate.

Signature

Michael R. Goldstein, Esq.

Name

Environmental Attorney

Title

Akerman, Senterfitt & Eidson, PA

Company

1 SE 3rd Avenue, 25th Floor, Miami, FL
33131

Address, if different than mailing address

(305) 374-5600

Phone Number

(305) 374-5095

Fax Number

michael.goldstein@akerman.com

Email Address

4/9/2010

Date

Signature (Authorized Company Officer)
REQUIRED

J. Councill Leak

Name

Vice President of Domestic Tax

Title

Wal-Mart Stores, Inc.

Company

805 Moberly Lane, Bentonville, AR
72716-0555

Address, if different than mailing address

(479) 204-2159

Phone Number

(479) 273-4432

Fax Number

councill.leak@wal-mart.com

Email Address

4/ /2010

Date

Name of contact person, if different than above

Phone Number

Address

Email Address

Brownfield Redevelopment Bonus Tax Refund Attachment to the General Project Overview

To add text outside of the gray fields or click the statutory reference link, de-select the "Protect Form" (lock) button on the Forms toolbar.

Wal-Mart Stores East, LP

Name of Business

Must be a separate business unit or reporting unit of a business unit that is or will be registered with the State of Florida for unemployment compensation purposes.

IMPORTANT NOTE: This form should be used if a company is considering locating in a Brownfield area and the project involves a fixed capital investment of at least \$2 million, creation of at least 10 net new jobs, and there is a mixed-use component (including multiunit housing, commercial, retail, or industrial) to the overall development area. The application should be submitted **before** the decision has been made to locate in a Brownfield area.

Be sure to submit the General Project Overview and Local Support Resolution¹ following passage by the City / County

1. SITE INFORMATION

A. Indicate which organizations or agencies you have contacted for assistance with this project and provide the following contact information:

For example: local economic development agency, DEP, city or county

Name: Charita Allen Organization: The Beacon Council
Telephone: 305.579.1349 Email Address: callen@beaconcouncil.com

Miami-Dade County Department
of Housing and Community
Development

Name: Tangie White Jackson Organization: Development
Telephone: (786) 469-2165 Email Address: whitan@miamidade.gov

B. Is the proposed site abandoned or underutilized?

Yes No If yes, explain: The site is a former automobile dealership and service garage.

C. Is there evidence of contamination on the proposed site?

Yes No

If yes, what is DEP's involvement in the remediation process?

DEP is not yet involved in the remediation process. The facility is currently undergoing assessment. Initial assessment activities indicate that historical releases have impacted the property.

D. Has a Brownfield Site Rehabilitation Agreement (BSRA) been contemplated or executed for the subject property?

Yes No If yes, explain: The property is located in the Perrine designated brownfields area in Miami-Dade County.

E. What role is the company (applicant) playing in the clean-up process?

Wal-Mart will invest approximately \$200,000.00 for the environmental remediation of the site.

F. Describe how the project demonstrates the principles of site reuse:

Wal-Mart intends to properly address the contamination issues at the site in a manner

¹ Submit the resolution adopted by the local governing body recommending the applicant be approved as a Brownfield Redevelopment Bonus Business unit and indicating the amount of local financial support that has been committed. Resolution should clearly indicate waivers requested and justification for such waivers.

Brownfield Redevelopment Bonus Tax Refund Attachment to the General Project Overview

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consistent with applicable environmental law and regulations and will invest millions of dollars towards the cleanup and redevelopment of the site. The new retail development will pump significant dollars into the local economy by providing infrastructure improvements, creating new temporary and permanent jobs, and expanding the City's tax base and revenue resulting in increased economic productivity in the community and adding more social and environmental value to the area.

G. Describe efforts to involve the community in cleanup and redevelopment of the site:

Wal-Mart expects the cleanup and redevelopment of the site to provide hundreds of new temporary and permanent jobs to the area. The community may also have the opportunity to apply for temporary positions related to the construction of the project.

H. How will this project promote mixed-use development² in the Brownfield area:

This project will provide additional retail and commercial development, new employment opportunities for the residents, as well as new retail options for the community. The project is also expected to attract and bring new businesses and other economic and community service opportunities to the area.

2. PROJECT EMPLOYMENT AND WAGE COMMITMENTS

A. What is the total number of net new full-time equivalent Florida jobs created by the project at the business unit³? 210

B. Provide job creation schedule to which you commit: (Please limit job creation to no less than ten jobs in the first year and the phases to a maximum of three consecutive years unless extraordinary circumstances warrant consideration of additional phases).

Phase	Number of net new full-time equivalent Florida jobs created in the business unit	Date by which jobs will be created
I	210	12/31/2012
II		12/31/
III		12/31/
Total		

C. For the purposes of certification, agreement, and claim review, indicate the average wage to which you commit:
\$20,000 for regular full-time hourly associates

3. LOCAL FINANCIAL SUPPORT

² Mixed use business activities include multiunit housing, commercial, retail, and industrial development within the Brownfield area.
³ Must be a minimum of 10 new jobs and a 10 percent increase in current business unit employment (if an existing Florida business).

Brownfield Redevelopment Bonus Tax Refund Attachment to the General Project Overview

To add text outside of the gray fields or click the statutory reference link, de-select the "Protect Form" (lock) button on the Forms toolbar.

A. Identify the local government(s) anticipated to provide local financial support⁴:

There will not be local financial support in connection with this application.

B. Indicate the date the Brownfield Redevelopment Bonus support resolution is anticipated to be passed by the local government:

May 2010

⁴ The total Brownfield Redevelopment Bonus award may not exceed five times the local financial support provided by the community. If the community has requested a local financial support waiver or the support is provided in the form of ad valorem tax abatement, the Brownfield Redevelopment Bonus award will be reduced by this amount.

Brownfield Redevelopment Bonus Tax Refund Attachment to the General Project Overview

To add text outside of the gray fields or click the statutory reference link, de-select the "Protect Form" (lock) button on the Forms toolbar.

4. SIGNATURES

Signature of Individual Completing this Attachment
(if different from General Project Overview)

Date

Same

Address (if different)

Phone Number (if different)

4/ /2010

Signature (Authorized Company Officer) REQUIRED

Date

J. Council Leak, Vice President of Domestic Tax

Name and Title of Authorized Officer

5. KEY BROWNFIELD REDEVELOPMENT BONUS PROGRAM INFORMATION

- The tax refund claim form will be due by January 31st each year for the number of jobs on December 31st of the previous calendar year. Tax refunds paid per state fiscal year (July 1 – June 30) may not exceed 25 percent of the total tax refund award associated with the phase(s) scheduled.
- Minimum program requirements include creation of at least 10 new jobs and capital investment of at least \$2 million in a development consisting of mixed-use business activities.
- Pre-approved applicants receive tax refunds of up to \$2,500 per new job created.
- If in any year the company does not achieve the job creation schedule outlined in item 2C, but achieves at least 80% of the required net new jobs, the company will receive a pro-rated refund less a 5% penalty of the scheduled award amount for that year. If job creation falls below 80% of the required jobs, the company will not receive a refund and will be terminated from the program.
- For an expanding Florida business unit:
 - Existing number of full-time equivalent jobs must be maintained for the duration of the Brownfield Redevelopment Bonus agreement.
 - The average wage commitment should include the wages paid across the expanding business unit or reporting unit for all new and existing jobs, as shown on the unit's UCT-6 form. If your project involves activities that are not representative of the expanding business unit or reporting unit and are anticipated to be substantially different from the historical range and distribution of jobs and wages paid (either higher or lower) in the existing unit, that issue should be disclosed and discussed with Enterprise Florida at the time of application to determine if separate record keeping needs to be established.
- A business that fraudulently claims a refund under 288.107(4)(e), Florida Statutes:
 - Is liable for repayment of the amount of the refund to the account, plus a mandatory penalty in the amount of 200 percent of the tax refund which shall be deposited into the General Revenue Fund.
 - Is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- Brownfield Redevelopment Bonus: Section 288.107, Florida Statutes