



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

5/21/2024

Subject:

Ordinance rescinding the Economic Development Ad Valorem Tax Exemption for BK Technologies, Inc.

Fiscal Impact:

The fiscal impact associated with this action is BK Technologies, Inc., would no longer be eligible to receive future ad valorem tax exemptions at 7100 Technology Drive, West Melbourne, Florida, for the economic development incentive granted under Ordinance 2019-010.

If approved, the County would seek claw back of the 2023 exemption granted, in the amount of \$9,529.74.

Dept/Office:

County Manager

Requested Action:

It is recommended that the Board of County Commissioners consider adopting an Ordinance rescinding the Economic Development Ad Valorem Tax Exemption for BK Technologies, Inc., and seeking claw back of the 2023 exemption granted, in the amount of \$9,529.74.

Summary Explanation and Background:

On May 7, 2019, the Board of County Commissioners granted BK Technologies, Inc., an ad valorem tax exemption for a period of eight (8) years and eighty percent (80%) on real and tangible property added to the County's assessment roll. In order to remain eligible for the County's Ad Valorem Tax Exemption Program, BK Technologies, Inc., would need to maintain their eligibility as set forth in Ordinance 2019-010.

During the annual review process, BK Technologies, Inc., failed to provide the required annual report as required in Section 1(e) of Brevard County Ordinance 2019-010. On March 18, 2024, a certified letter was sent to BK Technologies, Inc. notifying them that the Board of County Commissioners would consider rescinding their Economic Development Ad Valorem Tax Exemption based upon their failure to provide evidence of continued compliance with Ordinance 2019-010 and Florida Statute 196.012(15). On April 29, 2024, Brevard County received the 2023 Annual Report from BK Technologies. BK Technologies reported 79 FTEs at the West Melbourne location, which is 56 FTEs less than the amount specified in the application submitted in 2019.

Clerk to the Board Instructions:

Upon approval by the Board, execution by the Chair, and attestation by the Clerk, file the ordinance with the Department of State as required by law within the 10-day deadline. Please return a copy of the executed ordinance with the Department of State's official acknowledgement of filing to the County Manager's Office, County Attorney's Office, and EDC of Florida Space Coast at 6525 3rd Street, Suite 304, Rockledge, FL 32955.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

May 22, 2024

MEMORANDUM

TO: Frank Abbate, County Manager

RE: Item H.2., Ordinance Rescinding the Economic Development Ad Valorem Tax Exemption for BK Technologies, Inc

The Board of County Commissioners, in regular session on May 21, 2024, considered and adopted Ordinance No. 24-09, rescinding the Economic Development Ad Valorem Tax Exemption for BK Technologies, Inc., and seeking claw back of the 2023 exemption granted, in the amount of \$9,529.74. Enclosed is the fully-executed Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/ns

Encl. (1)

cc: County Attorney
EDC of Florida Space Coast
Property Appraiser
Finance
Budget

ORDINANCE NO. 2024-09

AN ORDINANCE REPEALING ORDINANCE 2019-010 GRANTING TO BK TECHNOLOGIES, INC., CERTAIN AD VALOREM TAX EXEMPTIONS, FOR FAILURE TO MEET THE CRITERIA FOR SUCH EXEMPTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, BK TECHNOLOGIES, INC., West Melbourne, Florida, no longer meets the criteria of Brevard County Ordinance 2019-010.

NOW THEREFORE, LET IT BE ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Ordinance 2019-010 relating to the economic development ad valorem exemption granted to BK Technologies, Inc., located at 7100 Technology Drive, West Melbourne, Florida 32904, is hereby repealed; and

Section 2. In accordance with Section (1)(g) of Ordinance 2019-010, BK Technologies, Inc. shall reimburse those County ad valorem taxes abated in its favor for that period of time that it no longer met the criteria of section 196.012 (15), Florida Statutes.

Section 3. Effective Date - This Ordinance shall become effective immediately upon its adoption and filing as provided by law. A certified copy of the Ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten (10) days of enactment.

Section 4. It is the intention of the Board of County Commissioners that the provisions of this ordinance amend the Code of Ordinances of Brevard County, Florida, as applicable.

DONE, ORDERED AND ADOPTED in Regular Session this 21st day of May, 2024.

ATTEST:


Rachel M. Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 
Jason Steele, Chair

MAY 21 2024

As approved by the Board on _____

Officially filed with the Secretary of the State on May 23, 2024.



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 23, 2024

Honorable Rachel M. Sadoff
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, FL 32781-0999

Dear Honorable Rachel Sadoff,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2024-09, which was filed in this office on May 23, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh



AGENDA REPORT
May 7, 2019

Economic Development Tax Exemption Ordinance Re: BK Technologies

SUBJECT:

Economic Development Tax Exemption Ordinance re: BK Technologies, Inc.

FISCAL IMPACT:

FY 2019-2020 No fiscal impact until company purchases equipment

FY 2020-2021 Fiscal Impact will be the amount of ad valorem taxes exempted.

DEPT/OFFICE:

County Manager

REQUESTED ACTION:

It is requested that the Board of County Commissioners consider adopting an Economic Development Ad Valorem Exemption Ordinance for BK Technologies, Inc.

SUMMARY EXPLANATION and BACKGROUND:

BK Technologies, Inc. designs, manufactures, and markets wireless communications products in the United States and internationally. The company offers two-way land mobile radios, repeaters, base stations, and related components and subsystems. The company is headquartered in West Melbourne, Florida, where it has maintained operations since the 1980's. Currently 100 employees are based in West Melbourne. BK Technologies, Inc. also operates a facility in Lawrence, Kansas. BK Technologies, Inc. plans to expand headcount by 35 employees over the next three years with an average wage of \$73,500 and invest \$3.0 million in equipment during the project period.

	# New Jobs	Dates
	17	Year 1
	18	Year 2
Total	35	

The EDC is seeking to leverage the Brevard County Ad Valorem Tax Abatement program to help BK Technologies, Inc. offset the cost of new equipment.

BK Technologies, Inc. meets the eligibility criteria as defined by Section 196.012(15)(a)(1), Florida Statutes. As a business expanding in Brevard County.

"A business or organization establishing 10 or more new jobs to employ 10 or more full-time employees in this state, paying an average wage for such new jobs that is above the average wage in the area, which principally engages in any one or more of

the following operations: manufacturers, processes, compounds, fabricates or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant".

The EDC has made a recommendation that BK Technologies, Inc. be provided an abatement of 80% for eight (8)years.

The Property Appraiser has conducted an analysis of the tax abatement application and it is estimated that at 80% of the amount of the annual tax abatement will be approximately \$12,164 and the total Tax Abatement for eight (8)years will be \$97,312.

ATTACHMENTS:

Description

- ▣ **legal ad**
- ▣ **Application**
- ▣ **Final draft ordinance**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, on May 7, 2019 at 5:00 p.m., in the Commission Room at 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, FL, 32940, will hold a public hearing on the following ordinance:

ORDINANCE NO. 2019-__

AN ORDINANCE GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION TO BK TECHNOLOGIES. SPECIFYING THE ITEMS EXEMPTED; PROVIDING THE EXPIRATION DATE OF THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF SECTION 196.1995(9) FLORIDA STATUTES; PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; BK TECHNOLOGIES, INC.; PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the May 7, 2019 meeting and be heard with respect to the proposed ordinance.

A copy of the ordinance may be inspected at the following locations:

Office of Clerk to the Board of County Commissioners, Titusville, Florida
North Brevard Library, Titusville, Florida
Central Brevard Library, Cocoa, Florida
Melbourne Library, Melbourne, Florida
South Mainland Library, Micco, Florida

A copy of the ordinance may also be viewed online at: <http://www.brevardcounty.us/CountyManager/DraftOrdinances>.

Pursuant to Section 286.0105 Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she will need to ensure that a verbatim record of the proceedings is made, at his or her own expense, which record includes the testimony and evidence upon which any such appeal is to be based. Such person may provide a court reporter, stenographer, or a tape recorder for such verbatim record.

In accordance with the Americans Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings, please notify the department sponsoring the meeting/hearing, or the County Manager's Office, (321) 633-2010, at least 48 hours in advance. TDD: 1-800-955-8771. Assisted Listening System receivers are available for the hearing impaired, & can be obtained from the Sound Technician at the meeting.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks channel 199, Comcast Cable Communications channel 51 in North Brevard and channel 13 in South Brevard, and AT&T U-verse channel 99. The meeting can be viewed at www.brevardfl.gov/onlineagenda

Date: April 12, 2019

To: Frank Abbate
County Manager

From: Gregory Weiner, CECD
Senior Director, Business Development

Re: Company Considering Expansion in Brevard County

The Economic Development Commission of Florida's Space Coast is managing a business expansion project for Project BK Technologies, Inc., a leading manufacturer of communications equipment. The company provides design and manufacturing services both inside and outside the state of Florida.

They are considering additional equipment purchases as well as additional employment for their location in West Melbourne, FL. The company plans to create 35 new jobs over 2 years with an average wage of \$73,500 and invest approximately \$3,000,000 in new capital expenditures. The proposed job creation timeline for the project is as follows:

# of New Jobs	Date jobs will be created
17	Year 1
18	Year 2
TOTAL	35

The EDC is seeking to leverage the Brevard County Ad Valorem Tax Abatement program to help the client offset the cost new equipment.

Enclosed please find the following:

- Executive summary
- Completed AVT application
- Economic impact analysis
- Resolution – AVT
- Resolution - QTI
- Draft Board Report

If you should have any questions regarding any of the enclosed documentation or on the company's business expansion, please feel free to contact me.

SUPPLEMENTAL APPLICATION

**BREVARD COUNTY ECONOMIC DEVELOPMENT
AD VALOREM TAX EXEMPTION PROGRAM**

APPLICANT NAME: BK Technologies, Inc.

NOTICE: This supplement is to be used by the applicant to provide additional information required by Economic Development Ad Valorem Tax Abatement Ordinance, Chapter 102, Division 3, Sections 181-191, Brevard County Code; and to provide other information requested by the Board of County Commissioners and the entities who will review the application.

Any business seeking an exemption shall file an application with the County before the business has made the decision to locate a new business in the County or before the business has made the decision to expand an existing business in the County. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to final County Economic Development Tax Abatement approval (and not made contingent upon County approval) may constitute grounds for disapproval. Projects, which clearly do not require inducement, will not be approved.

1. Length of exemption requested is total of 10 years (length of exemption approved is sole discretion of County Commission and commences on the adoption date of the ordinance granting the exemption).
2. Proposed Property Address (legal description & street address): 7100 Technology Dr, West Melbourne, FL 32904
3. **Property Owner Name:** B&M Property Holdings, LLC
Address: 1800 Penn Street, Suite 11, Melbourne, FL 32901
Telephone No.: n/a FAX No.: n/a
4. **Authorized Agent:** Adam Rathbun, The Ullian Realty Corporation
Address: 1800 Penn Street, Suite 11, Melbourne, FL 32901
Telephone No.: n/a FAX No.: n/a
5. Type of industry or business: Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing
6. NAICS Code(s): 334220
7. Brief description of product and expansion plans (The applicant is to provide an executive summary of its business plan):
BK Technologies, Inc. designs, manufactures, and markets wireless communications products. BK Technologies plans to expand headcount by 35 employees in the next three years. This expansion includes adds to Assembly, Testers, Inspectors, R&D, and Engineering personnel.
8. Anticipated number of new employees (The applicant is to provide a breakdown of jobs to be created by category and planned salary to be paid by position):

Project Year	Number of net new full-time equivalent Brevard County jobs created in the business unit
I (2020)	17
II (2021)	18
III (2022)	0
Total	35
9. As of the date of this application, what is your total current Brevard County Employment? 100
10. Expected number of new employees who will reside in Brevard County: 35
11. Percentage of existing employees who have resided in the County for more than two years: 87
12. Anticipated average wage of employees (excluding employee benefits, but including overtime): \$35.34
13. Estimated new capital investment as a result of expansion or relocation of business:
Estimated new construction value: \$0
Estimated new personal property value: \$3,000,000
14. Environmental impact of business. (Identify the number and type of environmental permits required as a result of this project: e.g. air, soil and water pollution, water and sewer, dredge and fill, storm water, industrial wastewater; provide a brief narrative statement of the company's environmental impacts):
n/a
15. Anticipated volume of business or production (estimated gross revenue): \$50 million 2018 revenue and 25% anticipated growth in productivity
16. Would the relocation or expansion occur without the exemption: Yes [] No [X]
17. Estimated source of supplies (local or otherwise):
Estimated % source of supplies County: 0%
Estimated % source of supplies Florida: 3%
Estimated % source of supplies out-of-state: 97%
18. Business is/will be located in a community redevelopment area: Yes [] No [X]

Name of area: n/a

19. Do you desire exemption as a "Relocation" [], "Expansion of Existing Business Function" [☒] or as an "Expansion of New Business Function" []

SIGNATURES:

I hereby confirm the information provided by BK Technologies, Inc. to the Economic Development Commission of Florida's Space Coast and the Board of County Commissioners for the purpose of calculating the economic impact and benefit of the proposed tax abatement is true, accurate and complete. I further confirm that BK Technologies, Inc. is not in violation of any federal, state or local law, or regulation governing environmental matters. I hereby acknowledge and agree upon approval of the Economic Development Ad Valorem Tax Abatement Ordinance by the Brevard County Board of County Commissioners that BK Technologies, Inc. will provide the CareerSource Brevard its job openings to be posted on www.employflorida.com and agrees to consider for employment candidates referred by Brevard Workforce.

DATE: 4/3/19

SIGNED: [Signature] / Sean Polley
8 Wright Street, Westport, CT 06880
860-874-6464

SIGNED: [Signature]

William Kelly, CFO, BK Technologies, Inc.

ECONOMIC DEVELOPMENT COMMISSION (EDC) USE ONLY

EDC Economic Impact Analysis:

EDC's Recommendation:

The Economic Development Commission of Florida's Space Coast hereby certifies that it has proof, to the satisfaction of the EDC, that the applicant meets the criteria of a new business or for an expansion of an existing business as defined in Section 184, Chapter 102, Brevard County Code. Furthermore, the EDC has conducted an economic impact analysis, applying acceptable multipliers as defined by the State Department of Commerce, which concludes that the applicant does hereby meet the economic benefit test; and, therefore, the EDC recommends to the Brevard County Commission that the applicant receive an ad valorem tax exemption for 80% percent of its eligible taxes and for a period of 8 years.

DATE: 5/1/2019

SIGNED: [Signature]

(EDC President)

COUNTY USE ONLY

County Manager's Recommendation:

DATE: _____

SIGNED: _____

(County Manager)

52VD
5.6317

BREVARD COUNTY
ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION
Chapter 196, Florida Statutes

To be filed with the Board of County Commissioners, the governing board of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1. Business name: BK Technologies, Inc.
Mailing address: 7100 Technology Dr, West Melbourne, FL 32904
2. Name of person in charge of business: William Kelly, CFO & Randy Willis, COO
Telephone No.: 321-237-1493 FAX No.: n/a
3. Location of business (legal description and street address) of property for which this report is filed:
7100 Technology Dr, West Melbourne, FL 32904
4. Date business opened at this facility: 2000 at current site (early 1980s to 2000 across street)
5. a. Description of the improvements to real property for which this exemption is requested:
None. The \$3.0 million in listed investment is in personal property.
b. Date of commencement of construction of improvements: n/a
6. a. Description of the tangible personal property for which this exemption is requested and date when property was purchased:

Class or Item	Age	Date of Purchase	Original Cost	Taxpayer's Estimate of Condition	Taxpayer's Estimate of Fair Market Value	APPRAISER USE ONLY
<u>Miscellaneous manufacturing equipment to be purchased</u>			<u>\$3.0mm Est.</u>		<u>.90</u>	<u>2,700,000</u>

- b. Average value of inventory on hand: \$11 million
- c. Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.
7. Do you desire exemption as a "New Business" [-] or as an "Expansion of an Existing Business" [☒]
8. Describe the type or nature of your business: BK Technologies, Inc. designs, manufactures, and markets wireless communications products. BK Technologies plans to expand headcount by 35 employees in the next three years. This expansion includes adds to Assembly, Testers, Inspectors, R&D, and Engineering personnel.
9. Trade level (check as many as apply):
Wholesale [] Manufacturing [☒] Professional [☒] Service [] Office [☒] Other []
10. a. Number of full time employees employed in Florida: 100
b. If an expansion of an existing business:
(1) Net increase in employment: 35 new jobs during project period
(2) Increase in productive output resulting from this expansion: 20-25%

11. Sales factor for the facility requesting exemption:

Total sales in Florida from this facility - one (1) location only \$3.5 million divided by Total sales everywhere from this facility - one (1) location only \$50 million = 7%

12. For office space owned and used by a corporation newly domiciled in Florida: Not yet incorporated

a. Date of Incorporation in Florida: n/a

b. Number of full-time employees at this location: n/a

13. If requesting an exemption due to location in a slum or blighted area, please furnish such additional information as required by the County Commission, City Commission, or Property Appraiser.

I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)

DATE: 4/8/19

SIGNED: [Signature]
William Kelly, CFO, BK Technologies, Inc.

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the County or municipality for the current fiscal year from ad valorem tax sources:

227,516,307.24

II. Revenue lost to the County or municipality for the current fiscal year by virtue of exemptions previously granted under this section:

910,938.41

III. Estimate of the revenue which will be lost to the County during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:

15,205.59

IV. Estimate of the taxable value lost to the County or municipality if the exemption applied for were granted:
Improvements to real property 0 Personal Property 2,900,000

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [], an Expansion of an Existing Business [X], or Neither [].

VI. Last year for which exemption may be applied: dependent upon the number of years granted by the BOCC.

DATE: 4-30-19

SIGNED: [Signature]
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

Project BK Technologies, Inc. Ad Valorem Tax Abatement Executive Summary

BK Technologies, Inc. designs, manufactures, and markets wireless communications products in the United States and internationally. The company offers two-way land mobile radios, repeaters, base stations, and related components and subsystems. Its BK Technologies and BK Radio branded products include land-mobile radio equipment for professional radio users primarily in government, public safety, and military applications, as well as P-25 digital products; and RELM branded products provide two-way communications for commercial and industrial concerns, such as hotels, construction firms, schools, and transportation services.

The company is headquartered in West Melbourne, Florida, where it has maintained operations since the 1980s. Currently 100 employees are based in West Melbourne. BK Technologies also operates a facility in Lawrence, Kansas, which is also under consideration for this project as well.

BK Technologies plans to expand headcount by 35 employees and invest \$3.0 million in equipment during the project period. This expansion includes adds to Assembly, Testers, Inspectors, R&D, and Engineering personnel.

AD VALOREM TAX ABATEMENT

Job Creation Distribution Worksheet

JOB TITLE / DESCRIPTION	NUMBER OF JOBS	WAGE	ANTICIPATED HIRE TIMELINE (YEARS 1-3)
R&D Engineer	12	\$50.94	Year 1
Engineer	9	\$45.03	Year 2
Assembly (NGR)	2	\$13.25	Year 2
Production (Assembler, Tester, Inspector)	12	\$13.25	5 in Year 1 7 in Year 2

*Year 1 is CY ending 12/31/20

*Year 2 is CY ending 12/31/21

ECONOMIC IMPACT ANALYSIS

Project **BK Technologies, Inc.**

Brevard County, FL 04/08/19

Overview:

New Job Commitment:	35	Capital Investment:	\$3,000,000
Average Annual Wage:	\$73,500		

Economic impact from job creation:

Jobs	Net New Wage	Contribution to GDP
35 (Direct)	\$2,572,500 (Direct)	\$3,966,394 (Direct)
15 (Indirect)	\$824,099 (Indirect)	\$1,250,848 (Indirect)
17 (Induced)	\$667,118 (Induced)	\$1,237,934 (Induced)
67 TOTAL	\$4,063,717 TOTAL	\$6,455,176 TOTAL

- For every employment position created by PROJECT **BK Technologies, Inc.** approximately .9113 additional jobs will be developed to support the operation of the facility.
- For every payroll dollar paid to PROJECT **BK Technologies, Inc.** approximately \$.5797 will be generated for consumer spending.

County Tax Impact

Years 1-10	Annual Taxes on Construction	
Projected Tax Assessed	\$	-
Potential Abatement (at 100%)	\$	-
Net New Revenue to County	\$	-
	Annual Taxes on Personal Property	
Projected Tax Assessed	\$	24,186.24
Potential Abatement (at 100%)	\$	7,272.00
Net New Revenue to County	\$	16,914.24
Total New Revenue to County	\$	16,914.24

Years 11+ : Company will be assessed for 100% of tax liability

Tax Millage Code – 52V0 NAICS – 334220 IMPLAN Sector – 305

Analysis based on information supplied by Project **BK Technologies, Inc.** -April 2019

Economic impact calculations furnished by EDC Research Office, using IMPLAN Professional 3.1 (www.IMPLAN.com).

Abatement & millage numbers are estimates; all final numbers determined solely by the Brevard County Property Appraiser's Office.

ORDINANCE NO. 2019-_____

AN ORDINANCE GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION TO BK TECHNOLOGIES, INC.; SPECIFYING THE ITEMS EXEMPTED; PROVIDING THE EXPIRATION DATE OF THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF CHAPTER 196.1995(16) F.S.; PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; BK TECHNOLOGIES, INC.; PROVIDING AN EFFECTIVE DATE.

WHEREAS, economic development and the creation of jobs are a priority of the Brevard County Board of County Commissioners; and

WHEREAS, the Brevard County citizens voted to provide economic incentives to new and expanding businesses in the November 2014 general election; and

WHEREAS, BK Technologies, Inc., has requested that the Board of County Commissioners exempt ad valorem taxes for real property used in its new business or expansion of an existing business as well as tangible personal property at 7100 Technology Drive, West Melbourne, Florida 32904.

WHEREAS, the Economic Development Commission of Florida's Space Coast has recommended approval of the exemption for BK Technologies, Inc., and

WHEREAS, the Property Appraiser has provided the Board of County Commissioners with its report as required by Section 196.1995(9), Florida Statutes; and

WHEREAS, it has been determined that BK Technologies, Inc., meets the requirements of Section 196.012(15), Florida Statutes, for an expansion of an existing business in Brevard County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA as follows:

Section 1. Chapter 102 entitled "Taxation," and Article IV entitled "Ad Valorem Property Taxation," of the Code of Ordinances of Brevard County, Florida shall be amended to include a new section 102-2__ as follows:

- (a) An Economic Development Ad Valorem Tax Exemption is hereby granted to BK Technologies, Inc. (hereafter referred to as "the Company"), for 80 percent of the assessed value of the net increase in all tangible personal property acquired to facilitate such expansion of an existing business during that first year (not to exceed the amount identified in the Company's application for exemption).
- (b) The total amount of revenue available to the County from ad valorem tax sources for the current fiscal year is \$227,516,307.24; \$910,938.41 is lost to the County for the current fiscal year by virtue of exemptions currently in effect from previous years.
- (c) The tax exemption hereby granted shall be for a term of eight (8) years commencing with the first year the new or expanded facility and tangible personal property are added to the assessment roll.

- (d) In accordance with the findings of the Board of County Commissioners and the Property Appraiser, the property hereby exempted from ad valorem tax exemption meets the definition of expansion of an existing business, as defined by Section 196.0125(15), Florida Statutes.
- (e) The Company shall submit to the County Manager at the beginning of each year an annual report providing evidence of continued compliance with the definition of an expansion of an existing business for each of the eight (8) years during which the Company is eligible to receive ad valorem tax exemption. If the annual report is not received, if the annual report indicates the Company no longer meets the criteria of Section 196.012(15), Florida Statutes, or if the company fails to fulfill any representation made to the board in its application or the application process, the County Manager shall make a report to the Board of County Commissioners for consideration of revocation of this Ordinance granting the tax exemption.
- (f) If the County Manager or designee receives written notice that the company qualifying for an ad valorem tax abatement under the authority of this ordinance has decided not to undertake or complete the new business or expansion of an existing business, including improvements to real property or acquisition of taxable tangible personal property, or has not timely provided the number of jobs qualifying the new business or expansion of an existing business for the ad valorem tax exemption granted under this section, the exemption granted shall be void, shall not take effect and shall not be implemented. If such a notice is received, the foregoing provision shall be self-executing and no further action of the Board of County Commissioners will be required to void the granted exemption. Upon the County's receipt of any such notice, the county manager or designee shall forward the notice to the Property Appraiser along with a copy of this subsection of the ordinance.
- (g) If, upon discovery of the Company's failure to qualify for the ad valorem tax exemption granted by this ordinance, the Board of County Commissioners may revoke this Ordinance, and the company shall reimburse those County ad valorem taxes abated in favor of the Company for that period of time that it was determined that the Company no longer met the criteria of Section 196.012(15), Florida Statute, which is applicable to the exemption granted by this Ordinance.

Section 2. Severability - If any provision of this Ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

Section 3. Codification - The provisions of this Ordinance shall be codified as and become and be made a part of the Brevard County Code. The Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance" or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 4. Effective Date - This Ordinance shall become effective immediately upon filing as provided by law. A certified copy of the Ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten days of enactment.

DONE, ORDERED AND ADOPTED in Regular Session this _____ day of _____, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

By: _____
Kristine Isnardi, Chair

As approved by the Board on _____

ORDINANCE NO. 2019- 010

AN ORDINANCE GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION TO BK TECHNOLOGIES, INC.; SPECIFYING THE ITEMS EXEMPTED; PROVIDING THE EXPIRATION DATE OF THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF CHAPTER 196.1995(16) F.S.; PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; BK TECHNOLOGIES, INC.; PROVIDING AN EFFECTIVE DATE.

WHEREAS, economic development and the creation of jobs are a priority of the Brevard County Board of County Commissioners; and

WHEREAS, the Brevard County citizens voted to provide economic incentives to new and expanding businesses in the November 2014 general election; and

WHEREAS, BK Technologies, Inc., has requested that the Board of County Commissioners exempt ad valorem taxes for real property used in its new business or expansion of an existing business as well as tangible personal property at 7100 Technology Drive, West Melbourne, Florida 32904.

WHEREAS, the Economic Development Commission of Florida's Space Coast has recommended approval of the exemption for BK Technologies, Inc., and

WHEREAS, the Property Appraiser has provided the Board of County Commissioners with its report as required by Section 196.1995(9), Florida Statutes; and

WHEREAS, it has been determined that BK Technologies, Inc., meets the requirements of Section 196.012(15), Florida Statutes, for an expansion of an existing business in Brevard County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA as follows:

Section 1. Chapter 102 entitled "Taxation," and Article IV entitled "Ad Valorem Property Taxation," of the Code of Ordinances of Brevard County, Florida shall be amended to include a new section 102-2__ as follows:

- (a) An Economic Development Ad Valorem Tax Exemption is hereby granted to BK Technologies, Inc. (hereafter referred to as "the Company"), for 80 percent of the assessed value of the net increase in all tangible personal property acquired to facilitate such expansion of an existing business during that first year (not to exceed the amount identified in the Company's application for exemption).
- (b) The total amount of revenue available to the County from ad valorem tax sources for the current fiscal year is \$227,516,307.24; \$910,938.41 is lost to the County for the current fiscal year by virtue of exemptions currently in effect from previous years.
- (c) The tax exemption hereby granted shall be for a term of eight (8) years commencing with the first year the new or expanded facility and tangible personal property are added to the assessment roll.

Officially filed with the Secretary of State May 8, 2019

- (d) In accordance with the findings of the Board of County Commissioners and the Property Appraiser, the property hereby exempted from ad valorem tax exemption meets the definition of expansion of an existing business, as defined by Section 196.0125(15), Florida Statutes.
- (e) The Company shall submit to the County Manager at the beginning of each year an annual report providing evidence of continued compliance with the definition of an expansion of an existing business for each of the eight (8) years during which the Company is eligible to receive ad valorem tax exemption. If the annual report is not received, if the annual report indicates the Company no longer meets the criteria of Section 196.012(15), Florida Statutes, or if the company fails to fulfill any representation made to the board in its application or the application process, the County Manager shall make a report to the Board of County Commissioners for consideration of revocation of this Ordinance granting the tax exemption.
- (f) If the County Manager or designee receives written notice that the company qualifying for an ad valorem tax abatement under the authority of this ordinance has decided not to undertake or complete the new business or expansion of an existing business, including improvements to real property or acquisition of taxable tangible personal property, or has not timely provided the number of jobs qualifying the new business or expansion of an existing business for the ad valorem tax exemption granted under this section, the exemption granted shall be void, shall not take effect and shall not be implemented. If such a notice is received, the foregoing provision shall be self-executing and no further action of the Board of County Commissioners will be required to void the granted exemption. Upon the County's receipt of any such notice, the county manager or designee shall forward the notice to the Property Appraiser along with a copy of this subsection of the ordinance.
- (g) If, upon discovery of the Company's failure to qualify for the ad valorem tax exemption granted by this ordinance, the Board of County Commissioners may revoke this Ordinance, and the company shall reimburse those County ad valorem taxes abated in favor of the Company for that period of time that it was determined that the Company no longer met the criteria of Section 196.012(15), Florida Statute, which is applicable to the exemption granted by this Ordinance.

Section 2. Severability - If any provision of this Ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

Section 3. Codification - The provisions of this Ordinance shall be codified as and become and be made a part of the Brevard County Code. The Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance" or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 4. Effective Date - This Ordinance shall become effective immediately upon filing as provided by law. A certified copy of the Ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten days of enactment.

DONE, ORDERED AND ADOPTED in Regular Session this 7 day of May, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Scott Ellis, Clerk

By: 

Kristine Isnardi, Chair

As approved by the Board on 5/7/19

STATE OF FLORIDA
COUNTY OF BREVARD
This is to certify that the foregoing
is a true and current copy of Ordinance
No. 2019-00 witness my hand
and official seal this 7 day of
May 2019
SCOTT ELLIS, Clerk of Circuit Court
BY Deborah Hernandez D.C.



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

May 8, 2019

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item H.3., Economic Development Tax Exemption Ordinance for BK Technologies, Inc.

The Board of County Commissioners, in regular session on May 7, 2019, adopted Ordinance No. 19-10, granting an Economic Development Ad Valorem Tax Exemption to BK Technologies, Inc. Enclosed is a certified copy of the Ordinance.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

Encl. (1)

cc: County Attorney
Budget
Finance



BOARD OF COUNTY COMMISSIONERS
Frank Abbate, County Manager

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

January 8, 2024

Mr. William P. Kelly, CFO
BK Technologies, Inc.
7100 Technology Dr
W. Melbourne, FL 32904

Via: Certified Mail # 70201810000131789644

RE: Ad Valorem Tax Abatement Annual Report for Year 2023 for BK Technologies, Inc. located at 7100 Technology Dr, W. Melbourne, FL 32904, Brevard County Ordinance 2019-10.

Dear Mr. Kelly,

Brevard County's Economic Development Ad Valorem Tax Abatement Program requires participating companies to submit an Annual Report to the County. The Annual Report qualifies the company to receive an ad valorem tax abatement and provides the necessary information to determine the company's continued performance under Division 3 of Brevard County Code of Ordinances, the ordinance granting the exemption and the representations made in the application process. Section 102-189, Brevard County Code of Ordinances, provides:

Should any new business or expansion of an existing business fail to file the annual report or any report required by section 102-185(g), Brevard County Code of Ordinances, or fail to continue to meet the definition of a new business or an expansion of an existing business, and/or fail to fulfill any other representation made to the Board of County Commissioners (Board) during the application process, the Board may adopt an ordinance revoking the ad valorem tax exemption. An ordinance revoking the ad valorem tax exemption may provide that the Board recover any taxes waived during the exemption period. Nothing herein shall prohibit a business from reapplying for an ad valorem tax exemption pursuant to State of Florida law.

Enclosed is a 2023 Annual Report DR-418 form and the 2023 Internal Revenue Service 941 form for employee and wage verification. Please submit your company's 2023 Annual Report with the employment and wage verification documentation for the company granted the Ad Valorem Tax Abatement, BK Technologies, Inc.

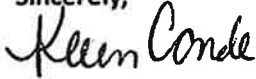
Phone: (321) 633-2001 • Fax: (321) 633-2115
Website: BrevardFL.gov

The employment and wage verification information must identify the number of full-time, permanent workers employed at the location which your company receives an ad valorem tax abatement for the last quarter of calendar year 2023. If your company received ad valorem tax abatement and is still in the construction and/or expansion phase of your plans, please complete the annual report and indicate this on the form. If your company has not started the business or expanded an existing business, an annual report still must be provided.

Please submit the 2023 Annual Report DR-418 form and the 2023 IRS 941 form prior to March 1, 2024 to the following address: Karen Conde, Assistant to the County Manager, County Manager's Office, 2725 Judge Fran Jamieson Way, Building C, Room 301, Viera, Florida 32940.

Thank you for your continued participation; should you have any questions, please contact me at (321) 350-9192 or Karen.Conde@brevardfl.gov.

Sincerely,



Karen Conde
Assistant to the County Manager

cc: Mr. Frank Abbate, County Manager
Cathy Lively, Agenda Coordinator

Attachments (2)

DR-418
R. 12/99

1	Business name	Mailing address
2	Please give name and telephone number of owner or person in charge of this business. Name Telephone number	
3	Exact Location (Legal Description and Street Address) of Property for which this return is filed	4 Date you began, or will begin, business at this facility
5	Description of the improvements to real property for which this exemption is requested	Date of commencement of construction of improvements
6	Description of the tangible personal property for which this exemption is requested and date when property was, or is to be purchased	APPRaiser's USE ONLY
Average value of inventory on hand:	*Condition: good, avg (average), or poor	
Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.		
7	Do you desire exemption as a <input type="checkbox"/> new business or <input type="checkbox"/> expansion of an existing business	9 Trade levels (check as many as apply) <input type="checkbox"/> Retail <input type="checkbox"/> Wholesale <input type="checkbox"/> Manufacturing <input type="checkbox"/> Professional <input type="checkbox"/> Service <input type="checkbox"/> Office <input type="checkbox"/> Other, specify:
8	Describe type or nature of your business	
10	Number of full-time employees to be employed in Florida	
If an expansion of an existing business:	Net increase in employment	% Increase in productive output resulting from this expansion %
11	Sales factor for the facility requesting exemption: Total sales in Florida from this facility-one (1) location only divided by Total sales everywhere from this facility-one (1) location only = %	
12	For office space owned and used by a corporation newly domiciled in Florida	Date of incorporation in Florida Number of full-time employees at this location
I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)		
Date		Signature, preparer _____
		Preparer's address _____
Signature, taxpayer _____	Preparer's telephone number _____	
Title _____		
Property Appraiser's Use Only		
I	Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources	\$
II	Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section	\$
III	Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation	\$
IV	Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted Improvements to real property \$ Personal property \$	
V	I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a <input type="checkbox"/> new business <input type="checkbox"/> expansion of an existing business <input type="checkbox"/> neither	
VI	Last year for which exemption may be applied	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

Signature, Property Appraiser

Name (not your trade name)

Employer identification number (EIN)

Part 3: Tell us about your business. If a question does NOT apply to your business, leave it blank.

17 If your business has closed or you stopped paying wages ☐ Check here, and enter the final date you paid wages / / ; also attach a statement to your return. See instructions.

18 If you're a seasonal employer and you don't have to file a return for every quarter of the year ☐ Check here.

19	Qualified health plan expenses allocable to qualified sick leave wages for leave taken before April 1, 2021	19	<input type="text"/>
20	Qualified health plan expenses allocable to qualified family leave wages for leave taken before April 1, 2021	20	<input type="text"/>
21	Reserved for future use	21	<input type="text"/>
22	Reserved for future use	22	<input type="text"/>
23	Qualified sick leave wages for leave taken after March 31, 2021, and before October 1, 2021	23	<input type="text"/>
24	Qualified health plan expenses allocable to qualified sick leave wages reported on line 23	24	<input type="text"/>
25	Amounts under certain collectively bargained agreements allocable to qualified sick leave wages reported on line 23	25	<input type="text"/>
26	Qualified family leave wages for leave taken after March 31, 2021, and before October 1, 2021	26	<input type="text"/>
27	Qualified health plan expenses allocable to qualified family leave wages reported on line 26	27	<input type="text"/>
28	Amounts under certain collectively bargained agreements allocable to qualified family leave wages reported on line 26	28	<input type="text"/>

Part 4: May we speak with your third-party designee?

Do you want to allow an employee, a paid tax preparer, or another person to discuss this return with the IRS? See the instructions for details.

☐ Yes. Designee's name and phone number

Select a 5-digit personal identification number (PIN) to use when talking to the IRS.

☐ No.

Part 5: Sign here. You MUST complete all three pages of Form 941 and SIGN it.

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Sign your name here

Print your name here

Print your title here

Date

 / /

Best daytime phone

Paid Preparer Use Only

Check if you're self-employed ☐

Preparer's name

PTIN

Preparer's signature

Date

 / /

Firm's name (or yours if self-employed)

EIN

Address

Phone

City

State

ZIP code



BOARD OF COUNTY COMMISSIONERS

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

March 18, 2024

Via Certified Letter: # 7020 1810 0001 3178 9712

William P. Kelly, CFO
BK Technologies, Inc.
7100 Technology Dr
W. Melbourne, FL 32904

Re: Brevard County's Ad Valorem Tax Exemption Program Ordinance No. 2019-10

Dear Mr. Kelly,

The Board of County Commissioners on May 7, 2019, granted BK Technologies, Inc. an ad valorem tax exemption for a period of eight (8) years and eighty percent (80%) on real and tangible property added to the County's assessment roll at 7100 Technology Dr, W. Melbourne, FL 32904. As part of the requirements to continue to participate in the County's Ad Valorem Tax Exemption Program, a Company is required to complete an "Economic Development Ad Valorem Property Tax Exemption" (Annual Report) with the County by March 1st of each year. On January 12, 2024, BK Technologies, Inc. received an Annual Report template from Brevard County along with instructions for the completion of the Annual Report. An Annual Report is necessary in order for the County to determine if your Company continues to meet the definition of an expansion of an existing business and that your Company is fulfilling the representation made in your Company's application.

The County has made an attempt through an email to your Company, to assist you with fulfilling this requirement. However, to date, the County has not received your Company's Annual Report. Therefore, I am considering recommending the Board of County Commissioners revoke the County's Ad Valorem Tax Exemption granted to BK Technologies, Inc. at the Board's meeting on Tuesday, April 23, 2024. If you have compelling reasons for the County to reconsider the revocation, please provide the information by Tuesday, April 9, 2024. I will consider any information you provide prior to making my recommendation. You may address your correspondence to the following address: 2725 Judge Fran Jamieson Way, Building C, Room 301, Viera, Florida 32940 or you may call Karen Conde, Assistant to the County Manager, at 321-633-2001 if you need additional information.

Sincerely,



Frank Abbate

County Manager
Brevard County, Florida

Phone (321) 633-2001 • Fax (321) 633-2115

Website: www.brevardfl.gov/home



BOARD OF COUNTY COMMISSIONERS

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

April 24, 2024

Via Certified Letter # 7020 1810 0001 3178 9743

William P. Kelly, CFO
BK Technologies, Inc.
7100 Technology Drive
West Melbourne, FL 32904

Re: Brevard County's Economic Development Ad Valorem Tax Exemption Program
Ordinance No. 2019-10

Dear Mr. Kelly,

On May 7, 2019, the Board of County Commissioners approved Ordinance 2019-10 which granted BK Technologies, Inc., an ad valorem tax exemption for a period of eight (8) years and eighty percent (80%) on real and tangible property added to the County's assessment roll at 7100 Technology Drive, West Melbourne, FL 32904. As part of the requirements to continue to participate in the County's Ad Valorem Tax Exemption Program, a Company is required to complete an "Economic Development Ad Valorem Property Tax Exemption" Annual Report with the County by March 1st of each year. On January 8, 2024, an Annual Report template from Brevard County along with instructions for the completion of the Annual Report were provided to BK Technologies, Inc. An Annual Report is necessary in order for the County to determine if your Company continues to meet the definition of an expansion of an existing business and that your Company is fulfilling the representation made in your Company's application.

The County has made multiple attempts to assist you with fulfilling this requirement. However, the County has not received your Company's Annual Report. In accordance with Section 1(e) of County Ordinance 2019-10, County staff is recommending the Brevard County Board of County Commissioners, during a Public Hearing, revoke the County's Ad Valorem Tax Exemption granted to BK Technologies, Inc., at the Board's meeting on Tuesday, May 21, 2024, at 9:00 a.m. If you have compelling reasons for the County to reconsider the revocation, please provide the information by Tuesday, May 7, 2024. I will consider any information you provide prior to making my recommendation. You may address your correspondence to the following address: 2725 Judge Fran Jamieson Way, Building C, Room 301, Viera, Florida 32940 or you may call Karen Conde at 321-633-2001 if you need additional information.

Sincerely,

Frank Abbate

County Manager
Brevard County, Florida

Cc: Tina Boucher, Sr. Vice President Controller

Conde, Karen L

From: Tina Boucher <Tboucher@bktechnologies.com>
Sent: Monday, April 29, 2024 3:20 PM
To: Conde, Karen L
Cc: Tina Boucher
Subject: BK TECHNOLOGIES INC
Attachments: 2023 brevard dr-418.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Karen,

Hope this email finds you well and that you had a very nice weekend. I am in receipt of another letter from the county manager regarding the Brevard County's Economic Development ad valorem tax exemption program ordinance No. 2019-10 pertaining to BK Technologies, Inc. As discussed a few months ago, BK does not believe that we qualify for this exemption for 2023 and going forward as Bk is going to outsource the manufacturing process and therefore, it is going to downsize the number of its employees. Attached please find the requested annual report. Please let me know if you have any questions.

Best regards,

Tina Boucher, MBA, CPA
Sr. Vice President Controller
Office: 321-953-7915
Mobile: 321-474-2397
www.bktechnologies.com



Tenacious Commitment To Quality, Continuous Improvement, Customer-Centric, Growth

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This e-mail message, including any attachments, is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged or confidential. If you are not the intended recipient, please notify us immediately by replying to this message, and then delete this message from your system without forwarding it to anyone. You are hereby notified that any use, dissemination, distribution, or reproduction of this message or any attachments by anyone other than the intended recipients is unauthorized and may be unlawful.

DR-418
R. 12/99

1 Business name BK TECHNOLOGIES INC		Mailing address 7100 TECHNOLOGY DR W MELB FL 32904				
2 Please give name and telephone number of owner or person in charge of this business.						
Name		Telephone number				
3 Exact Location (Legal Description and Street Address) of Property for which this return is filed 7100 TECHNOLOGY DR W MELB FL 32904		4 Date you began, or will begin, business at this facility 1/1/1997				
5 Description of the Improvements to real property for which this exemption is requested OFFICE, COMPUTERS, M&E, SUPPLIES		Date of commencement of construction of Improvements				
6 Description of the tangible personal property for which this exemption is requested and date when property was, or is to be purchased			APPRAISER'S USE ONLY			
Class or Item	Age	Date of Purchase	Original Cost	Taxpayer's Estimate of Cond* Fair Market Rent	Cond*	
Office furniture, equipment, library	1-3	AFTER 6	\$ 203301	good \$ 152128		\$
Office furniture, equipment, library	1-3	AFTER 6	\$ 2098568	good \$ 185091		\$
M&E	1-3	AFTER 6	\$ 2283087	good \$ 2027441		\$
Leasehold Improvements	1-3	AFTER 6	\$ 333598	good \$ 219094		\$
Tooling, owned by rented to others	1-3	AFTER 6	\$ 397150	good \$ 141574		\$
			\$	\$		\$
			\$	\$		\$
			\$	\$		\$
			\$	\$		\$
			\$	\$		\$
			\$	\$		\$
			\$	\$		\$
			\$	\$		\$
Average value of inventory on hand:			*Condition: good, avg (average), or poor			
Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.						
7 Do you desire exemption as a <input type="checkbox"/> new business or <input type="checkbox"/> expansion of an existing business				9 Trade levels (check as many as apply)		
8 Describe type or nature of your business				<input type="checkbox"/> Retail <input checked="" type="checkbox"/> Wholesale <input type="checkbox"/> Manufacturing <input type="checkbox"/> Professional <input type="checkbox"/> Service <input checked="" type="checkbox"/> Office <input type="checkbox"/> Other, specify:		
10 Number of full-time employees to be employed in Florida						
If an expansion of an existing business:		Net increase in employment	-26	0	% Increase in productive output resulting from this expansion	0 %
11 Sales factor for the facility requesting exemption:						
Total sales in Florida from this facility-one (1) location only		2.1	divided by	Total sales everywhere from this facility-one (1) location only	74 MIL	= 3.4 %
12 For office space owned and used by a corporation newly domiciled in Florida		Date of incorporation in Florida		Number of full-time employees at this location		
		1/14/1998		79		
I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)						
Date 4/29/2024		Signature, preparer <i>Tina Bouch</i>				
Signature, taxpayer <i>Tina Bouch</i>		Preparer's address				
Title <i>SRVP Controller</i>		Preparer's telephone number <i>321 953 7915</i>				
Property Appraiser's Use Only						
I	Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources					\$
II	Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section					\$
III	Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation					\$
IV	Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted					
	Improvements to real property \$		Personal property \$			
V	I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a <input type="checkbox"/> new business <input type="checkbox"/> expansion of an existing business <input type="checkbox"/> neither					
VI	Last year for which exemption may be applied <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					

General Information

Ad Valorem property tax exemptions can be granted to new and expanding businesses only after the voters of a city and/or county vote in a referendum to allow that city or county to grant exemptions. Section 196.1995, Florida Statutes, requires that a referendum be held if: (1) The Board of County Commissioners or governing authority of a municipality (city or county commission) votes to hold such a referendum, or (2) if the county or city commission receives a petition signed by ten percent of the registered voters of the county or city. This referendum question can then be placed before the voters of a city or county at any regular election or special election called for voting on the tax incentive referendum or for any other purpose.

If the voters authorize exemptions, a company must first meet the definitions of a new or expanding business as stated in s. 196.012 (15) and (16), F.S.

The expansion must be on the same or a collocated site of the business current operations.

If a business meets one of the above definitions as a new or expanding business, it must then file this application with the county or city commission or both.

After the city or county commission receives this application, it must submit the application to the county property appraiser for review. After the property appraiser makes the report as to the fiscal impact of granting the exemption, the county or city commission shall then adopt an ordinance in the usual manner-granting the exemption, if it chooses to do so.

A business cannot receive exemption from school taxes or water management district taxes. Also a business must pay taxes that were voted by the voters of a city or county to pay for bond issues and other special tax levies authorized by the voters of a city or county.

The exemption can only be for the improvements to the real property and for tangible personal property. The land on which the new or expanding business is to be located will still be taxed and taxes must be paid on it.

The action taken by a city or county commission can only exempt the taxes paid to that governmental body. A city can only exempt its taxes; a county can only exempt its taxes. All other taxes must be paid.

Statutory Definitions

Section 196.011 Annual application required for exemption.—

(1)(a) Every person or organization who, on January 1, has the legal title to real or personal property, except inventory, which is entitled by law to exemption from taxation as a result of its ownership and use shall, on or before March 1 of each year, file an application for exemption with the county property appraiser, listing and describing the property for which exemption is claimed and certifying its ownership and use. The Department of Revenue shall prescribe the forms upon which the application is made. Failure to make application, when required, on or before March 1 of any year shall constitute a waiver of the exemption privilege for that year, except as provided in subsection (7) or subsection (8).

Section 196.012(15) and (16), Florida Statutes (15) "New business" means:

(a)1. A business establishing 10 or more jobs to employ 10 or more full-time employees in this state, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant;

2. A business establishing 25 or more jobs to employ 25 or more full-time employees in this state, the sales factor of which, as defined by s.220.15(5), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed; or

3. An office space in this state owned and used by a corporation newly domiciled in this state; provided such office space houses 50 or more full-time employees of such corporation; provided that such business or office first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business.

(b) Any business located in an enterprise zone that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business.

(c) A new business that is situated on property annexed into a municipality and that, at the time of annexation, is receiving an economic development ad valorem tax exemption from the county under s. 196.1995.

(16) "Expansion of an existing business" means:

(a)1. A business establishing 10 or more jobs to employ 10 or more full-time employees in this state, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible

personal property at a fixed location and which comprises an industrial or manufacturing plant; or

2. A business establishing 25 or more jobs to employ 25 or more full-time employees in this state, the sales factor of which, as defined by s. 220.15(5), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed; provided that such business increases operation on a site collocated with a commercial or industrial operation owned by the same business, resulting in a net increase in employment of not less than 10 percent or an increase in productive output of not less than 10 percent.

(b) Any business located in an enterprise zone that increases operations on a site collocated with a commercial or industrial operation owned by the same business.

Section 196.1995 Economic development ad valorem tax exemption.—

(6) With respect to a new business as defined by s. 196.012(15)(c), the municipality annexing the property on which the business is situated may grant an economic development ad valorem tax exemption under this section to that business for a period that will expire upon the expiration of the exemption granted by the county. If the county renews the exemption under subsection (7), the municipality may also extend its exemption. A municipal economic development ad valorem tax exemption granted under this subsection may not extend beyond the duration of the county exemption.

Section 220.15(5), Florida Statutes.

(5) The sales factor is a fraction the numerator of which is the total sales of the taxpayer in this state during the taxable year or period and the denominator of which is the total sales of the taxpayer everywhere during the taxable year or period.

(a) As used in this subsection, the term "sales" means all gross receipts of the taxpayer except interest, dividends, rents, royalties, and gross receipts from the sale, exchange, maturity, redemption, or other disposition of securities. However:

1. Rental income is included in the term if a significant portion of the taxpayer's business consists of leasing or renting real or tangible personal property; and

2. Royalty income is included in the term if a significant portion of the taxpayer's business consists of dealing in or with the production, exploration, or development of minerals.

(b)1. Sales of tangible personal property occur in this state if the property is delivered or shipped to a purchaser within this state, regardless of the f.o.b. point, other conditions of the sale, or ultimate destination of the property, unless shipment is made via a common or contract carrier.

2. When citrus fruit is delivered by a cooperative for a grower-member, by a grower-member to a cooperative, or by a grower-participant to a Florida processor, the sales factor for the growers for such citrus fruit delivered to such processor shall be the same as the sales factor for the most recent taxable year of that processor. That sales factor, expressed only as a percentage and not in terms of the dollar volume of sales, so as to protect the confidentiality of the sales of the processor, shall be furnished on the request of such a grower promptly after it has been determined for that taxable year.

3. Reimbursement of expenses under an agency contract between a cooperative, a grower-member of a cooperative, or a grower and a processor is not a sale within this state.

(c) Sales of a financial organization, including, but not limited to, banking and savings institutions, investment companies, real estate investment trust, and brokerage companies, occur in this state if derived from:

1. Fees, commissions, or other compensation for financial services rendered within this state;

2. Gross profits from trading in stocks, bonds, or other securities managed within this state;

3. Interest received within this state, other than interest from loans secured by mortgages, deeds of trust, or other liens upon real or tangible personal property located in this state, and dividends received within this state;

4. Interest charged to customers at places of business maintained within this state for carrying debt balances of margin accounts, without deduction of any costs incurred in carrying such accounts;

5. Interest, fees, commissions, or other charges or gains from loans secured by mortgages, deeds of trust or other liens upon real or tangible personal property located in this state or from installment sale agreements originally executed by a taxpayer or the taxpayer's agent to sell real or tangible personal property located in this state;

6. Rents from real or tangible personal property located in this state; or

7. Any other gross income, including other interest, resulting from the operation as a financial organization within this state.

In computing the amounts under this paragraph, any amount received by a member of an affiliated group (determined under s. 1504(a) of the Internal Revenue code, but without reference to whether any such corporation is an "includable corporation" under s. 1504(b) of the Internal Revenue code) from another member of such group shall be included only to the extent such amount exceeds expenses of the recipient directly related thereto.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, on May 21, 2024, at 9:00 a.m., in the Commission Room at 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida, 32940, will hold a public hearing on the following ordinance:

ORDINANCE NO. 2024-_____

AN ORDINANCE REPEALING ORDINANCE 2019-010 GRANTING TO BK TECHNOLOGIES, INC., CERTAIN AD VALOREM TAX EXEMPTIONS, FOR FAILURE TO MEET THE CRITERIA FOR SUCH EXEMPTIONS; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the May 21, 2024, meeting and be heard with respect to the proposed ordinance. A copy of the draft ordinance may be inspected at the following locations:

- Office of Clerk to the Board of County Commissioners, Titusville, Florida
- Titusville Public Library, Titusville, Florida
- Catherine Schweinsberg Rood Central Library, Cocoa, Florida
- Melbourne Public Library, Melbourne, Florida
- South Mainland/Micco Public Library, Micco, Florida

A copy of the draft ordinance may also be viewed online at:

<https://brevardfl.gov/AdvisoryBoardAgendasAndMinutes>

Pursuant to Section 286.0105 Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or herein, he or she will need a record of the proceeding, and that, for such purpose, he or she will need to ensure that a verbatim record of the proceedings is made, at his or her own expense, which record includes the testimony and evidence upon which any such appeal is to be based. Such person may provide a court reporter, stenographer, or a tape recorder for such verbatim record. In accordance with the Americans Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings, please notify the department sponsoring the meeting/hearing, or the County Manager's Office, (321) 633-2001, at least 48 hours in advance. TDD:1-800-955-8771. Assisted Listening System receivers are available for the hearing impaired, and can be obtained from the Sound Technician at the meeting. This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Brighthouse Networks channel 499, Comcast Cable Communications channel 51 in North Brevard and channel 13 in South Brevard, and AT&T U-verse channel 99. SCGTV will also replay this meeting during the coming month. Check the SCGTV website for daily program updates.

See Proof on Next Page

COLUMN SOFTWARE, PBC

STATE OF FLORIDA
COUNTY OF BREVARD COUNTY

Before the undersigned authority personally appeared Laquansay Nickson Watkins, who on oath says that he or she is an authorized agent of Column software, PBC; that the attached copy of advertisement, being a legal advertisement or public notice in the matter of Notice of PH - BK Technologies, was published on the publicly accessible website of Brevard County County, hosted by Column Software, PBC on
Apr. 26, 2024

Affiant further says that the website complies with all legal requirements for publication in chapter 50, Florida Statutes.

PUBLICATION DATES:
Apr. 26, 2024

Notice ID: TjzkqBXTzUZI09GfQWmK
Notice Name: Notice of PH - BK Technologies

PUBLICATION FEE: \$0.00

Signed by:

Laquansay Nickson Watkins, as authorized signatory of Column
Software, PBC

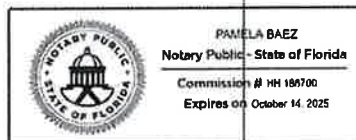
VERIFICATION

State of Florida
County of Orange

Signed or attested before me on this: 04/29/2024



Notary Public
Notarized remotely online using communication technology via Proof.





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For public notices online, go to <http://brevardfl.column.us>