R-22-82

RESOLUTION NO. _____

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF CREATIVE FOAM PRODUCTS LLC TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY SECTION 15-4-2706(D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES.

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program and authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on a specific form available from the Arkansas Department of Economic Development; and

WHEREAS, Creative Foam Products LLC, 1301 East Eighth Street, North Little Rock, Arkansas 72114, has sought to participate in the program and more specifically has requested benefits accruing from the purchase and conversion of a warehouse into a manufacturing plant, including the renovation of existing office space, lighting upgrades and equipment installation (see Application attached hereto as Exhibit A); and

WHEREAS, Creative Foam Products LLC has agreed to furnish the local government all necessary information for compliance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Creative Foam Products LLC is hereby endorsed by the City Council of North Little Rock, Arkansas for benefits from the sales and use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.

SECTION 2: That the Department of Finance and Administration is authorized to refund local sales and use tax to Creative Foam Products LLC.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED: APPROVED:

_____ _____

Mayor Terry C. Hartwick

SPONSOR:

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields m-Bm

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:55 A.M. _____ P.M.

By M. Miller, City Atty Off

DATE 4/19/22

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY BTaylor

EXHIBIT A

ARKANSAS INC

Incentive Application

Consolidated Incentive Act of 2003

OFFICE USE ONLY
Project #
Project Manager
Date Received

Incentive Program

Please select which of the following program(s) are applicable to this application:

Job Creation:

☑ **Advantage Arkansas** (Income Tax Credit program)

Investment: (construction, expansion, modernization)

☑ **Tax Back** (Sales and Use Tax Refund program)
For new or expanding businesses with a minimum required investment based on the tier in which the company locates. Tax Back must be combined with a job creation agreement.

Applicant

CREATIVE FOAM PRODUCTS LLC

Complete Company Name Filing for Advantage Arkansas Income Tax Credit

1301 E EIGHTH STREET/ NLR/AR./72114 PULASKI

Physical Location of Project - Street Number/Street/City/State/Zip County

GREG OAKS 501-529-4412

Name and Title of Local Company Contact Phone Number

GOAKS@OAKSBROTHERS.COM

Company Contact E-mail Address Company Website

Information for Advantage Arkansas - Income Tax Credit

Employer's Federal Tax ID Number 87-3927563

Arkansas Income Tax ID Number APPLIED FOR

Ownership of Company (Please check the appropriate box)

☐ Individual ☐ Partnership ☑ LLC

☐ Taxable Corporation (C Corporation) ☐ Small Business Corporation (Sub S Corporation)

If ownership of company is Individual, Partnership, LLC or Small Business Corporation, please provide the following information (a separate attachment may be submitted if necessary):

Name(s) of Owner(s)	Percent Ownership	Social Security Number or Federal Tax ID Number
SEE ATTACHMENT		SEE ATTACHMENT
SEE ATTACHMENT		SEE ATTACHMENT
SEE ATTACHMENT		SEE ATTACHMENT
SEE ATTACHMENT		SEE ATTACHMENT

When does your tax year end? 12 (Month) 2022 (Date)

Information for Tax Back - Sales and Use Tax Refund

Arkansas Sales and Use Tax ID Number APPLIED FOR

If sales and use tax refund will be issued to an entity other than the applicant, please provide the following information:

Complete Company Name Filing for Tax Back Sales and Use Tax Refund

Relationship to Applicant

Mailing Address of Company Filing for Tax Back - City/State/Zip

Employment

Present employment: 0

Number of new employees resulting from this project: 18

Average hourly wage of new employees hired for this project: $ 27.38

Total annual payroll of new employees hired for this project: $ 1,025,000.00

NOTE: To qualify for the income tax credits provided by the Advantage Arkansas program, the company must be an eligible business and meet the minimum payroll requirements for the Tier (county) in which the project is located. The Tier Map is available online at www.ArkansasEDC.com.

NAICS Classification Code

326140

EPS MANUFACTURING PLANT

Description of principal business activity, products manufactured, etc.

If the applicant is a computer-related company, office sector business, motion picture company or a scientific and technical services business, 51% of the applicant's sales revenue must be derived from out of state.

If the applicant is a distribution center, 75% of their sales revenue must come from out-of-state customers.

What percentage of the applicant's sales is derived from out of state? 10 %

NOTE: Information contained in this application is subject to audit by the Arkansas Department of Finance and Administration. If any of the above information is found to be inaccurate and does not qualify, the business will be decertified and shall not receive any benefits and may be required to repay any benefits received, plus penalty.

Consultant Information
(If Applicable)

Name of Consultant filing this application | Phone Number

Consultant Firm Name

Mailing Address | City/ State/ Zip

Consultant E-mail Address

Project Plan

Please indicate the activity planned by the company associated with this application.

(Check all that apply)

☑ **New Construction** ☐ **Expansion of existing business** ☑ **Modernization**

Estimated Start Date of Project: 4-1-2022 **Estimated Completion Date of Project:** 8-1-2022

Project Description:
WE ARE PURCHASING AN EXISTING WAREHOUSE/MANUFACTURING FACILITY AND CONVERTING IT INTO AN EPS MANUFACTURING PLANT. INCLUDES RENOVATION OF EXISTING OFFICE SPACE, LIGHTING LED UPGRADES, INSTALLATION OF EPS MANUFACTURING EQUIPMENT

Project Cost Estimates:		
Land:	**Description:**	$
	Land Total:	$
Building:	**New construction:**	$
	Expansion or Purchase of existing facility: BUILDING PURCHASE OFFICE RENOVATION WAREHOUSE NON EQUIPMENT IMPROVEMENTS WAREHOUSE EQUIPMENT IMPROVEMENTS MISC EQUIPMENT	3,050,000.00 133,249.00 894,300.00 557,190.00 100,000.00 $
	Building Total:	$ 4,734,739.00
	New Square Footage:	
Machinery and Equipment:	**Description:** EPS MANUFACURING EQUIPMENT TRUCKS TRAILERS FORKLIFTS	2,463,120.00 329,800.00 116,050.00 69,000.00 $
	Machinery & Equipment Total:	$ 2977970.00

Total Estimated Project Cost:	$ 7,712709.00

Certification

The undersigned authority, GREG OAKS acknowledges that he/she is
Company Official (Printed Name)
the owner or authorized official of the applicant company that has the authority to act on behalf of the applicant.

This affidavit is made for the specific purpose of verifying that the information contained in this application is true and correct. The applicant acknowledges that only those eligible project costs incurred and/or employees hired after the date this application is received by the Commission will be considered for refund or credit. The Advantage Arkansas program requires a separate financial incentive agreement, signed by the applicant company and the Commission, before hiring any new, full-time, permanent employees. **The applicant company does hereby agree to report new job creation and investment figures annually to the Arkansas Department of Finance and Administration for the term of the incentive agreement and to the Arkansas Economic Development Commission upon request.**

GREG OAKS Digitally signed by GREG OAKS DN: C=US, E=GOAKS@OAKSBROTHERS.COM, O=CREATIVE FOAM PRODUCTS LLC, CN=GREG OAKS Date: 2022.02.03 08:25:16-06'00'	OWNER	2-3-2022
Signature of Company Official	Title	Date

Contract Disclosure

Any individual contracting with the State of Arkansas must make full disclosure if he or she is a current or former: member of the General Assembly, Constitutional Officer, Board or Commission member, State employee, or the spouse or immediate family member of any of the persons described herein; or if such persons having any position of control or any ownership interest of ten percent (10%) or greater in the entity currently applying to contract with the State. Please indicate if this disclosure is required for this application. Failure to disclose such information is a criminal offense and shall render any contract with the State of Arkansas null and void.

Disclosure Required?: ☐ Yes or ☑ No

Press Release Disclosure

I ☑ **do** ☐ **do not** authorize the Arkansas Economic Development Commission to release to the press the new job creation and investment figures.

(Signing this authorization to release job creation and investment numbers is not mandatory. However, information about benefits received is public information and may be obtained through a Freedom of Information request filed with the Arkansas Department of Finance and Administration.)

GREG OAKS Digitally signed by GREG OAKS DN: C=US, E=GOAKS@OAKSBROTHERS.COM, O=CREATIVE FOAM PRODUCTS LLC, CN=GREG OAKS Date: 2022.02.03 09:54:21-06'00'	OWNER	2-3-2022
Signature of Company Official	Title	Date

If you have questions about the incentive programs included in this application, please call the Arkansas Economic Development Commission at 501-682-7675 or visit the Commission's website at www.ArkansasEDC.com.

Submit this application to:
Business Development Division
Arkansas Economic Development Commission
1 Commerce Way, Suite 601
Little Rock, AR 72202

AEDC APPROVAL
The Commission's approval of this application is based upon its content. The eligibility provisions of the individual incentive programs will be administered by the Arkansas Department of Finance and Administration upon audit at a later date.

_____
Signature of AEDC Incentives Manager