

EXHIBIT 1

FOREIGN TRADE ZONE POLICY OF THE CITY OF GOODYEAR DATED ~~APRIL 26, 2021~~ AUGUST 28, 2023

WHEREAS, the City of Goodyear is located within the boundaries of FTZ No. 277 Western Maricopa County.

WHEREAS, the City of Goodyear hereby establishes this Foreign Trade Zone Policy (“Policy”).

WHEREAS, the City reserves the right to amend, modify, supplement, and/or terminate this Policy at any time.

POLICY TERMS

A. The City will only support requests for property to be included as Zone Site within the boundaries of FTZ No. 277 Western Maricopa County that meet the requirements set forth herein and upon the condition that the Grantee of FTZ No. 277 Western Maricopa County require as a condition of ~~activation~~ Activation of a Zone Site the execution of and compliance with Foreign Trade Zone Agreements, as discussed below, which effectuate the tax policies adopted by the City of Goodyear. This provision shall not be interpreted as conveying any right of support from the City for any request to include property as a Zone Site within the boundaries of FTZ No. 277 Western Maricopa County.

B. Definitions. The following definitions apply to the terms set forth in this Policy:

1. Activate(d) or Activation: shall mean the approval of a Grantee and U.S. Bureau of Customs and Border Protection (“CBP”) pursuant to the provisions of 19 CFR Part 146, *et. seq.*, authorizing foreign trade zone operations at a Zone Site (or portion thereof).

2. ASF: means Alternative Site Framework which is the optional approach to designation and management of zone sites adopted by the U.S. Foreign Trade Zones Board, as it may be modified.

3. Capital Expenditure: means the expenditures incurred in the development of a site, which shall include expenditures for: the building, the value of capital equipment, whether leased or purchased, and all on-site and infrastructure needed to serve the site.

4. Foreign Trade Zone Agreement: means the agreement all operators seeking Activation of a Zone Site are required to execute prior to the Activation of any Zone Site that requires the payment of a PILOT Fee for each calendar year property taxes are assessed as Class 6 property pursuant to A.R.S. § 42-12006 (2) applicable to real and personal property located within an Activated Zone Site unless the operator meets the requirements for either a Qualified

High Wage Manufacturer Employer or Qualified Internet Fulfillment Center during each calendar year.

4.5. Full-Time Employee: means a permanent employee whose normal work week would result in the employee working a minimum of 1,750 hours per year.

5.6. Grantee: shall mean the corporate recipient of a grant of authority to operate FTZ No. 277 Western Maricopa County as provided in 15 CFR Part 400 *et seq*, which currently is Greater Maricopa Foreign Trade Zone, Inc.

6.7. Magnet Sites: (also known as General Purpose Sites or General Purpose Zones) are Zone Sites that are included within the boundaries of FTZ No. 277 Western Maricopa County consisting of larger tracts of land that are organized and function as an integrated unit, such as all or part of an industrial park or airport facility, that are intended to be used by multiple users for multiple activities and that are intended to draw future users to that location.

7.8. Manufacturing Facility shall mean a facility in which raw materials and/or components are processed into finished goods through the use of tools, human labor, machinery, and chemical processing.

8.9. PILOT Fee: ~~#means~~ an annual fee to be paid by the Operator of an ~~activated~~Activated Zone Site, other than an operator of Qualified High Wage Manufacturer Employer or an operator of a Qualified Internet Fulfillment Center, and the property at the site has been reclassified and is being taxed as property within a foreign trade zone. Unless a taxing jurisdiction has entered into a separate agreement with any other taxing jurisdiction(s) regarding the payment of property taxes, the amount of the PILOT fee shall be the difference between the property taxes that would have been paid had a Zone Site not been ~~activated~~Activated less the amount of the property taxes owed under the reclassification resulting from the ~~activation~~Activation. If a taxing jurisdiction has entered into a separate agreement regarding the payment of property taxes, the amount of the PILOT Fee shall be the difference between the property taxes that would have been paid had the property not been an ~~activated~~Activated Zone Site, excluding the amount of taxes attributable to the taxing jurisdiction with the separate agreement, ~~less and~~ the amount of the property taxes owed under the reclassification resulting from the ~~activation~~Activation of the Zone Site, excluding the amount of taxes attributable to the taxing jurisdiction with the separate agreement.

9.10. Qualified High Wage Manufacturing Employer: shall mean an operator of a Manufacturing Facility that meets all of the following criteria: (i) the Manufacturing Facility is located within an I-1 zoning district or it is located within a zoning district other than I-1, but the actual use of the User Drive Site is a permitted use under the I-1 zoning district; (ii) operator provides documentation demonstrating a Capital Expenditure of at least \$25,000,000 in the developing and/or equipping of the Manufacturing Facility (iii) continuously employs at least 100 Full-Time Employees; (iv) at least 51% of the operator's Full-Time Employees are paid at least 125% of the median annual wage computed annually by the Arizona Department of Commerce; and (v) all Full-Time Employees are offered health insurance for which the employer pays at least 65% of the premium or membership costs of such insurance. Operators who are self-insured for

health care shall establish annual up-front fixed costs that is to be paid by employees as described in the Arizona Commerce Authority Qualified Facility Tax Credit Program's requirements for employers who self-insure for employee health care.

10.11. Qualified Internet Fulfillment Center shall mean an operator of an internet fulfillment center that meets all of the following criteria: (i) operator provides documentation demonstrating a Capital Expenditure of at least \$25,000,000 in the developing and/or equipping of the internet fulfillment center; and (ii) the internet fulfillment center generates a minimum of \$25,000,000.00 of end user sales in Arizona on an annual basis that ~~is~~are sourced from a facility in Goodyear ~~resulting and that result in the~~ transaction privilege tax of 2.5% ~~to be~~being paid to the City of Goodyear ~~for each occurrence~~on a minimum of \$25,000,000 end user sales on an annual basis.

11.12. User Driven Site is a Zone Site that is tied to a single operator or user under the ASF whose operations qualify the site for FTZ status and that is included within the boundaries of FTZ No. 277 Western Maricopa County but that loses its status as a Zone Site when that operator or user leaves the site.

12.13. Zone Site: property located within the City of Goodyear that has been approved by the Foreign Trade Zone Board to be included within the boundaries of FTZ No. 277 Western Maricopa County and consists of User Driven Sites and Magnet Sites.

E. Inclusion within a Foreign Trade Zone. The City shall not support an Application to include property in Goodyear within a foreign trade zone as a Zone Site unless the following conditions are met:

1. Public Benefit. The Applicant must demonstrate to the satisfaction of the City that a significant public benefit will result from the inclusion of the property within FTZ No. 277 Western Maricopa County.

2. Zoning. The property to be included within FTZ No. 277 Western Maricopa County is zoned I-1 or, for User Driven Sites, the property is located in zoning district other than I-1, but the actual use of the User Driven Site is a permitted use under the I-1 zoning district.

3. Federal Eligibility. The Applicant meets Federal eligibility guidelines found in 15 CFR Part 400 *et. seq.*

4. Grantee Commitment. Grantee of FTZ No. 277 Western Maricopa County requires as a condition of ~~activation~~Activation of Zone Site the execution of and compliance with Foreign Trade Zone Agreements, as discussed herein, which effectuate the tax policies adopted by the City of Goodyear

F. Activation Requirements. The policy of the City is to require the execution of a Foreign Trade Zone Agreement prior to the Activation of any Zone Site requiring the payment of a PILOT Fee as provided herein. The operator of a Zone Site that wants to ~~activate~~Activate such Zone Site shall execute a Foreign Trade Zone Agreement provided by the City of Goodyear; and a copy of the fully executed Foreign Trade Zone Agreement shall be submitted to the Grantee with

the letter from the operator requesting Activation concurrence from the Grantee as required under 19 CFR Part 146.

G. Foreign Trade Zone Agreement. The Foreign Trade Zone Agreement shall require all operators seeking ~~activation~~Activation of a Zone Site to pay a PILOT fee unless the operator is a Qualified High Wage Manufacturer Employer or a Qualified Internet Fulfillment Center.

1. Qualified High Wage Manufacturer Employers. For operators claiming status as a Qualified High Wage Manufacturer Employer the Foreign Trade Zone Agreement shall exempt the operator from paying any PILOT Fee except as provided herein. The Foreign Trade Zone Agreement shall require operators claiming status as a Qualified High Wage Manufacturer Employer to provide the City whatever documentation and records the City requests to verify compliance with the requirements for a Qualified High Wage Employer, and in the event the operator fails to meet those requirements, the operator shall pay a PILOT Fee in the amount that would be owed in absence of its exempt status during the period of non-compliance.

2. Qualified Internet Fulfillment Centers. For operators claiming status as a Qualified Internet Fulfillment Center, the Foreign Trade Zone Agreement shall exempt the operator from paying any PILOT Fee except as provided herein. The Foreign Trade Zone Agreement shall require operators claiming status as a Qualified Internet Fulfillment Center to provide the City whatever documentation and records the City requests to verify compliance with the requirements for a Qualified Internet Fulfillment Center, and in the event the operator fails to meet those requirements, the operator shall pay a PILOT Fee in the amount that would be owed in absence of its exempt status during the period of non-compliance.

3. The PILOT Fee shall be paid only during the years the Zone Site is being taxed under the classification applicable to property within an ~~activated~~Activated foreign trade Zone Site (or portion thereof).

4. ~~The~~Unless the operator is claiming that it is or will qualify as a Qualified Internet Fulfillment Center for the taxing year, the PILOT Fee shall be paid to the City in two equal payments with half of the PILOT Fee being due on October 1st of each year the PILOT Fee is ~~owed~~Owed and the second half of the PILOT Fee being due on March 1st of the following year. If the operator is claiming that it is or will qualify as a Qualified Internet Fulfillment Center during the taxing year, the PILOT Fee shall be paid to the City on an annual basis on March 1st of the year following the year the PILOT Fee is owed.

5. The City shall distribute, within thirty days of receipt of the PILOT Fee, the portion of the PILOT Fee applicable to each of the taxing jurisdictions

H. Property Tax Assessments. The Maricopa County Assessor's Office will continue to be responsible for assessing the value of ~~activated~~Activated Zone Sites (or portions thereof).

I. Zoning. This Policy does not create any right to have any property within the City rezoned to make it eligible for FTZ status.

J. Other Taxing Jurisdictions. The applicant who is seeking to include property as a Zone Site within the boundaries of FTZ No. 277 Western Maricopa County shall be responsible for obtaining all letters of support from other taxing jurisdictions whose support is required.

~~K.~~ Interpretations. The City Attorney is responsible for interpreting the provision of this Policy.

~~L.K.~~