

[illegible]

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

Whereas, the City Council of the City of Orlando, Florida wishes to recommend that Buehner-Fry, Inc. d/b/a Navis (“Buehner-Fry”) be approved by the Division of Strategic Business Development of the State of Florida as a qualified target industry business; and

Whereas, Buehner-Fry is a targeted industry proposing to create high wage job opportunities in an industry highly coveted by other states and nations; and

1 **Whereas**, Buehner-Fry falls within one of the high-impact sectors designated
2 under Florida Statute 288.108, specifically applications software, and is eligible to apply
3 for the Qualified Target Industry Tax Refund with a High-Impact Sector Bonus, pursuant
4 to Florida Statute 288.106; and

5 **Whereas**, Buehner-Fry is considering establishing its regional headquarters in the
6 City of Orlando for its business services operation and thereby adding approximately 67
7 new jobs to the area; and

8 **Whereas**, Buehner-Fry will commit to pay an average wage of \$48,686.00, which
9 is 115% of the Orange County Annual Average Wage; and

10 **Whereas**, Buehner-Fry has applied to the Office of the Governor, Division of
11 Strategic Business Development for approval as a QTI Program participant; and

12 **Whereas**, competition for Buehner-Fry exists outside the State of Florida, and
13 financial incentives are necessary to ensure that the company's regional headquarters is
14 established in the City of Orlando rather than elsewhere; and

15 **Now, therefore**, be it resolved by the City Council of the City of Orlando,
16 Florida, as follows:

17 1. The City Council of the City of Orlando, Florida, does hereby recommend
18 that the State of Florida Division of Strategic Business Development approve Buehner-
19 Fry as a qualified target industry business as described by section 288.106, Florida
20 Statutes.

21 2. In accordance with the requirements of section 288.106, Florida Statutes,
22 and subject to the terms of this resolution, the City of Orlando pledges an amount not to
23 exceed Sixty-Seven Thousand Dollars and No Cents (\$67,000.00), which represents the

necessary commitment of local financial support for this qualified target industry business. Such funds shall be payable to the Florida Economic Development Trust Fund, with the stipulation that these funds are intended to represent the local participation element of section 288.106, Florida Statutes.

3. The pledge of funds pursuant to this resolution is contingent upon Buehner-Fry being qualified by the State of Florida as a QTI Program participant and future budget appropriations by the Orlando City Council. The City of Orlando pledges local financial support in the amount of Forty Thousand, Two Hundred Dollars and No Cents (\$40,200.00) for the Qualified Target Industry Tax Refund Program and Twenty-Six Thousand, Eight Hundred Dollars and No Cents (\$26,800.00) for the High-Impact Sector Refund Program for a total amount of Sixty-Seven Thousand Dollars and No Cents (\$67,000.00) in the following amounts:

<u>Fiscal Year</u>	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	<u>Total</u>
2015/2016	\$3,750			\$ 3,750
2016/2017	\$3,750	\$6,750		\$10,500
2017/2018	\$3,750	\$6,750	\$6,250	\$16,750
2018/2019	\$3,750	\$6,750	\$6,250	\$16,750
2019/2020		\$6,750	\$6,250	\$13,000
2020/2021			\$6,250	<u>\$ 6,250</u>
TOTAL:				\$67,000

4. In the event that Buehner-Fry is approved by the State of Florida for tax refunds in an amount less than the estimated amount, the total local financial support to be paid by the City shall be proportionately reduced so that the total tax refund awarded to Buehner-Fry by the City will not exceed the actual percentage amount that was awarded by the City of the total tax refund awarded to Buehner-Fry pursuant to the QTI Program.

1 5. This resolution takes effect immediately upon passage.

2 6. The City Attorney may correct scrivener's errors found in this resolution
3 by filing a corrected copy of this resolution with the City Clerk.

7. If any provision of this resolution or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable.

8 **Done, and then resolved upon final passage**, by an affirmative vote of a
9 majority of a quorum present of the City Council of the City of Orlando, Florida, at a
10 regular meeting of the City Council of the City of Orlando, Florida, this ____ day of
11 _____, 2014.

12 _____
13 Mayor/Mayor Pro Tem

15 Attesting:

16
17 **[seal]**

18	Alana Brenner	Date
19	Orlando City Clerk	

20
21 Approved as to form and legality for the use and reliance of the City of Orlando, Florida, only.

22 _____
23 _____
24 Assistant City Attorney _____ Date _____

Print Name

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