

1                                    **A RESOLUTION AMENDING A RESOLUTION**

2

3                    **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLANDO,**  
4                    **FLORIDA, AMENDING A RESOLUTION RECOMMENDING THAT**  
5                    **SIGHTPLAN, INC. BE APPROVED AS A QUALIFIED TARGET INDUSTRY**  
6                    **BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES, AND**  
7                    **PLEDGING LOCAL FINANCIAL SUPPORT IN ACCORDANCE WITH**  
8                    **SECTION 288.106, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY,**  
9                    **CORRECTION OF SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.**

10

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

15                    **Whereas,** to qualify for QTI Program incentives, Florida law requires a resolution  
16                    from the governing board of the local government recommending that a business be  
17                    approved as a qualified target industry business; and

18                    **Whereas,** on June 15, 2015, the City Council of the City of Orlando, Florida  
19                    adopted a Resolution (“the Resolution”) recommending that SightPlan, Inc.  
20                    (“SightPlan”), be approved by the Division of Strategic Business Development of the  
21                    State of Florida as a qualified target industry business; and

22                    **Whereas,** the Resolution contained a payment schedule for the local financial  
23                    support the City had pledged; and

1           **Whereas**, because SightPlan has elected to exercise its one-year push option with  
2 the State (the “Option”), the payment schedule set forth in the Resolution needs to be  
3 amended; and

4           **Whereas**, because SightPlan’s election of the Option results in a 5% reduction of  
5 the scheduled tax refund, the local financial support commitment will be reduced  
6 accordingly; and

7           **Whereas**, this Amended Resolution will supersede and replace the Resolution  
8 adopted on June 15, 2015; and

9           **Whereas**, the City Council of the City of Orlando, Florida wishes to recommend  
10 that SightPlan be approved by the Division of Strategic Business Development of the  
11 State of Florida as a qualified target industry business; and

12           **Whereas**, SightPlan is a targeted industry proposing to create high wage job  
13 opportunities in an industry highly coveted by other states and nations; and

14           **Whereas**, SightPlan falls within one of the high-impact sectors, specifically  
15 Information Technology, designated under Florida Statute 288.108. SightPlan is a  
16 provider of resident service and asset management tools for the real estate industry  
17 through the company’s mobile and cloud solutions. Thus, SightPlan, is eligible to apply  
18 for the Qualified Target Industry Tax Refund with a High Impact Sector Bonus, pursuant  
19 to Florida Statute 288.106; and

20           **Whereas**, SightPlan is considering locating its national headquarters in the City  
21 of Orlando and thereby adding approximately twenty-eight (28) new jobs to the area; and

22           **Whereas**, SightPlan will commit to pay an average wage of \$64,000.00, which is  
23 150% of the Orange County average annual wage; and

1           **Whereas**, SightPlan has applied to the Department of Economic Opportunity,  
2 Division of Strategic Business Development for approval as a QTI Program participant;  
3 and

4           **Whereas**, competition for SightPlan exists outside the State of Florida, and  
5 financial incentives are necessary to ensure that the company expands in the City of  
6 Orlando rather than elsewhere; and

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

9           1.       The City Council of the City of Orlando, Florida, does hereby recommend  
10 that the State of Florida Division of Strategic Business Development approve SightPlan  
11 as a qualified target industry business as described by section 288.106, Florida Statutes.

12           2.       In accordance with the requirements of section 288.106, Florida Statutes,  
13 and subject to the terms of this resolution, the City of Orlando pledges an amount not to  
14 exceed Thirty-One Thousand, Nine Hundred and Twenty Dollars and No Cents  
15 (\$31,920.00), which represents the necessary commitment of local financial support for  
16 this qualified target industry business. Such funds shall be payable to the Florida  
17 Economic Development Trust Fund, with the stipulation that these funds are intended to  
18 represent the local participation element of section 288.106, Florida Statutes.

19           3.       The pledge of funds pursuant to this resolution is contingent upon SightPlan being  
20 qualified by the State of Florida as a QTI Program participant and future budget  
21 appropriations by the Orlando City Council. The City of Orlando pledges local financial  
22 support in the amount of Twenty-One Thousand, Two Hundred and Eighty Dollars and  
23 No Cents (\$21,280.00) for the Qualified Target Industry Tax Refund Program and Ten

1 Thousand, Six Hundred and Forty Dollars and No Cents (\$10,640.00) for the High  
 2 Impact Sector Bonus for a total amount of Thirty-One Thousand, Nine Hundred and  
 3 Twenty Dollars and No Cents (\$31,920.00) in the following amounts:

<u>Fiscal Year</u>	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	<u>Total</u>
2017/18	\$2,850			\$2,850
2018/19	\$2,850	\$3,420		\$6,270
2019/20	\$2,850	\$3,420	\$1,710	\$7,980
2020/21	\$2,850	\$3,420	\$1,710	\$7,980
2021/22		\$3,420	\$1,710	\$5,130
2022/23			\$1,710	\$1,710
<b>TOTAL:</b>				<b>\$31,920</b>

4. In the event that SightPlan 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 SightPlan by the City will not exceed twenty percent (20%) of the total tax refund  
 awarded to SightPlan pursuant to the QTI Program.

5. This resolution takes effect immediately upon passage.

6. The City Attorney may correct scrivener’s errors found in this resolution  
 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.

1           **Done, and then resolved upon final passage**, by an affirmative vote of a  
2 majority of a quorum present of the City Council of the City of Orlando, Florida, at a  
3 regular meeting of the City Council of the City of Orlando, Florida, this \_\_\_\_ day of  
4 \_\_\_\_\_, 2016.

5  
6 \_\_\_\_\_  
Mayor/Mayor Pro Tem

7 Attesting:

8  
9 \_\_\_\_\_  
10 Orlando City Clerk

\_\_\_\_\_ Date

\*\*[seal]\*\*

11  
12 Approved as to form and legality for the use and reliance of the City of Orlando, Florida, only.

13  
14 \_\_\_\_\_  
15 Assistant City Attorney

\_\_\_\_\_ Date

16  
17 \_\_\_\_\_  
18 Print Name