

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 JUST**
5 **PROGRAM, LLC d/b/a SOLODEV BE APPROVED AS A QUALIFIED TARGET**
6 **INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA**
7 **STATUTES, AND PLEDGING LOCAL FINANCIAL SUPPORT IN**
8 **ACCORDANCE WITH SECTION 288.106, FLORIDA STATUTES; PROVIDING**
9 **FOR SEVERABILITY, CORRECTION OF SCRIVENER’S ERRORS, AND AN**
10 **EFFECTIVE DATE.**

11

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

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

19 **Whereas,** on September 15, 2014, the City Council of the City of Orlando,
20 Florida adopted a Resolution (“the Resolution”) recommending that Just Program, LLC
21 d/b/a Solodev (“Solodev”) be approved by the Division of Strategic Business
22 Development of the State of Florida as a qualified target industry business; and

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

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

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

9 **Whereas**, this Amended Resolution will supersede and replace the Resolution
10 adopted on September 15, 2014; and

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

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

16 **Whereas**, Solodev falls within one of the high-impact sectors designated under
17 Florida Statute 288.108; specifically, a website, mobile application, and software
18 development company, and is eligible to apply for the Qualified Target Industry Tax
19 Refund with a High Impact Sector Bonus, pursuant to Florida Statute 288.106; and

20 **Whereas**, Solodev is considering expanding its workforce in response to rapid
21 growth of its software development business in the City of Orlando and thereby adding
22 approximately twenty-five (25) new jobs to the area; and

1 **Whereas**, Solodev will commit to pay an average wage of \$63,504.00, which was
2 at least 150% of the Orange County average annual wage at the time of the original
3 Agreement; and

4 **Whereas**, Solodev has applied to the Office of the Governor, Division of
5 Strategic Business Development for approval as a QTI Program participant; and

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

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

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

14 2. In accordance with the requirements of section 288.106, Florida Statutes,
15 and subject to the terms of this resolution, the City of Orlando pledges an amount not to
16 exceed Twenty-Eight Thousand, Five Hundred Dollars and No Cents (\$28,500.00),
17 which represents the necessary commitment of local financial support for this qualified
18 target industry business. Such funds shall be payable to the Florida Economic
19 Development Trust Fund, with the stipulation that these funds are intended to represent
20 the local participation element of section 288.106, Florida Statutes.

21 3. The pledge of funds pursuant to this resolution is contingent upon Solodev being
22 qualified by the State of Florida as a QTI Program participant and future budget
23 appropriations by the Orlando City Council. The City of Orlando pledges local financial

1 support in the amount of Nineteen Thousand Dollars and No Cents (\$19,000.00) for the
 2 Qualified Target Industry Tax Refund Program and Nine Thousand, Five Hundred
 3 Dollars and No Cents (\$9,500.00) for the High Impact Sector Bonus for a total amount of
 4 Twenty-Eight Thousand, Five Hundred Dollars and No Cents (\$28,500.00) in the
 5 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	\$1,425		\$4,275
2020/21	\$2,850	\$1,425	\$2,850	\$7,125
2021/22	\$2,850	\$1,425	\$2,850	\$7,125
2022/23		\$1,425	\$2,850	\$4,275
2023/24			\$2,850	\$2,850
TOTAL:				\$28,500

14 4. In the event that Solodev is approved by the State of Florida for tax
 15 refunds in an amount less than the estimated amount, the total local financial support to
 16 be paid by the City shall be proportionately reduced so that the total tax refund awarded
 17 to Solodev by the City will not exceed twenty percent (20%) of the total tax refund
 18 awarded to Solodev pursuant to the QTI Program.

19 5. This resolution takes effect immediately upon passage.

20 6. The City Attorney may correct scrivener’s errors found in this resolution
 21 by filing a corrected copy of this resolution with the City Clerk.

22 7. If any provision of this resolution or its application to any person or
 23 circumstance is held invalid, the invalidity does not affect other provisions or

1 applications of this resolution which can be given effect without the invalid provision or
2 application, and to this end the provisions of this resolution are severable.

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

7 _____
8 Mayor/Mayor Pro Tem

9
10 Attesting:

11
12 _____
13 Orlando City Clerk

_____ Date

[seal]

14
15
16 Approved as to form and legality for the use and reliance of the City of Orlando, Florida, only.

17
18 _____
19 Assistant City Attorney

_____ Date

20
21 _____
22 Print Name