

## RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RECOMMENDING THAT AMERICAN TOURS INTERNATIONAL, LLC BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES, AND PLEDGING LOCAL FINANCIAL SUPPORT IN ACCORDANCE WITH SECTION 288.106, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

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

**Whereas**, the City Council of the City of Orlando, Florida wishes to recommend that American Tours International, LLC (“ATI”) be approved by the Division of Strategic Business Development of the State of Florida as a qualified target industry business; and

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

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

4       **Whereas**, ATI is considering adding an East Coast corporate headquarters in the  
5 City of Orlando and thereby adding forty seven (47) new jobs to the area; and

6       **Whereas**, ATI will commit to pay an average wage of \$50,472.00, which is 115%  
7 of the 2014 Orange County Average Annual Wage; and

8       **Whereas**, ATI has applied to the Office of the Governor, Division of Strategic  
9 Business Development for approval as a QTI Program participant; and

10       **Whereas**, competition for ATI exists outside the State of Florida, and financial  
11 incentives are necessary to ensure that the company expands in the City of Orlando rather  
12 than elsewhere; and

13       **NOW, THEREFORE**, be it resolved by the City Council of the City of Orlando,  
14 Florida, as follows:

15       1.       The City Council of the City of Orlando, Florida, does hereby recommend  
16 that ATI be approved as a qualified target industry business as described by section  
17 288.106, Florida Statutes.

18       2.       In accordance with the requirements of section 288.106, Florida Statutes,  
19 and subject to the terms of this resolution, the City of Orlando pledges an amount not to  
20 exceed Forty Seven Thousand Dollars and No Cents (\$47,000.00), which represents the  
21 necessary commitment of local financial support for this qualified target industry  
22 business. Such funds shall be payable to the Florida Economic Development Trust Fund,

1 with the stipulation that these funds are intended to represent the local participation  
2 element of section 288.106, Florida Statutes.

3 3. The pledge of funds pursuant to this resolution is contingent upon ATI  
4 being qualified by the State of Florida as a QTI Program participant and future budget  
5 appropriations by the Orlando City Council. The City of Orlando pledges local financial  
6 support in the amount of Twenty Eight Thousand Two Hundred Dollars and No Cents  
7 (\$28,200.00) for the Qualified Target Industry Tax Refund Program and Fourteen  
8 Thousand Eight Hundred Dollars and No Cents (\$14,800.00) for the High Impact Sector  
9 Bonus for a total amount of Forty Seven Thousand Dollars and No Cents (\$47,000.00) in  
10 the following amounts:

<u>Fiscal Year</u>	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	<u>Total</u>
2022/2023	\$3,000			\$3,000
2023/2024	\$3,000	\$6,000		\$9,000
2024/2025	\$3,000	\$6,000	\$2,750	\$11,750
2025/2026	\$3,000	\$6,000	\$2,750	\$11,750
2026/2027		\$6,000	\$2,750	\$8,750
2027/2028			\$2,750	\$2,750
<b>TOTAL:</b>				<b>\$47,000</b>

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

26 5. In the event that ATI is approved by the State of Florida to exercise its  
27 option for a one-year extension for job creation, the total local financial support to be

1 paid by the City shall be reduced by five percent (5%) in accordance by the QTI  
2 Agreement between ATI and the State of Florida.

3 6. This resolution takes effect immediately upon passage.

4 7. The City Attorney may correct scrivener's errors found in this resolution  
5 by filing a corrected copy of this resolution with the City Clerk.

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

10 **Done, and then resolved upon final passage**, by an affirmative vote of a  
11 majority of a quorum present of the City Council of the City of Orlando, Florida, at a  
12 regular meeting of the City Council of the City of Orlando, Florida, this \_\_\_\_ day of  
13 \_\_\_\_\_, 2017.

14 \_\_\_\_\_  
15 Mayor/Mayor Pro Tem

16 Attesting:

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 Orlando City Clerk Date

\*\*[seal]\*\*

20  
21 Approved as to form and legality for the use and reliance of the City of Orlando, Florida, only.  
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23 \_\_\_\_\_  
24 Assistant City Attorney Date

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26 \_\_\_\_\_  
27 Print Name