

1                                   **A RESOLUTION AMENDING A RESOLUTION**

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3   **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLANDO,**  
4   **FLORIDA, AMENDING A RESOLUTION RECOMMENDING THAT JOHNSON**  
5   **& JOHNSON CONSUMER, INC. BE APPROVED AS A QUALIFIED TARGET**  
6   **INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA**  
7   **STATUTES; PROVIDING FOR LOCAL FINANCIAL SUPPORT IN THE FORM**  
8   **OF CASH FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND WITH**  
9   **HIGH-IMPACT SECTOR BONUS; PROVIDING FOR SEVERABILITY,**  
10   **CORRECTION OF SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.**

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12                   **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**  
13   **ORLANDO, FLORIDA,** as follows:

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

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

21           **Whereas,** on October 23, 2017, the City Council of the City of Orlando, Florida  
22   adopted a Resolution (“the Resolution”) recommending that Johnson & Johnson

1 Consumer, Inc. (“J&J”) be approved by the Division of Strategic Business Development  
2 of the State of Florida as a qualified target industry business; and

3       **Whereas**, the Resolution contained the approximate number of jobs that will be  
4 added and the local financial support the City had pledged, both of which has changed  
5 since City Council’s adoption of the Resolution; and

6       **Whereas**, this Amended Resolution will supersede and replace the Resolution  
7 adopted on October 23, 2017; and

8       **Whereas**, the City Council of the City of Orlando, Florida wishes to recommend  
9 that Johnson & Johnson Consumer, Inc. (“J&J”) be approved by the Division of Strategic  
10 Business Development of the State of Florida as a qualified target industry business; and

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

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

16       **Whereas**, J&J is considering locating its Regional Headquarters for North  
17 America Leadership Development and Training Center to the City of Orlando and  
18 thereby adding approximately 25 new jobs to the area; and

19       **Whereas**, J&J will commit to pay an average wage of \$100,000.00, which is at  
20 least 200% of the 2015 Orlando Metropolitan Statistical Area Average Annual Wage; and

21       **Whereas**, J&J has applied to the Division of Strategic Business Development of  
22 the Florida Department of Economic Opportunity for approval as a QTI Program  
23 participant; and

1           **Whereas**, competition for J&J exists outside the State of Florida, and financial  
2 incentives are necessary to ensure that the company locate in the City of Orlando rather  
3 than elsewhere; and

4           **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF**  
5 **THE CITY OF ORLANDO, FLORIDA**, as follows:

6           1.       The City Council of the City of Orlando, Florida, does hereby recommend  
7 that J&J be approved as a qualified target industry business pursuant to Section 288.106,  
8 Florida Statutes.

9           2.       In accordance with the requirements of Section 288.106, Florida Statutes,  
10 and subject to the terms of this Amended Resolution, the City of Orlando pledges an  
11 amount not to exceed Thirty-Five Thousand Dollars and No Cents (\$35,000.00), which  
12 represents the necessary cash commitment of local financial support for the Qualified  
13 Target Industry Tax Refund with High Impact Sector Bonus. Such funds shall be  
14 payable to the Florida Economic Development Trust Fund, with the stipulation that these  
15 funds are intended to represent the local participation element of Section 288.106, Florida  
16 Statutes.

17           3.       The pledge of funds pursuant to this resolution is contingent upon J&J  
18 being qualified by the State of Florida as a QTI Program participant and future budget  
19 appropriations by the Orlando City Council. The City of Orlando pledges local financial  
20 support in the amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) for  
21 the Qualified Target Industry Tax Refund Program and Ten Thousand Dollars and No  
22 Cents (\$10,000.00) for the High-Impact Sector Refund for a total amount of Thirty-Five  
23 Thousand Dollars and No Cents (\$35,000.00) in the following amounts:

<u>Fiscal Year</u>	<u>Phase 1</u>	<u>Phase 2</u>	<u>Total</u>
2019/2020	\$4,550		\$4,550.00
2020/2021	\$4,550	\$4,200	\$8,750.00
2021/2022	\$4,550	\$4,200	\$8,750.00
2022/2023	\$4,550	\$4,200	\$8,750.00
2023/2024		\$4,200	\$4,200.00
<b>TOTAL:</b>			<b>\$35,000.00</b>

4. In the event that J&J 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 J&J by the City will not exceed the actual percentage amount that was awarded by the City of the total tax refund awarded to J&J pursuant to the QTI Program.

5. In the event that J&J is approved by the State of Florida to exercise its option for a one-year extension for job creation, the total local financial support to be paid by the City shall be reduced by five percent (5%) in accordance with the QTI Agreement between J&J and the State of Florida.

6. This resolution takes effect immediately upon passage.

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

8. 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.

**Done, and then resolved upon final passage,** by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a

1 regular meeting of the City Council of the City of Orlando, Florida, this \_\_\_\_ day of  
2 \_\_\_\_\_, 2018.

3 \_\_\_\_\_  
4 Mayor/Mayor Pro Tem

5 Attesting:

6 \_\_\_\_\_  
7 \_\_\_\_\_ \*\*[seal]\*\*

8 Orlando City Clerk Date

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

10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 Assistant City Attorney Date

13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 Print Name

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