

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 23 2010 cs/mw

RESOLUTION
of the
**ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS**
regarding
**THE DiSTI CORPORATION
QUALIFIED TARGET INDUSTRY TAX REFUND**

Resolution No. 2010-M-17

PREMISES

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 Florida by providing “tax refunds” to qualified target industries; and

WHEREAS, The DiSTI Corporation, herein referred to as “DiSTI,” is headquartered near the Central Florida Research Park and has been operating in unincorporated Orange County since 1998; and

WHEREAS, DiSTI is a research and software company supporting the simulation and training industry, and currently employs 38 people in Orange County at an average wage of approximately \$68,000; and

WHEREAS, DiSTI seeks to grow its virtual interactive maintenance training business in Orange County, and this business will serve the medical, defense, power generation, automotive, and other sectors of the economy; and

WHEREAS, DiSTI anticipates creating approximately thirty (30) new jobs at an average salary of at least \$60,615, which is 150% of the prevailing average salary of \$40,420 in Orange County; and

WHEREAS, DiSTI anticipates that the new jobs to be created will include approximately four (4) management and administrative positions, two (2) sales positions, and twenty-four (24) engineering and graphic artist positions, and further anticipates that the average salary within each of these categories will be above the prevailing average salary in Orange County; and

WHEREAS, DiSTI anticipates that these new jobs will be created according to the following schedule: ten (10) jobs by December 31, 2010; ten (10) jobs by December 31, 2011, and ten (10) jobs by December 31, 2012; and

WHEREAS, DiSTI has applied to the Executive Office of the Governor, Office of Tourism, Trade, and Economic Development for approval as a qualified QTI Program applicant, and has applied for \$120,000 in tax refunds from the State of Florida under the QTI Program, representing \$4,000 per job; and

WHEREAS, in order for DiSTI to be approved as a “qualified applicant” under the QTI Program, the Orange County Board of County Commissioners must adopt a resolution recommending the approval of DiSTI as a “target industry business,” and committing “local financial support” in an amount equal to 20% of the annual tax refund up to but not exceeding \$24,000 over the course of DiSTI’s eligibility as a “qualified applicant”; and

WHEREAS, competition for DiSTI’s expansion exists outside of Florida in Virginia and Alabama, and financial incentives are necessary to ensure that this project comes to Orange County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. The Board of County Commissioners of Orange County, Florida, hereby recommends that the State of Florida Office of Tourism, Trade, and Economic Development approve DiSTI as a “qualified applicant” under the QTI Program.

Section 2. Subject to the terms of this Resolution, the Board hereby approves payments up to, but not exceeding, twenty-four thousand dollars (\$24,000) as the “local financial support” required under the QTI Program. Such amount shall be payable to the Economic Development Incentives Account within the Economic Development Trust Fund as specified herein.

Section 3. The Board’s promise to pay the amount specified in this Resolution is contingent upon (i) appropriation by the Board in each applicable year authorizing payment of the revenues hereunder, (ii) DiSTI receiving the designation as a “qualified applicant” in connection with the QTI program, and (iii) on an annual basis, award by the State of Florida of tax refunds under the QTI program.

Section 4. Unless provided otherwise in this Resolution, the County shall pay “local financial support” in the following amounts:

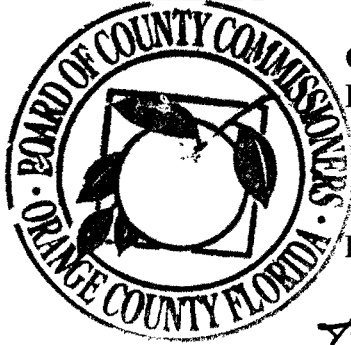
FY 2011-2012	\$ 2,000
FY 2012-2013	\$ 4,000
FY 2013-2014	\$ 6,000
FY 2014-2015	\$ 6,000
FY 2015-2016	\$ 4,000
FY 2016-2017	\$ 2,000
Total	<u>\$24,000</u>

Such sums shall be paid from any legally available source or sources of revenue other than those specified in the QTI Program (or rules promulgated thereunder) as being ineligible for such purpose.

Section 5. In the event DiSTI is approved by the State of Florida for tax refunds in an amount less than the \$120,000 requested, the “local financial support” to be paid by the County to the Economic Development Incentives Account shall be proportionately reduced so that at no time will the County contribution exceed twenty percent (20%) of the annual tax refund awarded to DiSTI under the QTI Program.

Section 6. This Resolution shall take effect upon receipt by the County of evidence that DiSTI has been approved as a “qualified applicant” and has become eligible for tax refunds under the QTI program, as described herein.

ADOPTED THIS MAR 23 2010 DAY OF MARCH 2010.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Richard T. Crotty*
Richard T. Crotty
County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

BY: *Vanar P. Hampton*
Deputy Clerk