

RESOLUTION
of the
**ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS**
regarding
**SIEMENS ENERGY, INC.
QUALIFIED TARGET INDUSTRY TAX REFUND
QUICK ACTION CLOSING FUND**

Resolution No. 2012-M-05

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, in 2004, the Florida legislature passed legislation establishing a “Quick Action Closing Fund” (“QACF”) to attract, retain and grow key companies that would provide high quality employment opportunities and allow for the state to remain competitive; and

WHEREAS, Siemens Energy, Inc., a division of Siemens, is a global leader in the renewable energy industry and is the world’s leading supplier of a wide range of products, solutions and services for power generation, transmission and distribution; and

WHEREAS, Siemens Energy, Inc. employs over 3,400 employees in Metro Orlando and seeks to relocate their solar headquarters and expand their existing headquarter operations preferably in unincorporated Orange County; and

WHEREAS, Siemens Energy, Inc.’s services include production, conversion and transportation of primary fuels and gas; and

WHEREAS, Siemens Energy, Inc.’s services will expand to include the growth of its existing energy headquarters and the addition of its solar division headquarter operations; and

WHEREAS, Siemens Energy, Inc. anticipates creating approximately two hundred and fifty (250) new jobs in Orange County at an average annual salary of at least \$81,660, which is 200% of the prevailing salary of \$40,830 in Orange County; and

WHEREAS, Siemens Energy, Inc. anticipates that the new jobs to be created will include approximately one hundred and fifty-five (155) engineering positions, forty (40) management positions, thirty (30) marketing sales positions, fifteen (15) supply chain positions, five (5) finance positions and five (5) clerical positions; and

WHEREAS, Siemens Energy, Inc. anticipates that these new jobs will be created according to the following schedule: Seventy-five (75) jobs by December 31, 2012; one hundred and twenty-five (125) jobs in calendar year 2013 and fifty (50) jobs in calendar year 2014; and

WHEREAS, Siemens Energy, Inc. 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 \$1,175,000 in tax refunds from the State of Florida under the QTI Program, representing \$7,000 per job; and

WHEREAS, Siemens Energy, Inc. has applied to the Executive Office of the Governor, Office of Tourism, Trade, and Economic Development for approval as a qualified QACF Program applicant, and has applied for \$700,000 in tax refunds from the State of Florida under the QACF Program; and

WHEREAS, in order for Siemens Energy, Inc. 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 Siemens Energy, Inc. 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 \$350,000 over the course of Siemens Energy, Inc.’ eligibility as a “qualified applicant”; and

WHEREAS, in order for Siemens Energy, Inc. to be approved as a “qualified applicant” under the QACF Program, the Orange County Board of County Commissioners must adopt a resolution recommending the approval of Siemens Energy, Inc. as a “qualified business,” and committing “local financial support” in an amount equal to 30% of the annual tax refund up to but not exceeding \$210,000 over the course of Siemens Energy, Inc.’ eligibility as a “qualified applicant”; and

WHEREAS, competition for Siemens Energy, Inc. headquarters operation for the Americas exists outside of Florida, 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 Siemens Energy, Inc. as a “qualified applicant” under the QTI and QACF Programs.

Section 2. Subject to the terms of this Resolution, the Board hereby approves payments up to, but not exceeding, five hundred and sixty thousand dollars (\$560,000) in “local financial support” required under the QTI and QACF Programs. 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) Siemens Energy, Inc. receiving the designation as a “qualified applicant” in connection with the QTI and QACF programs, and (iii) on an annual basis, award by the State of Florida of tax refunds under the QTI and QACF programs.

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

FY 2013-2014	\$ 42,000
FY 2014-2015	\$112,000
FY 2015-2016	\$140,000
FY 2016-2017	\$140,000
FY 2017-2018	\$ 98,000
FY 2018-2019	\$ 28,000
Total	<u>\$560,000</u>

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

Section 5. In the event Siemens Energy, Inc. is approved by the State of Florida for tax refunds in an amount less than the \$1,175,000 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 Siemens Energy, Inc. under the QTI Program and thirty percent (30%) of the annual tax refund awarded to Siemens Energy, Inc. under the QACF Program.

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

ADOPTED THIS ~~MAR 0~~ 6 2012 DAY OF March, 2012.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Teresa Jacobs*
Teresa Jacobs
County Mayor

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

BY: *Martha O. Haynie*
Deputy Clerk