

## Interoffice Memorandum

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

November 14, 2014

DEC 02 2014 CAS/KH

TO: Mayor Teresa Jacobs  
-AND-  
Board of County Commissioners

FROM: Eric Ushkowitz, Economic Development Administrator  
Office of Economic, Trade and Tourism Development



SUBJECT: **December 2, 2014 – BCC Consent Agenda Item**  
Approval of Funky Eyes International, Inc. Qualified Target Industry  
(QTI) Tax Refund Resolution

Funky Eyes International, Inc. (Funky Eyes) is requesting that Orange County commit a total of \$84,000 as the 20% local share of a \$420,000 financial incentive under Florida's Qualified Target Industry (QTI) Tax Refund Program. The QTI award will induce Funky Eyes to locate their international headquarters in Orange County. To receive designation as a qualified applicant for the QTI Program, the Board of County Commissioners must adopt a resolution recommending approval of the applicant as a target industry, and stating that the commitment of local financial support of the applicant exists for 20% of the annual tax refunds.

Funky eyes is looking to enter the U.S. market with direct-to-consumer and private label sales of its colored and prescription contact lenses. The proposed new project will create approximately 70 new high-wage jobs in Orange County, with an average salary of at least \$63,504, which is 150% of the overall prevailing salary in the County. New job functions will include engineering, production, IT, sales, customer service, administrative and management. Financial incentives will help to ensure that this project locates here in Orange County rather than locating in another competing state.

Approximately \$1,275,000 in new investment in equipment and renovations will be added to the Orange County tax roll. No Orange County incentive payments for the QTI program will be made until new jobs are both created and maintained.

Funky Eyes plans to open its first U.S. facility to color, hydrate, sterilize and distribute colored contact lenses.

For more information about Funky Eyes, visit: [www.youknowit.com](http://www.youknowit.com)

**ACTION REQUESTED: Approval of Resolution of the Orange County Board of County Commissioners regarding Funky Eyes International, Inc. Qualified Target Industry Tax Refund.**

**RESOLUTION**  
*of the*  
**ORANGE COUNTY BOARD OF COUNTY  
COMMISSIONERS**  
*regarding*  
**FUNKY EYES INTERNATIONAL, INC.  
QUALIFIED TARGET INDUSTRY TAX REFUND**

Resolution No. 2014-M-71

**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**, Funky Eyes International, Inc. (Funky Eyes) employs 30 people and is currently headquartered in Great Britain; and

**WHEREAS**, Funky Eyes was established in the United Kingdom in 2009 and does not currently have operations in the United States; and

**WHEREAS**, Funky Eyes is preparing to enter the U.S. market with direct-to-consumer and private label sales of its colored and prescription contact lenses; and

**WHEREAS**, Funky Eyes seeks to open their international headquarters in the U.S. to include a facility where they will color, hydrate, sterilize and distribute their product; and

**WHEREAS**, Funky Eyes seeks to locate their new facility preferably in unincorporated Orange County; and

**WHEREAS**, Funky Eyes anticipates creating approximately seventy (70) new jobs in Orange County at an average annual salary of at least \$63,504, which is 150% of the prevailing salary of \$42,336 in the County; and

**WHEREAS**, Funky Eyes anticipates that the new jobs to be created will include approximately nine (9) administrative positions; three (3) customer service positions; fifteen (15) engineering positions; one (1) IT position; five (5) management positions; thirty-two (32) production positions; and five (5) sales positions; and

**WHEREAS**, Funky Eyes anticipates that these new jobs will be created according to the following schedule: Thirty (30) jobs by December 31, 2015; and forty (40) jobs by December 31, 2016; and

**WHEREAS**, Funky Eyes has applied to the Department of Economic Opportunity, Division of Strategic Business Development for approval as a qualified QTI Program applicant, and has applied for \$420,000 in tax refunds from the State of Florida under the QTI Program, representing \$6,000 per job; and

**WHEREAS**, in order for Funky Eyes 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 Funky Eyes 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 \$84,000 over the course of Funky Eyes’ eligibility as a “qualified applicant”; and

**WHEREAS**, competition for Funky Eyes international headquarters operation 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 Department of Economic Opportunity, Division of Strategic Business Development approve Funky Eyes 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, eighty-four thousand dollars (\$84,000) in “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) Funky Eyes 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 2015-2016	\$ 9,000
FY 2016-2017	\$ 21,000
FY 2017-2018	\$ 21,000
FY 2018-2019	\$ 21,000
FY 2019-2020	\$ 12,000
Total	<u>\$ 84,000</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 Funky Eyes is approved by the State of Florida for tax refunds in an amount less than the \$420,000 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 Funky Eyes under the QTI Program.

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

ADOPTED THIS DEC 02 2014 DAY OF December, 2014.



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*  
for Deputy Clerk