

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

JUN 06 2000

AA/BS

**LOCKHEED MARTIN TADS/PNVS  
QUALIFIED DEFENSE CONTRACTOR  
TAX REFUND RESOLUTION**

Resolution No. 2000-M-23

**PREMISES**

WHEREAS, the Florida Legislature enacted Florida Statutes Section 288.1045, creating the Qualified Defense Contractor Tax Refund Program (QDC Program), henceforth referred to as the "ACT"; and

WHEREAS, the purpose of the QDC Program is to preserve and grow Florida's high technology employment base, and to give Florida a competitive edge as defense contractors consolidate contracts, acquire new contracts, and convert to commercial production; and

WHEREAS, Lockheed Martin Missiles & Fire Control – Orlando, henceforth referred to as "Lockheed Martin," has been located at 5600 Sand Lake Road in unincorporated Orange County since 1957; and

WHEREAS, Lockheed Martin is one of Central Florida's largest and most prominent high-tech companies, employs approximately 3,900 high-wage persons, pays over \$5 million per year in local property taxes, spends over \$151 million per year on local procurement, and directly and indirectly provides for over 9,000 jobs in Central Florida; and

WHEREAS, Lockheed Martin is seeking to secure a contract from the U.S. Army to modernize its Targeting Acquisition Designation System/Pilot Night Vision Sensor System (TADS/PNVS); and

WHEREAS, competition exists outside the State of Florida to secure this contract; and

WHEREAS, winning the TADS/PNVS contract would retain 270 high-wage jobs in Orange County at an average salary of \$58,000, which is 203% of the prevailing average salary of \$28,635 in the County; and

WHEREAS, to win the competition for the TADS/PNVS contract, Lockheed Martin has applied to the Executive Office of the Governor, Office of Tourism, Trade and Economic Development for approval as a qualified applicant under the QDC Program; and

WHEREAS, Lockheed Martin has applied for \$1,350,000 million in tax refunds from the State of Florida under the QDC Program; and

WHEREAS, in order for Lockheed Martin to be approved for participation in the QDC Program, a resolution must be adopted by the board of county commissioners of the county in which the project is located, which resolution recommends that the applicant be approved as a "qualified applicant" and that "local financial support" for the applicant exists in the amount of 20% of the annual tax refund.

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 Lockheed Martin as a "qualified applicant" under the QDC Program.

**Section 2.** Subject to the terms of this Resolution, the Board hereby agrees to pay up to but not exceeding two hundred seventy thousand dollars as the "local financial support" required under the QDC Program. Such amount shall be payable to the Florida Economic Development Trust Fund at the times and in the amounts and from the sources of revenue specified below, with the stipulation that these funds are intended to represent the "local participation" required by Florida Statutes 288.1045.

**Section 3.** The Board's promise to pay the amounts specified in this Resolution is contingent upon (i) the Board's approval each year of a county budget that authorizes such payments, (ii) Lockheed Martin's receiving the designation as a "qualified applicant" in connection with the QDC Program, and (iii) on an annual basis, award by the State of Florida of tax refunds under the QDC Program.

**Section 4.** Unless provided otherwise in this Resolution, the County shall pay the "local financial support" in the following amounts during the following County fiscal years:

FY 2001-2002	\$ 67,500
FY 2002-2003	\$ 67,500
FY 2003-2004	\$ 67,500
FY 2004-2005	\$ 67,500
Total	<u>\$ 270,000</u>

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

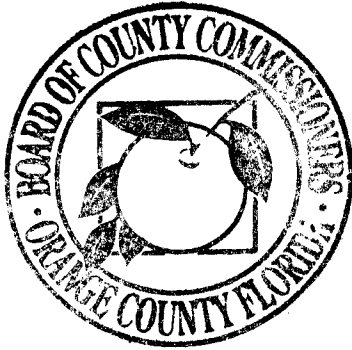
**Section 5.** In the event Lockheed Martin is approved by the State of Florida for tax refunds in an amount less than the \$1,350,000 million dollars as now requested by Lockheed, the

local financial support to be paid by the County to the Florida Economic Development Trust Fund, subject to the terms of this Resolution, shall equal and not exceed twenty percent (20%) of the annual tax refund actually awarded to Lockheed Martin under the ACT.

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

ADOPTED THIS 6TH DAY OF June, 2000.

ORANGE COUNTY, FLORIDA



BY: Mel Martinez  
Mel Martinez  
County Chairman

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

BY: Martha O. Haynie  
Deputy Clerk