

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 23 2004 99/ks

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
ABLATION INDUSTRIES
QUALIFIED TARGET INDUSTRY TAX REFUND

Resolution No. 2004-M-15

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, Ablation Industries (“Ablation”) is a spin-off of the Florida Photonics Center of Excellence at the University of Central Florida, currently employs five full-time and two part-time persons, and is currently located in temporary space in the UCF Technology Incubator; and

WHEREAS, Ablation develops and markets femtosecond semiconductor lasers—fast lasers with a wide variety of applications in both defense and commercial applications, including heart surgery, brain surgery, and imaging and diagnostics; and

WHEREAS, Ablation has entered into agreements with the UCF Center for Research and Education in Optics and Lasers (“CREOL”), and has agreements pending with a major local aerospace corporation and a local photonics firm; and

WHEREAS, Ablation seeks to establish its headquarters and operations in unincorporated Orange County in the Central Florida Research Park, 2602 Challenger Tech Court, Orlando, Florida 32826; and

WHEREAS, Ablation anticipates creating 36 new jobs in Orange County at an average salary of at least \$67,000, which is twice the prevailing average wage of \$33,493; and

WHEREAS, Ablation anticipates that these jobs will be created according to the following schedule: twenty-one (21) jobs by December 31, 2004, and fifteen (15) jobs by December 31, 2005; and

WHEREAS, Ablation anticipates that the new jobs to be created will include four management positions, four administrative positions, thirteen engineering positions, six production positions, and five research positions, and also anticipates that the average salary

within each of these categories of jobs will be above the prevailing average wage in Orange County; and

WHEREAS, Ablation estimates that it will add \$2 million in capital investment to the Orange County tax roll within the next two years; and

WHEREAS, Ablation 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 \$180,000 in tax refunds from the State of Florida under the QTI Program, representing \$5,000 per job; and

WHEREAS, in order for Ablation 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 Ablation as a “target industry business,” and committing “local financial support” in an amount equal to 20% of the annual tax refund (\$36,000); and

WHEREAS, competition for Ablation exists outside of Florida, and financial incentives are necessary to ensure that Ablation grows in Orange County rather than elsewhere.

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 Ablation as a “qualified applicant” under the QTI Program.

Section 2. Subject to the terms of this Resolution, the Board hereby agrees to pay up to, but not to exceed, \$36,000 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 County’s promise to pay the amounts specified in this Resolution is contingent upon (i) appropriation by the Board in each applicable year authorizing payment of the revenues hereunder, (ii) Ablation receiving the designation as a “qualified applicant” in connection with the QTI program, (iii) on an annual basis, award by the State of Florida of tax refunds under the QTI program, and (iv) receipt by Orange County government from Ablation of property taxes that equal or exceed the amount of the “local financial support” payment for each relevant fiscal year as outlined in Section 4 below.

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

FY 2005-2006	\$ 5,250
FY 2006-2007	\$ 9,000
FY 2007-2008	\$ 9,000
FY 2008-2009	\$ 9,000
FY 2009-2010	\$ 3,750

Total

\$ 36,000

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 Ablation is approved by the State of Florida for tax refunds in an amount less than the \$180,000 requested, the local financial support to be paid by the County shall be proportionately reduced so that at no time will the County contribution exceed twenty percent (20%) of the annual tax refund awarded to Ablation under the QTI Program.

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

ADOPTED THIS 23rd DAY OF MARCH 2004.

ORANGE COUNTY, FLORIDA

BY: _____

Richard T. Crotty
Richard T. Crotty
County Chairman
Board of County Commissioners

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

BY: _____

Martha O. Haynie
Deputy Clerk

