

~~OCT 21 2008~~ *SG/MP/BS*

RESOLUTION
of the
**ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS**
regarding
**IOWA COLLEGE ACQUISITION CORPORATION
QUALIFIED TARGET INDUSTRY TAX REFUND**

Resolution No. 2008-M-53

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, Iowa College Acquisition Corporation (d/b/a Kaplan University), herein referred to as “Kaplan,” is headquartered in Chicago, Illinois, and is predominantly a distance learning accredited institution of higher education with physical campuses in Iowa and Nebraska; and

WHEREAS, Kaplan, with an enrollment of more than 41,000 students, operates a regional support headquarters in Ft. Lauderdale, and currently employs 2,300 people in south Florida; and

WHEREAS, Kaplan is considering expanding its Florida operations to 12650 Ingenuity Drive in the Central Florida Research Park in unincorporated Orange County; and

WHEREAS, Kaplan anticipates creating approximately seven hundred fifty (750) new jobs in Orange County at an average annual salary of at least \$43,218, which is 115% of the prevailing salary of \$37,581 in Metro Orlando and 111% of the prevailing salary of \$39,092 in Orange County; and

WHEREAS, Kaplan anticipates that the new jobs to be created will include approximately sixty-nine (69) management and administrative positions, six hundred seventy (670) admissions and sales positions, and eleven (11) information technology positions, and also anticipates that the average salary within each of these categories will be above the prevailing wage in Orange County; and

WHEREAS, Kaplan anticipates that these new jobs will be created according to the following schedule: two hundred thirty-three (233) jobs by December 31, 2009; two hundred thirty-three (233) jobs by December 31, 2010; and two hundred eighty-four (284) jobs by December 31, 2011; and


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 Kaplan is approved by the State of Florida for tax refunds in an amount less than the \$2,250,000 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 Kaplan under the QTI Program.

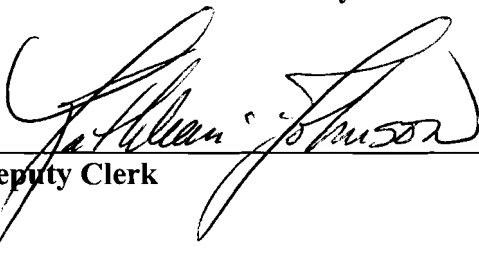
Section 6. This Resolution shall take effect upon receipt by the County of evidence that Kaplan has been approved as a “qualified applicant” and has become eligible for tax refunds under the QTI program, as described herein.

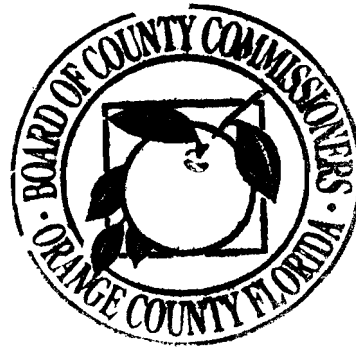
ADOPTED THIS 21st DAY OF OCTOBER 2008.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: 
Richard T. Crotty
County Mayor

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

BY: 
Deputy Clerk



WHEREAS, Kaplan 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 \$2,250,000 in tax refunds from the State of Florida under the QTI Program, representing \$3,000 per job; and

WHEREAS, in order for Kaplan 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 Kaplan 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 \$450,000 over the course of Kaplan’s eligibility as a “qualified applicant”; and

WHEREAS, competition for Kaplan’s expansion exists outside of Florida in Chicago and Omaha, 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 Kaplan 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, four hundred fifty thousand dollars (\$450,000) 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) Kaplan 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 2010-2011	\$ 34,950
FY 2011-2012	\$ 69,900
FY 2012-2013	\$112,500
FY 2013-2014	\$112,500
FY 2014-2015	\$ 77,550
FY 2015-2016	\$ 42,600
Total	<u>\$450,000</u>