

JUL 18 1995

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ORACLE CORPORATION QUALIFIED  
TARGET INDUSTRY  
TAX REFUND  
RESOLUTION

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RESOLUTION NO. 95-M-62

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PREMISES

WHEREAS, in 1994, the Florida legislature passed legislation establishing a "qualified target industry tax refund program" to encourage economic development for companies creating new high-wage employment opportunities in Florida by providing "tax refunds" to qualified target industries.

WHEREAS, Oracle Corporation, hereinafter referred to as "Oracle" has been located in Orange County and the City of Orlando since January 1995, with a current work force of one hundred employees and an annual payroll of \$3,500,000.

WHEREAS, Oracle is in the business of supplying and supporting information management computer software, and is engaged in one of the target industries identified pursuant to criteria developed by the Florida Department of Commerce.

WHEREAS, Oracle has applied to the Florida Department of Commerce for approval as a qualified applicant under the Qualified Target Industry Tax Refund Program for expansion of its worldwide customer support facility in the City of Orlando.

WHEREAS, in order for Oracle to be approved as a "qualified applicant" and become eligible for tax refunds under the Qualified Target Industry Tax Refund Program pursuant to Section 288.106, Florida Statutes, ("the ACT"), a resolution must be adopted by the board of county commissioners of the county in which the project will be located, which resolution recommends that the target industry business be approved as a qualified target industry business and state that the commitment of "local financial support" for the target industry business exists in an amount equal to 20% of the annual tax refund.

WHEREAS, it is estimated the expansion of Oracle's Orlando computer support facility will create 300 new jobs in the City of Orlando with an annual payroll of approximately \$13.5 million, and generate approximately \$74,000 to \$101,000 annually in existing and additional tangible property and utility taxes to the City of Orlando.

WHEREAS, Oracle has applied for \$1.5 million in tax refunds from the State of Florida under the Act, which will require local support in the amount of \$300,000 over six years.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. The Board of County Commissioner of Orange County, Florida, hereby recommends that the Department of Commerce approve Oracle as a "qualified applicant" under the ACT.

Section 2. Subject to the terms of this Resolution, the City of Orlando will be relied upon to pay up to but not exceeding \$300,000 as the "local financial support" required under the ACT, in accordance with an agreement to be negotiated between the City of Orlando and Oracle. Such amount shall be payable to the Economic Development Trust Fund at the times and in the amounts and from the sources of revenue specified below and in accordance with the agreement between Oracle and the City of Orlando. Orange County shall have no financial responsibility for providing any portion of the local financial support. All said sums will be paid by the City of Orlando exclusively. Oracle shall not have any right to any payments from Orange County for the "local financial support."

Section 3. The City of Orlando's promise to pay the amounts specified in this Resolution is contingent upon i) the City of Orlando's approval of a City budget for Fiscal Year 1996-1997 that authorizes such payment, ii) Oracle receiving the designation as a "qualified applicant" in connection with the Qualified Target Industry Tax Refund program, iii) the successful application and award by the State of Florida of tax refunds under the ACT, iv) successful negotiation of an agreement between the City and Oracle specifying the terms and conditions of Oracle's expansion within Orlando, and v) for ten years from the effective date of this Resolution, Oracle's keeping its Orlando customer

support facility within the City of Orlando and maintenance of an average annual salary of \$45,000 for new employees hired under the ACT.

Section 4. The City of Orlando will pay the "local financial support" in the following amounts:

FY 1996-1997	\$ 25,000
FY 1997-1998	\$ 57,500
FY 1998-1999	\$ 75,000
FY 1999-2000	\$ 75,000
FY 2000-2001	\$ 50,000
FY 2001-2002	<u>\$ 17,500</u>
Total	<u>\$300,000</u>

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

Section 5. In the event Oracle is approved by the State of Florida for tax refunds in a total amount less than the \$1.5 million as now requested by Oracle, the local financial support to be paid by the City of Orlando would be reduced so that the annual payment by the City to the Economic Development Incentives Account shall equal and not exceed twenty percent (20%) of the tax refund actually awarded to oracle under the ACT.

Section 6. Pursuant to Section 288.106 (4) (a) (11) (b), Florida Statutes, Orange County hereby requests waiver of the requirement to offer a similar amount of financial support for location or expansion in an enterprise zone because the particular nature of

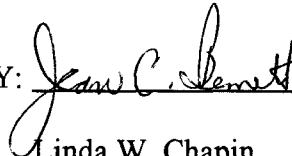
Oracle's business makes it impractical to locate or expand the project in an enterprise zone.

Section 7. This Resolution shall take effect upon receipt by the County of evidence that Oracle has been approved as a "qualified applicant" and has become eligible for tax refunds under the ACT, as described herein.

ADOPTED THIS 18<sup>th</sup> DAY OF JULY, 1995.

ORANGE COUNTY, FLORIDA

BY:



Linda W. Chapin

*for*

County Chairman

ATTEST: Martha O. Haynie, County Comptroller

As Clerk to the Board of County Commissioners

BY:



Asst. Deputy Clerk

