

FEB 10 2004 JWBS

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**THE ORLANDO-ORANGE COUNTY EXPRESSWAY
AUTHORITY**

Resolution No. 2004- M-05

WHEREAS, the Legislature of the State of Florida has created the Orlando-Orange County Expressway Authority, a body politic and corporate, pursuant to Part V, Chapter 348, Florida Statutes, hereinafter called the "Authority"; and

WHEREAS, pursuant to its statutory creation, the governing body of the Authority consists of five persons: three Orange County citizens appointed by the Governor, the Orange County Chairman, and the District Secretary of District 5 of the Florida Department of Transportation; and

WHEREAS, the Authority is a public agency whose purpose is to serve the people of Orange County by providing, operating, and maintaining efficient systems of transportation for persons and goods within Orange County, which system comprises arterial expressways, and all necessary approaches, roads, bridges, and avenues of access; and

WHEREAS, to accomplish its purposes the Authority, by statute, is entrusted with broad and far-reaching powers often exercised by elected governmental bodies directly accountable to the electorate; these powers include the power to acquire real property through eminent domain and the authority to issue bonds secured by taxes; and

WHEREAS, Orange County has underwritten the success of the Authority by its pledge of certain county gas taxes as security for bonds that have been made and issued by the Authority;

WHEREAS, the powers and duties of the Authority, as well as its reliance on County-levied taxes, engender a public trust with the people of Orange County; and

WHEREAS, it is a fundamental tenet of democratic societies that their public bodies must always be subject to public review and scrutiny; and

WHEREAS, for all of the foregoing reasons, the Orange County Board of County Commissioners has a keen interest in ensuring that public trust and confidence in the Authority be promoted and maintained to the highest possible degree; and

WHEREAS, the Orange County Comptroller is authorized by Special Act of the Legislature, as well as by the Orange County Charter, to undertake performance audits of Orange County's constitutional offices, and has performed such audits admirably, thereby increasing public confidence in the operations and integrity of those offices; and

WHEREAS, performance audits by the Orange County Comptroller provide information to improve program operations and facilitate decision-making by parties with responsibility to oversee or initiate corrective action, and improve public accountability; and

WHEREAS, the Board has determined that the public interest in ensuring the utmost integrity in the operations of the Authority, and the equitable exercise of the legislatively-bestowed powers and duties of the Authority would be well served by the conduct of performance audits of the Authority by the Orange County Comptroller; and

WHEREAS, the Authority is not statutorily subject to the audit authority of the Comptroller, therefore, the Board seeks the Authority's consent for such audits, as well as the Comptroller's agreement to undertake such audits;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Orange County that:

1. The Board hereby determines, for the foregoing reasons, that it is in the best interest of the County that periodic performance audits be performed on the Authority by the Orange County Comptroller.
2. The Board hereby urges that the Authority consent to periodic performance audits by the Orange County Comptroller, at such times and on such terms as the Comptroller deems appropriate. However, such performance audits shall be completed no less often than every four years.
3. The Board hereby urges that the Orange County Comptroller, with the assent of the Authority, undertake periodic performance audits of the Authority.

4. The Board hereby urges the Authority to promptly reimburse the Orange County Comptroller for all necessary and reasonable expenditures made by the Comptroller in performing the audits contemplated by this Resolution.

5. The Board hereby directs that certified copies of this Resolution shall be forwarded forthwith to the Authority and to the Orange County Comptroller.

6. This Resolution shall become effective upon its adoption by the Board.

ADOPTED this 10 day of February, 2004.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Richard T. Crotty*
Richard T. Crotty
County Chairman

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

By: *Martha O. Haynie*
Deputy Clerk

