



COUNTY ATTORNEY'S OFFICE
JEFFREY J. NEWTON, County Attorney

201 South Rosalind Avenue ■ 3rd Floor
Reply To: Post Office Box 1393
Orlando, FL 32802-1393
407-836-7320 ■ Fax 407-836-5888
http://www.ocfl.net

08-20-15 4:10:13 PM RCVD

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MEMORANDUM

DATE: August 20, 2015
TO: Katie Smith, Deputy Clerk of the Board of County Commissioners, Comptroller Clerk's Office
THRU: Cheryl Gillespie, Supervisor Agenda Development Office
FROM: Lila McHenry, Senior Assistant County Attorney 407-836-5469 mail to: lila.mchenry@ocfl.net
RE: Request for Public Hearing before Board of County Commissioners to Consider an Ordinance Re-enacting Ordinance 2009-13 and Providing for Ratification and an Effective Date

SLA for
[Signature]

Title of Ordinance: **AN ORDINANCE RELATING TO THE ACQUISITION AND DISPOSITION OF REAL PROPERTY UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM AUTHORIZED BY THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008; RE-ENACTING ORDINANCE 2009-13; AND PROVIDING FOR RATIFICATION AND AN EFFECTIVE DATE.**

Applicant: Staff

Location: All Districts

September 22, 2015
CW
2 PM

Memo to Katie Smith
Page Two
August 20, 2015

Estimated time required for public hearing: Two minutes

Hearing controversial: No

Advertising requirement: Publish once in the legal notices section of a local newspaper of general circulation.

Advertising timeframe: At least 10 days prior to the public hearing on September 22, 2015.

Hearing required by Fla. Statute # or code: Section 125.66(2)(a), Florida Statutes (regular enactment procedure)

Spanish Contact Person: Para más información en español acerca de estas reuniones públicas o de cambios por ser efectuados, favor de llamar a la Oficina de los Abogados del Condado, Roberta Alfonso, at 407-836-7320.

The following materials will be submitted as backup for this public hearing request:

1. Ordinance
2. Memo to the Mayor and Board of County Commissioners

SPECIAL INSTRUCTIONS TO CLERK:

1. Please return one executed copy of the Ordinance to Lila McHenry via email attachment: lila.mchenry@ocfl.net.

c: Ajit Lalchandani, County Administrator
Jeffrey J. Newton, County Attorney

Orlando Sentinel

Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared **Charity Casas / Jean M. Gaillie / Sheri Schmitz**, who on oath says that he/ she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of **Ordinance regarding Re-enacting Ordinance 2009-13 regarding the Neighborhood Stabilization Program**, in ORANGE County Florida, was published in said newspaper in the issues **09/06/15**

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sheri Schmitz

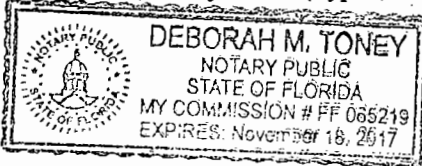
Printed Name of Affiant

Sheri Schmitz

Signature of Affiant

Sworn to and subscribed before me on this **10** day of **September, 2015** by above said affiant, who is personally known to me (X) or who has produced identification ().

[Signature]
Signature of Notary Public (Typed, Printed or Stamped)



Ad No. 3528070

ORANGE COUNTY NOTICE OF PUBLIC HEARING

The Orange County Board of County Commissioners will conduct a public hearing on **September 22, 2015**, at **2 p.m.**, or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida. You are invited to attend and be heard regarding the following proposed ordinance:

AN ORDINANCE RELATING TO THE ACQUISITION AND DISPOSITION OF REAL PROPERTY UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM AUTHORIZED BY THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008; RE-ENACTING ORDINANCE 2009-13; AND PROVIDING FOR RATIFICATION AND AN EFFECTIVE DATE.

You may examine the notice and the proposed ordinance at the office of the Comptroller Clerk of the Board of County Commissioners, 201 South Rosalind Avenue, Fourth Floor, Orlando, Florida; between 8 a.m. and 5 p.m., Monday through Friday.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY ATTORNEY'S OFFICE, 407-836-5469, Email: Lila.McHenry@ocfl.net

PARA MÁS INFORMACION EN ESPANOL ACERCA DE ESTAS REUNIONES PUBLICAS O DE CAMBIOS POR SER EFECTUADOS, FAVOR DE LLAMAR A LA OFICINA DE LOS ABOGADOS DEL CONDADO, ROBERTA ALFONSO, 407-836-7320.

If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5631 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al 407-836-3111.

Martha O. Haynie, County Comptroller
As Clerk of the Board of
County Commissioners
Orange County, Florida

ORG3528070

09/06/15

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ORDINANCE NO. 2015-__

AN ORDINANCE RELATING TO THE ACQUISITION AND DISPOSITION OF REAL PROPERTY UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM AUTHORIZED BY THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008; RE-ENACTING ORDINANCE 2009-13; AND PROVIDING FOR RATIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the County received certain funds under the Neighborhood Stabilization Program (the “NSP”) authorized by the Housing and Economic Recovery Act of 2008 (the “Act”) under two grant agreements with the United States Department of Housing and Urban Development (“HUD”); and

WHEREAS, on February 17, 2009, the County adopted Resolution 2009- M- 04 authorizing the purchase and conveyance of properties under the NSP and providing for such authorization to expire at the completion of the NSP; and

WHEREAS, the Act, the grant agreements and the federal rules and regulations provide the standards and conditions for the acquisition, improvement and disposition of real property acquired pursuant to the NSP; and

WHEREAS, Section 125.35, Florida Statutes, provides general provisions with regard to how the County disposes of real property are not directly compatible with the federal guidelines for the NSP; and

WHEREAS, Section 125.35(3), Florida Statutes, allows Counties to enact an ordinance prescribing alternative standards and procedures for the disposition of real property; and

WHEREAS, on April 28, 2009, the County therefore enacted Ordinance 2009-13 as an alternative to the provisions of Section 125.35, Florida Statutes in order to acquire and convey properties under the NSP program; and

WHEREAS, Ordinance 2009-13 contained a sunset date inconsistent with Resolution 2009-M-04 and was automatically repealed on December 31, 2013 and the County now desires to re-enact Ordinance 2009-13 and provide for retroactive application of this ordinance in order to ratify all actions taken consistent with the procedures set forth in Ordinance 2009-13 after December 31, 2013 and prior to the effective date of this Ordinance.

44 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
ORANGE COUNTY:

46 **Section 1. Premises Incorporated Herein.** The foregoing premises shall be incorporated
herein as findings of facts supporting this Ordinance.

48 **Section 2. Re-Enactment of Ordinance 2009-13.** Sections 1 through 5 of Ordinance
2009-13 are hereby re-enacted in their entirety.

50 **Section 3. Ratification, Effective Date;** This Ordinance shall become effective in
accordance with State law. All County actions taken between December 31, 2013 and the effective
52 date of this Ordinance pursuant to the provisions of Sections 1 through 5 of Ordinance 2009-13 are
hereby ratified. Therefore Section 2 hereof shall be applied retroactively and be effective as of
54 January 1, 2014. The NSP grant agreements and administration of the NSP Program shall continue
until close-out shall have occurred pursuant to federal guidelines and this Ordinance shall therefore
56 remain in effect until such close-out shall have occurred.

ADOPTED THIS _____ DAY OF _____, 2015.

58 **ORANGE COUNTY, FLORIDA**
By: Board of County Commissioners

60
By: _____
Teresa Jacobs
Orange County Mayor

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

By: _____
Clerk/Deputy Clerk