



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

01-11-15 10:57 AM RCVD

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>

Public Hearing

MEMORANDUM

DATE: January 11, 2016

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 on February 9, 2016** before the Board of County Commissioners to Consider an Ordinance Pertaining to Orange County's Research and Development Authority Amending Article V of Chapter 2 of the Orange County Code Section 2-174, and Providing for an effective date

Title of Ordinance: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, PERTAINING TO ORANGE COUNTY'S RESEARCH AND DEVELOPMENT AUTHORITY; AMENDING ARTICLE V OF CHAPTER 2 OF THE ORANGE COUNTY CODE SECTION 2-174 RELATING TO MEMBERSHIP TO INCLUDE CHANGING THE STATUS OF COUNTY COMMISSIONER MEMBERS OF THE AUTHORITY FROM EX-OFFICIO, NON-VOTING MEMBERS AND ALLOWING THE BOARD TO APPOINT ONE OR MORE

Deputy County Attorney
Joel D. Prinsell

Senior Assistant County Attorneys
Lila McHenry

Assistant County Attorneys

Andrea Adibe

Roberta Alfonso

Michael Bray

Edward M. Chew

Anthony Cotter

Whitney E. Evers

Wanzo Galloway, Jr.

Georgiana Holmes

Katherine W. Latorre

Peter A. Lichtman

Scott McHenry

Sawsan Mohiuddin

Scott Shevenell

William Turner

Legal Administrative Supervisor

Anna M. Caban

Senior Paralegal
Kimberly Cundiff

Paralegals
Cathy Saravanja, CP
Maria Vargas, ACP

February 9, 2016 @ 2:00 p.m.

COUNTY COMMISSIONERS AS EX-OFFICIO, NON-VOTING ADVISORS TO THE AUTHORITY; CHANGING THE NUMBER OF MEMBERS OF THE AUTHORITY FROM NINE TO SEVEN MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

Applicant: Staff

Location: All Districts

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.

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



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MEMORANDUM

TO: Katie Smith, Deputy Clerk, Comptroller Clerk of the BCC

FROM: Lila Ingate McHenry, Senior Assistant County Attorney

DATE: January 22, 2016

RE: **Public Hearing on February 9, 2016**
Draft Copy of Ordinance Pertaining to Request for Public Hearing before the Board of County Commissioners to Consider an Ordinance Pertaining to Orange County's Research and Development Authority Amending Article V of Chapter 2 of the Orange County Code Section 2-174, and Providing for an effective date

Attached hereto, please find the draft copy of the above-referenced Ordinance to be considered at the public hearing on February 9, 2016. The request for public hearing on this Ordinance was sent to your office on January 11, 2016.

Thank you for your assistance and attention to this matter.

LIM/eh
Enclosure

C: Michael A. Ryan, Esquire, Lowndes Drosdick Doster Kantor & Reed, P.A. (w/encl.)

ORDINANCE NO. 2016-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, PERTAINING TO ORANGE COUNTY'S RESEARCH AND DEVELOPMENT AUTHORITY; AMENDING ARTICLE V OF CHAPTER 2 OF THE ORANGE COUNTY CODE SECTION 2-174 RELATING TO MEMBERSHIP TO INCLUDE CHANGING THE STATUS OF COUNTY COMMISSIONER MEMBERS OF THE AUTHORITY FROM EX-OFFICIO, NON-VOTING MEMBERS AND ALLOWING THE BOARD TO APPOINT ONE OR MORE COUNTY COMMISSIONERS AS EX-OFFICIO, NON-VOTING ADVISORS TO THE AUTHORITY; CHANGING THE NUMBER OF MEMBERS OF THE AUTHORITY FROM NINE TO SEVEN MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 25, 1980, the Board of County Commissioners ("Board") adopted Ordinance No. 80-13 which created the Orange County Research and Development Authority ("Authority") and identified the Authority's five initial members; and

WHEREAS, on November 14, 1988, the Board adopted Ordinance No. 88-16 which deleted the references to the five specific initial board members and established that the Authority shall have seven (7) members, six (6) members to be appointed by the Board and the seventh, an ex-officio member, to be the President of the University of Central Florida or the President's designee; and

WHEREAS, on July 13, 1993, the Board adopted Ordinance No. 93-17 which amended Section 2-174 of the Orange County Code, which pertains to Authority membership, by increasing the number of members to nine (9); and

WHEREAS, on August 30, 2011, the Board adopted Ordinance No. 2011-10 which amended Section 2-174 of the Orange County Code, which pertains to Authority membership, by providing that two (2) of the Authority members shall be the District 4 Orange County Commissioner and the District 5 Orange County Commissioner as ex officio, non-voting members appointed by the Board; and

WHEREAS, the Board now intends to amend Section 2-174 to change the status of the County Commissioner members of the Authority from ex-officio, non-voting members, and thereby reduce the number of Authority members from nine to seven members, while allowing the

46 Board to appoint one or more County Commissioners as ex officio non-voting advisors to the
47 Authority.

48 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
49 **ORANGE COUNTY, FLORIDA:**

50 *Section 1. Section 2-174, "Membership,"* codified under Article V, Division 3, of the
51 Orange County Code, is amended to read as follows, with underlines showing additions and
52 strike-throughs showing deletions:

54 **Sec. 2-174. Membership.**

56 (a) The county research and development authority shall be
57 composed of seven (7) ~~nine (9)~~ members. Six (6) of the members
58 shall be appointed by the board of county commissioners; ~~two (2) of~~
59 ~~the members shall be ex-officio, non-voting and appointed by the~~
60 ~~board of county commissioners and the ninth, and the seventh~~
61 member shall be, ex-officio, the president of the University of
62 Central Florida or the president's designee.

64 (b) One (1) of the members appointed by the board of county
65 commissioners shall be designated as a "university representative."
66 The university representative to the authority shall be appointed by
67 the board of county commissioners after soliciting from the
68 president of the University of Central Florida not less than three (3)
69 nominations for the position of university representative to the
70 authority. ~~The two (2) ex-officio, non-voting members appointed by~~
71 ~~the board of county commissioners shall be the "District 4, Orange~~
72 ~~County Commissioner" and the "District 5, Orange County~~
73 ~~Commissioner."~~ The appointments by the board of county
74 commissioners of the university representative ~~and the two (2)~~
75 ~~county commissioners~~ shall be exempt from the provision of
76 Ordinance No. 91-21 [Article VI of this chapter] regarding
77 qualifications and requirements for membership on an advisory
78 board.

80 (c) The terms, qualifications, powers and duties of these
81 members shall be as provided in F.S. ch. 159, pt. V (F.S. § 159.701
82 et seq.), as amended from time to time. New appointments or
83 reappointments shall take place as provided by general law.

84 (d) The board of county commissioners may appoint one or

86

more county commissioners to serve as non-voting advisors to the
county research and development authority and representatives of
the board of county commissioners to that authority.

88

Section 2. Effective Date. This ordinance shall become effective pursuant to general law.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs
Orange County Mayor

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

By: _____
Deputy Clerk