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Public Hearing

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MEMORANDUM

TO: Mayor Jerry L. Demings
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney
Lila I. McHenry, Senior Assistant County Attorney
Contact: (407) 836-7320

DATE: May 10, 2019

RE: Public Hearing for Board Meeting on May 21, 2019
An Ordinance of the Board of County Commissioners of Orange County, Florida, Pertaining to the Orange County Educational Facilities Authority Repealing Orange County Ordinance No. 96-7, as Amended and Codified in Chapter 2 Article V, Division 7 of the Orange County Code

I. EXPLANATION & SUMMARY:

The Orange County Educational Facilities Authority (the "Authority") was established by the Board of County Commissioners (the "Board") in 1996 pursuant to the Higher Educational Facilities Authorities Law, Chapter 243, Florida Statutes, and Ordinance No. 96-7. The Authority is a dependent special district which was created for the purpose of financing capital projects for institutions of higher education.

The Authority has been inactive for more than two years, has no assets or liabilities, has no outstanding bond issues and has no reasonable prospects for becoming active in the future. The two remaining members of the Authority requested that the Membership, Mission and Review Board ("MMRB") recommend that the Board pass an ordinance dissolving the Authority. On April 19, 2019, the MMRB unanimously voted to recommend dissolution of the Authority.

May 10, 2019
Re: Public Hearing (May 21, 2019)
Ordinance Pertaining to Orange County's Educational Facilities Authority
Page 2

II. ACTION REQUESTED:

Approval of an Ordinance pertaining to the Orange County Educational Facilities Authority; Repealing Orange County Ordinance No. 96-7, as amended by Ordinance Nos. 2007-15 and 2013-10 and codified in Chapter 2, Article V, Division 7 of the Orange County Code; Providing for an effective date and filing with the State of Florida Special District Accountability Program.

Attachment

c: Byron W. Brooks, AICP, County Administrator
Michael A. Ryan, Esquire, Lowndes Drosdick Doster Kantor & Reed, P.A.
Fred Winterkamp, Manager, Fiscal and Business Services Division

ORDINANCE NO. 2019- _____

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4 AN ORDINANCE PERTAINING TO THE ORANGE COUNTY
6 EDUCATIONAL FACILITIES AUTHORITY; REPEALING
8 ORANGE COUNTY ORDINANCE NO. 96-7, AS AMENDED BY
10 ORDINANCE NOS. 2007-15 AND 2013-10 AND CODIFIED IN
CHAPTER 2, ARTICLE V, DIVISION 7 OF THE ORANGE
COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE AND
FILING WITH THE STATE OF FLORIDA SPECIAL DISTRICT
ACCOUNTABILITY PROGRAM.

12 WHEREAS, on April 2, 1996, the Board of County Commissioners of Orange County,
14 Florida (the "Board") enacted Ordinance 96-7 establishing the Orange County Educational
16 Facilities Authority (the "Authority"), which Ordinance was amended by Ordinance No. 2007-15
on December 18, 2007, and Ordinance No. 2013-10 on April 23, 2013, and is currently codified
in Chapter 2, Article V, Division 7 of the Orange County Code; and

18 WHEREAS, the Authority is a dependent special district pursuant to Section 189.012
Florida Statutes; and

20 WHEREAS, pursuant to Section 189.071, Florida Statutes, the Board, as the governing
body which created the Authority, has the power to dissolve the Authority by repealing the above
enabling laws of the Authority; and

22 WHEREAS, the Authority has been inactive for more than two years, and has no
reasonable prospects for becoming active in the future; and

24 WHEREAS, the sole remaining members of the Authority, by letter addressed to the
Board dated April 5, 2019, requested that the Board dissolve the Authority on the basis that the
26 Authority has no assets or liabilities, no outstanding bonded indebtedness, has been inactive for
more than two years, and has no reasonable prospects for becoming active in the future; and

28 WHEREAS, the Board now desires to dissolve the Authority.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
30 ORANGE COUNTY, FLORIDA:

Section 1: County Ordinance No. 96-7, as amended, by Ordinance Nos. 2007-15 and
32 2013-10 currently codified as Division 7 of Chapter 2, Article V of the Orange County is hereby
repealed in its entirety. The Orange County Educational Facilities Authority is therefore
4 dissolved.

Section 2: This ordinance shall take effect pursuant to general law. A copy of this
36 ordinance shall be filed with the State of Florida Special District Accountability Program within
30 days of taking effect.

38 ADOPTED THIS ____ DAY OF _____, 2019.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings, Orange County Mayor

ATTEST: Phil Diamond, CPA, County
Comptroller As Clerk of the Board of County
Commissioners

By: _____
Deputy Clerk

40