



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>

10-24-16A01:00:00

**Public Hearing**

10-24-16A01:00:00

**MEMORANDUM**

DATE: October 6, 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  
Contact: (407) 836-5459 / Email to: [lila.mchenry@ocfl.net](mailto:lila.mchenry@ocfl.net)  
RE: **Request for Public Hearing on November 1, 2016**  
before the Board of County Commissioners to Consider an Ordinance Pertaining to Taxation in Orange County, Florida; Amending Article IV of Chapter 25 of the Orange County Code Section 25-140, Tourist Development Plan; Providing for an Effective Date

Title of Ordinance: **AN ORDINANCE PERTAINING TO TAXATION IN ORANGE COUNTY, FLORIDA; AMENDING ARTICLE IV OF CHAPTER 25 OF THE ORANGE COUNTY CODE SECTION 25-140, TOURIST DEVELOPMENT PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

Applicant: Staff  
Location: All Districts  
Estimated time required for public hearing: Two minutes  
Hearing controversial: No

LEGISLATIVE FILE # 16-079

November 1, 2016  
@  
2pm

*Deputy County Attorney*  
Joel D. Prinsell

*Senior Assistant County Attorneys*  
Elaine Asad  
Lila McHenry

*Assistant County Attorneys*  
Andrea Adibe  
Roberta Alfonso  
Anthony Cotter  
Whitney E. Evers  
Wanzo Galloway, Jr.  
Erin E. Hartigan  
Georgiana Holmes  
Katherine W. Latorre  
Scott McHenry  
Sawsan Mohiuddin  
Scott Shevenell  
William Turner

*Legal Administrative Supervisor*  
Anna M. Caban

*Senior Paralegal*  
Kimberly Cundiff

*Paralegals*  
Melessia Lofgren  
Maria Vargas, ACP

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](mailto:lila.mchenry@ocfl.net).

c: Ajit Lalchandani, County Administrator  
Jeffrey J. Newton, County Attorney  
Eric Gassman, Deputy County Administrator  
Fred Winterkamp, Manager, Fiscal and Business Services Division



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

10-17-2016 11:12 AM

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>

**MEMORANDUM**

*Deputy County Attorney*  
Joel D. Prinsell

*Senior Assistant County Attorneys*  
Elaine Asad  
Lila McHenry

*Assistant County Attorneys*

Andrea Adibe  
Roberta Alfonso  
Anthony Cotter  
Whitney E. Evers  
Wanzo Galloway, Jr.  
Erin E. Hartigan  
Georgiana Holmes  
Katherine W. Latorre  
Scott McHenry  
Sawsan Mohiuddin  
Scott Shevenell  
William Turner

*Legal Administrative Supervisor*  
Anna M. Caban

*Senior Paralegal*  
Kimberly Cundiff

*Paralegals*  
Melessia Lofgren  
Maria Vargas, ACP

**TO:** Katie Smith, Deputy Clerk, Comptroller Clerk of the BCC  
**FROM:** Lila I. McHenry, Senior Assistant County Attorney  
**DATE:** October 14, 2016  
**RE:** **Public Hearing on November 1, 2016**  
Draft Copy of Ordinance Pertaining to Taxation in Orange County, Florida; Amending Article IV of Chapter 25 of the Orange County Code Section 25-140, Tourist Development Plan; 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 November 1, 2016. The request for public hearing on this Ordinance was sent to your office on October 6, 2016.

Thank you for your assistance and attention to this matter.

LIM/eh  
Enclosure

c: Ajit Lalchandani, County Administrator  
Jeffrey J. Newton, County Attorney  
Eric Gassman, Deputy County Administrator  
Fred Winterkamp, Manager, Fiscal and Business Services Division

ORDINANCE NO. 2016-\_\_

AN ORDINANCE PERTAINING TO TAXATION IN  
ORANGE COUNTY, FLORIDA; AMENDING ARTICLE IV  
OF CHAPTER 25 OF THE ORANGE COUNTY CODE  
SECTION 25-140, TOURIST DEVELOPMENT PLAN;  
PROVIDING FOR AN EFFECTIVE DATE.

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

*Section 1.* Chapter 25, Article IV, Section 25-140 of the Orange County Code, is hereby amended, with such amendments being indicated below in Section 2 with the new text being underlined and the deleted text being struck through.

*Section 2. Amendments to Section 25-140, Chapter 25, Article IV.* Section 25-140, Tourist Development Plan, Chapter 25, Article IV of the Orange County Code, is hereby amended to read as follows:

**Sec. 25-140. Tourist development plan.**

.....  
(10) ~~Tenth priority. In order to:-~~

a. ~~Promote the Orange County Convention Center, the Florida Citrus Bowl and the other publicly owned sports stadiums, sports arenas, coliseums or auditoriums within Orange County;-~~

b. ~~Promote tourism in Orange County; and~~

c. ~~Encourage and promote the selection of the Orlando area as a venue for international, national, regional and local sports events, tourist development tax revenues shall be used to fund the Central Florida Sports Commission ("sports commission"). Such funding to the sports commission shall be payable as follows:-~~

10/01/92 to 9/30/93	\$ 75,000.00
10/01/93 to 9/30/94	—75,000.00
10/01/94 to 12/31/94	—18,750.00

<del>1/01/95 to 9/30/95</del>	<del>—84,375.00</del>
<del>10/01/95 to 9/30/96</del>	<del>—112,500.00</del>
<del>10/01/96 to 9/30/97</del>	<del>—112,500.00</del>
<del>10/01/97 to 9/30/98</del>	<del>—112,500.00</del>
<del>10/01/98 to 9/30/99</del>	<del>—112,500.00</del>
<del>10/01/99 to 9/30/00</del>	<del>—112,500.00</del>
<del>10/01/00 to 9/30/01</del>	<del>—135,000.00</del>

36  
38  
40  
42  
44  
46  
48  
50  
52  
54  
56  
58  
60  
62  
64  
66  
68

~~Beginning in fiscal year 2001/02, and continuing through fiscal year 2005/06, funding to the sports commission may be granted each year in the amount of one hundred thirty five thousand dollars (\$135,000.00) with adjustments to such amount equal to the annual cumulative percentage increases, if any, in the revenues from the tax levied under section 25 136, all as may be specified by contract between the county and the sports commission. Beginning in fiscal year 2006/07 and continuing through fiscal year 2015/16, funding to the sports commission may be granted each year in the amount of one hundred thirty five thousand dollars (\$135,000.00) with adjustments to such amount equal to the annual cumulative percentage increases, if any, in the revenues from fiscal year 2005/06 from the tax levied under section 25 136, all as may be specified by contract between the county and the sports commission. Such contract shall contain appropriate provisions for frequent, regular reporting and financial disclosure by the sports commission to the county. [Reserved]~~

.....

(19) *Nineteenth priority.* The nineteenth priority of the plan is to provide funding, as set forth in an interlocal agreement between the County, the City of Orlando and the City of Orlando Community Redevelopment Agency (the "interlocal agreement") for certain costs associated with the construction of a new performing arts center and a major league soccer stadium and with the renovation and expansion of the Citrus Bowl, in order to finance and estimate three hundred and ~~twenty seven~~ thirty two million dollars (~~\$327~~ 352,000,000.00) in project costs plus certain adjustments as further provided for and pursuant to the terms and limitations of such interlocal agreement. ~~Such funding shall only be from excess revenues, defined as "Contract TDT Revenues" in the interlocal agreement.~~

.....

70 (23) *Twenty-third priority.* The twenty-third priority of  
72 the plan is to provide funding up to one hundred thirty seven  
74 thousand five hundred dollars (\$137,500.00) per event. for  
76 promotion of tourism through incentivizing the staging of multi-  
78 day NCAA championship competitions or college conference  
80 athletic championships and ancillary events related thereto in  
facilities located in Orange County and expected to have  
attendance in excess of forty thousand (40,000) as may be  
approved during the county budgetary process and provided that  
each such approved funding shall be allocated pursuant to the  
terms of a funding agreement. ~~approved by the board of county  
commissioners.~~

82  
84 .....

86 (26) *Twenty-sixth priority.* The twenty-sixth priority of the  
plan is to provide funding to Visit Orlando beginning in fiscal year  
2016-17 from legally available unallocated revenue in an initial  
amount not to exceed five million dollars (\$5,000,000) (inclusive  
of the funding authorized under the twelfth, twenty-third and  
twenty-fifth priorities of the plan for the Florida Classic, collegiate  
conference championships and the NFL Pro Bowl, respectively)  
and in an amount up to two million dollars (\$2,000,000) annually  
thereafter for expenses associated with promoting or incentivizing  
major athletic events provided that such events are staged in  
Orange County venues and that all funding awarded for any such  
athletic event is memorialized in a funding agreement.

98 ~~(26-27)~~ *Amendments to plan.* The above and foregoing  
100 tourist development plan may not be amended except by ordinance  
102 enacted by an affirmative vote of a majority plus one (1) additional  
member of the board of county commissioners.

104 **Section 3. Codification.** The amendments to the Orange County code set forth in  
Section 2 shall be codified. No other sections or parts of sections of this ordinance shall be  
codified.

106 **Section 4. Effective date.** This ordinance shall become effective pursuant to general  
law.

110 ENACTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

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

114  
116 By: \_\_\_\_\_  
Teresa Jacobs  
118 Orange County Mayor

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

122  
124 By: \_\_\_\_\_  
Deputy Clerk

126  
128 s:\mchenry\tdt\tdt plan ords\tdtplanamend(ph 11 1 2016)\2016tdtplanord10122016.doc