



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>

Public Hearing

10-04-15A01:40:00

JS

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) 836-3469 / Email to: 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.

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

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

Deputy County Attorney
Joel D. Prinsell

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Maria Vargas, ACP

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

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

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-fifty-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.

.....

(23) *Twenty-third priority.* The twenty-third priority of the plan is to provide funding up to one hundred thirty seven thousand five hundred dollars (\$137,500.00) per event, for promotion of tourism through incentivizing the staging of multi-day NCAA championship competitions or college conference 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.~~

.....

(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.

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

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.

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

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124 By: _____
Deputy Clerk

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