

BCC Mtg. Date: October 31, 2017

# RESOLUTION

*of the*

## ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

*regarding*

## THE TOURIST DEVELOPMENT TAX GRANT APPLICATION REVIEW COMMITTEE

Resolution No. 2017-M-44

**WHEREAS**, on November 29, 2016, the Board of County Commissioners ("Board") adopted Ordinance No. 2016-30 ("Ordinance"), which established a process by which the County may evaluate requests for funding eligible capital projects and events utilizing excess tourist development tax revenue; and

**WHEREAS**, the Ordinance requires that an application review committee be established by County resolution and be comprised of 11 members appointed by the Board; and

**WHEREAS**, the Board now desires to establish the Tourist Development Tax Grant Application Review Committee as set forth herein.

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

### **Section 1. Tourist Development Tax Grant Application Review Committee.**

The Orange County Board of County Commissioners hereby establishes the Tourist Development Tax Grant Application Review Committee ("ARC").

### **Section 2. Membership.**

**A. *Members.*** The ARC shall be comprised of 11 members, each of whom shall be appointed by vote of the Board after being recommended as indicated below. All members shall be registered Orange County voters.

1. *Mayor.* Two (2) members shall be recommended by the Mayor.

2. *County Commissioners.* One (1) member shall be recommended by each District Commissioner.

3. *Tourist Development Council.* Three (3) members shall be recommended by the Orange County Tourist Development Council ("TDC"), two (2) representing owners or operators of tourist accommodations in Orange County, and one (1) representing community arts organizations in Orange County.

**B. Terms.** Except for the initial terms, the terms of appointment shall be for four (4) years, to expire on December 31<sup>st</sup> of the fourth year of the term. No member shall serve more than two (2) full terms consecutively. To provide for staggered terms of successive membership, the initial term of office for six (6) of the members shall expire on December 31, 2018, and the initial term of office for the other five (5) members shall expire on December 31, 2020. A vacancy occurring during a term shall be filled for the unexpired term. Each member shall hold office until a successor has been appointed and has qualified. Expiration dates for the initial terms of office shall be as follows:

Mayor (1)	December 31, 2018
Mayor (2)	December 31, 2018
District 1	December 31, 2020
District 2	December 31, 2018
District 3	December 31, 2020
District 4	December 31, 2018
District 5	December 31, 2020

District 6	December 31, 2018
TDC (Owner 1)	December 31, 2020
TDC (Owner 2)	December 31, 2018
TDC (Arts)	December 31, 2020

**C. Removal.** Members of the ARC shall serve at the pleasure of the Board and may be removed without cause and without entitlement to a hearing upon a vote of five (5) members of the Board.

**Section 3. Duties of the ARC.** The ARC is authorized to consider applications for excess tourist development tax revenue funding; to recommend a funding allocation between capital and events grant funding; to develop an application cycle and process for capital and events grants; to rank applications; and to make written funding recommendations to the Tourist Development Council and the Board of County Commissioners based on applicable criteria established by ordinance. The ARC shall perform such additional duties as may be prescribed by the Board.

**Section 4. Meetings.** The ARC shall conduct meetings in the County Administration Building on an as-needed basis consistent with the requirements of the Sunshine Law. The ARC shall establish rules and procedures for the conduct of its meetings, for review of applications for funding, and for any other such matters as it deems necessary. Six (6) members shall constitute a quorum for the purpose of conducting the business of the ARC and for all other purposes. Action may be taken by the ARC upon a vote of a majority of the members present. The ARC shall convene its first meeting no later than 60 days following the adoption of this Resolution.

**Section 5. Officers.** At its initial meeting, the ARC shall elect a chairperson and vice-chairperson from among its members. A chairperson or vice-chairperson shall serve in that capacity for one (1) year and may be reelected to serve as chairperson or vice-chairperson, respectively, for one (1) additional year, and no more. In the absence of the chair, the vice-chair shall preside over meetings of the ARC and have the same powers and duties as the chair.

**Section 6. Applicable Laws.** All actions of the ARC shall be in accordance with all applicable laws, including, but not limited to, the Code of Ethics for Public Officers and Employees (Part III of Chapter 112 of Florida Statutes), the Florida Public Records Law (Chapter 119, Florida Statutes) and the Florida “Government-in-the-Sunshine Law” (Section 286.011, Florida Statutes.) ARC members shall be subject to the financial disclosure requirements of section 112.3145, Florida Statutes. The ARC is not an advisory board and shall not be subject to the Orange County Advisory Boards Ordinance set forth in Chapter 2, Article VI of the Orange County Code of Ordinances, nor shall members of the ARC be subject to review and recommendation by the Membership and Mission Review Board.

**Section 7. Support.** The ARC shall receive staff support from Orange County. The Orange County Attorney shall serve as legal counsel to the ARC and all funding recommendations shall be subject to legal review by the County Attorney’s Office.

**Section 8. Severability.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid

provision or application and to this end the provisions of this Resolution are declared severable.

**Section 9. Effective Date.** This resolution shall become effective upon the date of its adoption.

ADOPTED THIS \_\_\_\_\_ DAY OF OCT 31 2017, 2017.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

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

By: *Katie Smith*  
Deputy Clerk