

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: SCIDA and SCOPA Financial Disclosures

DEPARTMENT: County Attorney's Office

DIVISION: Other

AUTHORIZED BY: Lola Pfeil

CONTACT: Sharon Sharrer

EXT:

MOTION/RECOMMENDATION:

Adopt Resolutions requiring SCIDA and SCOPA board members to file financial disclosure statements.

County-wide

BACKGROUND:

see attached

STAFF RECOMMENDATION:

Staff recommends the Board adopt Resolutions requiring SCIDA and SCOPA board members to file financial disclosure statements.

ATTACHMENTS:

1. SCIDA and SCOPA Financial Disclosures

Additionally Reviewed By: No additional reviews



**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

To: Board of County Commissioners
From: Robert A. McMillan, County Attorney
Date: November 15, 2007
Subject: SCIDA and SCOPA Financial Disclosures

The Florida Commission on Ethics has previously advised the County that because the Seminole County Industrial Development Authority (SCIDA) and Seminole County Port Authority (SCOPA) are dependent special districts, the appointed members of those authorities are not considered to be "local officers" required by state law (section 112.3145, Florida Statutes) to file an annual statement of financial interests. However, the law allows each local government appointing authority, by resolution, to require that the appointed members of the authority file such annual statement of financial interests. This agenda item presents a resolution requiring the appointed members of SCIDA and SCOPA to annually file CE Form 1. The Clerk to the Board shall provide a certified copy of the resolution to the Florida Commission on Ethics before December 31, 2007.

Request the Board adopt the three attached resolutions.

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING ON THE _____ DAY OF _____, 2007.

WHEREAS, the Seminole County Industrial Development Authority (hereafter, "SCIDA") is a dependent special district; and

WHEREAS, the State of Florida Commission on Ethics has determined that appointed members of a dependent special district are outside the purview of the statutory requirement of s. 112.3145, Fla. Stat. (2007) that "local officers" file an annual statement of financial interests on form CE Form 1, but that such requirement may independently imposed by the appointing authority; and

WHEREAS, the Board of County Commissioners, as the appointing authority of members of the Seminole County Industrial Development Authority, has determined that the required reporting of the information required by CE Form 1 is minimally burdensome, and that such reporting will serve to preserve the confidence of the public in the work of the SCIDA; and

WHEREAS, the Board of County Commissioners desires to exercise its option by this resolution, as provided in s. 112.3145(1)(a)2, Fla. Stat. (2007), to require the members of the SCIDA to file an annual statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby mandates and requires that the members of the Seminole County Industrial Development Authority shall annually file a statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

BE IT FURTHER RESOLVED that the Clerk to the Board of County Commissioners shall provide a certified copy of this Resolution to the Florida Commission on Ethics before December 31, 2007.

ADOPTED this _____ day of _____, 2007.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BRENDA CAREY, Chairman

Date: _____

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11/2/07
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THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING ON THE _____ DAY OF _____, 2007.

WHEREAS, the Seminole County Port Authority (hereafter, "SCOPA") is a dependent special district; and

WHEREAS, the State of Florida Commission on Ethics has determined that appointed members of a dependent special district are outside the purview of the statutory requirement of s. 112.3145, Fla. Stat. (2007) that "local officers" file an annual statement of financial interests on form CE Form 1, but that such requirement may independently imposed by the appointing authority; and

WHEREAS, the Board of County Commissioners, as the appointing authority of members of the Seminole County Port Authority, has determined that the required reporting of the information required by CE Form 1 is minimally burdensome, and that such reporting will serve to preserve the confidence of the public in the work of the SCOPA; and

WHEREAS, the Board of County Commissioners desires to exercise its option by this resolution, as provided in s. 112.3145(1)(a)2, Fla. Stat. (2007), to require the members of the SCOPA to file an annual statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby mandates and requires that the members of the Seminole County Port Authority shall annually file a statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

BE IT FURTHER RESOLVED that the Clerk to the Board of County Commissioners shall provide a certified copy of this Resolution to the Florida Commission on Ethics before December 31, 2007.

ADOPTED this _____ day of _____, 2007.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BRENDA CAREY, Chairman

Date: _____

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11/2/07
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THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING ON THE ____ DAY OF _____, 2007.

WHEREAS, Seminole County Ordinance No. 89-28 created the Seminole County Administrative Code; and

WHEREAS, Seminole County Resolution Numbers 89-R-438 and 05-R-151 adopted the Seminole County Administrative Code; and

WHEREAS, the Seminole County Administrative Code needs to be amended from time to time to reflect changes in the administration of County government, and

WHEREAS, the Board of County Commissioners desires to amend sections of the Seminole County Administrative Code to clarify the requirement for financial disclosure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA THAT,

The Seminole County Administrative Code is hereby amended by the revision of Section 4.15, "Seminole County Industrial Development Authority ("SCIDA") and the addition of a new Section 4.16, "Seminole County Port Authority ("SCOPA"), as more particularly described in the attachments.

ADOPTED this _____ day of _____, 2007.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BRENDA CAREY, Chairman

Date: _____

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.15 SEMINOLE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (“SCIDA”)

A. PURPOSE. SCIDA seeks to strengthen and increase the economic development of Seminole County through industrial development thereby increasing employment opportunities and increasing the tax base of the County.

B. DUTIES/RESPONSIBILITIES. SCIDA normally meets once a month. The major function of the Board is to assist the SCIDA Director in the role of attracting new and desirable industry to Seminole County as well as the required technical assistance to those existing firms that may wish to expand their market area or facility into a larger corporation.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. Five (5) persons who are residents and electors of the County and two (2) alternate members. There will be no payment for services to members.

(2) Appointment Process Each Commissioner appoints one (1) member. Alternate members will be designated as such and appointed on a rotating basis. Vacancies will be filled for the unexpired term.

(3) Term of Office. Four (4) year terms. Appointees are eligible for reappointment.

D. FINANCIAL DISCLOSURE. Required The Board of County Commissioners requires and mandates that the members of the SCIDA shall annually file a statement of financial interests on CE Form 1 as otherwise required for “local officers” under State Statute.

E. LOYALTY OATH. Required

F. AUTHORITY. Resolution adopted July 8, 1980
Chapter 159.45, Florida Statutes



SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.16 SEMINOLE COUNTY PORT AUTHORITY ("SCOPA")

A. PURPOSE. As a dependent special district created by special act of the Florida Legislature, SCOPA promotes and encourages domestic and foreign commerce and the activities of SCOPA. Further, SCOPA engages in the development of projects and acts as a general riverine, port, harbor, and wharf agency (over the Port of Sanford).

B. DUTIES/RESPONSIBILITIES. SCOPA normally meets once a month. The major powers of SCOPA are:

(1) To engage in a wide array of activities relating to the diverse projects that pertain to port activities and related matters;

(2) To acquire property and to exercise the power of eminent domain;

(3) To issue bonds, pledge revenues, and engage in activities relating to such bonds;

(4) To enter a wide array of contracts and other agreements;

(5) To fix, regulate, and collect various charges;

(6) To promote and encourage domestic and foreign commerce and the activities of SCOPA;

(7) To grant franchises for diverse activities related to SCOPA projects; and

(8) To exercise certain other governmental functions including the adoption of rules and regulations.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. Nine (9) persons who are residents and electors of the County. There will be no payment for services to members.

(2) Appointment Process. Eight of the members shall be appointed by the Board of County Commissioners of Seminole County. One member shall be selected annually by the Board of County Commissioners to serve as the ninth member whose term shall expire on the first Tuesday after the first Monday in January of the year succeeding his appointment. Vacancies will be filled for the unexpired term.

(3) Term of Office. Four (4) year terms. Appointees are eligible for reappointment.



D. FINANCIAL DISCLOSURE. The Board of County Commissioners mandates and requires that the members of the SCOPA shall annually file a statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

E. LOYALTY OATH. Required

F. AUTHORITY. Established Chapter 65-2270, Laws of Florida
Resolution adopted July 2, 1965
Membership Revised by Chapter 88-477, Laws of Florida