

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: June 2, 2015

Department: County Administration

Advisory Board: Florida Atlantic Research & Development Authority

I. EXECUTIVE BRIEF

**Motion/Title:** Staff recommends motion to approve: appointment of one individual to the Florida Atlantic Research & Development Authority for a term of four years, from June 8, 2015 to June 7, 2019:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Susan S. Whelchel	1	Employed in the private sector/ Resident of Palm Beach County	Comm. Abrams


**Summary:** Per Ordinance No. 85-32, the Florida Atlantic Research & Development Authority (Authority) is comprised of seven members: three members are appointed at-large by the Palm Beach County Board of County Commissioners (BCC); three are appointed by the Broward County Board of County Commissioners; and the President of Florida Atlantic University or his designee is a permanent member. The current representative, Roxanna Trinkka, has indicated she will not seek reappointment. Even though this is an at-large appointment, historically, staff has requested nominations for the Authority from the District 4 Commissioner, and Commissioner Abrams has nominated Susan Whelchel. Countywide (DW)

**Background and Justification:** The Florida Atlantic Research & Development Authority is charged with development, operation, management and financing of a research and development park. The current diversity of the Authority is five Caucasian males and one Caucasian female. Ms. Whelchel is a Caucasian female.

**Attachments:**

1. Boards/Committees Application w/résumé for Susan S. Whelchel
2. Current List of Board Members
3. Ordinance No. 85-32

Recommended by:  5-20-15  
Assistant County Administrator Date

Legal Sufficiency:  5-20-15  
Assistant County Attorney Date

## II. REVIEW COMMENTS

### A. Other Department Review:

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Department Director

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used in considering your nomination. Please COMPLETE SECTION II IN FULL. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.*

**Section I (Department):** (Please Print)

Board Name: Florida Atlantic Research & Development Authority Advisory  Not Advisory

At Large Appointment or  District Appointment / District #: \_\_\_\_\_

Term of Appointment: 4 Years. From: 6/8/2015 To: 06/07/2019

Seat Requirement: PBC Resident/Employed in Private Sector Seat #: 1

\*Reappointment or  New Appointment

or  to complete the term of \_\_\_\_\_ Due to:  resignation  other  
Completion of term to expire on: \_\_\_\_\_

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: N/A

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: WHELCHER Susan S.  
Last First Middle

Occupation/Affiliation: Advisor: Wheelchel Partners

Owner  Employee  Officer

Business Name: Wheelchel Partners

Business Address: 980 N. Federal Hwy

City & State: Boca Raton Zip Code: 33432

Residence Address: 1250 Sabal Palm DR.

City & State: Boca Raton Fl. Zip Code: 33432

Home Phone: (561) 417-9810 Business Phone: (561) 939-6636 Ext.

Cell Phone: (66) 213-5828 Fax: ( )

Email Address: Susan SW 13 @ gmail.com

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No   
If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  
 Native-American  Hispanic-American  Asian-American  African-American  Caucasian

Section II Continued:

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
_____	_____	_____	_____
_____	_____	_____	_____
(Attach Additional Sheet(s), if necessary) OR			
NONE <input type="checkbox"/>		NOT APPLICABLE/ (Governmental Entity) <input type="checkbox"/>	

**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

- By watching the training program on the Web, DVD or VHS on May 13 2015
- By attending a live presentation given on Aug 18, 2011

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: Susan Welchel Printed Name: Susan Welchel Date: May 14, 2015

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
Patty Hindle, County Administration  
301 N. Olive Avenue, Suite 1101, West Palm Beach, FL 33401  
Phone (561) 355-3229/Fax (561) 355-3982/Email: [phindle@pbegov.org](mailto:phindle@pbegov.org)

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Susan Whelchel

Mayor Susan Whelchel was first elected to the Boca Raton City Council in March 1995. She was re-elected in 1997 and again in 1999. During her first tenure in office, Mayor Whelchel served as Deputy Mayor from 1999-2000.

After leaving office due to term limits, Susan was appointed by then Governor Jeb Bush to a two- year term on the Palm Beach County School Board. In March 2003, she was again elected to the Boca Raton City Council. She successfully ran again in 2005 and served once more as Deputy Mayor in 2003, 2005 and 2006. In 2008 Susan ran unopposed for Mayor. She successfully ran again in 2011 and concluded her term as mayor in 2014.

As a dedicated public servant for more than twenty years, Mayor Whelchel has always been a strong supporter of neighborhood issues and an effective advocate for children. She works tirelessly to assure that residents receive the highest quality of service while ensuring the responsible use of public resources. Susan understands that Boca Raton is a multi-faceted city, and so she supports a vibrant business economy and a broad-based cultural community. She is a champion of community sustainability, and her innovative environmental action and collaborative approach with neighborhoods, businesses, and educational institutions has earned her praise throughout the region.

Mayor Whelchel has always worked to ensure a strong relationship between the City of Boca Raton and Florida Atlantic University, a key community partner. Through the City's strategic planning process, Susan has continually supported policy decisions that championed the FAU football stadium, medical school, and the independent Research Park. Mayor Whelchel received the Talon Award from Florida Atlantic University in 2012 for her long and distinguished career in public office.

Mayor Whelchel was educated in north Florida schools, holds a Bachelor of Arts in political science and has done post-graduate work at Florida Atlantic University and Nova Southeastern University. Susan has been a part of the Boca Raton community for the past 30 years and, with her husband John, raised their four children here.



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY**

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**I. AUTHORITY :**

Resolution R-84-1745; amended by Ordinance No. 85-32.

**II. APPOINTING BODY :**

Board of County Commissioners

**III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :**

This Board is composed of seven (7) members. The initial terms of the members of the Authority as appointed by their respective County shall be as follows: 1. Palm Beach - 4 years, 2. Palm Beach - 3 years, Palm Beach - 1 year; Broward - 4 years, Broward - 2 years, Broward - 4 years. The President of Florida Atlantic University or his/her designee shall be a permanent member of the Authority. Each member shall continue to serve until a successor has been appointed and qualified. At least three (3) members of the Authority shall be appointed who are employed in the private sector and who are residents of Palm Beach County. Hereafter the BCC shall appoint for terms of four (4) years each a member or members to succeed those PBC representatives whose terms expire. The BCC shall fill any vacancy for an unexpired term. A member of the Authority shall be eligible for reappointment. Any member of the Authority representing PBC may be removed by the BCC for misfeasance, malfeasance, or willful neglect of duty. The members of the Authority shall receive no compensation for the performance of their duties hereunder, but each such member may be paid necessary expenses incurred while engaged in the performance of such duties, as allowed by law.

**EXTENDED COMPOSITION :**

**IV. MEETINGS :**

Second Wednesday of even-numbered months at 8:00 a.m., at the Technology Business Incubator Building, 3651 FAU Boulevard, Suite 400, Boca Raton.

**V. FUNCTIONS :**

Development, operation, management and financing of a research and development park, and the exercise of the powers conferred by the Ordinance Part V of Chapter 159 Florida Statutes.

**Attachment #** 2

\* indicates a member having an action pending

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

Outside Entity

County Administration

CONTACT PERSON

Andrew Duffell, President

Shannon LaRocque-Baas

ADDRESS

3651 FAU Blvd Ste 400  
Boca Raton FL 33431  
Phone # 561-416-6092

301 Olive Ave Ste 1101  
West Palm Beach FL 33401  
Phone # 561-355-2428

\* *indicates a member having an action pending*



FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	REAPPOINT DATE	EXPIRE DATE
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Appointed By : At-Large/Palm Beach County Board of County Commissioners

1	* Roxanna J Trinka Baseline Engineering & Land Surveying, Inc. 1400 NW 1st Ct Boca Raton FL 33432	Member	CA	F	561-417-0700 X16	Resident of PBC/Employed in Private Sector	06/06/2003	06/08/2011	06/07/2015
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NOMINATED BY :

2	Bruce C. Rosetto Greenberg Traurig, LLP - Boca Office 5100 Town Center Cir Ste 400 Boca Raton FL 33486	Member	CA	M	561-955-7600	Resident of PBC/Employed in Private Sector	12/06/2011	09/13/2012	09/12/2016
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NOMINATED BY :

3	Michael I. Daszkal Daszkal Bolton LLP  2401 NW Boca Raton Blvd Boca Raton FL 33431 1040	Member	CA	M	561-953-1502	Resident of PBC/Employed in Private Sector	05/01/2007	03/10/2015	02/28/2019
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NOMINATED BY :

Appointed By : Broward County Board of County Commissioners

4	* Lonnie Maier  3041 NE 46th St Ft Lauderdale FL 33308	Member	CA	F	--	Broward County Representative	04/24/2007	04/04/2011	04/04/2015
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NOMINATED BY :

\* indicates a member having an action pending



**Appointed By : Broward County Board of County Commissioners**

5	Robert "Bob" Swindell Greater Ft. Laud/Broward Alliance 110 E Broward Blvd Ste 1990 Ft Lauderdale FL 33301	Member	CA	M	954-627-0219	Broward County Representative	11/19/2013		11/19/2017
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**NOMINATED BY :**

6	Robert "Bob" Parks, Ed.D. 2880 NE 14th Street, Causeway Unit 1010 Pompano Beach FL 33062	Member	CA	M	954-805-1724	Broward County Representative	08/28/2007	08/16/2011	08/15/2015
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**NOMINATED BY :**

**Appointed By : Florida Atlantic University**

7	Daniel Flynn, Ph.D. Florida Atlantic University - Boca Raton Campus 777 Glades Rd AD 10, Room 392 Boca Raton FL 33431 0991	Member	CA	M	561-297-0268	Florida Atlantic University President or Designee	01/01/2015		
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**NOMINATED BY :** Florida Atlantic University

\* indicates a member having an action pending

ORDINANCE NO. 85-32

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
PALM BEACH COUNTY, FLORIDA, CREATING THE FLORIDA  
ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY;  
PROVIDING DEFINITIONS; PROVIDING FOR THE  
ESTABLISHMENT OF A RESEARCH AND DEVELOPMENT PARK;  
PROVIDING FOR MEMBERSHIP, POWERS, AND DUTIES OF THE  
AUTHORITY; PROVIDING THAT REVENUE BONDS ISSUED BY THE  
AUTHORITY SHALL NOT PLEDGE THE CREDIT OF THE STATE OF  
FLORIDA OR THE COUNTY OF PALM BEACH; EXEMPTING BONDS  
ISSUED BY THE AUTHORITY FROM TAXATION; PROVIDING  
SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach  
County, Florida, passed Resolution #84-1745 proposing the establishment  
of a Research and Development Authority for Palm Beach County; and

WHEREAS, pursuant to §23.1491(2), Florida Statutes, the Florida  
Research and Development Commission has, by its Final Order, issued a  
designation to the Florida Atlantic Research and Development Authority;  
and

WHEREAS, Section 159.704(3), F.S., states that upon designation  
of a Research and Development Authority by the Florida Research and  
Development Commission, the governing body of the County may, by  
enactment of an ordinance, create the Research and Development Authority.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA:

Section 1. This ordinance is enacted by the Board of County  
Commissioners of Palm Beach County, Florida, pursuant to its powers under  
Part V of Chapter 159, Florida Statutes (ss. 159.701-159.7095, F.S.).

Section 2. Definitions -- As used in this ordinance:

(a) "Authority" or "research and development authority"  
means the public corporation created pursuant to this ordinance and  
ss.159.701-159.7095, F.S.

(b) "Board" means the Board of County Commissioners of  
Palm Beach County, Florida.

1 (c) "Bonds" or "Revenue Bonds" means the bonds authorized  
2 to be issued by any authority under ss.159.701-159.7095, F.S., which  
3 shall include a single bond, a promissory note or notes, or other debt  
4 obligations evidencing an obligation to repay borrowed money.

5 (d) "Commission" means the Florida Research and  
6 Development Commission created pursuant to ss.23.147, F.S.

7 (e) "Costs" as applied to a project, shall embrace the  
8 cost of construction; land or rights in land; other property, both real  
9 and personal; machinery and equipment; financing charges, including  
10 interest; and all other costs necessary for placing the project in  
11 operation as defined in the Florida Industrial Development Financing Act.  
12 "Costs" shall also include the cost of financial consultants,  
13 accountants, legal services, engineering and architectural services,  
14 feasibility studies, and services by other consultants and such experts  
15 as may be selected by the lessee of any such project if the cost thereof  
16 shall be paid by the lessee or shall be included as a cost of the project  
17 and reimbursed from proceeds of any bond issued to finance the cost of  
18 such project.

19 (f) "Florida Industrial Development Financing Act" means  
20 ss.159.25-159.43, F.S., and any amendments thereto, and the definitions  
21 contained therein shall also be applicable to this ordinance and ss.  
22 159.701-159.7095, F.S., and to any bonds issued pursuant thereto.

23 (g) "Project" means any capital project comprising a  
24 research and development park or any part thereof including one or more  
25 buildings and other structures, machinery, fixtures, equipment, and any  
26 rehabilitation or addition to any buildings or structure and machinery  
27 and equipment as defined in the Florida Industrial Development Financing  
28 Act.

29 Section 3. Creation of the Research and Development Authority.  
30 There is hereby created a public body corporate and politic to be known  
31 as the Florida Atlantic Research and Development Authority, hereafter  
32 referred to as Authority. The Authority is constituted as a public  
33 instrumentality for the purposes of development, operation, management  
34 and financing of a research and development park, and the exercise by the  
35 authority of the powers conferred by this ordinance and by Part V of

1 Chapter 159, F.S., or similar statutes, and as such statutes may from  
2 time to time be amended, shall be deemed and held to be the performance  
3 of an essential public purpose and function.

4 Section 4. Membership of the Authority.

5 (a) The initial terms of the members of the Authority as  
6 appointed by their respective county shall be as follows:

- 7 1. Palm Beach .....4 years
- 8 2. Palm Beach .....3 years
- 9 3. Palm Beach .....1 year
- 10 4. Broward .....4 years
- 11 5. Broward .....2 years
- 12 6. Broward .....4 years

13 The President of Florida Atlantic University or his/her designee shall be  
14 a permanent member of the Authority. Each member shall continue to serve  
15 until a successor has been appointed and qualified. At least three  
16 members of the Authority shall be appointed who are employed in the  
17 private sector and who are residents of Palm Beach County.

18 (b) Hereafter the Board of County Commissioners of Palm  
19 Beach County shall appoint for terms of four (4) years each a member or  
20 members to succeed those Palm Beach County representatives whose terms  
21 expire. The Board shall fill any vacancy for an unexpired term. A  
22 member of the Authority shall be eligible for reappointment. Any member  
23 of the Authority representing Palm Beach County may be removed by the  
24 Board for misfeasance, malfeasance, or willful neglect of duty.

25 Each member of the Authority before assuming office shall take  
26 and subscribe the oath or affirmation required by the State Constitution.  
27 A record of each such oath shall be filed with the Department of State  
28 and with the Clerk of the Circuit Court.

29 (c) The Authority shall annually elect one of its members  
30 as Chairman and one as Vice-Chairman and may also appoint a Secretary who  
31 shall serve at the pleasure of the Authority and who shall receive such  
32 compensation as may be fixed by the Authority.

33 (d) The Secretary shall keep a record of the proceedings  
34 of the Authority and shall be custodian of all books and records of the  
35 Authority and of its official seal.

ORDINANCE NO. 85-32

1 (e) Four (4) members of the Authority shall constitute a  
2 quorum and the affirmative vote of the majority of the members present  
3 shall be necessary for any action taken by the Authority. No vacancy in  
4 the membership of the Authority shall impair the right of a quorum to  
5 exercise all rights and perform all the duties of the Authority. Any  
6 action taken by the Authority under the provisions of this ordinance and  
7 ss.159.701-159.7095, F.S., may be authorized by resolution at any regular  
8 or special meeting and each such resolution shall take effect immediately  
9 and need not be published or posted.

10 (f) The members of the Authority shall receive no  
11 compensation for the performance of their duties hereunder, but each such  
12 member may be paid necessary expenses incurred while engaged in the  
13 performance of such duties, as allowed by law.

14 (g) The Authority may appoint such other officers as it  
15 may deem necessary, who may receive such compensation as may be fixed by  
16 the Authority.

17 Section 5. Powers of the Authority.

18 The Authority is authorized and empowered:

19 (a) To have perpetual succession as a body politic and  
20 corporate and to adopt by-laws for the regulation of its affairs and the  
21 conduct of its business.

22 (b) To adopt an official seal and alter the same at its  
23 pleasure.

24 (c) To maintain an office at such place or places as it  
25 may designate.

26 (d) To sue and be sued in its own name and to plead and  
27 be impleaded.

28 (e) To enter into contracts and to act to advance for any  
29 of the purposes enumerated in this ordinance and ss.159.701-15.7095,  
30 F.S., and also in the Florida Industrial Development Financing Act.

31 (f) To issue revenue bonds or other debt obligations  
32 repayable solely from revenues derived from the sale, operation or  
33 leasing of such capital projects subject to the approval of the Board of  
34 County Commissioners of Palm Beach County, for projects situated in Palm  
35 Beach County.

ORDINANCE NO. 8532

1 (g) To exercise all powers in connection with the  
2 authorization, issuance, and sale of revenue bonds to finance the costs  
3 of capital projects conferred upon counties, municipalities, special  
4 districts and other local governmental bodies by the Florida Industrial  
5 Development Financing Act. The issuance of such bonds for projects  
6 situated in Palm Beach County shall be subject to approval by the Board  
7 of County Commissioners of Palm Beach County. All of the privileges,  
8 benefits, powers and terms of said Act shall be fully applicable to the  
9 Florida Atlantic Research and Development Authority. Industrial  
10 Development Revenue Bonds may be authorized, issued and sold by the  
11 Florida Atlantic Research and Development Authority in compliance with  
12 the criteria and requirements set forth in this ordinance and the Florida  
13 Industrial Development Financing Act. The bonds of each issue shall be  
14 dated, bear interest at such rate or rates, mature at such time or times,  
15 be redeemable prior to maturity at such price or prices, be in such  
16 denominations, contain such recitals and be sold for such price or prices  
17 in such manner as provided in said Act. Projects may be acquired,  
18 constructed, leased, operated or sold in the manner provided in said Act;  
19 and the items of costs as enumerated therein may be included at project  
20 costs. The repayment of bonds issued by the Florida Atlantic Research  
21 and Development Authority may be secured by trust agreements or security  
22 agreements as set forth in said Act; and fees, rents and charges for the  
23 use of any project, may be collected and fixed by the Authority in the  
24 manner provided in said Act. All monies received pursuant to the  
25 provisions of this ordinance and ss.159.701-159.7095, F.S., shall  
26 constitute trust funds as provided in the Florida Industrial Development  
27 Financing Act. The remedies provided by said Act shall also be  
28 applicable to bonds issued pursuant to this ordinance and  
29 ss.159.701-159.7095, F.S., and bonds of the Authority may be refunded in  
30 the manner provided therein and shall be eligible for investment as  
31 provided in said Act.

32 (h) To acquire by lease, purchase or option, real or  
33 personal property for use as a site for the location of a research and  
34 development park project as defined in the Florida Industrial Development  
35 Financing Act. The Florida Atlantic Research and Development Authority

1 shall have the power to prepare sites for use as the location of a  
2 research and development park and may construct thereon access roads,  
3 drainage facilities, utilities and other improvements necessary for  
4 ultimate use by research and development projects. The acquisition,  
5 development and financing of such sites may be in the manner provided in  
6 this ordinance and ss.159.701-159.7095, F.S., as well as in the Florida  
7 Industrial Development Financing Act.

8 (i) In any case in which an addition to a project is  
9 financed or in which less than the entire project is financed or  
10 refinanced by industrial redevelopment bonds, to secure the issuance and  
11 repayment of such bonds by a lease, mortgage or other security instrument  
12 encumbering only the capital improvements which are financed by the  
13 Florida Atlantic Research and Development Authority. Such lease,  
14 mortgage, or other security instrument may include a security interest in  
15 both the land and personal property or may include a lease, mortgage or  
16 other security instrument sufficient for the purpose encumbering only the  
17 personal property, including machinery and equipment, which is being  
18 financed. In financing projects, the Florida Atlantic Research and  
19 Development Authority may lease such projects to the industry which is  
20 the ultimate user until the debt obligations issued for such purpose are  
21 retired, or it may sell such capital projects to the industry using the  
22 project on an installment purchase contract or other type of purchase  
23 contract with such security instruments or trust agreements as the  
24 Florida Atlantic Research and Development Authority shall deem adequate,  
25 in which case the transaction shall be deemed to be a sale and not a  
26 lease of such projects.

27 (j) Other provisions of law to the contrary  
28 notwithstanding, to acquire by lease, without consideration, purchase, or  
29 option, any lands owned, administered, managed, controlled, supervised or  
30 otherwise protected by this State or any of its agencies, departments,  
31 boards, or commissions for the purpose of establishing a research and  
32 development park.

33 (k) To transact any and all lawful business not  
34 inconsistent with this ordinance and applicable Florida statutes, and to

1 have and exercise all powers and authority necessary or convenient to  
2 effect its lawful purposes.

3 Section 6. Credit of State or County not pledged.

4 (a) The revenue bonds issued by the Florida Atlantic  
5 Research and Development Authority shall not be deemed to constitute a  
6 debt, liability or obligation of any authority or Palm Beach County or of  
7 the State of Florida or any political subdivision thereof; and such  
8 revenue bonds or debt obligation shall be payable solely from revenues  
9 derived from the sale, operation, or leasing of a project or projects.

10 (b) All bonds issued under the provisions of this  
11 ordinance and ss.159.701-159.7095, F.S., shall have, and are declared to  
12 have, all the qualities and incidents, including negotiability, of  
13 investment securities under the Uniform Commercial Code.

14 (c) Bonds may be issued under the provisions of this  
15 ordinance and ss.159.701-159.7095, F.S., without obtaining, except as  
16 otherwise provided in this ordinance and ss.159.701-159.7095, F.S., the  
17 consent of any department, commission, board, bureau or agency of this  
18 state and without any other proceedings or the happening of any  
19 conditions, except those which are specifically required by the  
20 provisions of this ordinance, the resolution authorizing the issuance of  
21 such bonds or the trust agreement securing same.

22 Section 7. Tax Exemptions.

23 The exercise of all powers granted by this ordinance and  
24 ss.159.701-159.7095, F.S., in all respects will be for the benefit of the  
25 people of this state, for the increase of their industry and prosperity  
26 and the improvement of their health and living conditions, and for the  
27 provision of gainful employment and will constitute the performance of  
28 essential public functions.

29 The Florida Atlantic Research and Development Authority shall  
30 not be required to pay any taxes on any project or any other property  
31 owned by the Authority under the provisions of this ordinance and  
32 ss.159.701-159.7095, F.S., or upon the income therefrom, and the bonds  
33 issued under the provisions of this ordinance and ss.159.701-159.7095,  
34 F.S., their transfer and the income therefrom, including any profit made  
35 on the sale thereof, shall at all times be free from taxation by the



1 State of Florida or any local unit or political sub-subdivision or other  
2 instrumentality of this state. Nothing in this section, however, shall  
3 be construed as exempting from taxation or assessments the leasehold  
4 interest of any lessee of any project or any property or interest owned  
5 by any lessee. The exemption granted by this section shall not be  
6 applicable to any tax imposed by Chapter 220, F.S., on interest, income,  
7 or profits on debt obligations owned by corporations.

8 Section 8. Issuance of Bonds.

9 The bonds issued under this ordinance and ss.159.701-159.7095,  
10 F.S., may be validated in the manner prescribed by Chapter 75, F.S.

11 Section 9. Severability.

12 If any provision of this ordinance or the application thereof  
13 to any person or circumstance is held invalid, the invalidity shall not  
14 affect other provisions or applications of the ordinance which can be  
15 given effect without the invalid provision or application, and to this  
16 end the provisions of this ordinance are declared severable.

17 Section 10.

18 That the Board hereby authorizes the appropriation of the sum  
19 of Fifty Thousand (\$50,000) Dollars to the Authority, pursuant to a  
20 written agreement, to be signed by the County Administrator, which shall  
21 provide the general terms regarding the expenditure, use and accounting  
22 of such funds by the Authority.

23 Section 11.

24 This ordinance shall take effect upon the filing with the  
25 Office of the Secretary of State in the manner prescribed by Section  
26 125.66, F.S.

27 REPEAL OF LAWS IN CONFLICT

28 All local laws and ordinances applying to the unincorporated  
29 area of Palm Beach County in conflict with any provisions of this  
30 ordinance are hereby repealed.

31 INCLUSION IN THE CODE OF LAWS AND ORDINANCES

32 The provisions of this ordinance shall become and be made a  
33 part of the code of laws and ordinances of Palm Beach County, Florida.  
34 The Sections of the ordinance may be renumbered or relettered to

ORDINANCE NO. 85-32

1 accomplish such, and the word "ordinance" may be changed to "section,"  
2 "article," or any other appropriate word.

3 EFFECTIVE DATE

4 The provisions of this ordinance shall become effective upon  
5 receipt of acknowledgement by the Secretary of State.

6 APPROVED AND ADOPTED by the Board of County Commissioners of  
7 Palm Beach County, Florida, on the 24th day of September, 1985.

8 PALM BEACH COUNTY, FLORIDA, BY ITS  
9 BOARD OF COUNTY COMMISSIONERS

10 By *[Signature]*  
11 Chairman

12 APPROVED AS TO FORM AND  
13 LEGAL SUFFICIENCY

14 *Maureen Cullen*  
15 County Attorney

16 Acknowledgement by the Department of State of the State of  
17 Florida, on this, the 3rd day of October, 19 85.

18 EFFECTIVE DATE: Acknowledgement from the Department of State  
19 received on the 7th day of October, 19 85, at 4:30  
20 P.M., and filed in the Office of the Clerk of the Board of County  
21 Commissioners of Palm Beach County, Florida.

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