

ORDINANCE NO. 26-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IV, BOARD AND COMMISSIONS, DIVISION 3, HOUSING FINANCE AUTHORITY, SECTION 2-98, MEMBERSHIP; PROVIDING FOR REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature in Chapter 159, Part IV, Florida Statutes, known and cited as the "Florida Housing Finance Authority Law" (the "Act"), authorized counties to create by ordinance a separate public body corporate and politic, to be known as the "Housing Finance Authority" of the county for which it is created to carry out only the powers granted in the Act; and

WHEREAS, the Board of County Commissioners of Marion County (the "Board") adopted Ordinance 80-03 on June 3, 1980, and Ordinance 80-05 on July 15, 1980, creating a separate public body corporate and politic to be known as the Housing Finance Authority of Marion County, Florida (the "Authority"), to carry out and exercise, without limitation except as expressly stated, all powers and public and governmental functions set forth in and contemplated by the Act; and

WHEREAS, the Board may, at its sole discretion, and at any time, alter or change the structure, organizations, programs or activities of the Authority, including the power to terminate the Authority, subject to any limitation on the impairment of contracts entered into by the Authority and subject to the limitations or requirements of the Act; and

WHEREAS, the Authority has requested that alternate members be added to the Authority's membership to help ensure that a quorum can be achieved at future meetings; and

WHEREAS, the Board finds that amending the membership requirements to provide alternate members and to otherwise update the composition of the Authority will promote the efficient conduct of Authority business and further the purposes of the Authority; and

NOW, THEREFORE, BE IT DULY ORDAINED by the Board of County Commissioners of Marion County, Florida as follows:

SECTION 1. RECITALS. The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. CODE AMENDMENT. Per section 1-6.3 – Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, **Chapter 2** of the Marion County Code, Administration, **Article IV, Board and Commissions, Division 3, Section 2-98** is hereby amended to which section reads as follows (additions shown in underline text and deletions are shown in ~~strikeout~~ text):

Sec. 2-98. - Membership.

The authority shall be composed of five (5) members and two (2) alternate members, one of whom shall be designated chairman. No fewer than three (3) of the members shall be knowledgeable in one of the following fields: Labor, finance or commerce. The terms of the members shall be staggered with each member serving four (4) years. A member shall hold office until his successor has been appointed and has qualified. Each vacancy shall be filled for the remainder of the unexpired term. Each member of the authority shall take and subscribe the oath or affirmation required by the State Constitution. A record of each such oath shall be filed in the office of the clerk of the circuit court, and the certificate of the appointment or reappointment of any member shall be filed with the clerk of the circuit court, and the certificate shall be conclusive evidence of the due and proper appointment of the member. A member shall receive no compensation for his services but shall be entitled to necessary expenses, including traveling expenses, incurred in the discharge of his duties.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 4. CONFLICTS. In the event that any other ordinances conflict with this ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 5. INCLUSION IN COUNTY CODE. It is the intention of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be part of the Marion County, Florida Code of Ordinances; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intent; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION 6. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Secretary of State of Florida by the Clerk within ten (10) days after enactment by the Board and shall take effect upon receipt of official acknowledgement of filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED on this ____ day of ____, 2026.

**BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA**

CARL ZALAK, III, CHAIRMAN

ATTEST:

GREGORY C. HARRELL, CLERK