

1 **A RESOLUTION OF THE CITY OF ORLANDO, FLORIDA,**
2 **RELATING TO NEIGHBORHOOD IMPROVEMENT**
3 **DISTRICTS; CREATING AN EXPLORATORY**
4 **COMMITTEE FOR A PROPOSED DOWNTOWN SOUTH**
5 **NEIGHBORHOOD IMPROVEMENT DISTRICT;**
6 **PROVIDING FOR DUTIES OF THE COMMITTEE,**
7 **SEVERABILITY, REPEAL OF CONFLICTING**
8 **RESOLUTIONS, CORRECTION OF SCRIVENER'S**
9 **ERRORS, AND AN EFFECTIVE DATE.**

10
11 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORLANDO,**
12 **FLORIDA:**

13
14 **SECTION 1. EXPLORATORY COMMITTEE CREATED.** There is hereby created
15 a Downtown South Neighborhood Improvement District Exploratory Committee (hereinafter the
16 "Committee") comprised of seven members. Members of the Committee must be either a
17 resident within the district study boundaries, an owner of real property within the district study
18 boundaries, an owner, director, or officer of a business located within the district study
19 boundaries, a representative of one of the foregoing, or a person with a recognizable and
20 substantial stake in the future of the proposed district.

21
22 Members of the Committee shall be appointed by the Mayor and approved by Council.
23 At least one of the committee members must be a representative of Orlando Health and at least
24 one other member must be an owner, or a representative of an owner, of real property within the
25 district study boundaries and that is currently designated for industrial use on the City's future
26 land map.

27
28 The Committee must conduct its business in accordance with applicable state and local
29 laws and policies. The chief administrative officer shall provide the Committee with reasonable
30 administrative support and may assign City staff to act as a recording secretary. The City
31 attorney may provide legal advice to the Committee, and the chief financial officer should
32 provide the Committee with advice on financial matters.

33
34 **SECTION 2. DISTRICT STUDY BOUNDARIES.** For purposes of the exploratory
35 committee, the study boundaries for the Downtown South Neighborhood Improvement District
36 (the "Proposed District") are the southern right-of-way boundary of the East-West Expressway
37 on the north, the centerline of Michigan Street to the south, the centerline of Orange Avenue to
38 the east, and the eastern right-of-way boundary of Interstate-4 to the west.

39
40 As described in section 4 of this resolution, if the Committee recommends the creation of
41 a neighborhood improvement district, the Committee shall recommend definitive district
42 boundaries, and should, to this end, consider whether commercial properties on the east side of
43 S. Orange Ave. should be included within a proposed district.

44
45 **SECTION 3. DUTIES OF THE COMMITTEE.** The Committee must, at a minimum,
46 undertake the following activities:

47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90

- a. Conduct at least three public meetings, either at City Hall, or within a publically owned and publically accessible hall within or nearby the district study boundaries.
- b. At least two of the public meetings must include the opportunity for a public hearing. The public hearings must afford a fair opportunity for affected persons to testify on the proposed district. Notice of the public hearings must be provided as directed by the Committee and as likely to apprise interested parties of the opportunity to be heard. Testimony and evidence provided by interested parties should be included within the Committee's report to Council.
- c. Gather or create information, data, maps, plans, studies, capital improvements plans, and other relevant material as necessary to adequately inform Council of the need for a district. The Committee should also review and analyze relevant existing plans and studies and include a summary of such material in its final report.
- d. Produce and issue a report to Council, as described hereinafter.

SECTION 4. REPORT. The Committee shall issue a report to Council that includes a recommendation of whether a neighborhood improvement district is desirable and useful. If the formation of a district is found to be desirable and useful, the following information and recommendations should be included within the report:

- a. A description of the goals and purposes of the proposed district.
- b. Which of the districts authorized by the Safe Neighborhoods Act, Part IV, Chapter 163, Florida Statutes, is most advisable.
- c. Whether, and if so, to what extent, the City's Growth Management Plan must be amended to accommodate the establishment of the proposed district.
- d. The proposed district's boundaries and size.
- e. The proposed district's name.
- f. The composition of the proposed district's governing board, and if applicable, the composition of an advisory council to the governing board.
- g. The duties, responsibilities, and powers of the district's governing board, and if applicable, of the advisory council to the governing board.
- h. Which of the powers authorized by section 163.514, Florida Statutes, should be granted or prohibited to the proposed district.

- 91 i. Other information that the Committee finds would be useful to the Council in making a
92 determination of whether to authorize the formation of a neighborhood improvement
93 district.
94

95 **SECTION 5. REPORT DUE DATE.** The Committee shall issue its final report to
96 Council by no later than October 1, 2010.
97

98 **SECTION 6. SEVERABILITY.** If any provision of this resolution or its application to
99 any person or circumstance is held invalid, the invalidity does not affect other provisions or
100 applications of this resolution which can be given effect without the invalid provision or
101 application, and to this end the provisions of this resolution are severable.
102


103 **SECTION 7. REPEAL.** All resolutions or parts of resolutions previously adopted and
104 in conflict with this resolution are hereby repealed.
105

106 **SECTION 8. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's
107 errors found in this resolution by filing a corrected copy of this resolution with the City Clerk.
108

109 **SECTION 9. EFFECTIVE DATE.** This resolution takes effect immediately upon
110 adoption.
111

112 **ADOPTED**, by an affirmative vote of a majority of a quorum present of the City Council
113 of the City of Orlando, Florida, at a regular meeting, this 7 day of
114 June, 2010.
115

116 BY THE MAYOR/MAYOR PRO TEMPORE OF
117 THE CITY OF ORLANDO, FLORIDA:
118

119 
120 _____
121 Mayor / Mayor Pro Tempore
122

123 ATTEST, BY THE CLERK OF THE
124 CITY COUNCIL OF THE CITY OF
125 ORLANDO, FLORIDA:
126

127 
128 _____
129 City Clerk

130 APPROVED AS TO FORM AND LEGALITY
131 FOR THE USE AND RELIANCE OF THE
132 CITY OF ORLANDO, FLORIDA:
133

134 
135 _____
136 City Attorney


Kyle Shephard

[Remainder of page intentionally left blank.]