

1 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, RELATING TO THE STATE**
3 **OF FLORIDA SPORT DEVELOPMENT PROGRAM**
4 **CREATED BY CHAPTER 2014-167, LAWS OF**
5 **FLORIDA; PROVIDING CERTAIN FINDINGS RELATING**
6 **TO THE CITY’S APPLICATION FOR STATE FUNDS**
7 **UNDER THE SPORTS DEVELOPMENT PROGRAM;**
8 **INCLUDING FINDING THAT THE CITY OF ORLANDO**
9 **SUPPORTS THE APPLICATION FOR STATE FUNDS**
10 **UNDER THE SPORTS DEVELOPMENT PROGRAM AND**
11 **THAT THE PROPOSED CITY OF ORLANDO SOCCER**
12 **STADIUM SERVES A PUBLIC PURPOSE; PROVIDING**
13 **FOR SEVERABILITY, CORRECTION OF SCRIVENER’S**
14 **ERRORS, REPEAL OF CONFLICTING RESOLUTIONS,**
15 **AND AN EFFECTIVE DATE.**
16

17 **WHEREAS**, on October 7, 2013, the City Council of the City of Orlando, Florida
18 (the "Orlando City Council") and the governing body of the City of Orlando Community
19 Redevelopment Agency (the "CRA") approved that certain Third Amendment to [the]
20 Orlando/Orange County Interlocal Agreement [relating to the] Performing Arts Center,
21 Events Center, Citrus Bowl, [and] Soccer Stadium, by and between the City of Orlando,
22 Florida (the "City"), the CRA, and Orange County, Florida (the "Interlocal Agreement");
23 and
24

25 **WHEREAS**, on October 22, 2013, the Board of County Commissioners of
26 Orange County, Florida (the "County Commission") approved the Interlocal Agreement
27 and also adopted County Ordinance Number 2013-20 amending the County Tourist
28 Development Plan to authorize the use of certain proceeds from the County tourist
29 development taxes levied pursuant to section 125.0104, Florida Statutes, and Article IV,
30 Chapter 25, Code of Orange County, Florida, to assist the City in the construction of a
31 major league soccer stadium in Orlando; and
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33 **WHEREAS**, also on October 7, 2013, the City and Orlando Sports Holdings,
34 LLC, entered into that certain Memorandum of Understanding outlining the terms under
35 which a new soccer stadium would be constructed in Orlando and operated by the City
36 for the purpose of hosting a variety of sports and entertainment events, including home
37 games for a then-proposed Major League Soccer team; and
38

39 **WHEREAS**, in 2013, Major League Soccer, the highest level of professional
40 soccer in the United States, granted the league’s 21st franchise to Orlando Sports
41 Holdings, LLC (transacting business in this state and hereinafter known as “Orlando City
42 Soccer Club”); and
43

44 **WHEREAS**, Orlando City Soccer Club is expected to begin play in Major League
45 Soccer during the 2015 season; and
46

47 **WHEREAS**, the City and Orlando City Soccer Club are currently cooperating in
48 the planning, financing, design, and eventual construction of a soccer-specific, but multi-
49 use, public stadium (the "Soccer Stadium"); and
50

51 **WHEREAS**, to help finance the Soccer Stadium, the City is applying for a
52 distribution of state sales taxes generated by sales at the Soccer Stadium pursuant to
53 the Sports Development Program established under section 4, Chapter 2014-167, Laws
54 of Florida (proposed for statutory codification at section 288.11625, Florida Statutes);
55 and
56

57 **WHEREAS**, the purpose of this resolution is to support the City's application
58 under the Sports Development Program by making the necessary findings and
59 verifications required by section 4, Chapter 2014-167, Laws of Florida (specifically, as
60 proposed for statutory codification at subparagraph 288.11625(5)(a)4., Florida Statutes;
61 and
62

63 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**
64 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
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66 **SECTION 1. PREAMBLE.** The "whereas clauses" contained hereinabove are
67 true and correct and are hereby incorporated into this resolution as if fully set forth
68 hereinafter.
69

70 **SECTION 2. FINDINGS.** We hereby find as follows:
71

72 a. That the City of Orlando is a "unit of local government" as defined in
73 section 218.369, Florida Statutes (2013); and
74

75 b. That the proposed Soccer Stadium is a "facility" as defined in section 4,
76 Chapter 2014-167, Laws of Florida (specifically, as proposed for statutory
77 codification at paragraph 288.11625(1)(e), Florida Statutes; and
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79 c. That the proposed Soccer Stadium is a "project" as defined in section 4,
80 Chapter 2014-167, Laws of Florida (specifically, as proposed for statutory
81 codification at paragraph 288.11625(1)(f), Florida Statutes; and
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83 d. That the City of Orlando is the unit of local government in whose
84 jurisdiction the facility will be located; and
85

86 e. That the City of Orlando supports the application for state funds under the
87 Sports Development Program as established by section 4, Chapter 2014-167,
88 Laws of Florida (and proposed for statutory codification at section 288.11625,
89 Florida Statutes; and
90

f. That the proposed Soccer Stadium serves a public purpose.

SECTION 3. SEVERABILITY. If any provision of this resolution or its application to any person or circumstance is held invalid, the invalidity does 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 severable.

SECTION 4. SCRIVENER’S ERROR. The City Attorney may correct scrivener’s errors found in this resolution by filing a corrected copy of this resolution with the City Clerk.

SECTION 5. REPEAL. All resolutions or parts of resolutions previously adopted and in conflict with this resolution are hereby repealed.

SECTION 6. EFFECTIVE DATE. This resolution takes effect immediately upon adoption.

ADOPTED, after a **PUBLIC HEARING**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2014.

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

Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

City Clerk

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

City Attorney

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