

ORDINANCE 2015-27

AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, PURSUANT TO SECTION 163.387, FLORIDA STATUTES (2014); AMENDING ORDINANCES ENACTED JULY 12, 1982, JUNE 18, 1990, OCTOBER 23, 2000, JUNE 25, 2007, FEBRUARY 22, 2010, AND FEBRUARY 10, 2014 CREATING A COMMUNITY REDEVELOPMENT TRUST FUND FOR THE DOWNTOWN ORLANDO COMMUNITY REDEVELOPMENT AREA; AMENDING REFERENCES TO THE COMMUNITY REDEVELOPMENT PLAN FOR THE DOWNTOWN ORLANDO COMMUNITY REDEVELOPMENT AREA TO INCLUDE THE PLAN AMENDMENT APPROVED BY THE CITY COUNCIL ON MAY 4, 2015; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Orlando (the "City Council") adopted a Resolution on February 11, 1980, finding the existence of blight conditions in an area of the City of Orlando, as more particularly described in that resolution, as such area was expanded by the adoption of a resolution by City Council on March 29, 1982, and by the adoption of a resolution by City Council on March 26, 1990 (the "1990 Expansion Area"), and further expanded by the adoption of a resolution by City Council on June 18, 2007 (the "2007 Expansion Area")(collectively the "Community Redevelopment Area"); and

WHEREAS, City Council adopted an ordinance on July 12, 1982 (the "Trust Fund Ordinance"), providing for the creation of a redevelopment trust fund for the Orlando Community Redevelopment Project Area (the "Original Area") pursuant to Section 163.387, Florida Statutes, and providing for the deposit of "increment revenues" therein; and

1 **WHEREAS**, City Council adopted an ordinance on June 18, 1990, providing
2 for the deposit of “increment revenues” attributed to the 1990 Expansion Area
3 of the Community Redevelopment Area; and

4 **WHEREAS**, City Council adopted an ordinance on June 25, 2007, providing
5 for the deposit of “increment revenues” attributed to the 2007 Expansion Area
6 of the Community Redevelopment Area; and

7
8 **WHEREAS**, the Downtown Orlando Redevelopment Plan (“Plan”) was
9 adopted by City Council on July 12, 1982, and amended versions were
10 subsequently adopted by City Council on May 14, 1990, October 9, 2000, June
11 18, 2007, February 22, 2010, January 27, 2014, and May 4, 2015; and

12
13 **WHEREAS**, an amendment to the Plan has been prepared (the “Plan
14 Amendment”); and

15 **WHEREAS**, the Community Redevelopment Agency on May 4, 2015,
16 approved the Plan Amendment and recommended to City Council that it approve
17 the Plan Amendment; and

18
19 **WHEREAS**, City Council held a public hearing and thereafter adopted the
20 Plan Amendment on May 4, 2015; and

21 **WHEREAS**, due to the adoption of the Plan Amendment, it is necessary to
22 update the Trust Fund Ordinance to take into account such Plan Amendment; and

23
24 **WHEREAS**, the notices required by Section 163.346, Florida Statutes,
25 (2014), have been published and mailed as required therein.

1 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
2 CITY OF ORLANDO, FLORIDA:

3 SECTION ONE: Section 2 of the Trust Fund Ordinance, as amended, is
4 amended to read as follows:

5 Section 2: There is hereby established and created, in accordance
6 with the provisions of Florida Statutes 163.387, a Community
7 Redevelopment Trust Fund for the Community Redevelopment Area,
8 as enlarged and expanded by the Area described in a Resolution
9 dated March 26, 1990 and a Resolution dated June 18, 2007,
10 hereinafter referred to as the "Fund" which fund shall be utilized and
11 expended for the purposes of and in accordance with the Community
12 Redevelopment Plan entitled "Downtown Orlando Redevelopment
13 Area Plan" dated March 1982, which plan is hereby approved, as
14 amended by the plan approved by the City Council by a resolution
15 dated May 14, 1990, as further amended by the plan entitled
16 "Downtown Outlook: Update of 1990 Downtown Orlando
17 Redevelopment Plan approved by City Council by a resolution dated
18 October 9, 2000, as further amended by an amendment to the Plan
19 entitled "Downtown Outlook-Part II" by a resolution dated June 18,
20 2007, as further amended by an amendment to the Plan entitled
21 "Downtown Outlook-Part III" by a resolution dated February 22,
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1 2010, as further amended by an amendment to the Plan entitled
2 “Downtown Outlook–Part IV” by a resolution dated January 27, 2014,
3 and as further amended by an amendment to the Plan entitled
4 “DTOutlook” by a resolution dated May 4, 2015.

5 SECTION TWO: Section 3 of the Trust Fund Ordinance, as amended, is
6 amended to read as follows:
7

8 Section 3: The funds to be allocated to and deposited into the Fund
9 are hereby appropriated to the Community Redevelopment Agency,
10 hereinafter referred to as the “Agency”, to finance projects within
11 the Orlando Community Redevelopment Area, as enlarged and
12 expanded by the area described in a Resolution dated March 26,
13 1990, and further expanded as described in a Resolution dated June
14 18, 2007, hereinafter referred to as the “Area”, as authorized by
15 Resolutions dated February 11, 1980, and March 29, 1982, and March
16 26, 1990, and June 18, 2007, and said Resolutions being adopted and
17 made a part of this Ordinance by reference. Said Area is defined and
18 described in the Community Redevelopment Area Plan, as amended
19 by the plan approved by the City Council by a Resolution dated May
20 14, 1990, as further amended by the plan entitled “Downtown
21 Outlook: Update of 1990 Downtown Orlando Redevelopment Area
22 Plan” approved by the City Council by a resolution dated October 9,
23
24
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2000, as further amended by a Plan Amendment entitled “Downtown Outlook–Part II” approved by City Council by a resolution dated June 18, 2007, as further amended by a Plan Amendment entitled “Downtown Outlook–Part III” approved by City Council by a resolution dated February 22, 2010, as further amended by a Plan Amendment entitled “Downtown Outlook–Part IV” approved by City Council by a resolution dated January 27, 2014, and further amended by a Plan Amendment entitled “DTOutlook” approved by City Council by a resolution dated May 4, 2015. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every Community Redevelopment purpose delegated to it in the aforementioned Resolutions, and as provided in the Community Redevelopment Plan and as provided by law, said Fund to exist for the duration of a project or projects undertaken by the Agency pursuant to the Plan. Said fund shall be held by the City of Orlando for and on behalf of the Community Redevelopment Agency in accordance with this Ordinance and rules and procedures promulgated hereunder by the Agency from time to time.

SECTION THREE: Nothing contained herein is intended or shall be deemed to change the means or method by which increment revenues attributed

1 to the Community Redevelopment Area have been calculated, appropriated,
2 deposited, or used in accordance with applicable law.

3 **SECTION FOUR:** As required by Section 163.346, Florida Statutes (2014),
4 notice of the City Council's consideration of this Ordinance was timely published
5 in the Orlando Sentinel, a newspaper of general circulation, and was timely
6 mailed by registered mail to each taxing authority which levies ad valorem taxes
7 on taxable real property within the geographic boundaries of the Community
8 Redevelopment Area.
9

10 **SECTION FIVE:** If any part of this Ordinance is held to be invalid or
11 unenforceable for any reason, such holding shall not affect the validity or
12 enforceability of the remainder, which shall remain in full force and effect.
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14 **SECTION SIX:** This Ordinance shall take effect immediately upon approval
15 by the City Council.
16

17 ADVERTISED _____, 2015

18 READ FIRST TIME _____, 2015

19 READ SECOND TIME AND ADOPTED _____, 2015

20 CITY OF ORLANDO, FLORIDA

21 _____
22 MAYOR

23 Attest:

24 _____
City Clerk

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the City of
Orlando, Florida, only.

_____, 2015

Assistant City Attorney
Orlando, Florida