

1                   **A RESOLUTION OF THE CITY COUNCIL OF THE CITY**  
2                   **OF ORLANDO, FLORIDA, AND THE BOARD OF**  
3                   **DIRECTORS OF THE DOWNTOWN SOUTH**  
4                   **NEIGHBORHOOD IMPROVEMENT DISTRICT, LEVYING**  
5                   **AN AD VALOREM TAX AT THE RATE OF \$1.00 PER**  
6                   **\$1,000 OF ASSESSED VALUE ON NON-EXEMPT REAL**  
7                   **PROPERTY LOCATED WITHIN THE JURISDICTIONAL**  
8                   **BOUNDARIES OF THE DOWNTOWN SOUTH**  
9                   **NEIGHBORHOOD IMPROVEMENT DISTRICT;**  
10                  **PROVIDING CERTAIN FINDINGS; PROVIDING FOR**  
11                  **ADMINISTRATIVE MILLAGE ADJUSTMENT IN**  
12                  **ACCORDANCE WITH FLORIDA STATUTES;**  
13                  **PROVIDING FOR THE COLLECTION OF TAXES;**  
14                  **PROVIDING FOR SEVERABILITY, CORRECTION OF**  
15                  **SCRIVENER'S ERRORS, REPEAL OF CONFLICTING**  
16                  **RESOLUTIONS, AND AN EFFECTIVE DATE.**

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18                  **WHEREAS**, the Downtown South Neighborhood Improvement District (the  
19 "district") was created and chartered on July 25, 2011, by City of Orlando Ordinance  
20 #2011-28; and

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22                  **WHEREAS**, the district was created and chartered pursuant to the Safe  
23 Neighborhoods Act, codified at Part IV, Chapter 163, Florida Statutes, and the Orlando  
24 Neighborhood Improvement District Code, codified at Chapter 40, Code of the City of  
25 Orlando, Florida (the "Orlando City Code"); and

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27                  **WHEREAS**, the district is a "local government neighborhood improvement  
28 district" pursuant to and as described at section 163.506, Florida Statutes, and sections  
29 40.4(1)(a) and 40.11, Orlando City Code; and

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31                  **WHEREAS**, the district is a "dependent special district" within the meaning of the  
32 Uniform Special District Accountability Act, codified at Chapter 189, Florida Statutes, and  
33 for the purposes of the determination of millage pursuant to Chapter 200, Florida  
34 Statutes; and

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36                  **WHEREAS**, the district is authorized by section 163.506(1)(c), Florida Statutes,  
37 and section 40.14(1), Orlando City Code, to levy an ad valorem tax on real and personal  
38 property of up to 2 mills annually; and

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40                  **WHEREAS**, while not required by state law, the City Council of the City of  
41 Orlando, Florida (the "Orlando City Council"), conditioned the district's authority to levy  
42 the ad valorem property tax on approval by referendum of the property owners within the  
43 jurisdictional boundaries of the district; and

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45                  **WHEREAS**, on May 23, 2014, the Orlando City Clerk certified that owners of  
46 property within the jurisdictional boundaries of the district approved the taxing power of

47 the district by referendum held in accordance with City of Orlando Ordinance #2011-28  
48 and Ordinance #2014-6; and

49  
50 **WHEREAS**, the electors of the district approved the taxing power for no more  
51 than 15 years; and

52  
53 **WHEREAS**, the district's board of directors is the governing board of the district  
54 (the "board of directors") and is comprised of the members of the Orlando City Council;  
55 and

56  
57 **WHEREAS**, the board of directors has approved a proposed district budget for  
58 fiscal year 2015/2016 ("FY 2015/2016") and the budget will be included in the City of  
59 Orlando's budget document; and

60  
61 **WHEREAS**, on May 13, 2015, the Downtown South Neighborhood Improvement  
62 District Advisory Council (the "Advisory Council") recommended an FY 2015/2016  
63 millage rate of \$1.00 per \$1,000 of assessed property value; and

64  
65 **WHEREAS**, on July 27, 2015, the board of directors accepted and tentatively  
66 approved the Advisory Council's recommendation of a FY 2015/2016 millage rate of  
67 \$1.00 per \$1,000 of assessed property value; and

68  
69 **WHEREAS**, the district board of directors hereby requests, pursuant to section  
70 200.001(5), Florida Statutes (2014), that the Orlando City Council levy and set an ad  
71 valorem tax of \$1.00 per \$1,000 of assessed value on all real property within the lawfully  
72 established jurisdictional boundaries of the district, as those boundaries are described by  
73 ordinance of the Orlando City Council and exist as of September 22, 2014, and which  
74 property is subject to the taxing authority of the district pursuant to the Safe  
75 Neighborhoods Act and the Orlando Neighborhood Improvement District Code; and

76  
77 **WHEREAS**, the district's "rolled-back rate" calculated pursuant to section  
78 200.065(1), Florida Statutes (2014), is a millage rate of 0.9390 (\$0.9390 per \$1,000 of  
79 assessed value); and

80  
81 **WHEREAS**, this resolution proposes a district millage rate of 1 (\$1.00 per \$1,000  
82 of assessed value), representing a 6.5% increase in property taxes adopted by the  
83 board of directors and the Orlando City Council for the district; and

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85 **WHEREAS**, the board of directors and the Orlando City Council intend, as it  
86 relates to section 200.065, Florida Statutes (2014), that the millage, when applied to the  
87 extended tax roll, will generate the same tax revenue as when applied to the Certification  
88 of Taxable Value as issued by the Orange County Property Appraiser on June 23, 2015;  
89 and

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91           **WHEREAS**, the board of directors and the Orlando City Council hereby certify  
92 compliance with the provisions of Chapter 200, Florida Statutes (2014); and  
93

94           **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**  
95 **OF ORLANDO, FLORIDA, AND THE BOARD OF DIRECTORS OF THE DOWNTOWN**  
96 **SOUTH NEIGHBORHOOD IMPROVEMENT DISTRICT, AS FOLLOWS:**  
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98           **SECTION 1. PREAMBLE.** The "whereas clauses" contained hereinabove are  
99 true and correct and are hereby incorporated into this resolution as if fully set forth  
100 hereinafter.  
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102           **SECTION 2. TAX LEVY.** The board of directors, pursuant to section 163.506,  
103 and subsection 200.001(7), Florida Statutes (2014), section 40.14, Orlando City Code,  
104 and other applicable law, and the Orlando City Council, pursuant to subsection  
105 200.001(5), Florida Statutes, and other applicable law, hereby levies an ad valorem tax  
106 at the rate of \$1.00 per \$1,000 valuation on the non-exempt real property appearing on  
107 the 2015 assessment roll prepared by the Orange County Property Appraiser for the  
108 Downtown South Neighborhood Improvement District. This represents a district ad  
109 valorem tax rate of 1 mill for FY 2015/2016. The levy applies to all non-exempt real  
110 property within the jurisdictional boundaries of the district, as those boundaries are  
111 described by ordinance of the Orlando City Council and exist as of September 22, 2014,  
112 and which property is subject to the taxing authority of the district pursuant to the Safe  
113 Neighborhoods Act and the Orlando Neighborhood Improvement District Code. Such  
114 millage rate of \$1.00 per \$1,000 of assessed value is 6.5% greater than the rollback rate  
115 of \$0.9390 per \$1,000 of assessed value.  
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117           **SECTION 3. ADMINISTRATIVE MILLAGE ADJUSTMENT.** The board of  
118 directors and the Orlando City Council hereby authorizes the Chief Financial Officer of  
119 the City to provide the Orange County Property Appraiser with an administrative millage  
120 adjustment made pursuant to section 200.065(6), Florida Statutes.  
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122           **SECTION 4. COLLECTION OF TAXES.** The tax levied by this resolution shall be  
123 collected by the Orange County Tax Collector, subject to discounts provided by law, and  
124 deposited to the account of the district held by the City of Orlando with report and copies  
125 of deposit receipts to be delivered promptly to the Chief Financial Officer of the City who  
126 shall be responsible for the administration of this procedure.  
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128           **SECTION 5. SEVERABILITY.** If any provision of this resolution or its application  
129 to any person or circumstance is held invalid, the invalidity does not affect other  
130 provisions or applications of this resolution which can be given effect without the invalid  
131 provision or application, and to this end the provisions of this resolution are severable.  
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**SECTION 6. 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 7. REPEAL.** All resolutions or parts of resolutions previously adopted and in conflict with this resolution are hereby repealed.

**SECTION 8. EFFECTIVE DATE.** This resolution takes effect immediately upon adoption.

**DONE, THE PUBLIC HEARINGS,** on the proposed millage rate in accordance with paragraph 200.065(2)(c), Florida Statutes, by the City Council of the City of Orlando, Florida, and the Board of Directors of the Downtown South Neighborhood Improvement District, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, and in accordance with subsection 200.065(3), Florida Statutes, for the City Council of the City of Orlando, Florida, and the Board of Directors of the Downtown South Neighborhood Improvement District, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**DONE, THE PUBLIC HEARINGS,** to finalize and adopt the millage rate in accordance with paragraph 200.065(2)(d), Florida Statutes, by the City Council of the City of Orlando, Florida, and the Board of Directors of the Downtown South Neighborhood Improvement District, **AND THEN ADOPTED,** by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, and by an affirmative vote of a majority of a quorum present of the Board of Directors of the Downtown South Neighborhood Improvement District, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**FOR THE CITY OF ORLANDO, FLORIDA:**

BY THE MAYOR:

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
City Clerk

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Print Name

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

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Print Name

**FOR THE BOARD OF DIRECTORS OF THE DOWNTOWN SOUTH NEIGHBORHOOD  
IMPROVEMENT DISTRICT:**

BY THE CHAIRMAN OF THE BOARD OF  
DIRECTORS OF THE DOWNTOWN  
SOUTH NEIGHBORHOOD  
IMPROVEMENT DISTRICT:

\_\_\_\_\_  
Chairman

ATTEST, BY THE SECRETARY OF  
THE BOARD OF DIRECTORS OF  
THE DOWNTOWN SOUTH  
NEIGHBORHOOD IMPROVEMENT DISTRICT:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Print Name

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
DOWNTOWN SOUTH  
NEIGHBORHOOD IMPROVEMENT DISTRICT:

\_\_\_\_\_  
Board Attorney

\_\_\_\_\_  
Print Name

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