

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.  
17

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  
21

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  
26

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  
30

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  
35

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  
39

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  
44

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

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

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

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

**WHEREAS**, the board of directors has approved a proposed district budget for fiscal year 2016/2017 ("FY 2016/2017") and the budget will be included in the City of Orlando's budget document; and

**WHEREAS**, on July 20, 2016, the Downtown South Neighborhood Improvement District Advisory Council (the "Advisory Council") recommended an FY 2016/2017 millage rate of \$1.00 per \$1,000 of assessed property value; and

**WHEREAS**, on July 25, 2016, the board of directors accepted and tentatively approved the Advisory Council's recommendation of a FY 2016/2017 millage rate of \$1.00 per \$1,000 of assessed property value; and

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

**WHEREAS**, the district's "rolled-back rate" calculated pursuant to section 200.065(1), Florida Statutes (2014), is a millage rate of 0.9698 (\$0.9698 per \$1,000 of assessed value); and

**WHEREAS**, this resolution proposes a district millage rate of 1 (\$1.00 per \$1,000 of assessed value), representing a 3.11% increase in property taxes adopted by the board of directors and the Orlando City Council for the district; and

**WHEREAS**, the board of directors and the Orlando City Council intend, as it relates to section 200.065, Florida Statutes (2014), that the millage, when applied to the extended tax roll, will generate the same tax revenue as when applied to the Certification of Taxable Value as issued by the Orange County Property Appraiser on June 22, 2016; and

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:**  
97

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.  
101

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 2016 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 2016/2017. 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 3.11% greater than the rollback  
115 rate of \$0.9698 per \$1,000 of assessed value.  
116

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.  
121

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.  
127

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.  
132

133       **SECTION 6. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's  
134 errors found in this resolution by filing a corrected copy of this resolution with the City  
135 Clerk.

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

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

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143       **DONE, THE PUBLIC HEARINGS,** on the proposed millage rate in accordance  
144 with paragraph 200.065(2)(c), Florida Statutes, by the City Council of the City of  
145 Orlando, Florida, and the Board of Directors of the Downtown South Neighborhood  
146 Improvement District, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

147  
148       **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City  
149 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, and in accordance  
150 with subsection 200.065(3), Florida Statutes, for the City Council of the City of Orlando,  
151 Florida, and the Board of Directors of the Downtown South Neighborhood Improvement  
152 District, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

153  
154       **DONE, THE PUBLIC HEARINGS,** to finalize and adopt the millage rate in  
155 accordance with paragraph 200.065(2)(d), Florida Statutes, by the City Council of the  
156 City of Orlando, Florida, and the Board of Directors of the Downtown South  
157 Neighborhood Improvement District, **AND THEN ADOPTED,** by an affirmative vote of a  
158 majority of a quorum present of the City Council of the City of Orlando, Florida, and by  
159 an affirmative vote of a majority of a quorum present of the Board of Directors of the  
160 Downtown South Neighborhood Improvement District, this \_\_\_\_\_ day of  
161 \_\_\_\_\_, 2016.

162  
163 **FOR THE CITY OF ORLANDO, FLORIDA:**

164  
165 BY THE MAYOR:

166  
167  
168 \_\_\_\_\_  
169 Mayor

170  
171 ATTEST, BY THE CLERK OF THE  
172 CITY COUNCIL OF THE CITY OF  
173 ORLANDO, FLORIDA:

174  
175 \_\_\_\_\_  
176 City Clerk  
177  
178 \_\_\_\_\_

179 Print Name

180  
181 APPROVED AS TO FORM AND LEGALITY  
182 FOR THE USE AND RELIANCE OF THE  
183 CITY OF ORLANDO, FLORIDA:

184  
185  
186 \_\_\_\_\_  
187 City Attorney

188  
189 \_\_\_\_\_  
190 Print Name

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

193  
194 BY THE CHAIRMAN OF THE BOARD OF  
195 DIRECTORS OF THE DOWNTOWN  
196 SOUTH NEIGHBORHOOD  
197 IMPROVEMENT DISTRICT:  
198  
199

200  
201 \_\_\_\_\_  
202 Chairman

203 ATTEST, BY THE SECRETARY OF  
204 THE BOARD OF DIRECTORS OF  
205 THE DOWNTOWN SOUTH  
206 NEIGHBORHOOD IMPROVEMENT DISTRICT:

207  
208 \_\_\_\_\_  
209 Secretary

210  
211 \_\_\_\_\_  
212 Print Name

213  
214 APPROVED AS TO FORM AND LEGALITY  
215 FOR THE USE AND RELIANCE OF THE  
216 DOWNTOWN SOUTH  
217 NEIGHBORHOOD IMPROVEMENT DISTRICT:

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220 \_\_\_\_\_  
221 Board Attorney

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223 \_\_\_\_\_  
224 Print Name

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