

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO THE POITRAS EAST COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF TDCP, LLC, ESTABLISHING AND NAMING THE POITRAS EAST COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING LEGISLATIVE FINDINGS, FOR SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature created and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, TDCP, LLC (the "Petitioner") petitioned the City Council of the City of Orlando, Florida (the "Orlando City Council"), to enact an ordinance establishing the Poitras East Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2017), over the real property described in Exhibit 2 of the Petition to Establish the Poitras East Community Development District; and

WHEREAS, Petitioner has obtained written consent to the establishment of the District by the owners of 100 percent of the real property to be included in the District; and

WHEREAS, Petitioner is a company authorized to conduct business in the State of Florida, Petitioner's principal place of business is 6900 Tavistock Lakes Boulevard, Suite 200 Orlando, Florida 32827; and

WHEREAS, a public hearing has been conducted by the Orlando City Council on July 9, 2018 in accordance with the requirements and procedures of section 190.005(2)(b), Florida Statutes, and the applicable requirements and procedures of the City's Charter and Code of Ordinances; all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at said duly noticed public hearing; and

WHEREAS, upon consideration of the record established at that hearing, the Orlando City Council determined that the statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City's comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and

47 facilities to the area served by the District, that the community development services and
48 facilities of the District will not be incompatible with the capacity and uses of existing
49 local and regional community development services and facilities, and that the area to
50 be served by the District is amenable to separate special-district governance; and
51

52 **WHEREAS**, establishment of the District will constitute a timely, efficient,
53 effective, responsive, and economic way to deliver community development services in
54 the area described, thereby providing a solution to the City's planning, management and
55 financing needs for delivery of capital infrastructure therein without overburdening the
56 City and its taxpayers; and
57

58 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
59 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
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61 **SECTION 1. AUTHORITY.** This ordinance is enacted in compliance with and
62 pursuant to the Uniform Community Development District Act of 1980, Chapter 190,
63 Florida Statutes (2017).
64

65 **SECTION 2. FINDINGS.** The foregoing recitals and findings are true and correct
66 and are incorporated herein, adopted, and made a part hereof.
67

68 **SECTION 3. GRANT OF PETITION.** The Petition, which was filed with the Office
69 of the City Clerk on March 13, 2018, and supplemented on May 23, 2018, and a copy of
70 which is attached hereto as **Exhibit A** and incorporated herein, is hereby granted.
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72 **SECTION 4. DISTRICT NAME.** There is hereby created a community
73 development district situated entirely within the incorporated boundaries of the City of
74 Orlando, Florida, named the "Poitras East Community Development District."
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76 **SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external
77 boundaries of the District are described in Exhibit 2 of the Petition. The District, overall,
78 contains 1,060.689 acres, more or less.
79

80 **SECTION 6. FUNCTIONS AND POWERS.** The District is limited to the
81 performance of those powers and functions as described in Chapter 190, Florida
82 Statutes. The District is also authorized to exercise additional powers to finance, fund,
83 plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and
84 maintain systems and facilities for: parks and facilities for indoor and outdoor
85 recreational, cultural, and educational uses as authorized and described in section
86 190.012(2)(a), Florida Statutes.
87

88 **SECTION 7. BOARD OF SUPERVISORS.** The five persons designated to
89 serve as initial members of the District's Board of Supervisors are as follows:
90

<u>Name</u>	<u>Address</u>
Rob Adams	6900 Tavistock Lakes Blvd., Suite 200 Orlando, FL 32827
Damon Ventura	6900 Tavistock Lakes Blvd., Suite 200 Orlando, FL 32827
Heather Isaacs	6900 Tavistock Lakes Blvd., Suite 200 Orlando, FL 32827
Richard Levey	6900 Tavistock Lakes Blvd., Suite 200 Orlando, FL 32827
Ralph Ireland	6900 Tavistock Lakes Blvd., Suite 200 Orlando, FL 32827

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 8. OBLIGATIONS OF DISTRICT. No bond, debt, or other obligation of the District, nor any default thereon, shall constitute a debt or obligation or burden of the City.

SECTION 9. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 10. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 11. EFFECTIVE DATE. This ordinance is effective upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this 25th day of June, 2018.

DONE, THE PUBLIC NOTICES, in a newspaper of general circulation in the City of Orlando, Florida, by the Petitioner, commencing the _____ day of

_____, 2018, and running once each week for four consecutive weeks ending on the _____ day of _____, 2018.

DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, 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 9th day of July, 2018.

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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