

JUN 30 2015 CS/BS

ORDINANCE NO. 2015-11

EFFECTIVE DATE

JUL 07 2015

AN ORDINANCE RELATING TO THE PINE HILLS NEIGHBORHOOD IMPROVEMENT DISTRICT IN ORANGE COUNTY FLORIDA; AMENDING CHAPTER 33 OF THE ORANGE COUNTY CODE BY AMENDING THE PROCEDURE TO LEVY AD VALOREM TAXES AND SPECIAL ASSESSMENTS BY THE PINE HILLS NEIGHBORHOOD IMPROVEMENT DISTRICT; AMENDING THE REQUIREMENTS FOR MEMBERS OF THE ADVISORY COUNCIL AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance No. 90-23 on September 17, 1990, which established criteria under which the Board of County Commissioners may create "Safe Neighborhood Improvement Districts" pursuant to Chapter 163, Part IV, Florida Statutes; and

WHEREAS, the Board of County Commissioners adopted Ordinance No. 2011-21 on December 20, 2011, which established the Pine Hills Neighborhood Improvement District; and

WHEREAS, the District and the Board of County Commissioners desire to amend the procedure to levy ad valorem taxes and special assessments by the Pine Hills Neighborhood Improvement District; and

WHEREAS, Orange County Code section 33-210 requires members of the Pine Hills Advisory Council to be property owners and registered voters in Orange County; and

WHEREAS, a significant number of the property owners within the neighborhood improvement district do not reside in the area and thus, are not registered voters in Orange County. Consequently, the Pine Hills Neighborhood Improvement District Advisory Council has had difficulty locating qualified property owners to serve on the advisory council.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. Amendment to Section 33-207. The procedure for the Pine Hills Neighborhood Improvement District to levy an ad valorem tax or special assessment is

hereby amended to read as follows, with additions being shown by underlines and deletions being show by strike-throughs:

The district is hereby vested with and authorized to exert each and every one of those powers with which local government neighborhood improvement districts are vested pursuant to law; provided, however, the district shall not levy any ad valorem taxes or special assessments unless such levy is approved by unanimous vote of all members of the board of directors of the district and after the question of the possible exercise of such a levy has been approved through a referendum. The referendum to levy an ad valorem tax shall be conducted by the procedure outlined in Section 33-205 (c) of this Code. The referendum required for a special assessment shall be conducted as described in Section 33-205 (b) of this Code. ~~submitted to the property owners of the district, such referendum to be conducted by substantially the same procedure as provided by F.S. (2011) § 161.511(4).~~

Section 2. Amendment to Section 33-210(a). The requirements for members of the advisory council are hereby amended to read as follows, with additions being shown by underlines and deletions being show by strike-throughs:

There is hereby established an advisory council to the board (the "council").

- (a) Members. The council shall be composed of seven (7) members, each of whom has been appointed by vote of the board after being nominated as indicated below. All members shall be property owners or residents within the boundaries of the district ~~and registered Orange County voters~~. Nominations for appointment shall be as set forth below:
 - (1) *County mayor*. Two (2) members shall be nominated by the county mayor.
 - (2) *County commissioners*. Two (2) members shall be nominated by the county commissioners whose district boundaries fall within the Pine Hills area, with one (1) member nominated by District 2 commissioner and one (1) member nominated by District 6 commissioner; and

- (3) *Pine Hills Community Council*. Two (2) members shall be nominated by the Pine Hills Community Council; and
- (4) *Pine Hills Safe Neighborhood Partnership*. One (1) member shall be nominated by the Pine Hills Safe Neighborhood Partnership.

Section 3. Effective Date. This ordinance shall take effect upon its passage and as provided by law.

ADOPTED THIS _____ DAY OF JUN 30 2015, 2015.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

ATTEST: Martha O. Haynie, Orange County Comptroller
As Clerk of the Board of County Commissioners

By: *Martha O. Haynie*
Deputy Clerk