

ORDINANCE 12-23

AN ORDINANCE OF OSCEOLA COUNTY, FLORIDA, PROVIDING FOR PUBLIC SAFETY AND ECONOMIC DEVELOPMENT; AUTHORIZING THE W192 DEVELOPMENT AUTHORITY; ESTABLISHING THE W192 DEVELOPMENT AUTHORITY TRUST FUND AND THE PURPOSES THEREOF; PROVIDING FOR THE FUNDING OF THE TRUST FUND FROM TAX INCREMENT REVENUES; AUTHORIZING USE OF TRUST FUND MONEYS; PROVIDING FOR THE PRESENTATION OF THE W192 DEVELOPMENT AUTHORITY MASTER PLAN AND MODIFICATIONS THERETO; PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS OF, OR THE ISSUANCE OF REVENUE BONDS BY, THE COUNTY, IN ORDER TO FINANCE SAID MASTER PLAN; PROVIDING FOR A BOARD OF DIRECTORS FOR THE AUTHORITY; PROVIDING FOR BOUNDARIES OF THE AUTHORITY; PROVIDING FOR SPECIAL ASSESSMENTS WITHIN THE AUTHORITY; PROVIDING FOR THE MERGER AND CONSOLIDATION OF ALL RESPONSIBILITY AND DIRECTION BETWEEN THE W192 DEVELOPMENT AUTHORITY AND THE WEST 192 REDEVELOPMENT AREA MUNICIPAL SERVICE BENEFIT UNIT AS CREATED IN OSCEOLA COUNTY ORDINANCE NO. 95-8, ALL ASSESSMENT RESOLUTIONS, OSCEOLA COUNTY RESOLUTION No. 11-082R AND THE WEST 192 REDEVELOPMENT AREA ADVISORY COMMITTEE, AND PROVIDING AUTHORIZATION THAT ALL RECOMMENDATIONS CONCERNING CAPITAL ASSESSMENT ROLLS AND MAINTENANCE ASSESSMENT ROLLS BE MADE BY THE W192 DEVELOPMENT AUTHORITY THROUGH ITS BOARD OF DIRECTORS; PROVIDING FOR THE MERGER OF AUTHORITY, RESPONSIBILLITY AND DIRECTION BETWEEN THE W192 DEVELOPMENT AUTHORITY AND THE WEST U.S. 192 COMMUNITY REDEVELOPMENT DISTRICT INTO A SINGLE COMBINED REDEVELOPMENT AREA TO BE HEREINAFTER KNOWN AS THE W192 DEVELOPMENT AUTHORITY;

SUBSTITUTING THE BOARD OF DIRECTORS OF THE W192 DEVELOPMENT AUTHORITY AS THE AGENCY BOARD UNDER OSCEOLA COUNTY RESOLUTION NO. 12-063R AND RESOLUTION NO. 12-065R; AUTHORIZING THE BOARD OF DIRECTORS TO EXPLORE AND MAKE RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS CONCERNING IMPOSITION OF A FUTURE MILLAGE FOR THE AUTHORITY; PROVIDING FOR THE MERGER OF AUTHORITY, RESPONSIBILITY AND DIRECTION BETWEEN THE W192 DEVELOPMENT AUTHORITY AND THE W192 ECONOMIC ADVISORY COMMITTEE, SUBSTITUTING THE BOARD OF DIRECTORS OF THE W192 DEVELOPMENT AUTHORITY FOR THE WEST 192 ECONOMIC ADVISORY COMMITTEE UNDER OSCEOLA COUNTY RESOLUTION NO. 10-153R AND EXTENDED WITH RESOLUTION NO. 12-009R; IN PROVIDING FOR CERTAIN OTHER DETAILS; PUBLIC PURPOSE; TERM OF EXISTENCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the W192 Development Authority (“Authority”) is the geographic heart of Osceola County’s tourism industry, providing significant employment opportunities to County residents and benefits to the County’s fiscal and economic health and it is the policy of the County to promote sustainable economic growth consistent with Florida Statutes finding that community redevelopment and economic development serve valid public purposes for which public assistance may be provided and the County may exercise to the fullest extent its home rule powers conferred upon chartered counties by Article VIII of the Florida Constitution and Chapters 125 , Florida Statutes; and

WHEREAS, the Board of County Commissioners of Osceola County, Florida (“Board”) finds that there is a predominance of blighting influences within the “Authority’s boundaries” that hamper County efforts to successfully promote the area as a resort and leisure destination, leading to the reduction of occupancies, tourist tax collections and ad valorem revenues, and the “County’s” share of the regional tourism market; and

WHEREAS, the “Board” further finds that the infrastructure which currently supports the public and private use, availability and access to the “Authority’s boundaries” are in need of improvement to adequately meet the current and future needs of visitors and vacationers to arrive in, and move about within, said portions of the area; and such needs are keeping this area from realizing its full potential as a regional tourist destination and a primary economic engine for the County; and

WHEREAS, the Board finds that it is necessary and desirable to address the blighted conditions that exist within the “Authority’s boundaries” which are detrimental to the sound growth of Osceola County, and which substantially impair or arrest appropriate growth within the area, and present conditions and uses which are detrimental to the public health, safety, morals and public welfare; and

WHEREAS, the County desires to establish multiple financing sources that will provide funds to enable the “Authority” to pay the costs of the necessary improvements and maintenance requirements; and

WHEREAS, the County finds that the properties within the “Authority” will increase in value as improvements are implemented and maintenance is assured and will thereby generate additional property tax revenues; and

WHEREAS, as confirmed by the Supreme Court of Florida in *Strand v. Escambia County*, 992 So. 2d 150 (Fla. 2008), the broad home rule powers of local government include the authority to utilize tax increment financing to fund essential infrastructure and capital improvements in furtherance of economic development activities and the County has determined that to the maximum extent possible, the anticipated revenues realized by the County from the growth in property values and business activity expected to result from improvements should provide a major source of funds to pay the costs of said improvements.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

Section 1 – Adoption of “Whereas” Clauses.

(1) The foregoing “Whereas” clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2 – Definitions.

(1) The following terms, wherever used or referred to in this part, have the following meanings:

“Assessed Valuation” shall mean the assessed value of all taxable real and personal property within the Urban Growth Boundary.

“Assessment” shall mean a special assessment imposed by the County against property located within the “Authority’s” Boundaries to fund costs to stabilize economic growth and business development.

“Base Assessed Valuation” shall mean the amount of the Assessed Valuation for the Fiscal Year commencing October 1, 2011.

“Bonds” means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, lease agreements, or other obligations intended to provide financing for the accomplishment, in whole or in part, of the purposes hereof, with regard to the form of such obligations.

“Community Policing Innovation” means a policing technique or strategy designed to reduce crime by reducing opportunities for, and increasing the perceived risks of engaging in, criminal activity through visible presence of police in the community, including but not limited to, community mobilization, neighborhood block watch, citizen patrol, citizen contact patrol, foot patrol, neighborhood storefront police stations or intensified motorized patrol.

“Community Redevelopment” means undertakings, activities or projects of the Authority and County in a community redevelopment area for the elimination and prevention of

the development or spread of slums and blight, or for the reduction or prevention of crime, or for commercial development, and may include slum clearance and redevelopment in a community redevelopment area, or rehabilitation or revitalization, or any combination or part thereof, in accordance with a master redevelopment plan.

“Community Redevelopment Area” means the area described in Section 5 – Boundaries.

“County” shall mean Osceola County, a political subdivision of the State of Florida.

“Master Plan” is a plan that will be created for the purposes of establishing an overall identity or a vision that can guide future development and investment decisions within the W192 Development Authority’s boundaries.

“Project” means any project in furtherance of the Master Plan for the “Authority”, including infrastructure and non-infrastructure projects. Marketing, landscaping, streetscaping, office, commercial and residential development, any rehabilitation, improvement, renovation or enlargement of, or any addition to, any buildings or structures, and including also the sites thereof and other rights therefore whether improved or re-improved, machinery, equipment, buses, trolleys, mass transit facilities, site preparation and all appurtenances and public facilities incidental thereto, such as utilities, roads, parks, playgrounds, or parking facilities within the “Authority” pursuant to an “Authority Master Plan”.

“Tax Increment Funds” means the moneys on deposit in the W192 Development Authority Trust Fund created pursuant hereto.

“Tax Increment Revenues” means an amount equal to those certain incremental amounts of ad valorem property taxes of the County for the properties within the W192 Development Authority so designated and described in, and deposited in its Trust Fund.

“Tax Increment” An aggregate tax value of all the property in the “Authority” is calculated annually. Using the base year, the incremental difference in value each year after the base year is the tax increment which is then placed into the Trust Fund.

“W192 Development Authority Trust Fund” shall mean the fund so designated and

created pursuant to this Ordinance.

Section 3 – W192 Development Authority - Findings and Declaration of Necessity.

(1) It is hereby found and declared that there exists within the “Authority’s” boundaries conditions injurious to the public health, safety, morals, and welfare of the residents of the County, including particularly (i) inadequate roads, bridges, traffic and travel corridors, means of access and other transportation inadequacies that pose severe safety concerns; as well as limitation on access to the recreation, vacation and tourism destinations and attractions within the area; (ii) a shortage of high paying jobs sufficient to provide economic diversification necessary to sustain a stable tax base through seasonal or business cycles; and (iii) insufficient employment opportunities for the residents of the County qualified to perform such service, management and operational positions. The existence of such conditions contributes substantially and increasingly to the spread of unemployment, underemployment, cyclical economic recession and depressed property values, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth on account of moratoriums and other arrested development concerns, retards the provision of housing accommodations, limits possibilities for needed redevelopment and limits improvement in the quality of life necessary to attract tourism and business relocation to the “Authority’s” boundary.

(2) It is further found and declared that the promotion, development, construction, acquisition, equipping, operation and maintenance of various improvements will significantly increase opportunities for access to the area within the “Authority’s” boundaries, including business growth and relocation and improve tourism by providing free traffic flows and efficient movement of people and vehicles to those arriving at destinations within the “Authority”, creating opportunities for new business and development and for employment for the citizens and residents of the County thus improving economic conditions; increasing economic prosperity and the local tax base, multiplying the expenditures within the County for construction of housing and businesses and provision of services therein, improving the quality of life and attractiveness of the area to additional new industries.

(3) It is further found and declared that the powers conferred by this Ordinance are for public uses and purposes for which public money may be expended and the power of eminent domain and police power exercised, and the necessity in the public interest for the provisions herein enacted is hereby declared as a matter of legislative determination.

(4) It is further found and declared that the preservation or enhancement of the tax base from which the County realizes tax revenues is essential to its existence and financial health; that the preservation and enhancement of such tax base is implicit in the purposes for which the County is established; that tax increment financing within the "Authority" is an effective method of achieving such preservation and enhancement in areas in which such tax base is not reaching its potential due to building limitations resulting from inadequate lot layout, outdated building density patterns, parking facilities, mass transit, roadways, etc.; that economic development afforded by said improvements, when complete, will enhance such tax base through the increase in businesses and the value of properties and provide increased tax revenues to affected taxing authorities, increasing their ability to accomplish their other respective purposes; and that the preservation and enhancement of the tax base in such areas through assessments, tax increment financing and the levying of taxes by such taxing authorities therefor and the appropriation of funds to an "Authority" Trust Fund bears a substantial relation to the purposes of the County and is for its lawful purposes and concerns.

(5) The findings contained in the preambles hereof are true and correct.

Section 4 – W192 Development Authority Trust Fund and Issuance of Revenue Bonds.

(1) There is hereby established an "Authority" Trust Fund. Funds allocated to and deposited into this fund shall be used by the County to finance or refinance the projects identified in the "Authority" Master Plan. The annual funding of the "Authority" Trust Fund shall be in an amount up to but not exceeding 95% of the Tax Increment.

(2) The County shall, by February 1 of each year, appropriate to such fund for so long as any indebtedness pledging Tax Increment Revenues to the payment thereof is outstanding (but not to exceed 35 years) an amount equal to the Tax Increment as defined and determined in subsection (1) accruing to the County.

(3) Notwithstanding the provisions of subsection (2), the obligation of the County to fund the "Authority" Trust Fund annually shall continue until all Bonds, loans, advances leases and indebtedness if any and interest thereon of the County incurred as a result of the Master Plan improvements have been paid.

(4) When authorized or approved by ordinance of the Board of County Commissioners, the County may issue revenue bonds from time to time to finance the undertaking of any community redevelopment under this Ordinance.

(a) Bonds issued under this section shall not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. Bonds issued under the provisions of this part are declared to be issued for an essential, paramount public and governmental purpose.

(5) Moneys in the "Authority" Trust Fund may be expended from time to time for the following purposes, when directly related to financing or financing of the "Authority" Master Plan, projects, improvements, or any portion thereof or any addition, enhancement or expansion thereof:

(a) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness then outstanding. In each fiscal year of the County, sufficient moneys from the "Authority" Trust Fund shall be applied to make provision for required deposits in the current fiscal year in respect of principal, amortization, premium, if any, interest, and other costs for bonds, notes or other obligations having a lien upon the moneys in the Trust Fund, all as provided by resolution of the County, prior to the application of moneys in the "Authority" Trust Fund for other purposes hereunder.

(b) Administrative and overhead expenses of the County necessary or incidental to the implementation of the projects and improvements.

(c) Expenses of planning, surveys, and legal and other professional advice or financial analysis, including the reimbursement of the County for such expenses incurred before any improvements were approved and adopted.

(d) The acquisition of real property or interest therein, including leaseholds, in the site for projects and improvements, including the costs incurred in connection with the exercise of eminent domain.

(e) The clearance and preparation of any project and/or improvements site.

(f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of bonds, bond anticipation notes or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness.

(g) Costs of design and construction of enhancements described in the "Authority" Master Plan.

(h) The cost of any project as anticipated and listed in the "Authority" Capital Improvement Plan or Budget.

(i) Operation and Maintenance expenses as authorized by the "Authority".

Section 5 – Boundaries.

(1) The "Authority" includes both the area contained within the W192 Community Redevelopment District, as delineated in Resolution 12-063R, which runs along U.S. 192, from the County line on the west to the Kissimmee City limits on the east and the area contained within the West 192 Redevelopment Area Municipal Service Benefit Unit, as created and more particularly described in Osceola County Ordinance 95-8. The Map entitled "W 192 Development Authority" is attached hereto and incorporated herein by reference as Exhibit A combines both the CRA Boundary and the MSBU Boundary which in composite represents the Boundary of the "Authority".

Section 6 – Creation of a Board of Directors for the Authority. – The "Authority" Board of Directors is hereby created.

(1) Membership and Qualifications.

(a) The Board of Directors shall consist of seven (7) members as follows;

- i. Four (4) members shall be Osceola County residents or own or lease property within the Development Authority boundaries and have substantial and relevant experience in one or more of the following areas: economic development; real estate development; community development; financing capital projects; or tourist executive. They shall be appointed by the Board of County Commissioners by majority vote.
- ii. One (1) member shall be recommended by the Osceola Resort Area Council and confirmed by the Board of County Commissioners by majority vote. The recommended person shall meet the qualifications in 6(1)(a)i.
- iii. One (1) member shall be recommended by the Tourist Development Council and confirmed by the Board of County Commissioners by majority vote. The recommended person shall meet the qualifications in 6(1)(a)i.
- iv. One (1) member shall be recommended by the Reedy Creek Improvement District and confirmed by the Board of County Commissioners by majority vote.

(b) Board Members may be removed for any reason by majority vote of the Board of County Commissioners.

(c) Initial terms of office shall be for six (6) years for members appointed pursuant to 6(1)(a)i, and four (4) years for members appointed pursuant to 6(1)(a)ii,iii, and iv. Following the initial terms, all members shall serve for four (4) years with no limit on terms served.

(d) Upon resignation of a Board Member, a new member shall be appointed to fill the unexpired term in the same manner the resigning member was appointed.

Section 7 – Functions and Responsibilities for the Authority.

(1) The W192 Development Authority shall have the following functions and responsibilities.

(a) The Osceola County Board of County Commissioners' delegates to the Board of Directors of the "Authority" all functions and duties which may be legally delegated by the Board of County Commissioners including but not limited to those functions delineated as follows.

(1) To prescribe rules, regulations and policies and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this Ordinance;

(2) To receive, administer, and comply with conditions and requirements respecting any gift, grant, or donation of any property or money to the County from any source, whether federal, state, or private, and to make, administer and establish conditions and requirements respecting gifts, grants and donations of property or money made by the County to effectuate the purposes of this ordinance;

(3) To make and execute financing agreements, contracts, deeds, and other instruments necessary or convenient in the exercise of the powers and functions of the County under this Ordinance, including contracts with persons, firms, corporations, federal and state agencies, to facilitate motel/hotel development and related commercial, office, and business development and the financing, construction, leasing, or sale of any project;

(4) To disseminate slum clearance and community redevelopment information;

(5) To undertake and carry out community redevelopment and related activities within the "Authority", which may include:

(i) Acquisition of a slum area or a blighted area or portion

thereof by purchase, lease, gift, or otherwise, or to obtain options for the acquisition of, any property, real or personal, improved or unimproved, for the construction, operation or maintenance of any project.

(ii) Demolition and removal of buildings and other improvements.

(iii) Development and related commercial, office, and other private development, and the installation, construction, or reconstruction of streets, utilities, parks, playgrounds, parking facilities and other public improvements for carrying out in the community redevelopment area the community redevelopment objectives in accordance with the "Authority" Master Plan.

(iv) Sale, lease, exchange, transfer or other disposition of any real or personal property in the community redevelopment area, including sales of property for less than fair market value for uses in accordance with the "Authority" Master Plan.

(v) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other private and publicly owned improvements in accordance with the "Authority" Master Plan.

(vi) Acquisition of any other real property in the community redevelopment area when necessary to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public or private facilities.

(vii) Power of Eminent Domain where necessary in carrying out community development and related activities in accordance with

the "Authority" Master Plan and Florida Statutes.

(6) To provide, or to arrange or contract for, the furnishing or repair by any person or agency, public or private, of projects, services, privileges, works, streets, roads, public utilities, transit or other facilities for or in connection with community redevelopment;

(7) To impose new special assessments against real property within the Boundaries of the "Authority" that will be benefitted by improvements to be financed in part or whole by said new special assessments using the process and procedures for assessment as delineated in Ordinance No.95-8 which may be amended and the Municipal Service Benefit Unit as described in said Ordinance may be expanded to include the boundaries of the "Authority";

(8) To construct, acquire, own, repair, maintain, extend, improve, rehabilitate, renovate, furnish, and equip projects and to pay all or any part of the costs thereof from the proceeds of revenue bonds of the County or from any contribution, gift, donation, or other funds made available to the County for such purpose or from any increment revenues, or other legally available non-ad valorem funds of the County;

(9) To fix, charge, and collect rents, fees, and charges for the use of any project;

(10) To employ consulting engineers, architects, attorneys, real estate counselors, appraisers, and such other consultants and employees as may be required in the judgment of the County, and to fix and pay their compensation from funds available to the County therefore;

(11) To invest any "Authority" funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which the County may legally invest its funds;

(12) To borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the Federal

Government, the state, any other public body and from any other sources, public or private, for the purposes of "Authority" redevelopment, including projects for lodgings and related commercial, office, and other development, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the Federal Government for or with respect to "Authority" redevelopment and related activities such conditions imposed pursuant to federal laws as the County deems reasonable and appropriate;

(13) To make or have made all surveys and plans necessary to the carrying out of the purposes of this Ordinance; to contract with any person, public or private, in making and carrying out such plans; and to adopt or approve, modify, and amend such plans, which plans may include, but are not limited to:

(i) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements.

(ii) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

(iii) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of "Authority" redevelopment and related activities.

(14) To prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations, and others) displaced from an "Authority" redevelopment area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government;

(15) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this Ordinance; to zone or rezone any part of the County or make exceptions from building regulations; and to enter into agreements concerning affected housing, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by the County pursuant to any of the powers granted by this Ordinance;

(16) To close, vacate, plan, or replat streets, roads, sidewalks, ways, or other places and to plan or replat any part of the "Authority";

(17) To organize, coordinate, and direct the administration of the provisions of this part, in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the "Authority" may be most effectively promoted and achieved;

(18) To exercise all or any part or combination of powers herein granted; and

(19) To develop and implement public safety innovations.

(b) The Board of County Commissioners shall make all final decisions with regard to budget, financing, millage and assessments proposed by the "Authority". However, the Board of Directors shall, in conjunction with either County staff assigned to the "Authority", or by the hiring of its own contract personnel, exercise oversight and recommendations to the Board of County Commissioner relating to all matters affecting the "Authority".

Section 8 – Merger of the W192 Development Authority and the West 192 Redevelopment Area Municipal Service Benefit Unit.

(1) In order to further a comprehensive and consolidated approach to redeveloping the West U.S. 192 area, it is necessary to merge the governance of the West 192 Redevelopment Area Municipal Service Benefit Unit created by Ordinance No. 95-8 and a series of Assessment Resolutions culminating in Resolution No. 11-082R into the W192 Development Authority

under the leadership of the W192 Development Authority Board of Directors. Specifically, the W192 Development Authority Board of Directors shall replace and assume all the powers and duties of the West 192 Redevelopment Area Advisory Committee. This merger shall become effective in 270 days after adoption of this ordinance.

Section 9 – Merger of the West U.S. 192 Community Redevelopment District and the W192 Development Authority.

(1) In order to further a comprehensive and consolidated approach to redeveloping the West U.S. 192 area, it is necessary to merge the governance of the community redevelopment agency created in Resolution No. 12-063R and Resolution No. 12-065R, pursuant to Chapter 163, Florida Statutes, into the W192 Development Authority under the leadership of the W192 Development Authority Board of Directors. Specifically, the W192 Development Authority's Board of Directors is designated as the Community Redevelopment Agency Board as defined in Section 163.340, Florida Statutes, and titled as the "Osceola County Community Redevelopment Agency for the West U.S. 192 Community Redevelopment District, herein referred to as the CRA Agency.

Section 10 – Merger of the W192 Economic Advisory Committee and the W192 Development Authority.

(1) In order to further a comprehensive and consolidated approach to redeveloping the West U.S. 192 area, it is necessary to merge and consolidate the W192 Economic Advisory Committee established pursuant to Resolution No. 10-153R and extended with Resolution No. 12-009R, into the W192 Development Authority under the leadership of the W192 Development Authority Board of Directors.

Section 11 – Public Purpose.

(1) This Ordinance is hereby declared to be for a public purpose and for the welfare of the citizens of Osceola County, and shall be liberally construed to effectuate the purpose thereof.

Section 12 – Term of Existence.

(1) The term of existence for the W192 Development Authority shall be 10 years from the effective date of this ordinance. The terms, conditions and existence of this ordinance beyond the specified ten (10) year time period is subject to the re-authorization of the “Authority” by the Board of County Commissioners of Osceola County prior to its expiration.

Section 13 - Severability.

(1) It is declared to be the intent of the Board of County Commissioners of Osceola County that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, is for any reason held invalid or unconstitutional, by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

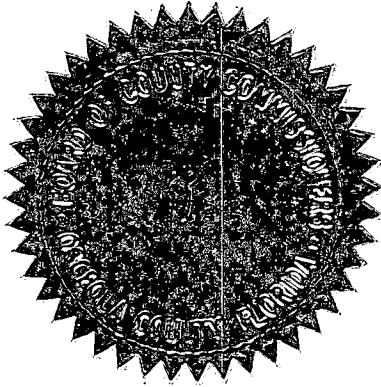
Section 14 – Repealing Clause.

(1) All ordinances and resolutions or parts thereof of the County in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 15 – Effective Date.

(1) This Ordinance shall be in force and take effect immediately upon its passage and adoption.

DONE AND ADOPTED this day of September 10, 2012.



OSCEOLA COUNTY, FLORIDA

By: 

Chairman/Vice-Chairman

Board of County Commissioners

ATTEST:

Debra A. Davis

Clerk/Deputy Clerk to the Board

NOTICE THAT THIS ORDINANCE HAS BEEN
FILED WITH THE FLORIDA STATE BUREAU
OF ADMINISTRATIVE CODE.

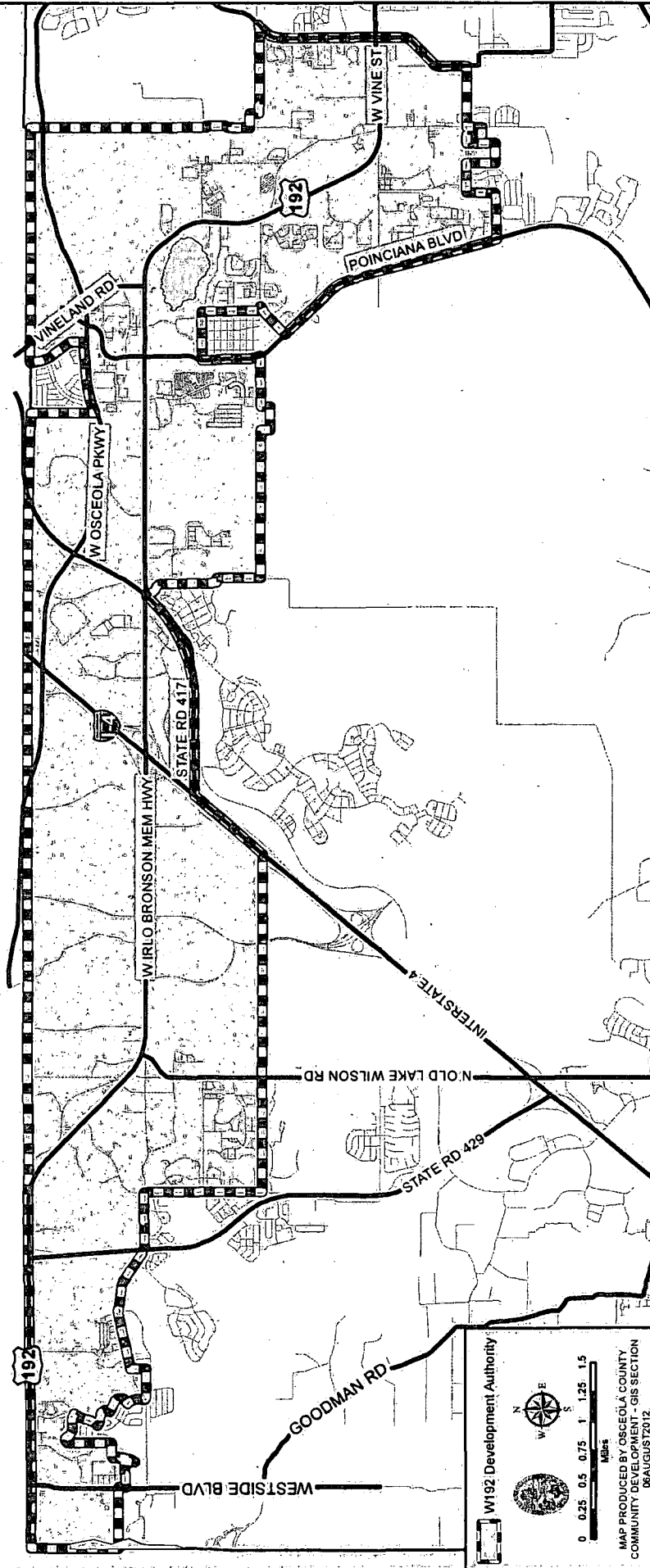
ON Sept 17, 2012

BY Jana DePuma
DEPUTY CLERK OF THE BOARD

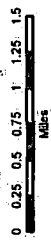
EXHIBIT A

W 192 Development Authority Area

W 192 Development Authority



W192 Development Authority



MAP PRODUCED BY OSCEOLA COUNTY
COMMUNITY DEVELOPMENT - GIS SECTION
06AUGUST2012

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DISCLAIMER: The County specifically disclaims any warranty, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance is with the requester. In no event will the County or its staff be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the County has been advised of the possibility of such damages. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.