

ORDINANCE NO. 13-5075

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING ORDINANCE NO. 02-4382 WHICH CREATED THE ST. ARMANDS SPECIAL BUSINESS NEIGHBORHOOD IMPROVEMENT DISTRICT, SO AS TO EXTEND THE TERM OF THE ST. ARMANDS SPECIAL BUSINESS NEIGHBORHOOD IMPROVEMENT DISTRICT THROUGH SEPTEMBER 30, 2023; PROVIDING FOR THE TERMINATION OR RENEWAL OF SAID DISTRICT AFTER SEPTEMBER 30, 2023; REQUIRING THE CITY AUDITOR AND CLERK TO PROVIDE NOTICE OF THE EXTENSION OF SAID DISTRICT TO THE SARASOTA COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 5, 2002, the City Commission passed on second reading and finally adopted Ordinance No. 02-4382 which created the St. Armands Special Business Neighborhood Improvement District, hereinafter the "District;" and

WHEREAS, the City Commission has previously amended Ordinance No. 02-4382 through Ordinance Nos. 12-5010 and 07-4742; and

WHEREAS, pursuant to Ordinance No. 02-4382, as amended by Ordinance No. 12-5010, the District shall cease to exist at the end of the tenth fiscal year of operation, i.e. on September 30, 2013; and

WHEREAS, on May 20, 2013, the District submitted to the City Commission a Petition seeking to call a referendum to determine whether the District shall be extended for an additional ten fiscal years through September 30, 2023; and

WHEREAS, the referendum has been conducted pursuant to Section 163.511, Florida Statutes (2012), and the freeholders owning in excess of fifty percent (50%) of the assessed value of the real property within the District, have approved the extension of said District for an additional ten fiscal years through September 30, 2023; and

WHEREAS, the City Commission, pursuant to Section 163.511, Florida Statutes (2012), hereby extends the St. Armands Special Business Neighborhood Improvement District pursuant to the terms and conditions set forth herein.

NOW THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

1. Section 9, Term or Renewal, of Ordinance No. 02-4382, as amended by Ordinance No. 12-5010, is hereby amended to extend the District for an additional ten fiscal years through September 30, 2023. As amended, said Section 9 shall provide as follows:

Section 9. Termination or Renewal. The District shall cease to exist at the end of the twentieth fiscal year of operation, i.e. on September 30, 2023. The District may continue in operation for unlimited subsequent ten year periods if the continuation of the District is approved at a referendum conducted pursuant to Section 163.511, Florida Statutes, as amended and in effect at that time. Said referendum shall be held upon the submission of a Petition to the City Commission requesting same in compliance with the terms and conditions of Section 163.511, Florida Statutes, as it may exist at that time. The District shall terminate if the Freeholders fail to petition for a referendum seeking renewal and continuation of the District or, in the event of a referendum which fails to achieve positive votes for extension of the District from freeholders owning in excess of 50% of the assessed value of the real property with the District. Should the District cease to exist, all real property owned by the District, if any, shall become property of the City of Sarasota, Florida. In the event the District is dissolved, the property owners within the District shall make alternative arrangements acceptable to the debt holders and the City of Sarasota pertaining to the payment of any debts of the District. In the event the District terminates, the City of Sarasota will hold in escrow any District funds which remain on the date of termination so as to use said funds for future capital improvement projects within the District.

2. The City Auditor and Clerk is hereby directed to provide a certified copy of this Ordinance, within thirty (30) days of its adoption on second reading, to the Property Appraiser of Sarasota County and the Tax Collector of Sarasota County so as to provide such entities notice of the extension of the District for the purposes of including the ad valorem taxes and special assessments, if any, on future tax bills.

3. Except as expressly set forth herein as amendments, all of the terms, covenants and conditions set forth within Ordinance Nos. 02-4382; 12-5010; and 07-4742 are hereby ratified and confirmed by the City Commission and all of such terms shall remain in full force and effect.

4. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.


5. The effective date of this Ordinance shall relate back to, and shall become effective as of, October 1, 2013, without regard to the date of execution so as to continue the District without interruption.

PASSED on first reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 21st day of October, 2013.

PASSED on second reading and finally adopted this 4th day of November, 2013.


Shannon Snyder, Mayor

ATTEST


Pamela M. Nadalini, MBA, CMC
City Auditor and Clerk

<u>Yes</u>	Mayor Shannon Snyder
<u>Yes</u>	Vice Mayor Willie Charles Shaw
<u>Yes</u>	Commissioner Suzanne Atwell
<u>Yes</u>	Commissioner Paul Caragiulo
<u>Yes</u>	Commissioner Susan L. Chapman