

ORDINANCE NO. 97-O-0033AA

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3
4 AN ORDINANCE OF THE CITY OF TALLAHASSEE,
5 FLORIDA, ESTABLISHING A COMMUNITY
6 DEVELOPMENT DISTRICT OVER THE REAL
7 PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A" TO
8 THIS ORDINANCE COMPRISING 345.56+/- ACRES;
9 NAMING THE INITIAL MEMBERS OF THE BOARD OF
10 SUPERVISORS OF THE DISTRICT, ESTABLISHING
11 THE NAME OF THE DISTRICT AS THE PINEY-Z
12 COMMUNITY DEVELOPMENT DISTRICT;
13 DESIGNATING AND LIMITING THE POWERS OF THE
14 DISTRICT; PROVIDING FOR SEVERABILITY;
15 PROVIDING FOR CONFLICT; PROVIDING FOR AN
16 EFFECTIVE DATE.
17
18

19 WHEREAS, the Florida Legislature created and amended Chapter
20 190, Florida Statutes, to provide an alternative method to finance and manage basic
21 services for community development; and,
22

23 WHEREAS, PINEY-Z, Ltd. ("Petitioner") has petitioned the City of
24 Tallahassee to grant the establishment of the Piney-Z Community Development
25 District (the "District"); and
26

27 WHEREAS, a public hearing has been conducted by the City of
28 Tallahassee Commissioners in accordance with the requirements and procedures of
29 Section 190.005(2), Florida Statutes; and,
30

31 WHEREAS, the District created will comply with all applicable Florida
32 State statutes and Tallahassee municipal ordinances; and,
33

34 WHEREAS, the District will constitute a timely, efficient, effective,
35 responsive, and economic way to deliver limited community development services in
36 the area thereby providing a solution to the City's planning, management, and
37 financing needs for delivery of capital infrastructure therein without overburdening
38 the City and its taxpayers; and,
39

40 WHEREAS, the creation of the District is not inconsistent with any
41 applicable element or portion of the state comprehensive plan or the local
42 comprehensive plan; and,
43

1 WHEREAS, the area of land within the District is of sufficient size, is
2 sufficiently compact, and is sufficiently contiguous to be developable as one
3 functional interrelated community; and,
4

5 WHEREAS, the creation of the District is the best alternative
6 available for delivering limited community development services and facilities to
7 the area that will be served by the District; and,
8

9 WHEREAS, the proposed services and facilities to be provided by the
10 District will not be incompatible with the capacity and uses of existing local and
11 regional community development services to the community; and,
12

13 FURTHER WHEREAS, the City of Tallahassee Commissioners have
14 considered the record of the public hearing and has decided that the establishment
15 of the Piney-Z Community Development District is the best alternative means to
16 provide certain basic services to the community..
17

18 NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE
19 CITY OF TALLAHASSEE :
20

21 Section 1. The Petition to establish the Piney-Z Community
22 Development District over the real property described in Exhibit "A" attached
23 hereto, which was filed by Piney-Z, Ltd., on April 9, 1997, and which Petition is on
24 file at the Office of the City Treasurer-Clerk, is hereby granted.
25

26 Section 2. The external boundaries of the District shall be as
27 depicted on the location map attached hereto and incorporated herein as Exhibit
28 "B".
29

30 Section 3. The initial members of the Board of Supervisors shall be
31 as follows:
32

33 Mark A. Conner
34 Anne F. Dechman
35 Joe Humphrey
36

37 Clifford Lamb
38 Susan Thompson

39 Section 4. The name of the District shall be the "Piney-Z Community
40 Development District".
41

42 Section 5. The District is created for the purposes set forth in
Chapter 190, Florida Statutes.

1 Section 6. The City Commission of the City of Tallahassee hereby
2 grants to the Piney-Z Community Development District the special powers
3 authorized pursuant to Sections 190.012, 2(a) and 2(d), except that the powers
4 exercised under 190.012 2(d) shall be limited to the construction and maintenance
5 of fences and gates.
6

7 Section 7. Pursuant to Section 190.005(2)(d), Florida Statutes, the
8 charter for the Piney-Z Community Development District shall be Sections 190.006
9 through 190.041, Florida Statutes, provided however, the District shall have only
10 those special powers granted in Section 6 of this ordinance..
11

12 Section 8 The Piney-Z Community Development District shall
13 terminate and the District dissolved thirty (30) days after final payment or
14 satisfaction is made on any bond or other debt liability of the District which is
15 authorized pursuant to Sections 190.014, 190.015, and 190.016, Florida Statutes. .
16 Upon dissolution of the District all property, real, personal or otherwise shall be
17 transferred as provided by law.
18

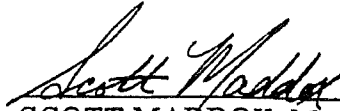
19 Section 9. If any clause, or any other part of application of this
20 ordinance shall be held in any court of competent jurisdiction to be unconstitutional
21 or invalid, such unconstitutional or invalid part of application shall be considered
22 as eliminated and so not affecting the validity of the remaining portions or
23 applications which shall remain in full force and effect.
24

25 Section 10. All sections or parts of sections of the Code of Ordinances,
26 all ordinances or parts thereof, and all resolutions or parts thereof in conflict
27 herewith are hereby repealed to the extent of such conflict.
28

29 Section 11. Section 11 This ordinance shall become effective upon passage but
30 shall be repealed on August 12, 1997 unless an interlocal agreement is entered into
31 between the City and the District Board of Supervisors.
32

33 INTRODUCED by the City Commission on the 28th day of May, 1997.

1 PASSED by the City Commission on the 11th day of
2 June, 1997.

3
4 
5 _____
6 SCOTT MADDOX, Mayor

7 ATTEST:

8
9
10 
11 _____
12 ROBERT B. INZER
13 City Treasurer-Clerk

14 APPROVED AS TO FORM:

15
16
17 
18 _____
19 JAMES R. ENGLISH
0 City Attorney