

ORDINANCE NO. 07-4742

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING ORDINANCE NO. 02-4382 WHICH CREATED THE ST. ARMANDS SPECIAL BUSINESS NEIGHBORHOOD IMPROVEMENT DISTRICT BY AMENDING THE POWERS OF SAID DISTRICT TO INCLUDE THE POWER TO BORROW FUNDS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 5, 2002 the City Commission of the City of Sarasota passed on second reading Ordinance No. 02-4382 thereby creating the St. Armands Special Business Neighborhood Improvement District (hereinafter the District); and

WHEREAS, Section 5 of Ordinance No. 02-4382 granted the District certain powers; and

WHEREAS, the City Commission finds that it is in furtherance of the public health, safety and welfare to expand the powers of the District to include the power to borrow funds under certain circumstances.

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

Section 1. Ordinance No. 02-4382, Section 5, Powers of District, is hereby amended by adding thereto a new subsection 5 P. which grants the District the ability to borrow funds under certain circumstances. As amended, said Section 5 shall provide as follows:

"Section 5. Powers of District. The District is hereby specifically granted the following enumerated powers:

A. The District may employ a manager, who shall be a person of recognized ability and experience, to serve at the pleasure of the Board of Directors. The Manager may employ such employees as may be necessary for the proper administration of the duties and functions of the District. However, the Board of Directors of the District shall approve such positions and fix the compensation for such employees.

B. The District may contract for the services of attorneys, engineers, consultants and agents for any lawful purpose of the District.

C. The District may enter into contracts and agreements and sue and be sued as a body corporate.

D. The District may have and use a corporate seal.

E. The District may accept grants and donations of any type of property, labor or other thing of value from any public or private source.

F. The District may cooperate and contract with other governmental agencies or other public bodies.

G. The District may contract for services of planning consultants, experts on crime prevention through community policing innovations, environmental design, environmental security, or defensible space, or other experts in areas pertaining to the operations of the Board of Directors or the District.

H. The District may contract with the City for planning assistance and for increased levels of law enforcement protection and security, including additional personnel.

I. The District may promote and advertise the commercial advantages of the District so as to attract new businesses and encourage the expansion of existing businesses.

J. The District may promote and advertise the District to the public and engage in cooperative advertising programs with businesses located in the District.

K. The District may improve street lighting, streets, drainage, utilities and swales, and provide safe access to mass transportation facilities in the District.

L. The District may undertake innovative approaches to securing neighborhoods from crime, such as crime prevention through community policing innovations, environmental design, environmental security and defensible space.

M. The District may prepare, adopt, implement and modify a safe neighborhood improvement plan for the District.

N. Subject to Referendum approval, the District may make and collect special assessments pursuant to Section 197.3632 and 197.3635, Florida Statutes to pay for improvements to the District and for reasonable expenses of operating the District, including the payment of expenses included in the District's budget, subject to an affirmative vote by a majority of the freeholders within the District. Such assessment shall not exceed \$500.00 for each individual parcel of land per year. Notwithstanding the provisions of Section 101.6102, Florida Statutes, the Referendum to approve the special assessments shall be by mail ballot. Any such Referendum shall be conducted pursuant to the procedures set forth in Section 163.514(16), Florida Statutes (2001) as amended from time to time.

O. The District may lease real property as a lessee and may own personal property.

P. The District may borrow funds consistent with the Florida Constitution, general and special law and approved, in advance, by the City's Finance Director.

The District shall only have those powers specifically enumerated above and shall not have any implied or incidental powers arising from said enumerated powers."

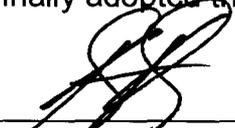
Section 2. Should any section, sentence, clause, part or provision of this Ordinance be declared invalid or unenforceable, by a court of competent jurisdiction, the same shall not affect the validity of this Ordinance as a whole, or any part hereof other than the part declared to be invalid. Said provision declared to be invalid shall be deemed severed from the remaining provisions of this Ordinance.

Section 3. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Ordinance shall take effect immediately upon second reading.

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 May, 2007.

PASSED on second reading and finally adopted this 4th day of June, 2007.



Kelly Kirschner, Vice Mayor

ATTEST:



CITY AUDITOR AND CLERK

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