

RESOLUTION 2018-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY COMMUNITY DEVELOPMENT DISTRICT FIXING FEE SCHEDULE FOR LEASE OF PARKING AND GARDEN FACILITIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Harmony Community Development District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Osceola County, Florida; and

WHEREAS, Chapter 190, Florida Statutes, authorizes the District to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, land containing certain parking and garden facilities was conveyed to the District on February 15, 2018 via special warranty deed; and

WHEREAS, Section 190.012(1)(d)2., Florida Statutes, authorizes the District to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for parking improvements; and

WHEREAS, Section 190.012(2)(a), Florida Statutes, authorizes the District, after the local general-purpose government within the jurisdiction of which such power specified thereunder is to be exercised consents to the exercise of such power, to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for outdoor recreational uses, such as the garden facilities; and

WHEREAS, Osceola County, the local general-purpose government within the jurisdiction in which the District and the garden facilities are located, has consented to the District’s exercise of the additional powers enumerated in Section 190.012(2)(a), Florida Statutes, through Osceola County Ordinance 00-16; and

WHEREAS, Section 190.011(8), Florida Statutes, authorizes the District to lease to any person District facilities to carry out the purposes authorized under Chapter 190, Florida Statutes; and

WHEREAS, Sections 190.011(10) & 190.035, Florida Statutes, authorize the District to prescribe and collect fees or rental charges for the facilities and services furnished by the District; and

WHEREAS, the District desires to fix rental fees for leases of the parking and garden facilities as attached hereto as Exhibit “A”; and

WHEREAS, the District continues to find that the imposition of rental fees for the utilization and lease of the District parking and garden facilities is necessary and reasonable in order to provide for the expenses associated with the operation and maintenance of the parking and garden facilities; and

WHEREAS, the rental fee schedule attached hereto as Exhibit “A” incorporated herein by reference, is for immediate use and application, having been adopted after having held a public hearing before the Board of Supervisors on July 26, 2018.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD
OF SUPERVISORS OF THE HARMONY COMMUNITY
DEVELOPMENT DISTRICT:**

SECTION 1. The above recitals are true and correct and incorporated herein by reference.

SECTION 2. The Fee Schedule for lease and use of District parking and garden facilities set forth on attached Exhibit “A” is hereby adopted pursuant to this Resolution. This Fee Schedule shall stay in full force and effect until such time as the Board of Supervisors may amend this Fee Schedule in accordance with Chapter 190, Florida Statutes.

SECTION 3. District staff has provided notice to the general public in accordance with Section 190.035(2), Florida Statutes, and scheduled a Public Hearing before the Board of Supervisors.

SECTION 4. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 5. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 26th day of July 2018.

ATTEST:

**HARMONY COMMUNITY
DEVELOPMENT DISTRICT**

Kristen Suit
District Manager

Steve Berube
Chairman

EXHIBIT A

| Garden | Rental Rate (Annual) |
|---------------|-----------------------------|
| Small Lot | \$25 |
| Medium Lot | \$50 |
| Large Lot | \$100 |

| Parking | Rental Rate (Monthly) |
|----------------|------------------------------|
| Small Lot | \$40 |
| Medium Lot | \$45 |
| Large Lot | \$50 |

*Current leases will continue at the present rates until renewed.