

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-2-2025**

AN ORDINANCE ENACTING AND CREATING THE FLORENCE TRANSPORTATION IMPROVEMENT DISTRICT (TID) AS AUTHORIZED BY KRS 184.350-184.395.

WHEREAS, the Kentucky General Assembly has determined that surface transportation projects are essential and will contribute to the improvement of the prosperity, health, safety, and welfare of the people of a transportation improvement district and the Commonwealth of Kentucky; and

WHEREAS, the Kentucky General Assembly has further determined that it is in the public interest and a proper public purpose for a transportation improvement district to acquire, construct, enlarge, improve, equip, sell, lease, lease-purchase, exchange, or otherwise dispose of property, structures, and other facilities for such transportation projects; and

WHEREAS, the Kentucky General Assembly has authorized the creation of Transportation Improvement Districts by the legislative body of counties or cities with a population of twenty thousand (20,000) or more within the Commonwealth of Kentucky to promote industry, commerce, distribution, and research activity in the state; and

WHEREAS, recognizing the need for enhanced transportation infrastructure, the City Council of the City of Florence deems it appropriate to establish a Transportation Improvement District (TID) in accordance with and adherence to KRS 184.350 to KRS 184.395 for the purpose of construction, reconstruction, improvement, alteration, or repair of any road, highway, public place, building, or project, as defined in KRS 184.350, or other infrastructure where the public improvement will benefit the area where it will be constructed, reconstructed, improved, altered, or repaired; and

WHEREAS, the projects initiated by a TID and the exercise of its authority, as per KRS 184.350 to KRS 184.395, are deemed essential and are anticipated to contribute significantly to the enhancement of the prosperity, health, safety, and welfare of the citizens of Florence; and

WHEREAS, the establishment of the TID is also anticipated to foster mobility, industry, and community within the City, the region, and the Commonwealth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City of Florence hereby establishes the Florence Transportation Improvement District, encompassing all territory within the boundaries of the City of Florence, Kentucky.

SECTION II

The Transportation Improvement District (TID) is designed to facilitate intergovernmental and public-private cooperation in the realm of transportation resources and investments. Accordingly, the TID shall conform to all requirements and provisions of KRS 184.350 to KRS 184.395.

SECTION III

In accordance with KRS 184.353, the City Council shall, by majority vote, appoint voting members of the Transportation Improvement District Board of Trustees ("Board"). The Board shall:

A. Be comprised of six (6) members. Five (5) of the Board members shall be voting members who shall be appointed by majority vote of City Council. One (1) nonvoting member shall be appointed by the Boone County Planning Commission.

B. All Board appointees must reside within the City of Florence.

C. Two (2) Board voting members shall be members of a chamber of commerce in the City defined as members who represent organizations or entities engaged in promoting business, commerce, or economic development within the City. City Council shall have the authority to define and determine which organizations or entities meet this criteria.

D. Nominations for membership on the Board shall be made by the Mayor and confirmed by a majority vote of City Council:

1. Pursuant to KRS 184.353(7), the initial Board voting member appointments shall be for the following staggered terms: two (2) members shall be appointed for a full four (4) year term; one (1) member shall be appointed for a three (3) year term; one (1) member shall be appointed for a two (2) year term; and one (1) member shall be appointed for a one (1) year term. The initial non-voting member shall be appointed for a term of four (4) years.
2. Nominations for appointment to the Board for subsequent terms shall be made by the Mayor and confirmed by a majority vote of City Council.
3. Any vacancy on the Board shall be filled in the same manner and for the remaining term of the Board Member being replaced.
4. All Board appointments are subject to removal at the pleasure of the Mayor, confirmed by a majority vote of City Council.

SECTION IV

Once established, the Board shall adopt By-Laws to govern the affairs and conduct of the TID as authorized by KRS 184.355. The By-Laws adopted by the Board shall be approved by a majority vote of City Council.

SECTION V

The Board shall prepare and submit a comprehensive report to City Council of Florence which shall include a summary of ongoing and completed projects within the TID; financial statements detailing revenues, expenditures, and remaining balances; updates and any public-private partnerships or intergovernmental collaborations; recommendations for future projects or initiatives to enhance transportation infrastructure within the City of Florence; and any challenges encountered within the TID. Such reports shall also include any and all other matters which the Mayor deems appropriate and necessary. Reports shall be provided to City Council on at least a semi-annual basis or more frequently as may be directed by the Mayor from time to time.

SECTION VI

In all respects, the TID and its Board shall conduct all business authorized pursuant to and in conformity with KRS 184.350 through KRS 184.395. To the extent there is any discrepancy or conflict with any term of this Ordinance and the aforesaid statutory provisions, Kentucky Revised Statutes shall prevail. Interpretation of this Ordinance shall in all respects be made with the purpose and intent of furthering the legislative findings codified in KRS 184.387.

SECTION VII

If any section, paragraph, clause, provision or portion of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses and provisions set forth in this Ordinance, or this Ordinance as an entirety, it being the legislative intent that this Ordinance shall be valid notwithstanding the invalidity of any section, clause, or provision hereof.

SECTION VIII

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 11th DAY OF FEBRUARY 2025.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 25th DAY OF FEBRUARY 2025.

APPROVED:

/s/ Julie M. Aubuchon
Julie M. Aubuchon, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk