

## Ordinance No. 241

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOORE HAVEN, FLORIDA, CREATING A COMMUNITY REDEVELOPMENT AGENCY; CONFERRING THE POWERS OF THE COMMUNITY REDEVELOPMENT AGENCY UPON THE LOCAL PLANNING AGENCY, PROVIDING FOR A NAME AND PURPOSE, ESTABLISHING A REDEVELOPMENT TRUST FUND, PROVIDING FOR LIMITATIONS AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MOORE HAVEN, FLORIDA, that:

### SECTION 1

Based upon the findings, and declarations in Resolution No. 97-9, the City Council does hereby create and establish a Community Redevelopment Agency of the City of Moore Haven, Florida with the responsibility and duty to carry out the redevelopment of the area located within the City found and declared in Resolution No. 97-9 to be a blighted area.

### SECTION 2

Pursuant to the authority in Chapter 163.357, Florida Statutes, the City Council hereby declares the Local Planning Agency to be the Community Redevelopment Agency established in Section 1 hereof and all of the rights, powers, privileges, duties and immunities of a Community Redevelopment Agency vested in such an agency by Part III, Chapter 163, Florida Statutes are hereby vested in the City Council.

### SECTION 3

The agency shall exercise its powers and perform its duties in accordance with the provisions of Part III, Chapter 163, Florida Statutes.

### SECTION 4

The Code of Ordinances of the City of Moore Haven is hereby amended by adding Chapter 20, Section 20-1 as follows:

Section 20-1

The Community Redevelopment Agency created and established by Ordinance No. 241 shall be known as the Moore Haven Redevelopment Agency, which purpose shall be to function in the area, as more fully described in Appendix "A", attached hereto and made a part thereof to provide for the redevelopment, conservation, rehabilitation or combination thereof of such areas in the City of Moore Haven.

Section 20-2 Redevelopment Trust Fund.

There is hereby established in accordance with the provisions of Chapter 163.387, Florida Statutes, a Redevelopment Trust Fund, hereinafter referred to as the "Fund". The City Clerk is hereby authorized and directed to maintain and administer the fund in accordance with applicable laws, ordinances, resolutions and directives of the Agency. The dollars allocated to and deposited into the Fund are hereby appropriated to and may only be used by the Redevelopment Agency.

There shall be annually paid into the Fund, an amount not less than that increment in the income, proceeds, revenues, and funds derived from or held in connection with its undertaking and carrying out of community redevelopment. Such increment shall be determined annually and shall be that amount equal to ninety-five percent (95%) of the difference between:

1. The amount of ad valorem taxes levied each year on taxable real property contained within the geographic boundaries of the Community Redevelopment Area; and
2. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year upon the total of the assessed value of the taxable real property in the Community Redevelopment Area as shown upon the most recent assessment roll used in connection with the taxation of such property prior to the effective date of this Ordinance.
3. The Agency shall annually receive and deposit into the Fund an amount from each taxing authority equal to the investment as calculated in accordance with 163.387(6), Florida Statutes, and this Ordinance. For the purposes of this Ordinance, "taxing authority" shall have the same meaning as that in 163.340(2), Florida Statutes.
4. Payment of the increment shall be made no later than January 1 of each year. The obligation to annually appropriate to the Fund shall commence immediately upon the effective date of this Ordinance and shall continue until

all loans, advances, and indebtedness if any, and any interest thereon incurred by the Redevelopment Agency have been paid.

Section 20-3 Limitations.

The Moore Haven Redevelopment Agency shall be the sole Community Redevelopment Agency authorized to operate within the Redevelopment Area (Appendix "A"). The area of operation, jurisdiction and undertakings of the Agency shall not conflict with those of any other community redevelopment agencies, presently existing or which may be established except as described above.

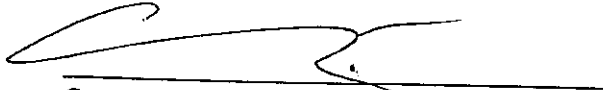
SECTION 5

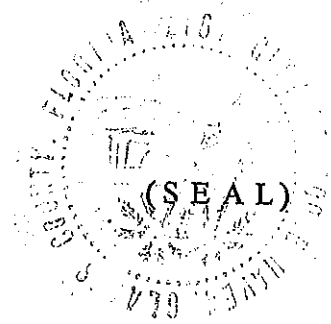
This Ordinance shall become effective immediately upon its adoption.

PASSED by the City Council of the City of Moore Haven, Florida, this 4th day of November, A.D., 19 97.

  
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JOHN R. AHERN, MAYOR

Attest:

  
\_\_\_\_\_  
CARMEN WHITNEY, CITY CLERK



## Resolution No. 97-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORE HAVEN, FLORIDA, FINDING THAT A BLIGHTED AREA AS DEFINED IN CHAPTER 163, PART III, FLORIDA STATUTES IS EXISTING IN THE CITY, THAT THE REDEVELOPMENT, CONSERVATION AND REHABILITATION OF SUCH AREA IS IN THE PUBLIC INTEREST; AND THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY FOR SUCH AREA.

WHEREAS: The Legislature of the State of Florida (Legislature) has duly enacted the Community Redevelopment Act of 1969, as amended (Act), codified as and consisting of Part III, Chapter 163, Florida Statutes in which Act the Legislature found that there existed in counties and municipalities of the state blighted areas which constituted a serious and growing menace to the public health, safety, morals and welfare of the residents of the State, constituting an economic and social liability, and authorized counties and municipalities in the state to utilize appropriate private and public resources to eliminate and prevent the development or spread of urban blight, to encourage needed community rehabilitation, to provide for the redevelopment of blighted areas, or to undertake such of the aforesaid activities or other feasible county or municipal activities as may be suitable; and

WHEREAS: Based on evidence presented to the City Council at a public meeting and incorporated in the records of Council meetings, the areas in the City of Moore Haven more fully described in Appendix "A", attached hereto and made a part hereof, meets the criteria of a blighted area as defined in Section 163.340(8)(a), Florida Statutes; and

WHEREAS: The redevelopment of the aforesaid area is necessary in the interest of the public health, safety and welfare of the residents of the City of Moore Haven and in the interest of implementing the intent of the Florida Legislature as expressed in the Act by revitalizing the area economically and socially, thereby improving the tax base, promoting sound growth, and providing economic development.

NOW, THEREFORE, LET BE IT RESOLVED, by the City Council of the City of Moore Haven that:

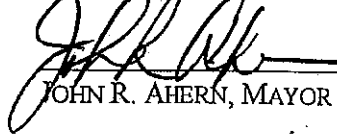
1. Based upon evidence presented to the City Council at a public meeting and incorporated into the records of Council meetings, that area of Moore Haven as more fully described in Appendix "A" is hereby found to meet the criteria of a blighted area (the "Area"), as defined by and within the purposes and intent of Chapter 163, Part III, Florida Statutes.
2. Pursuant to the provisions of Section 163.355, Florida Statutes, it is hereby found and declared that the rehabilitation, conservation, redevelopment, or a combination thereof of the Area is necessary and in the interest of the public health, safety and

welfare of the citizens of the City of Moore Haven and that such area is an appropriate area for community redevelopment.

3. There is a need for a Community Redevelopment Agency to function in the municipality to carry out the purposes of the Act with regard to the area.

PASSED AND ADOPTED by the City Council of the City of Moore Haven, Florida, at its meeting held the 2nd day of September, A.D., 19 97.

CITY OF MOORE HAVEN

  
JOHN R. AHERN, MAYOR

Attest:

  
CARMEN WHITNEY, CITY CLERK

( S E A L )