

ORDINANCE NO. 2001-70

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO REDEVELOPMENT; CREATING THE WEST AUGUSTINE REDEVELOPMENT TRUST FUND TO FINANCE THE WEST AUGUSTINE REDEVELOPMENT PLAN; PROVIDING FOR APPROPRIATION OF TAX INCREMENT REVENUES AND EXPENDITURES OF MONIES IN THE TRUST FUND; DELEGATING AUTHORITY TO THE WEST AUGUSTINE REDEVELOPMENT AGENCY TO ADMINISTER THE TRUST FUND; REQUIRING ANNUAL INDEPENDENT FINANCIAL AUDIT OF THE TRUST FUND; PROVIDING FOR SEVERABILITY, ORDINANCES IN CONFLICT, AN EFFECTIVE DATE.

WHEREAS, pursuant to the powers granted by chapter 163, part III, Florida Statutes, as amended, and Resolution No. 2000-146 adopted by the St. Johns Board of County Commissioners (the "Board") which established the West Augustine Community Redevelopment Area and created the West Augustine Community Redevelopment Agency; and Resolution No. 2001-226 adopted by the Board which approved the West Augustine Community Redevelopment Plan; and

WHEREAS, the Board desires to create the West Augustine Redevelopment Trust Fund, pursuant to section 163.387, Florida Statutes; and

WHEREAS, pursuant to Section 163.346, notice of this proposed action has been given, by certified return receipt mail, to each taxing authority, which levies ad valorem taxes on taxable real property within the boundaries of the West Augustine Community Redevelopment area.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The West Augustine Redevelopment Trust Fund is hereby created pursuant to section 163.387, Florida Statutes.

SECTION 2. The funds allocated to, and deposited into, the West Augustine Redevelopment Trust Fund are appropriated to the West Augustine Community Redevelopment Agency (CRA) for the purposes authorized by section 163.387(6), Florida Statutes. The CRA shall utilize the funds and the income earned by the fund for financing or refinancing the implementation of the West Augustine Community Redevelopment Plan, as more particularly described in section 5 of this ordinance.

SECTION 3. The annual funding of the West Augustine Redevelopment Trust Fund shall be in an amount not less than the increment in the income, proceeds, revenues, and funds of each taxing authority derived from, or held in connection with, the undertaking and carrying out of community redevelopment under section 163.387 Florida Statutes, as amended.

SECTION 4. The obligation to fund the West Augustine Redevelopment Trust Fund shall continue until all loans, advances, and indebtedness, if any, and interest, of the CRA incurred as the result of implementing and administering the community redevelopment plan have been paid, but only to the extent that the tax increment described in section 3 of this ordinance accrues.

SECTION 5. Moneys in the West Augustine Redevelopment Trust Fund may be expended from time to time for the following purposes, when directly related to financing or refinancing redevelopment in the West Augustine Community Redevelopment Area, pursuant to the Community Redevelopment Plan.

1. Administrative and overhead expenses necessary or incidental to the implementation of the community redevelopment plan.
2. Expenses of redevelopment implementation, planning, surveys, and financial analysis, including the reimbursement of St. Johns County or the CRA for any expenses incurred before the community redevelopment plan was approved and adopted.
3. The acquisition of real property in the West Augustine Redevelopment Area.
4. The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in section 163.370, Florida Statutes.
5. The repayment of principal and interest, or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.
6. All expenses incidental to, or connected with, the issuance, sale, redemption, retirement, or purchase of CRA bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing the obligations.
7. Any redevelopment activities allowed by Chapter 163, part III, Florida Statutes, and prescribed in the adopted Community Redevelopment Plan.

SECTION 6. There shall be an independent financial audit of the West Augustine Redevelopment Trust Fund each fiscal year and a report of the audit. The audit report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the trust fund during the fiscal year, and the amount of principal and interest paid during the year on any indebtedness, which is secured by the pledge of increment revenues, and the remaining amount of indebtedness. The CRA

shall provide a copy of each audit report to the State Auditor General's Office and other political entities as required by statute.

SECTION 7. The West Augustine CRA is directed to develop and provide expert redevelopment training for its Advisory Board members; promulgate by-laws for prompt and effective administration of the West Augustine Redevelopment Trust Fund; and adopt procedures for the expeditious utilization of funds for the allocated purposes. In the event that the Board of County Commissioners ceases to act as the Board for the West Augustine CRA, and the Clerk of the Court's statutory duties in relation to the maintenance of books and financial records also ceases, the West Augustine CRA at that time shall promulgate rules for the establishment and maintenance of books and financial records.

SECTION 8. If any section, clause sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

SECTION 10. This ordinance shall take effect upon a certified copy thereof being filed with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida this 4th day of December, 2001.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY FLORIDA

By: Marc A. Jacalone
Marc A. Jacalone, Chairman

Rendition Date 12-06-01

ATTEST: CHERYL STRICKLAND, CLERK

By: Patricia A. Grande
Deputy Clerk

Effective Date: 12-11-01



ORDINANCE BOOK 27 PAGE 701

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **LINDA Y MURRAY**
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a

NOTICE OF PUBLIC HEARING

In the matter of **COMMUNITY FUND**

WEST AUGUSTINE REDEVELOPMENT AGENCY

in the Court, was published in said newspaper in the issues of

NOVEMBER 21, 2001

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 23RD day of **NOVEMBER**
by *Linda Y Murray* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

2001

Zoe Ann Moss

(Signature of Notary Public)

(Seal)

Zoe Ann Moss



NOTICE OF A PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, December 4, 2001 at 1:30 p.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S.1 North, St. Augustine, Florida, to consider adoption of the following ordinance:
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO REDEVELOPMENT; CREATING THE WEST AUGUSTINE REDEVELOPMENT TRUST FUND TO FINANCE THE WEST AUGUSTINE REDEVELOPMENT PLAN; PROVIDING FOR APPROPRIATION OF TAX INCREMENT REVENUES AND EXPENDITURES OF MONIES IN THE TRUST FUND; DELEGATING AUTHORITY TO THE WEST AUGUSTINE REDEVELOPMENT AGENCY TO ADMINISTER THE TRUST FUND; REQUIRING ANNUAL INDEPENDENT FINANCIAL AUDIT OF THE TRUST FUND; PROVIDING FOR SEVERABILITY, ORDINANCES IN CONFLICT, AN EFFECTIVE DATE.
The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the public hearing.
Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance.
If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 823-2501 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND,
ITS CLERK
By: Patricia DeGrande,
Deputy Clerk
L2514-1 Nov 21, 2001

COPY OF AD

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

HISTORIC PRESERVATION BOARDS

Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLEING MUSEUM OF ART

December 11, 2001

Honorable Cheryl Strickland
Clerk to Board of Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 10, 2001 and certified copies of Ordinance Nos. 2001-70 and 2001-71, which were filed in this office on December 11, 2001.

Sincerely,

Liz Cloud AK

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

ORDINANCE BOOK 27 PAGE 703

BUREAU OF ADMINISTRATIVE CODE

The Collins Building • 107 West Gaines Street • Tallahassee, Florida 32399-0250 • (850) 245-6270
FAX: (850) 245-6282 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us