

RESOLUTION #85- 162

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA MAKING FINDINGS AND DETERMINATIONS CONCERNING THE EXISTANCE AND REHABILITATION OF SLUMS OR BLIGHTED AREAS WITHIN ST. JOHNS COUNTY; FINDING A NEED FOR AND CREATING A PUBLIC BODY CORPORATE AND POLITIC TO BE KNOWN AS THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR LIBERALITY OF CONSTRUCTION AND FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND DIRECTING THE CLERK TO MAIL A CERTIFIED COPY OF THE RESOLUTION TO THE DEPARTMENT OF STATE.

WHEREAS, the Florida Legislature recently made the following findings and declarations (among others) concerning Blighted Areas and the need for Community Redevelopment Agencies:

1. 163.335(1) There exist in counties of the state blighted areas which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth and retards the provision of housing accommodations.
2. 163.335(2) Certain blighted areas, or portions thereof, may require acquisition, and disposition subject to use restrictions, and can be conserved and rehabilitated through appropriate public action as herein authorized and the cooperation and voluntary action of the owners and tenants of property in such areas.
3. 163.335(3) The powers conferred by Part III Chapter 163 Florida Statutes are for public uses and purposes for which money may be expended and the power of eminent domain and police power exercised, and the necessity in the public interest for such provisions in Part III Chapter 163 Florida Statutes is declared as a matter of legislative determination.
4. 163.335(4) The preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; the preservation and enhancement of such tax base is implicit in the purposes for which a taxing authority is established; and community redevelopment in such areas, when complete, will enhance such tax base and provide increased tax revenues to all affected taxing authorities increasing their ability to accomplish their other respective purposes; and

WHEREAS, the Florida legislature declared in part (FS: 163.345) that any county, to the greatest extent it determines to be feasible in carrying out the provisions of Part III Chapter 163 Florida Statutes,

shall afford maximum opportunity, consistent with the sound needs of the county as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprise. Any county shall give consideration to this objective in exercising its powers under Part III, including the formulation of a workable program; the approval of community redevelopment plans, the disposition of any property acquired and the provision of necessary public improvements, and

WHEREAS, there exists in St. Johns County many old and inadequate subdivisions that were recorded prior to the enactment of the County's subdivision regulations and that contain lots whose sizes are inadequate for sound and safe residential development, that contain poor or inadequate rights of ways for streets, utilities and drainage, that contain no mechanism for construction of necessary roads and drainage facilities; that contain lots owned by such diversity of ownership that coordinated planning is impractical if not impossible, and that contain one or more of the characteristics of a blighted area as determined by the Florida legislature.

NOW, THEREFORE, BE IT RESOLVED this 12 day of NOVEMBER, 1985 by the Board of County Commissioners of St. Johns County, Florida as follows:

Section 1. It is hereby found, determined and declared that:

- a) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in St. Johns County; and
- b) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of St. Johns County; and
- c) There is a need for a community redevelopment agency to function in St. Johns County to carry out the community redevelopment purposes of Part III of Chapter 163 Florida Statutes; and
- d) The recitals of fact and declarations contained in the "Whereas" paragraphs of this Resolution are accurate and apply to St. Johns County and are adopted hereby; and
- e) All Notices required by Florida Statute 163.346 pertaining to this Resolution have been provided.

Section 2. To the extent permitted by applicable law including Florida Statute 163.356, there is hereby created a public body corporate and politic to be known as the St. Johns County Community Redevelopment Agency. This Agency shall not be deemed to exist until and unless the Board of County Commissioners of St. Johns County shall also pass an Ordinance containing language purporting to create such Agency and appointing the members thereto. The Agency created by this Resolution and/or by a subsequent Ordinance of St. Johns County shall be one and the same.

Section 3. LIBERAL CONSTRUCTION AND SEVERABILITY:

The provisions of this Resolution shall be liberally construed to effectively carry out its intent and purpose. If any section, phrase, sentence or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not effect the validity of the remaining provisions hereof.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately.

Section 5. CLERK IS DIRECTED TO FILE A CERTIFIED COPY WITH THE DEPARTMENT OF STATE:

The Clerk is requested and directed to file a certified copy of this Resolution with the Department of State and to obtain receipt of official acknowledgment from that office that this Resolution has been filed.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Amy Walden*
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY: *Cheryl Kent*
Deputy Clerk