

RESOLUTION 2002- *241*

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA; REPEALING RESOLUTION 2002-47; RECOGNIZING SECTION 163.387(2)(a), FLORIDA STATUTES, WHICH REQUIRES CERTAIN SPECIAL DISTRICTS/TAXING AUTHORITIES TO APPROPRIATE TO A COMMUNITY REDEVELOPMENT AGENCY TRUST FUND CERTAIN SUMS FOR USE IN IMPLEMENTING APPROVED COMMUNITY REDEVELOPMENT PLANS; RECOGNIZING THE AUTHORITY GIVEN TO THE BOARD OF COUNTY COMMISSIONERS UNDER SECTION 163.387(2)(d)1, FLORIDA STATUTES, TO GRANT AN EXEMPTION FROM THE STATUTORY REQUIREMENT, EITHER IN ITS SOLE DISCRETION OR IN RESPONSE TO A REQUEST FROM A SPECIAL DISTRICT; ESTABLISHING A PROCEDURE BY WHICH A SPECIAL DISTRICT MAY SUBMIT A WRITTEN REQUEST FOR EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the Board of County Commissioners of St. Johns County in Resolution 2002-208 has established the St. Johns County Community Redevelopment Agency, previously named the West Augustine Community Redevelopment Agency; and

WHEREAS, the Board of County Commissioners of St. Johns County in Resolution 2002-208 declared itself to be the board of the St. Johns County Community Redevelopment Agency; and

WHEREAS, the Board of County Commissioners of St. Johns County in Resolution 2002-208 incorporated into the St. Johns County Community Redevelopment Agency the boundaries of the West Augustine Community Redevelopment Area previously established in Resolution 2000-146, and the boundaries of the Vilano Beach Community Redevelopment Area previously established in Resolution 2002-184, and the boundaries of the Flagler Estates Community Redevelopment Area previously established in Resolution 2002-185; and

WHEREAS, the Board of County Commissioners of St. Johns County in Resolution 2002-208 approved the community redevelopment plans for the Vilano Beach Community Redevelopment Area and the Flagler Estates Community Redevelopment Area, and reaffirmed the community redevelopment plan for the West Augustine Community Redevelopment Area; and

WHEREAS, the Board of County Commissioners of St. Johns County, in Ordinance 2002-64, amended previous Ordinance number 2001-70 which had established the West Augustine Community Redevelopment Agency Trust Fund, and created in Ordinance

2002-64 the St. Johns County Community Redevelopment Agency Trust Fund which incorporated within it as a separate account the previously named West Augustine Community Redevelopment Agency Trust Fund and renamed it to West Augustine Community Redevelopment Area Account, and established separate accounts within St. Johns County Community Redevelopment Agency Trust Fund for the Vilano Beach Community Redevelopment Area and the Flagler Estates Community Redevelopment Area, and provided for the establishment within the St. Johns County Community Redevelopment Agency Trust Fund of additional separate community redevelopment accounts for additional community redevelopment areas and plans which may be established in the future; and

WHEREAS, section 163.387(1) and (2), Florida Statutes (2002), requires taxing authorities, unless specifically exempt under section 163.387(2)(c), to appropriate funds in a certain amount to a community redevelopment trust fund; and

WHEREAS, pursuant to section 163.387(2)(d), Florida Statutes (2002), the local governing body may grant an exemption to a special district from the statutory funding requirements pertaining to a community redevelopment agency trust fund, either in the sole discretion of the local governing body or in response to a request from a special district; and

WHEREAS, section 163.387(2)(d)1, Florida Statutes (2002) requires the local governing body to establish procedures by which a special district may submit a written request to be exempted from the statutory funding requirements pertaining to a community redevelopment agency trust fund; and

WHEREAS, in accordance with section 163.387(2)(d)1, Florida Statutes (2002), the Board of County Commissioners of St. Johns County hereby establishes procedures by which a special district may submit a written request for exemption from the statutory funding requirements pertaining to the community redevelopment trust fund.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, as follows:

1. The above 'Whereas' clauses are accepted as findings of fact and are incorporated by reference herein.
2. Previous Resolution Number 2002-47 is hereby repealed in order that the Board of County Commissioners may clarify and establish procedures by which a special district may submit a written request for exemption from the statutory funding requirements pertaining to the community redevelopment trust fund.
3. A special district may request an exemption from the statutory funding

requirements of section 163.387, Florida Statutes, pertaining to the community redevelopment trust fund by following the procedures set out below:

A. Submit by certified mail with 'return receipt requested' a written request for exemption by an authorized representative of the special district to the County Administrator of St. Johns County, P.O. Box 349, St. Augustine, Florida 32085-0349, or to any subsequent Post Office Box mailing address which may be assigned in the future to the County Administrator's Office of St. Johns County, Florida, and

B. Submit by certified mail with 'return receipt requested' a copy of the written request for exemption to the County Attorney's Office of St. Johns County, P.O. Box 1533, St. Augustine, Florida 32085-1533, or to any subsequent Post Office Box mailing address which may be assigned in the future to the County Attorney's Office of St. Johns County, Florida.

4. Upon receipt by the County of a special district's request for exemption under the above procedures, the Board of County Commissioners shall then follow the statutory procedures for review of said request as set out in section 163.387, Florida Statutes, as amended from time to time.

5. All written requests for exemptions from special districts which have been submitted prior to the effective date of this resolution are hereby deemed valid and shall be considered by the Board of County Commissioners pursuant to the procedures required under section 163.387, Florida Statutes.

6. This Resolution shall take effect immediately upon passage by the Board of County Commissioners of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 5th day of November, 2002.


BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James Bryant, Chairman



ATTEST: CHERYL STRICKLAND, CLERK

RENDITION DATE 11-12-02

By:   
Deputy Clerk

Effective Date: 11-5-02