

**RESOLUTION NO. 2003-182**

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA THAT RESCINDS ST. JOHNS COUNTY RESOLUTION NO. 90-201 WHICH CREATED A COMMUNITY REDEVELOPMENT AGENCY; FINDING THAT RESOLUTION NO. 90-201 IS NO LONGER NECESSARY DUE TO CREATION IN 2002 OF THE CURRENTLY UTILIZED ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS:**

**WHEREAS**, on November 13, 1990, the Board of County Commissioners of St. Johns County, Florida adopted Resolution 90-201, which found the existence of blighted areas within the County and the need for a community redevelopment agency; and

**WHEREAS**, Resolution 90-201 created a community redevelopment agency contingent upon the condition that an Ordinance would also be passed which would create a community redevelopment agency and which would appoint a board of commissioners to the agency; and

**WHEREAS**, simultaneous with the adoption of Resolution No. 90-201, the Board of County Commissioners enacted Ordinance 90-67 which created the St. Johns County Community Redevelopment Agency and which appointed a Board of Commissioners to the St. Johns County Community Redevelopment Agency; and

**WHEREAS**, no trust fund or similar account was ever established relating to the St. Johns County Community Redevelopment Agency established in 1990; and

**WHEREAS**, no revenues were received relating to the St. Johns County Community Redevelopment Agency established in 1990; and

**WHEREAS**, the community redevelopment agency created by Resolution 90-201 and Ordinance 90-67 in effect dissolved, but Resolution 90-201 was not rescinded and Ordinance 90-67 was not repealed; and

**WHEREAS**, in 2002, the Board of County Commissioners created the St. Johns County Community Redevelopment Agency in Resolution 2002-208 and included the boundaries of the West Augustine Community Redevelopment Area, the Flagler Estates Community Redevelopment Area, and the Vilano Beach Community Redevelopment Area; and

**WHEREAS**, in Ordinance 2002-64, the Board of County Commissioners established a trust fund for the St. Johns County Community Redevelopment Agency established by Resolution 2002-208, with separate accounts for each of the individual redevelopment areas; and

**WHEREAS**, Resolution 90-201 needs to be rescinded since the agency created therein no longer exists, and the St. Johns County Community Redevelopment Agency created in 2002 by Resolution 2002-208 is currently being fully utilized to enhance redevelopment within the County; and

**WHEREAS**, simultaneous with adoption of this resolution rescinding Resolution 90-201, Ordinance 90-67 is also being repealed.

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

1. The above Recitals are adopted as findings of fact and incorporated by reference herein.
2. For the reasons stated above, Resolution 90-201 is hereby rescinded, as the community redevelopment agency created thereby has been dissolved for many years and no trust fund or similar account was ever established.
3. This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida this 23 day of September, 2003.

**BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande  
Deputy Clerk

EFFECTIVE: 09-23-03

RESOLUTION #90-201

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 enacted Part III Chapter 163 Florida Statutes and 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, and substantially impairs or arrests sound growth and retards the provision of housing accommodations.
2. 163.35(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 actions as authorized under Part III Chapter 163 Florida Statutes 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;

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 a 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 13th day of November, 1990 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 in certain incorporated areas therein; 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 (the "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 a board of commissioners of the Agency. The Agency created by this Resolution and/or by a subsequent Ordinance of St. Johns County shall be one and the same and shall constitute a Florida Statute 163.356 community redevelopment agency.

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: Craig A. Hagan  
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Anna B. Mulligan  
Deputy Clerk

# 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 **SEVERABILITY/REPEAL**

**COMMUNITY REDEVELOPMENT AGENCY ST JOHNS COUNTY**

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

**AUGUST 28, 2003**

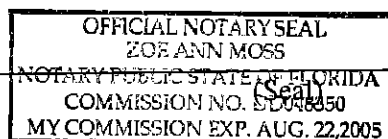
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 **28<sup>TH</sup>** day of **AUGUST** 2003

by *Linda Y Murray* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.

*Zoe Ann Moss*  
(Signature of Notary Public)

Zoe Ann Moss



COPY OF A

NOTICE OF 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 public hearings on Tuesday, September 23, 2003 at 9:00 a.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 ST. JOHNS COUNTY, FLORIDA THAT REPEALS ST. JOHNS COUNTY ORDINANCE NO. 90-67 WHICH CREATED A COMMUNITY REDEVELOPMENT AGENCY AND THAT IS NO LONGER NEEDED TO PROVIDE FOR CREATION OF THE CURRENTLY UTILIZED ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 desires 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) 823-2505 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  
L1866-J Aug 28, 2003