

City of Dade City

AGENDA MEMO

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Creation of Community Redevelopment Area No. 2
Date: January 28, 2009

It is requested that the City Commission consider the following information and recommendation(s):

BACKGROUND:

Pursuant to Chapter 163, Florida Statutes, in order to “expand” an existing Community Redevelopment Area, the Redevelopment Advisory Committee (RAC) must consider the expansion and recommend same to the Community Redevelopment Agency. The CRA then shall consider the expansion and, if they vote to proceed with a proposed “expansion”, they must forward the details of the “expansion” in writing to all the area taxing authorities. Pasco County then has 30 days to consider the proposal. As you may recall, the CRA voted in July 2008 to recommend the “expansion. In fact, the “expansion” will actually be considered a second, distinct and separate redevelopment district by the State of Florida. On August 8, 2008, certified letters were mailed to the appropriate representatives from Pasco County and the School Board indicating our desire to move forward with the “expansion”. All mailings were received and “green” cards returned. No response whatsoever was received from the School Board. Although City staff received some emailed questions from the County OMB office, no written objection or approval was ever received from the County. Pursuant to Chapter 163, then, if the County does not timely object, the City Commission must adopt a resolution setting forth a finding of necessity for the “expansion” following a public hearing.

ISSUES:

For the past several months, the RAC has been considering a proposal to “expand” the existing Community Redevelopment Area south to east Coleman Avenue, west to 4th Street and east to 8th Street. A map depicting the proposed area has been attached hereto for your reference. Also attached is a resolution previously approved by the RAC finding that additional area meeting the requirements of Chapter 163, Florida Statutes exists, setting forth findings of necessity, and recommending approval of the new area. Finally, the CRA has also recommended approval of the attached resolution creating Redevelopment Area No. 2. At this time, should the City Commission wish to move

forward with the new redevelopment area, a public hearing must be scheduled for final consideration of this matter.

ALTERNATIVES:

1. Approve proceeding with creation of a new redevelopment area and authorize staff to advertise the attached resolution and maps for the appropriate public hearing; or
2. Do not continue forward with the creation of a new redevelopment area and take no further action; or
3. Delay action on this matter; or
4. Direct staff to take some alternative action.

RECOMMENDATION:

Staff recommends Alternative 1 above.

FUNDING:

Funding for the advertisement of this matter in the amount of approximately \$300.00 has been previously budgeted in Account No. 001-5-161-515-49.10 Development Services, Legal Ads and Notices.

BY THE CITY COMMISSION

RESOLUTION NO.: 2008-0987

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA FINDING THAT ADDITIONAL AREAS MEETING THE REQUIREMENTS OF CHAPTER 163, PART III, FLORIDA STATUTES, EXIST IN THE CITY; SETTING FORTH FINDINGS PURSUANT TO SECTION 163.355, FLORIDA STATUTES THAT CREATION OF COMMUNITY REDEVELOPMENT AREA NO. 2 IS NECESSARY FOR THE REDEVELOPMENT AND REHABILITATION OF THE NEW AREA; DESCRIBING THE BOUNDARIES OF THE NEW AREA; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the State of Florida has enacted into law certain provisions set forth as the Community Redevelopment Act of 1969 found in Chapter 163, Part III, Florida Statutes, which provisions are designed to assist local government's community redevelopment efforts; and

WHEREAS, on February 13, 1996, the City Commission found a need for the creation of a Community Redevelopment Agency and, following the appropriate public hearing, established the Agency and the associated district; and

WHEREAS, the Dade City Redevelopment Advisory Committee has recently studied conditions in Dade City and determined that additional areas exist within the City that meet the definitions and requirements found in Sections 163.340 and 163.355, Florida Statutes; and

WHEREAS, conditions in this area also impair sound growth and the preservation of the tax base; and

WHEREAS, the Dade City Redevelopment Advisory Committee has held several public meetings and presented a recommendation of A new redevelopment area to the Community Redevelopment Agency; and

WHEREAS, the both the taxing districts of Pasco County and the Pasco County School Board were notified on August 8, 2008 by certified mail of the proposed new redevelopment area. Neither taxing authority has filed any objection as required by Chapter 163, Florida Statutes; and

WHEREAS, on February 10, 2009, the Community Redevelopment Agency (CRA) voted to recommend approval of the new redevelopment area to the City Commission.

NOW, THEREFORE, BE IT ENACTED by the City of Dade City, Florida as follows:

SECTION 1. That the City Commission of the City of Dade City, Florida accepts the recommendations of the Redevelopment Advisory Committee regarding the new redevelopment area, and adopts its recommendation as its Finding of Necessity pursuant to Section 163.355, Florida Statutes. The City Commission also accepts the recommendation of approval of the proposed area by the CRA on February 10, 2009.

SECTION 2. That the City Commission does hereby establish a new redevelopment district as a second, separate and distinct Community Redevelopment Area as depicted on Exhibit A and legally described on Exhibit B attached hereto and incorporated herein (the "Redevelopment District No. 2").

SECTION 3. That, following a public hearing, the City Commission finds that the redevelopment, conservation, and redevelopment of Redevelopment District No. 2 is necessary in the interest of the public health, safety, and welfare of the citizens of the City.

SECTION 4. That this resolution shall become effective as provided in the City Charter.

DONE AND RESOLVED by the City Commission of Dade City, Florida following public hearing on this ___ day of _____, 2009.

ATTEST:

CITY OF DADE CITY, FLORIDA

James D. Class, City Clerk

Scott Black, Mayor

Approved as to Legal Form and Sufficiency

Karla S. Owens, City Attorney