

Prepared at The Direction of The Entire City Commission

ORDINANCE NO. 99-0735

AN ORDINANCE OF THE CITY COMMISSION OF DADE CITY, FLORIDA, PURSUANT TO SECTION 163.387, FL. STAT.; PROVIDING FOR THE CREATION AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND FOR THE DADE CITY REDEVELOPMENT AREA AS SET FORTH IN ORDINANCE NO. 99-0734 OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA; PROVIDING FOR THE DURATION OF THE COMMUNITY REDEVELOPMENT PLAN; DESIGNATING THE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO SECTION 163.387(1), FL. STAT.; PROVIDING FOR ADMINISTRATION BY THE DADE CITY COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR EXPENDITURE OF FUNDS ON GENERAL PURPOSE GOVERNMENT BUILDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission (the "Commission") of Dade City has adopted Resolution No. 526 in which a finding of necessity for redevelopment was made relating to specific areas, all of which are located within the corporate boundaries of the City of Dade City; and

WHEREAS, said resolution describes the areas in which there exists conditions making said area eligible for designation under Chapter 163, Part III, Florida Statutes; and

WHEREAS, the Redevelopment Advisory Committee established by Resolution No. 538, has recommended that additional territory, not adopted in Resolution No. 526, be included within the community redevelopment area boundary; and

WHEREAS, the Commission desires to provide for the redevelopment of such areas, pursuant to the Community Redevelopment Act, as contained in Chapter 163, Part III, Florida Statutes; and

WHEREAS, on May 14, 1996, the Commission adopted Resolution 538 by which it declared itself the "Community Redevelopment Agency" and vested in itself all rights, powers, duties, privileges and immunities vested in a community redevelopment agency by Chapter 163, Florida Statutes; and

WHEREAS, due notice of this action has been provided to the public and each taxing authority which levies ad valorem taxes on taxable real property within the geographic boundaries of the Area; and

WHEREAS, the Commission has adopted Ordinance No. 99-0734, approving the Dade City Redevelopment Plan, pursuant to Florida Statute 163.360.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of Dade City, Florida, sitting in regular session, that:

Section 1. The terms contained in this Ordinance shall have the meanings set forth or referenced in Chapter 163, Part III, Fl. Stat.

Section 2. The Commission hereby establishes and creates, in accordance with the provisions of Section 163.387, Fl. Stat., a Community Redevelopment Trust Fund, hereinafter referred to as the "Fund", for the Dade City Redevelopment Area, herein referred to as the "Area", which fund shall be utilized and expended for the purposes of and in accordance with the Community Redevelopment Plan, entitled the Dade City Redevelopment Plan, hereinafter referred to as the "Plan".

Section 3. The funds to be allocated and deposited into the Fund are hereby appropriated to the Community Redevelopment Agency, hereinafter referred to as the "Agency", to finance projects within the Area, as authorized by this Ordinance and Ordinance 99-0734. Ordinance 99-0734 having been adopted and made a part of this Ordinance by reference. Said Area is defined and described in the Plan. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every Community Redevelopment purpose delegated to it in the aforementioned ordinance, and as provided in the Plan and as provided by law, with said Fund to exist for the duration of a project or projects undertaken by the Agency pursuant to the Plan and this Ordinance. Said funds shall be held by the City Clerk of the City of Dade City for and on behalf of the Agency and dispersed to the Agency in accordance with this Ordinance and state law.

Section 4. Pursuant to Section 163.370 (2)(a), Fl. Stat., the Commission does hereby authorize the allocation of funds and revenues paid into and earned by the Fund to construct or expand administrative buildings for public bodies or police and fire buildings, located within the Area.

Section 5. There shall be paid into the Fund each year by all taxing authorities, as defined in Section 163.340(2), Fl. Stat., within the Area, the incremental increase in the income, proceeds, revenues and funds of taxing authority, as calculated in accordance with Section 7 of this Ordinance and Section 163.387(1), Fl. Stat., based upon the base tax year set forth in Section 6 of this Ordinance.

Section 6. The most recent tax roll used in connection with the taxation of such property shall be the 1998 Tax Roll of Pasco County, Florida, and all deposits into the Fund shall begin in incremental increases from the tax rolls resulting in ad valorem tax revenues due subsequent to November 1, 1998 for the tax year January 1, 1999 through December 31, 1999, and subsequent years.

Section 7. Said tax increment shall be determined and appropriated annually, and shall be that amount equal to ninety-five percent (95%) of the difference between:

- a. That amount of ad valorem taxes levied each year by each taxing authority, exclusive of any debt service millage on taxable real property contained within the geographical boundaries of the Area; and
- b. That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of debt service millage, upon the total of the assessed value of the taxable property in the Area, as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authorities prior to the effective date of this Ordinance providing for the funding of the trust fund.

Section 8. All taxing authorities defined in Florida Statute 163.340(2), shall:

- a. Upon the adoption of this Ordinance providing for funding of the redevelopment trust fund as herein provided, each taxing authority shall, by January 1st of each year, appropriate to such trust fund so long as any indebtedness pledging increment revenues to the payment thereof is outstanding (but not to exceed 30 years) a sum which is no less than the increment as defined and determined in Section 7 of this Ordinance accruing to such taxing authority.
- b. Any taxing authority which does not pay the increment to such trust fund by January 1st shall pay to such trust fund an amount equal to five percent (5%) of the amount of the increment and shall pay interest on the amount of the increment equal to one percent (1%) for each month the increment is outstanding.

Section 9. The Fund shall be established and maintained as a separate trust fund account in the office of the City Clerk of the City of Dade City pursuant to this Ordinance, whereby the Fund may be promptly and effectively administered and utilized by the Agency expeditiously and without undue delay for their allocated statutory purpose.

Section 10. The tax increment shall be computed by using the assessed value of the taxable real property in the Area for the year of 1998 as the base, and in subsequent years using the assessed value of real property in the Area for that year as the second factor in determining the amount of tax increment accruing in that year.

Section 11. The Agency accepts full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the Fund, subject to the provisions of Section 3 of this Ordinance.

Section 12. Any and all ordinances or parts of ordinances in conflict herewith be, and the same are, hereby repealed.

Section 13. Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 14. This ordinance shall take effect in accordance with the City Charter.

The above and foregoing ordinance was read and passed on its first reading in open and regular session of the 11th day of May, A.D., 1999, in Dade City, Florida.

DADE CITY, FLORIDA

Charles B. McArthur
MAYOR

ATTEST:

James D. Class
CLERK

The foregoing Ordinance No. 99-0735 was read and passed on its second and final reading in open and regular session of the 25th day of May, A.D., 1999, in Dade City, Florida.

DADE CITY, FLORIDA

Charles B. McArthur
MAYOR

ATTEST:

James D. Class
CLERK

APPROVED AS TO FORM:

William F. Bunker
CITY ATTORNEY

THE TAMPA TRIBUNE
Published Daily
Tampa, Hillsborough County, Florida

State of Florida)
 County of Hillsborough) ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE PASCO EDITION

in the matter of _____

CITY OF DADE CITY

was published in said newspaper in the issues of _____

MAY 1, 1999

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper

J. Rosenthal

Sworn to and subscribed before me, this _____ day
 of _____ MAY _____, A.D. 1999

Personally Known _____ or Product Identification _____
 Type of Identification Produced _____

(SEAL)

Susie Lee Slaton

OFFICIAL NOTARY SEAL
 SUSIE LEE SLATON
 COMMISSION NUMBER
 CC639424
 MY COMMISSION EXP.
 APRIL 16, 2001



CITY OF DADE CITY
 MEETING OF THE
 PLANNING BOARD
 MEETING OF THE
 COMMUNITY
 REDEVELOPMENT AGENCY
 CITY COMMISSION
 PUBLIC HEARINGS FOR
 THE COMMUNITY
 REDEVELOPMENT PLAN
 ORDINANCE 99-0734
 AND ORDINANCE 99-0735
 REDEVELOPMENT TRUST
 FUND

The Dade City City Commission sitting as the City Planning Board will be holding a meeting on Tuesday, May 1, 1999 at 3:30pm, in the City Commission Chambers at 38020 Meridian Avenue in Dade City. The Board, pursuant to Chapter 163.360 (3) F.S., will be considering the conformity of the proposed Community Redevelopment Plan with the City's Comprehensive Plan.

Immediately following the Planning Board meeting, the City Commission will convene as the Community Redevelopment Agency to hold a public meeting to consider the proposed Community Redevelopment Plan, pursuant to Chapter 163.360 (3) F.S.

Immediately following the Community Redevelopment Agency meeting, the City Commission will convene. During the City Commission meeting, the Commission, pursuant to Chapters 163.360 (4), 163.387 and 164.041, F.S., will hold public hearings for first reading of Ordinance 99-0734 adopting the Community Redevelopment Plan and will hold a first reading of Ordinance 99-0735 adopting the Redevelopment Trust Fund. Second and final reading for both of these ordinances will take place at the City Commission meeting of Tuesday, May 25, 1999, in the City Commission chambers at 38020 Meridian Avenue in Dade City. Interested parties may appear at the public hearings and be heard with respect to the proposed ordinances.

ORDINANCE NO. 99-0734

AN ORDINANCE OF THE CITY COMMISSION OF DADE CITY, FLORIDA, PURSUANT TO FLORIDA STATUTE 161 PART 8; APPROVING AND ADOPTING THE DADE CITY REDEVELOPMENT PLAN; IMPLEMENTING ACTIONS TAKEN BY THE CITY COMMISSION OF DADE CITY IN RESOLUTIONS 524 AND 538; FURTHER IMPLEMENTING THE PROVISIONS OF FLORIDA STATUTE 161, PART 8; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR CAPITAL PROJECTS AND PROGRAMS TO BE IMPLEMENTED AS PART OF THE SAID REDEVELOPMENT PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 99-0735

AN ORDINANCE OF THE CITY COMMISSION OF DADE CITY, FLORIDA, PURSUANT TO FLORIDA STATUTE 161.041; PROVIDING FOR THE CREATION AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND FOR THE DADE CITY REDEVELOPMENT AREA AS SET FORTH IN ORDINANCE NO. 99-0734 OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA; PROVIDING FOR THE DURATION OF THE COMMUNITY REDEVELOPMENT PLAN; DESIGNATING THE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO FLORIDA STATUTE 161.041(1); PROVIDING FOR THE ADMINISTRATION BY THE DADE CITY COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR EXPENDITURE OF FUNDS ON GENERAL PURPOSE GOVERNMENT BUILDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The Community Redevelopment Area subject to these ordinances, is that area of downtown Dade City generally bounded on the south by Howard Avenue, bounded on the west by 10th Street, bounded on the north by Whitehouse Avenue and on the east by the U.S. 98 Bypass.

The general scope of the Redevelopment Plan is to set a framework and develop a list of projects intended to strengthen and revitalize the business, residential areas and public fabric of the redevelopment area. An analysis of existing conditions has been performed; redevelopment goals, and economic positioning strategy, town center concept, urban framework plan and implementation strategies are proposed in the Plan.

The proposed plan and ordinances may be amended.



PASCO COUNTY, FLORIDA

OFFICE OF THE COUNTY ATTORNEY

RECORDED
DEC 29 1999

Robert D. Sumner
County Attorney

Barbara L. Wilhite
Patricia J. Hakes
Edward B. Cole
Christian T. Van Hise
Debra M. Zampetti
W. Elizabeth Blair

December 27, 1999

Mr. Douglas Drymon
City Manager
City of Dade City
Post Office Box 1355
Dade City, Florida 33525

Re: Pasco County Ordinance No. 99-29

Dear Doug:

Enclosed for your review and file is a copy of Pasco County Ordinance No. 99-29 which authorizes annual funding for Dade City's Redevelopment Trust Fund.

Please do not hesitate to contact me if I can be of any further assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert D. Sumner".

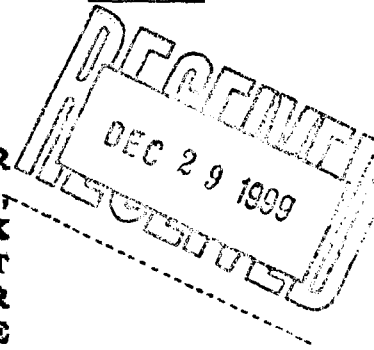
Robert D. Sumner
County Attorney

RDS:lp
Enclosure

BY COMMISSIONER _____

ORDINANCE NO. 99-29**AN ACT TO BE ENTITLED**

AN ORDINANCE AUTHORIZING ANNUAL FUNDING FOR DADE CITY'S REDEVELOPMENT TRUST FUND, ESTABLISHING CRITERIA FOR ANNUAL TAX INCREMENTS AND PROVIDING GUIDELINES PURSUANT TO FLORIDA STATUTE 163.387; PROVIDING FOR INCLUSION IN CODE, SEVERABILITY AND EFFECTIVE DATE AND FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING.



WHEREAS, on May 25, 1999, Dade City approved Ordinance 99-0734 establishing a Redevelopment Plan for its downtown area; and

WHEREAS, on May 25, 1999, Dade City approved Ordinance 99-0735, creating a community redevelopment trust fund to receive tax increment dollars for its downtown redevelopment area; and

WHEREAS, Section 163.370 (2)(a), F.S., authorizes expenditure of tax increment funds on public administrative buildings only if each taxing authority agrees to such expenditure; and

WHEREAS, Ordinance 99-0735, Section 4, specifically authorizes expenditure of city-generated tax increment funds to construct or expand administrative buildings for public bodies or police and fire buildings; and

WHEREAS, agreement of such expenditures will potentially provide funds for improvements to be made to public buildings within the redevelopment area.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida as follows:

SECTION 1 SCOPE

This Ordinance shall govern and provide authority for the Dade City Redevelopment Trust Fund.

SECTION 2 RECITAL

The whereas clauses set forth above are hereby incorporated by reference.

SECTION 3 AUTHORIZATION AND CRITERIA FOR ANNUAL FUNDING

(a) The redevelopment plan and trust fund for Dade City is hereby approved.

(b) The County shall annually pay to Dade City for deposit to the fund approved in this section a sum equal to the increment in the income, proceeds, revenues and funds of the county derived from or held in connection with the community redevelopment project area, for the use of Dade City's redevelopment agency in its undertaking and carrying out of the community development project plan which includes, but is not limited to, funding for public buildings. The increment shall be determined annually and the amount to be funded by the taxing authority shall be less than 95 percent of the difference between (1) and (2) but in no event less than 50 percent of such difference. Dade City shall obtain 94 percent of the difference between (1) and (2).

(1) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographical boundaries of the community redevelopment area; and

(2) The amount of ad valorem taxes which would have been produced by the rate upon which the taxes levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the community redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the appropriation to the trust fund.

(c) The county shall annually pay to Dade City the tax increment due the fund on or prior to January 1, 2000. The county's obligation to annually fund the redevelopment trust fund annually shall continue until all loans, advances, and indebtedness incurred as the result of the community redevelopment project have been paid (not to exceed 30 years), a sum that is no less than the increment as determined in subsection (b). In no year shall the county's obligation to the fund exceed the amount of that year's tax increment as determined in subsection (b). The county's increment contributions are to be accounted for as separate revenue within the fund, but may be combined with other revenues for the purpose of paying debt service.

(d) Copies of reports of audits required by F.S. § 163.387(8) shall be provided to the Board of County Commissioners each fiscal year.

SECTION 4 INCLUSION IN THE CODE.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of Pasco County Code, and that the Sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phase in order to accomplish such intentions.

SECTION 5 SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this ordinance shall be declared invalid, the remainder of this ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision, and shall not be affected by such holding.

SECTION 6 EFFECTIVE DATE.

A certified copy of this Ordinance shall be filed in the Office of the Department of State by the Clerk of the Board within ten (10) days of adoption, and shall take effect upon filing.

DONE AND ADOPTED this 21st day of December, 1999.



BY: Jed Pittman
JED PITTMAN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: Pat Mulieri
PAT MULIERI, Ed. P. Chairman

APPROVED

DEC 21 1999

APPROVED AS TO LEGAL FORM AND CONTENT
OFFICE OF THE COUNTY ATTORNEY

BY: [Signature]
Attorney

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF RECORD IN MY OFFICE. WITNESS MY HAND THE COUNTY'S OFFICIAL SEAL THIS 27th December 1999

JED PITTMAN, CLERK TO THE BOARD

BY: Jessica Hagen D.O.

