

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.10 CASSELBERRY COMMUNITY REDEVELOPMENT AGENCY

30.10.10

RESOLUTION NO. 98-R-181

SEMINOLE COUNTY, FLORIDA

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF AUGUST 25, 1998.

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, the City of Casselberry is a Florida municipal corporation which is wholly located within the jurisdictional boundaries of Seminole County; and

WHEREAS, with a common and united commitment to progressive and positive economic development for the benefit of the citizens of the City of Casselberry and unincorporated Seminole County, the City of Casselberry and Seminole County has over the past several years engaged in positive dialogue and communications in an effort to encourage vibrant economic development within the incorporated area of the City of Casselberry and the unincorporated areas of Seminole County; and

WHEREAS, pursuant to Section 163.410, Florida Statutes, Seminole County may delegate to the governing bodies of municipalities within Seminole County the exercise of such powers conferred upon Seminole County in Part III, Chapter 163, Florida Statutes, as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes, permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, by Resolution 95-R-255, dated November 14, 1995, and adopted pursuant to Section 163.410, Florida Statutes (1993), the Board of County Commissioners of Seminole County delegated to the City of Casselberry the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter, 163, Florida Statutes (1993), as amended, such powers specifically including the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with necessary appurtenant responsibilities, rights and authority as a governing body serving as a Community Redevelopment Agency pursuant to Part III, Chapter 163, Florida Statutes 91993), as amended; and

WHEREAS, the Board of County Commissioners of Seminole County in Resolution 95-R-255 set the following conditions upon the delegation of authority to the City of Casselberry in paragraph (c):

None of the "increment revenues" derived by Seminole County shall be appropriated by Seminole County or deposited in the Redevelopment Trust Fund in accordance with Section 163.3187, Florida Statutes (1994 Supplement), as amended by Chapters 95-147, 95-310, 95-322 and 95-

396, Laws of Florida. No Seminole County tax revenues, equivalent revenues, or any other County funds of any kind shall be used in any way to fund the Community Redevelopment Agency created by the City of Casselberry nor any of said Agency's programs or projects. In no event may the City of Casselberry pledge or assert any interest in any Seminole County revenues or funds.

and

WHEREAS, the City of Casselberry, acting in accordance with Resolution 95-R-255, established the Casselberry Community Redevelopment Agency which has been active in the rehabilitation of real property within its community redevelopment area; and

WHEREAS, in the time since the establishment of the Casselberry Community Redevelopment Agency, the Board of County Commissioners of Seminole County, acting in accordance with Part III, Chapter 163, Florida Statutes, has created the U.S. Highway 17-92 Corridor Community Redevelopment Agency for the purpose of rehabilitating blighted areas of the U.S. Highway 17-92 corridor throughout the unincorporated areas of Seminole County; and

WHEREAS, several cities within Seminole County, including the City of Casselberry by resolution, have concurred in Seminole County's U.S. Highway 17-92 Corridor Community Redevelopment Agency Redevelopment Plan; and

WHEREAS, the Board of County Commissioners of Seminole County now desires, in the spirit of continued cooperation in the redevelopment of the United States Highway 17-92 area, to participate in the City of Casselberry Redevelopment Plan,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA; THAT:

Pursuant to Section 163.410, Florida Statutes (1997), the Board of County Commissioners of Seminole County, Florida, acting for and on behalf of Seminole County, Florida, hereby modifies Resolution 95-R-255 of the Board of County Commissioners, the resolution which delegated to the City of Casselberry the authority to establish a community redevelopment agency, as follows:

1. The delegation of authority set forth in Resolution Number 95-R-255 is modified consistent with the provisions of this Resolution.

2. Notwithstanding any language to the contrary in Resolution 95-R-255, commencing in the tax year 1998, "increment revenues" derived by Seminole County for those properties located with the Casselberry Community Redevelopment Agency's redevelopment area shall be appropriated by Seminole County and deposited in the Casselberry Community Redevelopment Agency Trust Fund in accordance with Section 163.387, Florida Statutes (1997). Such increment revenues, when deposited into the Trust Fund, may be used by the Casselberry Community Redevelopment Agency in a manner consistent with its redevelopment plan and with general law. Any such funds may be pledged as collateral for the repayment of bond revenues, consistent with Part III, Chapter 163, Florida Statutes (1997) and general law. This funding shall continue

through the existing term of the Casselberry Redevelopment Plan, and the level of funding shall be at the maximum level established by the funding of the Trust Fund consistent with the provisions of State law and this delegation.

3. Any and all actions relative to the creation and implementation of the Community Redevelopment Agency shall be structured and configured in such a way as to facilitate the consolidation of the Community Redevelopment Agency and all of its projects and programs into any multi-jurisdictional or Countywide Community Redevelopment Agency that may be established in the future by Seminole County. The potential consolidation of the Community Redevelopment Agency authorized herein with other community redevelopment areas into a multi-jurisdictional community redevelopment agency shall be optional with regard to the City of Casselberry. To address that potential, all documents of creation and implementation of the Community Redevelopment Agency shall provide for the contingent future transfer of any and all projects, programs, assets, property, funds, obligations, and liabilities to Seminole County and/or a multi-jurisdictional or Countywide community redevelopment agency established by Seminole County; provided, however, that any funds on account at the time of termination, expiration, or dissolution of the City of Casselberry Community Redevelopment Agency, that are not encumbered or pledged as security for any indebtedness, shall be transferred to the City of Casselberry for use as the City of Casselberry deems fit, within the proposed City of Casselberry Central City District; provided, further, however, that any real or personal property that has been purchased with Community Redevelopment Agency funds shall become the property of the City of Casselberry unless pledged or encumbered.

4. If unincorporated properties within the Community Redevelopment Area Study Area voluntarily petition for annexation, it is the continued intent of Seminole County to require that all formal processes be accomplished relative to the inclusion of said properties into the Community Redevelopment Area.

5. The City of Casselberry shall and hereby does hold harmless and indemnify Seminole County from and against any losses or claims of any type or nature whatsoever resulting in any way from the creation of the Community Redevelopment Agency.

6. As to all activities of any type or nature of or by the Community Redevelopment Agency, the Community Redevelopment Agency shall hold harmless and indemnify the County from and against any losses or claims of any type or nature whatsoever. This condition shall not preclude the City of Casselberry from obtaining indemnification from the Community Redevelopment Agency.

7. This delegation is made at the request of the City of Casselberry and shall not be construed to represent the taking or acceptance of any obligation by Seminole County or the making of any required finding or action by Seminole County under Chapter 163, Florida Statutes, or any other law, rule, or regulation (except only as to Seminole County's consent that the City of Casselberry may create a community redevelopment agency pursuant to the terms and conditions hereof) relative to the creation of community redevelopment agencies or areas and any actions relating thereto.

8. Any action by the City of Casselberry or the Community Redevelopment Agency in conflict with the limitations and requirements stated herein shall immediately revoke and rescind the authorization and delegation to the full extent made in this Resolution.

9. Neither the City of Casselberry nor the Community Redevelopment Agency shall contest or challenge any provision, term, or condition of this Resolution or Resolution 95-R-255.

10. If any clause, paragraph, provision, sentence, term, condition, or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable, or otherwise contrary to law; then this Resolution shall be of no force, effect, or meaning and, to that end, this Resolution is non-severable. Other than as stated herein, Resolution No. 95-R-255 shall remain in full force and effect as originally written.

ADOPTED this 25th day of August, 1998.

AS AMENDED this 10th day of March, 2015.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-50 adopted March 10, 2015