



SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.15 SANFORD COMMUNITY REDEVELOPMENT AGENCY

30.15.15

RESOLUTION NO. 95-R-246

SEMINOLE COUNTY, FLORIDA

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF OCTOBER 24, 1995.

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

WHEREAS, pursuant to Section 163.410, Florida Statutes (1993), Seminole County may delegate to the governing bodies of municipalities within Seminole county, the exercise of such powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1993), as amended, as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes (1993), permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, the City of Sanford, a Florida municipal corporation which is wholly located within the jurisdictional boundaries of Seminole County, has adopted Resolution Number 95-1704 and has requested that Seminole County delegate to the City of Sanford, pursuant to Section 163.410, Florida Statutes (1993), the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1993), as amended, such powers to specifically include the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with necessarily appurtenant responsibilities, rights and authority as a governing body serving as a Community Redevelopment Agency under Part III, Chapter 163, Florida Statutes (1993), as amended; and

WHEREAS, a prior delegation occurred by means of the adoption of Resolution Number 93-R-181 by the Board of County Commissioners of Seminole County on June 8, 1993 (which was a modification of the delegation which occurred on July 10, 1990 pursuant to the adoption of Resolution Number 90-R-213 by the Board of County Commissioners of Seminole County); and

WHEREAS, insomuch as the City of Sanford has previously been delegated the authority to create a Community Redevelopment District over a certain area of property and has now requested that the delegation be modified to include an additional area into the jurisdictional limits of the Community Redevelopment Agency and insomuch as Board of County Commissioners of Seminole County have found and determined that the addition to the jurisdictional limits of the Community Redevelopment Agency would serve a public purpose and would be consistent with the goals, policies and objectives of the Seminole County Comprehensive Plan,



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

(1) The delegation of authority set forth in Resolution Number 93-R-181 is modified consistent with the provisions of this Resolution.

(2) Pursuant to Section 163.410, Florida Statutes (1993), the Board of County Commissioners of Seminole County, Florida, acting for and on the behalf of Seminole County, Florida, hereby delegates to the City of Sanford such authority, rights, and responsibilities conferred upon Seminole County pursuant to Part III, Chapter 163, Florida Statutes (1993), as amended, in order that the City of Sanford may create and establish a Community Redevelopment Agency within its municipal boundaries subject to the conditions and limitations set forth herein.

(3) The above delegation is subject to the following conditions:

(a) The delegation shall relate solely and exclusively to that certain real property described in Exhibits "A" and "B" attached hereto and made a part hereof.

(b) In accordance with Section 163.410, Florida Statutes (1993), the this delegation " ... shall confer only such powers ... as shall be specifically enumerated in [this] ... delegating resolution" and the City of Sanford shall be charged with and solely responsible for making any and all necessary findings relative to the actions taken with regard to the creation of a Community Redevelopment Agency and any and all actions taken subsequent to the creation of said Community Redevelopment Agency.

(c) The power delegated herein is the authority to create a Community Redevelopment Agency relating only to the property (the "Community Development Areas") described in: Exhibit "A" attached hereto, which subject properties relate to the area proximate to or a part of the Seminole Towne Center Mall in northwest Seminole County; and Exhibit "B" attached hereto, which description relates to a proposed City of Sanford Downtown Water-front District containing numerous parcels of property and is located in an area lying essentially along the shore of Lake Monroe or proximate thereto within the existing municipal limits of the City of Sanford. As to the Community Redevelopment Area described in Exhibit "B", if unincorporated properties within the Community Redevelopment Area Study Area voluntarily petition for annexation, it is the intent of Seminole County that all formal processes be accomplished relative to the inclusion of said properties into the Community Redevelopment Area.

(d) As to the Community Redevelopment Area described in Exhibit "A", the following provisions of Resolutions 93-R-181 and 90-R-213 shall specifically continue to govern: paragraph (b) of 93-R-181; and, paragraphs (c) through (f) of 90-R-213.

(e) As to the Community Redevelopment Area described in Exhibit "B", except for ninety-five percent (95%) of the "increment revenues" which shall be appropriated by Seminole County and by the City of Sanford and deposited in the Redevelopment Trust Fund in accordance with Section 163.387 (1994 Supplement), as amended, for a period not exceeding thirty (30) tax years, 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 Sanford nor any of said Agency's programs or projects. The City of Sanford may pledge its revenues to the Agency, but in no event shall pledge or assert any interest in any Seminole County revenues or funds.

(f) If the City of Sanford has not created an established the Community Redevelopment Agency as contemplated herein on or before December 31, 1995, including the enactment of an ordinance establishing a Redevelopment Trust Fund as to the Community Redevelopment Area described in Exhibit "B"; then the delegation set forth in this Resolution shall be deemed terminated and shall be of no further force or effect; provided, however, that the delegation relative to the lands described in Exhibit "A" to which Resolution Number 93-R-181, relates as set forth in that Resolution shall remain in effect consistent with its terms.

(g) Any proposed additional Community Redevelopment Areas or any proposed expansion of the Community Redevelopment Areas shall require that the City of Sanford seek and request an additional delegating resolution from Seminole County and, to that end, this delegating Resolution shall not be deemed or construed, in any way, as a general delegation by Seminole County nor a pledge of any Seminole County funds or revenues to be used by the City of Sanford, the Community Redevelopment Agency or within the Community Redevelopment Areas.

(h) Neither the City of Sanford nor the Community Redevelopment Agency shall contest or challenge any provision, term or condition of this Resolution, Resolution Number 93-R-181 or Resolution Number 90-R-213.

(i) The members of the Community Redevelopment Agency's governing board shall be appointed by the Sanford City Commission in the following manner; Three (3) members nominated by and appointed by the Sanford City Commission and two (2) members nominated by the Board of County Commissioners of Seminole County and appointed by the Sanford City Commission; provided, however, that such County nominees shall not make Seminole County a co-venturer or partner in any of the activities of the City of Sanford or the Community Redevelopment Agency.

(j) 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 Sanford. To address that potential, however, 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.

(k) The City of Sanford 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.

(l) 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 Sanford from obtaining indemnification from the Community Redevelopment Agency.

(4) Any action by the City of Sanford 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.

(5) This delegation is made at the request of the City of Sanford and shall not be construed to represent the taking on 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 (1993), as amended, or any other law, rule or regulation (except only as to Seminole County's consent that the City of Sanford may create a Community Redevelopment Agency pursuant to the terms and conditions hereof, the provisions of Paragraph (3)(e) on page 4 hereof, and consistency with the provisions of the Seminole County Comprehensive Plan) relative to the creation of community redevelopment agencies or areas and any actions relating thereto.

(6) 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 entire Resolution shall be of no force, effect or meaning.

(7) This resolution should not be construed to constitute County approval of the funding of an administrative building for any public body out of tax increment revenues.

ADOPTED this 24th day of October, 1995.

AS AMENDED this 23rd day of June, 2015.

*Note: Exhibit A and B are on record with the Clerk of the Circuit Court.

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-105 adopted June 23, 2015