

RESOLUTION NO. 88-269

RESOLUTION DELEGATING AUTHORITY AND POWERS CONFERRED UPON PINELLAS COUNTY BY THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, TO THE CITY OF PINELLAS PARK CITY COUNCIL FOR REDEVELOPMENT OF AN AREA IN THE CITY OF PINELLAS PARK WITHIN CERTAIN GEOGRAPHIC BOUNDARIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of Florida has enacted the Community Redevelopment Act of 1969, as amended, and codified as Part III, Chapter 163, Florida Statutes (the "Redevelopment Act"); and

WHEREAS, all powers arising through the Redevelopment Act were conferred by that Act upon counties which have adopted home rule charters, which counties in turn are authorized to delegate such powers to municipalities within their boundaries when such municipalities desire to undertake redevelopment within their respective municipal boundaries; and

WHEREAS, such authorization for counties with home rule charters to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes (1987), which states:

"Section 163.410. Exercise of Powers in Counties with Home Rule Charters - In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of the municipality to the governing bodies of such municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any powers not specifically delegated shall be reserved exclusively to the governing board of the County." and

WHEREAS, Pinellas County, Florida (the "County") and the City of Pinellas Park, Florida (the "City") mutually desire to increase the ad valorem tax base of the County and City; and

WHEREAS, the County finds that delegation of redevelopment powers and authority to the City under the Redevelopment Act is an appropriate vehicle to accomplish redevelopment within certain geographic boundaries in the City; and

WHEREAS, the City has identified an area suitable for

redevelopment under the Redevelopment Act (the "Redevelopment Area"); and

WHEREAS, the City found in its Resolution No. 88-7 adopted on May 17, 1988, and the County hereby finds that the area located in the City as described in Resolution No. 88-7 adopted by the City Council on May 17, 1988, and as described in Exhibit "A" attached hereto is in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, as follows:

1. That the City of Pinellas Park is hereby delegated all powers enumerated in Section 163.355 including but not limited to the power to make findings 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 the City.
 - 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 the City.
2. That as further delineated and defined within this Resolution the Board of County Commissioners of Pinellas County delegates to the City of Pinellas Park the powers and authority to conduct redevelopment activities in the area described in Exhibit "B" attached hereto, and to act as the Redevelopment Agency for said area.
3. That the City of Pinellas Park is hereby delegated all redevelopment power enumerated in Chapter 163, Part III, of the Florida Statutes within the area described in aforesaid Exhibit "B" including, but not limited to, the following:
 - A. Powers enumerated in Chapter 163.358, Florida Statutes, including, but not limited to:

- 1) The power to determine an area to be a slum or blighted area, or combination thereof, to designate such areas as appropriate for community redevelopment, and to hold any public hearings required with respect thereto.
 - 2) The power to prepare and grant final approval to community redevelopment plans and modifications thereof.
 - 3) The power to authorize the issuance of revenue bonds as set forth in Section 163.385.
 - 4) The power to approve the acquisition, demolition, removal, or disposal of property and the power to assume the responsibility to bear loss.
- B. Powers enumerated in Chapter 163.375, Florida Statutes, which include the power to acquire by Eminent Domain any interest in real property.
- C. The power to declare itself a redevelopment agency.
- D. All powers listed in Sections 163.350, 163.351, 163.360, 163.361, 163.365, 163.370, 163.380, 163.385, 163.387, 163.395 and 163.400 of the Florida Statutes.
- E. All powers listed in Sections 163.356 and 163.357 of the Florida Statutes as limited by paragraph 5 below.
4. That delegation of authority contained herein is subject to the Board of County Commissioners of Pinellas County retaining authority to:
- A. Review and approve the initial redevelopment plan prior to its implementation and also prior to its presentation to the Pinellas Planning Council; and
 - B. Review and approve the creation, operational

basis and debt service structure of the redevelopment trust fund prior to its implementation.

5. That the City of Pinellas Park shall not delegate any powers to a Community Redevelopment Agency. By way of explanation, the foregoing sentence means that the powers and authority to conduct redevelopment activities delegated by this Resolution shall be exercised solely by the elected officials constituting the City Council of the City of Pinellas Park, acting in their capacity as council members or as members of the Community Redevelopment Agency and that no separate redevelopment agency apart from the one consisting of the City Council members shall be delegated any powers by the City.

This Resolution shall become effective immediately upon its adoption.

Commissioner Rainey offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Greer and upon roll call the vote was:

AYES: Chesnut, Tyndall, Rainey, Todd and Greer.

NAYS: None.

ABSENT AND NOT VOTING: None.

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I, KATHLEEN F. DeBLASIS, Clerk of the Circuit Court and Clerk Escheator of the County of Pinellas, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official records of the Board of County Commissioners of Pinellas County, Florida.
Witness my hand and seal of said County, this 26th day of November, 1955.
KATHLEEN F. DeBLASIS, Clerk of the Circuit Court and Clerk Escheator of the County of Pinellas, Florida.
K. F. DeBlasis
Clerk