

ORDINANCE NO. 1277 - 2002

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT WITHIN THE ROCKLEDGE COMMUNITY REDEVELOPMENT AREA; IMPLEMENTING THE PROVISIONS OF THE COMMUNITY REDEVELOPMENT ACT OF 1969 (AS AMENDED); PROVIDING FOR THE FUNDING OF THE REDEVELOPMENT TRUST FUND TO FINANCE OR REFINANCE COMMUNITY REDEVELOPMENT WITHIN THE ROCKLEDGE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROPER USE OF TRUST FUND MONIES; PROVIDING FOR TRUST FUND ADMINISTRATION; PROVIDING FOR INDEPENDENT FINANCIAL AUDIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

**WHEREAS**, on January 23, 2002, the City Council of the City of Rockledge, Florida, adopted Resolution 2002-481 by which it found and declared that there existed in the City a blighted area more particularly described therein and designated the blighted area as a community redevelopment area (the "Community Redevelopment Area"); and

**WHEREAS**, the rehabilitation, conservation or redevelopment, or a combination thereof, of said blighted area is necessary and in the interest of and furthers the public health, safety, morals or welfare of the residents of the City of Rockledge in order to eliminate, remedy and prevent conditions of slum and blight; and

**WHEREAS**, the blighted area is appropriate for community redevelopment projects and the need exists for a community redevelopment agency to function in the City to carry out the community redevelopment purposes pursuant to Part III of Chapter 163, Florida Statutes (the "Community Redevelopment Act of 1969", as amended, or the "Act"); and

WHEREAS, the City Council declares itself the "Community Redevelopment Agency" in the City of Rockledge and vested in itself all rights, powers, duties, privileges and immunities vested in a community redevelopment agency by the Act; and

WHEREAS, the City Council hereby finds that the findings, determinations, declarations and actions set forth in the aforesaid resolution were and are supported by substantial evidence and were and are proper and that said findings, determinations, declarations and actions were and continue to be valid, and therefore the City Council does hereby readopt, ratify and reaffirm the findings, determinations, declarations and actions as set forth in said resolutions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings. The above recitals and the recitals set forth in Resolution No. 2002-481 of the Rockledge City Council represent and are hereby ratified, adopted and incorporated as legislative findings of the City Council relative to the provisions of this Ordinance.

SECTION 2. Definitions. The terms contained in this Ordinance shall have the meanings set forth in the Act.

SECTION 3. Establishment of the Redevelopment Trust Fund. Pursuant to Section 163.387 of the Act, there is hereby established a Redevelopment Trust Fund (the "Trust Fund") for the use and benefit of the Rockledge Community Redevelopment Agency. Funds allocated to and deposited in the Trust Fund shall be used by the Agency to finance or refinance any community redevelopment

activities it undertakes pursuant to the Rockledge Community Redevelopment Plan (the "Plan").

**SECTION 4. Funding of the Trust Fund.**

(a) For the duration of any community redevelopment project undertaken in the Community Redevelopment Area pursuant to the Act, the annual funding of the Trust Fund established by Section 3 shall be in an amount not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with its undertaking and carrying out of community redevelopment projects pursuant to the Act. Such increments shall be determined annually and shall be that amount equal to 95 percent of the difference between:

(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 Community Redevelopment Area; and

(2) The amount of ad valorem tax revenues which would have been produced by the rate upon which the tax is 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 ad valorem taxation of such property by each taxing authority prior to the effective date of this Ordinance.

(b) Pursuant to Section 163.387(2) of the Act, commencing upon the effective date of this Ordinance, each taxing authority shall, by January 1 of each year, appropriate to the

Trust Fund for so long as any indebtedness pledging increment revenues to the payment thereof is outstanding but not to exceed thirty (30) years a sum that is no less than the increment as defined and determined above, accruing to such taxing authority.

(c) Any taxing authority that does not pay the increment to the Trust Fund by January 1 shall pay to the 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 5. Use of Trust Fund Monies.** Monies in the Trust Fund may be expended from time to time for the following purposes when directly related to financing or refinancing of redevelopment in the Community Redevelopment Area pursuant to the approved and adopted Plan:

(1) Administrative and overhead expenses necessary or incidental to the preparation and implementation of the Plan adopted by the Agency;

(2) Expenses of redevelopment planning, surveys and financial analysis, including the reimbursement of the governing body or the Agency for such expenses incurred before the Plan was approved and adopted;

(3) The acquisition of real property in the Community Redevelopment Area;

(4) The clearance and preparation of any property located in the Community Redevelopment Area for redevelopment and relocation of site occupants as provided in Section 163.370 of

the Act;

(5) The repayment of principal and interest of any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness;

(6) All expenses incidental to or connected with the issuance, sale, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes or other form of indebtedness;

(7) The development of affordable housing within the area; and

(8) Any other purpose authorized by law.

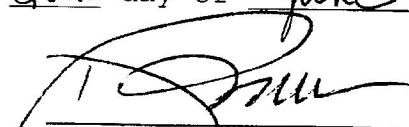
**SECTION 6. Trust Fund Administration.** The Trust Fund shall be maintained and administered as a separate account of the City for the use and benefit of the Agency, and unexpended monies deposited therein shall be invested in any lawful manner in which other City funds may be invested, subject to such direction as may be given by resolution of the City Council from time to time.

**SECTION 7. Independent Financial Audit.** The Agency shall provide for an independent financial audit of the Trust Fund each fiscal year and shall issue a report of such audit. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Trust Fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The Agency shall provide a copy of the report to each taxing authority.

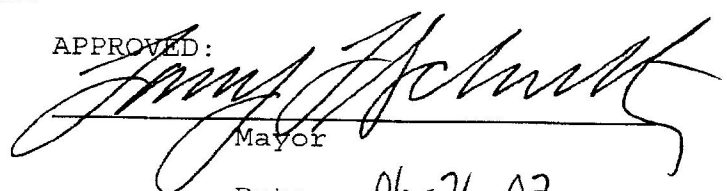
SECTION 8. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

SECTION 9. This Ordinance shall become effective immediately upon approval of the same by the Mayor; or, in the event this Ordinance is vetoed by the Mayor and such veto is overridden by the City Council, it shall become effective immediately upon such veto being overridden; or, in the event this Ordinance is neither approved nor vetoed by the Mayor, it shall become effective ten days after the date of its adoption.

ADOPTED at a regular meeting of the City Council of the City of Rockledge, Florida, this 26th day of June, 2002.

  
\_\_\_\_\_  
Chairman, City Council of the  
City of Rockledge, Florida

ATTEST:  
  
\_\_\_\_\_  
City Clerk

APPROVED:  
  
\_\_\_\_\_  
Mayor

Date: 06-26-02  
Hour: 7:05 pm

1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_



# CITY OF ROCKLEDGE

P. O. Box 560488 ✦ Rockledge, FL 32956-0488

## NOTICE OF PROPOSED ENACTMENT OF CITY OF ROCKLEDGE ORDINANCE AND PUBLIC HEARING WITH RESPECT THERETO

Please take notice that at a special meeting of the Rockledge City Council to be held on June 26, 2002, in the Council Chamber of the Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida, commencing at 7:00 p.m., the Rockledge City Council proposes to enact the following entitled ordinance, to-wit:

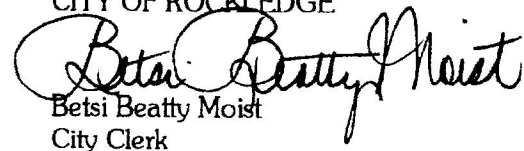
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The proposed ordinance may be inspected by the public at the office of the City Clerk, Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

All interested parties are hereby advised that they may appear at said meeting and be heard with respect to the proposed ordinance.

ALL PERSONS AND PARTIES ARE HEREBY ADVISED THAT IF THEY SHOULD DECIDE TO APPEAL ANY DECISIONS MADE BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC MEETING OR HEARING IN THIS NOTICE, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, SAID PERSON OR PARTY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

CITY OF ROCKLEDGE

  
Betsi Beatty Moist  
City Clerk

### CITY HALL

1600 Huntington Lane  
Rockledge, FL 32955  
Telephone 321-690-3978  
Fax 321-690-3987

### BUILDING DIVISION

1600 Huntington Lane  
Rockledge, FL 32955  
Telephone 321-690-3984  
Fax 321-690-6481

### FIRE & EMERGENCY

#### SERVICES DEPT.

1800 Rockledge Blvd.  
Rockledge, FL 32955  
Telephone 321-690-3968  
Fax 321-634-3592

### POLICE DEPT.

123 Barton Boulevard  
Rockledge, FL 32955  
Telephone 321-690-3988  
Fax 321-690-3996

### PUBLIC WORKS DEPT.

1400 N. Garden Road  
Rockledge, FL 32955  
Telephone 321-690-3961  
Fax 321-690-3965

### WASTEWATER TREAT-

#### MENT & WATER

### RECLAMATION DEPT.

1700 Jack Oates Blvd.  
Rockledge, FL 32955  
Telephone 321-690-3975  
Fax 321-690-3998



Published Daily

STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared MAUREEN FARR who on oath says that she is LEGAL ADVERTISING CLERK

of the FLORIDA TODAY, a newspaper published in Brevard County, Florida; that the attached copy of advertising being a LEGAL NOTICE

(AD#855784) the matter of CITY OF ROCKLEDGE

in the Court NOTICE OF PROPOSED ENACTMENT

was published in the FLORIDA TODAY

in the issues of JUNE 15, 2002

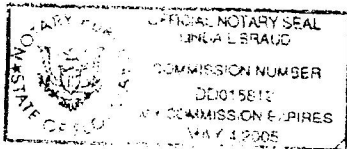
Affiant further says that the said FLORIDA TODAY

is a newspaper in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above, and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard 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, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Maureen Farr (Signature of Affiant)

Sworn to and subscribed before this this 15TH DAY OF JUNE, 2002

Linda L. Braud (Signature of Notary Public)



LINDA L. BRAUD (Name of Notary Typed, Printed or Stamped)

Personally Known or Produced Identification

Type Identification Produced

AD#855784-6/15/2002

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