RESOLUTION NO. 96-M-17
COMMUNITY REDEVELOPMENT RESOLUTION FOR THE TOWN OF EATONVILLE.

WHEREAS, the Community Redevelopment Act of 1969, as codified in Part III of Chapter 163, Florida Statutes, empowers counties and municipalities to undertake community redevelopment in order to eliminate, remedy or prevent slums and blighted areas and to provide affordable housing; and

WHEREAS, the Town of Eatonville, Florida (the “Town”) has determined that the entire town would benefit from community redevelopment in that one or more slum or blighted area or areas in which there is a shortage of housing affordable to residents of low or moderate income exist throughout the Town; and

WHEREAS, the Town has determined that there is a need for a community redevelopment agency to function within the Town in order to carry out community redevelopment; and

WHEREAS, under Section 163.410, Florida Statutes, in any county which has adopted a home rule charter, the powers conferred by the Community Redevelopment Act of 1969 are to be exercised exclusively by the governing body of such county unless the governing body of such county, by resolution, specifically delegates the exercise of such powers within the corporate boundaries of a municipality to the governing body of such municipality; and

WHEREAS, since Orange County has adopted a home rule charter, it is necessary for the Town Council of the Town of Eatonville, Florida, to obtain a delegation of the powers conferred upon Orange County by the Community Redevelopment Act of 1969 so that the Town may exercise the authority and privileges conferred by such act within the community redevelopment area boundaries of the Town; and

WHEREAS, Section 163.410, Florida Statutes (1995), permits such delegation to be made subject to such conditions and limitations as Orange County may impose; and

WHEREAS, in October 1995, the Town requested that Orange County delegate to the Town the right and authority to exercise certain powers, such powers to specifically include the power to create a Community Redevelopment Agency (“CRA”) as part of the municipal public body or taxing authority, under Part III, Chapter 163, Florida Statutes (1995); and

WHEREAS, the Board of County Commissioners (the “Board”) determined that it was interested in delegating community redevelopment powers to the Town of Eatonville
because there are problems of blight within its designated district.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. **Creation of Community Redevelopment Agency: Boundaries of Community Redevelopment Area.**
   
   a. The Town is hereby delegated, subject to the restrictions set forth herein, the power to create, or in the alternative the governing body of the Town may declare itself to be, a Community Redevelopment Agency relating only to the area of the Town of Eatonville described in the attached Exhibit “A”, and hereafter referred to as the “Community Redevelopment Area.” The membership of the Community Redevelopment Agency may, at the Board of County Commissioner’s sole discretion, include one person appointed by the Board. If the Town Council declares itself to be the Community Redevelopment Agency, it shall add to the membership of the agency that person appointed by the Board.
   
   b. The boundaries of the Community Redevelopment Area may not be expanded without the further express consent of the Board evidenced by an additional delegating resolution. The Community Redevelopment Agency may contract the boundaries of the community redevelopment area, removing up to but not exceeding ten (10%) percent of the total original area, without the Board’s consent.

2. **Community Redevelopment Plan.**
   
   a. The Town is hereby delegated the power to adopt a resolution in accordance with Section 163.355, Florida Statutes, and to prepare (or to have prepared) a
community redevelopment plan (the “Plan”) in accordance with Section 163.360, Florida Statutes, provided that the Board expressly retains the power to review and approve such Plan, either as prepared by the Town or Community Redevelopment Agency. The Plan shall not take effect until such time as the Board has approved it, as evidenced by an approving resolution of the Board.

b. As contemplated or implied by Sections 163.360, 163.362, and other pertinent sections of Florida Statutes, the Plan shall set forth with specificity:

1. the capital projects to be funded by the City in whole or in part with tax increment revenues;
2. the location and estimated cost of each such capital project;
3. the nature, size, design, and other descriptive elements of each such project; and
4. the schedule or estimated timing of each project.

c. The Town may not expend any tax increment revenues deposited by the County in the Community Redevelopment Trust Fund until the Plan has been approved by the Board and adopted by the Community Redevelopment Agency in accordance with Section 163.360, Florida Statutes, and for that purpose the fund shall contain separate accounts segregating County deposits from all other deposits. However, notwithstanding the foregoing, the Town may expend increment revenues necessary for the development of the Plan.

d. After its approval by the Board, the Plan shall not be amended without the express consent of the Board, as evidenced by an approving resolution, and the
Town shall not deviate substantially from the projects set forth in the Plan (including their nature, size, design, location, schedule and estimated cost) without an amendment to the Plan.

3. **Delegation of Powers.** Upon approval of the Plan by the Board, the Town shall be deemed to have been delegated all other powers necessary or convenient to carry out and effectuate the purposes and provisions of Part III of Chapter 163 of Florida Statutes, including the powers set forth in Section 163.370 of Florida Statutes.

4. **Liability.** Nothing contained herein shall impose any liability upon Orange County for any acts of the Town or the Community Redevelopment Agency.

5. **Financing.**

a. The CRA may issue revenue bonds pursuant to Section 163.385, Florida Statutes, provided that the CRA first obtains Board approval of (i) the projects to be funded by the bonds, (ii) the principal amount of the bonds to be issued, and (iii) the maturity schedule and interest rates for the bonds to be issued.

b. The issuance of revenue bonds shall not create a pledge of the faith and credit of Orange County, but shall be payable solely from the tax increment revenues generated from the community redevelopment area plus any other non-ad valorem revenues expressly approved by the Board.

c. Any extension of the maturity of the bonds and any increase in the interest rates for the bonds, whether as part of an issuance of refunding bonds or otherwise, shall be prohibited without the express consent of the Board.

6. **Sunset Provision.** Unless the Board expressly approves otherwise, this
resolution and any amendments or supplements hereto, as well as the Plan and the existence of a separate Community Redevelopment Agency, if any, shall expire and terminate on January 1, 2027. Furthermore, this resolution shall be deemed repealed and of no further effect if the Board has not received and approved the Plan on or before July 1, 1997.

7. **Severability.** The provisions of this Resolution are not severable. If any part of this instrument is held invalid by a court of law or is superseded by any existing or future statute, this Resolution shall be deemed void and of no further effect.

8. **Interlocal Agreement.** This Resolution shall expire and be of no further effect if, as of April 1, 1997, the Town and Orange County have not entered into an interlocal agreement under which the Town is obligated by contract to rebate back to the County each year, as consideration for its willingness to delegate the powers described herein, the following portion of the amount deposited by the County in the Community Redevelopment Trust Fund pursuant to Section 163.387 of Florida Statutes for the particular year:

   a. 30% of the amount in excess of $1,000,000 but less than or equal to $2,000,000, plus
   b. 50% of the amount in excess of $2,000,000.

9. **Effective Date.** This Resolution shall take effect immediately upon its adoption.
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, THIS 1st DAY OF March, 1996.

ORANGE COUNTY, FLORIDA

BY: ____________________________
   County Chairman

DATE: MAR 26 1996

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

BY: ____________________________
   Deputy Clerk

jinvordres/estmora.wpd
Beginning nine hundred and ninety-one and eleven hundredths (991.11) feet north of the southwest corner of the northwest quarter of Section Thirty-five (35), Township Twenty-one (21) south of Range Twenty-nine (29) East; run thence south a distance of 1,924.51 feet, thence run west a distance of 466.70 feet, thence run north a distance of 20.00 feet; thence run west a distance of 421.48 feet; thence run North 2° 15' 40" west, a distance of 438.23 feet to the SE corner of the Ben Hill Property; thence run west a distance of 320.77 feet to the west line of the NE ¼ of the SE ¼ of Section 34, Township 21 South, Range 29 East; thence run South 2° 14' 40" east a distance of 438.41 feet to the NW corner of Catalina Park Subdivision; thence run South 1° 48': 14" east a distance of 373.60 feet; thence run South 89° 39' 16": East a distance of 1,196.78 feet to the southeast corner of the NE ¼ of the SE ¼ of said Section 34, thence run South 0° 01' 57" east a distance of 1,289.5 feet to the southeast corner of said Section 34, Township 21 South, Range 29 East, thence run east along the south line of Section 35, thence east a distance of 660 feet along the south line of Section 36, Township 21 South, Range 29 East, thence run north a distance of 3,631.11 feet to a point 662 feet east of the east line of said Section 35, thence run west to the point of beginning.