

AN ORDINANCE OF THE CITY OF DUNNELLO, FLORIDA AMENDING THE CITY OF DUNNELLO COMMUNITY REDEVELOPMENT PLAN TO INCORPORATE ADDITIONAL LANDS INTO THE COMMUNITY REDEVELOPMENT AREA IN ACCORDANCE WITH THE FINDING OF NECESSITY ADOPTED BY THE CITY OF DUNNELLO THROUGH RESOLUTION NO. 2011-03 (KNOWN AS AND REFERRED TO AS THE 2011 COMMUNITY REDEVELOPMENT EXPANSION AREA), AND AMENDING THE CODE OF ORDINANCES SECTION 86-44 TO PROVIDE FOR THE FUNDING OF THE REDEVELOPMENT TRUST FUND FOR AN AREA WITHIN THE CITY OF DUNNELLO COMMUNITY REDEVELOPMENT AREA KNOWN AND REFERRED TO AS THE 2011 COMMUNITY REDEVELOPMENT EXPANSION AREA; MAKING FINDINGS; DETERMINING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF TAXABLE REAL PROPERTY IN THE 2011 COMMUNITY REDEVELOPMENT EXPANSION AREA FOR PURPOSES OF CALCULATING THE AMOUNT OF INCREMENT REVENUES TO BE PAID EACH FISCAL YEAR BY EACH TAXING AUTHORITY; PROVIDING THAT THIS ORDINANCE IS SUPPLEMENTAL TO AND DOES NOT SUPERSEDE THE PROVISIONS OF ORDINANCE 00-03 OR SECTION 86-44, CODE OF ORDINANCES UNLESS SPECIFICALLY STATED HEREIN; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature duly enacted Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act") establishing the conditions and procedures for the establishment or expansion of community redevelopment areas and agencies; and finding that areas or portions thereof which are deteriorating or economically distressed could be revitalized and redeveloped in a manner that will vastly improve the economic and social conditions of the community; and

WHEREAS, the City of Dunnellon established a Community Redevelopment Area pursuant to Chapter 163, Part III, Florida Statutes with the adoption of Resolution 93-11 and created a Community Redevelopment Trust Fund with the adoption of Ordinance 00-03; and

WHEREAS, the City of Dunnellon previously expanded the Community Redevelopment Area with the adoption of Resolution 2001-10; and

WHEREAS, the City of Dunnellon held a Community Redevelopment Agency meeting on October 20, 2010 to consider the need for expanding the Community Redevelopment Area in the City of Dunnellon; and

WHEREAS, the City of Dunnellon commissioned Kimley-Horn and Associates, Inc. to prepare an independent finding of necessity analysis of the City; and

WHEREAS, the City of Dunnellon Community Redevelopment Agency, following an advertised public workshop meeting on October 20, 2010, reviewed the independent Community Redevelopment Area Finding of Necessity Report 2010 prepared by Kimley-Horn and Associates, Inc., considered public input, the recommendation of the staff, and the standards and guidelines of Chapter 163, Part III, and agreed to proceed with consideration to expand the City's community redevelopment area; and

WHEREAS, the City of Dunnellon City Council considered the recommendations of the Community Redevelopment Agency on October 20, 2010 and agreed to allow the City Manager to proceed with the required steps to formally consider the Finding of Necessity Report pursuant to Chapter 163, Part III; and

WHEREAS, pursuant to Section 163.346, Florida Statutes, the City of Dunnellon provided public notice of its intent to consider adopting a resolution declaring a finding of necessity for expansion of the City of Dunnellon Community Redevelopment Area at least fifteen (15) days before such proposed action by registered mailed notice to each taxing authority which levies ad valorem taxes on real property contained within the geographic boundaries of the proposed expansion of the redevelopment area and in compliance with the notice requirements set forth in Section 166.041(3)(a), Florida Statutes; and

WHEREAS, conditions are present which are detrimental to the sound growth of the City of Dunnellon Redevelopment Area expansion and which substantially impair or arrest appropriate growth within the area, and present conditions and uses which are detrimental to the public health, safety, morals and public welfare; and

WHEREAS, by a Resolution adopted by the City Council of the City of Dunnellon, Florida on February 14, 2011, it was determined that in addition to areas within the City of Dunnellon previously found by the City to qualify as a redevelopment area pursuant to Chapter 163, Part III, Florida Statutes, there are one or more areas existing within the City that meet the criteria described in Section 163.340 (7) or (8), and that 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; and

WHEREAS, it is appropriate to amend the boundaries of the Community Redevelopment Area to incorporate the 2011 Community Redevelopment Expansion Area as fully described in Exhibit "A" attached hereto and made a part hereof (the "2011 Community Redevelopment Expansion Area");

WHEREAS, the City Council of the City of Dunnellon, Florida finds that the expansion of the Dunnellon Community Redevelopment Area to include the 2011 Community Redevelopment Expansion Areas is consistent with and furthers the City of Dunnellon Comprehensive Plan; and

WHEREAS, in order to finance community redevelopment within the 2011 Community Redevelopment Expansion Area it is necessary that Section 86-44 of the City of Dunnellon Code of Ordinances as originally enacted by Ordinance 00-3 that created the redevelopment trust fund be amended to provide for the calculation and payment of increment revenues attributed to the 2011 Community Redevelopment Expansion Area; and

WHEREAS, pursuant to Section 163.387, Florida Statutes, moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan for the following purposes, including, but not limited to:

- (a) Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency.
- (b) Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the governing body or the community redevelopment agency for such expenses incurred before the redevelopment plan was approved and adopted.
- (c) The acquisition of real property in the redevelopment area.
- (d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants within or outside the community redevelopment area as provided in Section 163.370, Florida Statutes.
- (e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.
- (f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness.
- (g) The development of affordable housing within the community redevelopment area.
- (h) The development of community policing innovations; and

WHEREAS, pursuant to Section 163.346, Florida Statutes, the City of Dunnellon provided public notice of its intent to consider adopting an ordinance amending the boundaries of the Dunnellon Community Redevelopment Area to include the 2011 Community Redevelopment Expansion Area and to amend the Redevelopment Trust Fund to provide for the calculation and payment of increment revenues attributed to the 2011 Community Redevelopment Expansion Area at least fifteen (15) days before such proposed action by registered mailed notice to each taxing authority which levies ad valorem taxes on real property contained within the geographic boundaries of the proposed expansion of the redevelopment area and in compliance with the notice requirements set forth in Section 166.041(3)(a), Florida Statutes; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF DUNNELLON, FLORIDA AS FOLLOWS:

1st Draft for Council 06/08/2011

Section 1. Recitals. The above recitals and those as set forth in Resolution No. 2011-03 are true and correct, are hereby accepted as legislative findings of fact, and incorporated into this Ordinance by this reference. Furthermore, the City Council finds that the notices required by Section 163.346, Florida Statutes, have been timely mailed or published, as applicable, in accordance with such statute.

Section 2. Community Redevelopment Plan. The Dunnellon Community Redevelopment Plan is hereby amended to incorporate the 2011 Community Redevelopment Expansion Area as defined in Exhibit "A" attached hereto, being a graphic depiction of the 2011 Community Redevelopment Expansion Area and by reference the parcel numbers of the included parcels as found in the public records of the Marion County Property Appraiser and recited therein. Pursuant to the requirements of Section 163.362, Subsection (10), Florida Statutes the time certain for completing all redevelopment financed by the increment revenues shall occur no later than 30 years after the fiscal year in which this plan amendment is approved.

Section 3. 2011 Community Redevelopment Expansion Area Redevelopment Trust Fund. Section 86-44 of the City of Dunnellon Code of Ordinances entitled "Redevelopment Trust Fund," is hereby amended to add subsections (f) through (k) as follows, and to add the boundaries of the 2011 Community Redevelopment Expansion Area to the area in which increment revenues are calculated and required to be paid into the Redevelopment Trust Fund:

(f) The moneys to be allocated to and deposited into the Redevelopment Trust Fund attributed to the 2011 Community Redevelopment Expansion Area shall be used to finance "community redevelopment" within the Community Redevelopment Area, as may be amended from time to time in accordance with Chapter 163, Part III, Florida Statutes, which shall utilize the funds and revenues paid into and earned by the Redevelopment Trust Fund for community redevelopment purposes as provided in the Community Redevelopment Plan and as permitted by Chapter 163, Part III, Florida Statutes. Moneys shall be held in the Redevelopment Trust Fund by the City for and on behalf of the Community Redevelopment Agency and disbursed from the Redevelopment Trust Fund as provided by Chapter 163, Part III, Florida Statutes.

(g) There shall be paid into the Redevelopment Trust Fund each year by each of the "taxing authorities" (as that term is defined in Section 163.340, Florida Statutes) levying ad valorem taxes within the 2011 Community Redevelopment Expansion Area a sum equal to ninety-five percent (95%) of the incremental increase in ad valorem taxes levied each year by that taxing authority as calculated in accordance with subsection (i) of this Section and Chapter 163, Part III, Florida Statutes based on the tax year established in subsection (i) (such annual sum being hereinafter referred to as the "increment revenues").

(h) The most recent assessment roll used in connection with the taxation of real property in the 2011 Community Redevelopment Expansion Area by each taxing authority prior to the effective date of this Ordinance shall be the preliminary ad valorem tax roll of Marion County, Florida reflecting valuation of real property for purposes of ad valorem taxation as of January 1, 2011 (the "base year value" for the 2011 Community Redevelopment Expansion Area) and all deposits into the Redevelopment Trust Fund shall be in the amount of increment revenues calculated as provided in subsection (i) hereof based upon increases in valuation of taxable real property from the base year value.

(i) The increment revenues shall be determined and appropriated annually by each taxing authority, and shall be an amount equal to ninety-five percent (95%) 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 geographic boundaries of the 2011 Community Redevelopment Expansion Area; and
- (2) The amount of ad valorem taxes 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 2011 Community Redevelopment Expansion Area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this subsection.

(j) In addition to the increment revenues attributed to the existing Community Redevelopment Area, each taxing authority will annually appropriate to and cause to be deposited in the Redevelopment Trust Fund the increment revenues determined pursuant to Chapter 163, Part III, Florida Statutes and subsection (i) at the beginning of each fiscal year thereof as provided in Chapter 163, Part III, Florida Statutes. The obligation of each taxing authority to annually appropriate the increment revenues for deposit in the Redevelopment Trust Fund shall commence immediately upon the effective date of this Ordinance and continue to the extent permitted by Chapter 163, Part III, Florida Statutes.

(k) Pursuant to the requirements of Section 163.362, Florida Statutes the time certain for completing all redevelopment financed by the increment revenues from the existing Community Redevelopment Area and the 2011 Community Redevelopment Expansion Area shall occur no later than 30 years after the fiscal year in which this plan amendment is approved.

Section 3. Severability. The sections, paragraphs, sentences, clauses and phrases of the Ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of the

Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or enforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect immediately upon adoption.

Upon motion duly made and carried, the foregoing Ordinance was approved upon the first reading on the 13th day of June 2011.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second and final reading and public hearing on the 27th day of June 2011.

Advertised in the Riverland News on the 16th day of June 2011.

ATTEST:

CITY OF DUNNELLON,
FLORIDA



DAWN M. BOWNE, MMC
CITY CLERK



FRED R. WARD, MAYOR

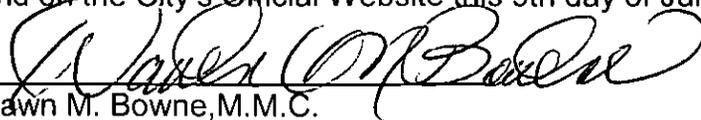
6-27-11

Approved as to form and legality:



MARSHA SEGAL-GEORGE
FOWLER & O'QUINN, P.A.
28 WEST CENTRAL BOULEVARD
SUITE 400
ORLANDO, FLORIDA 32801

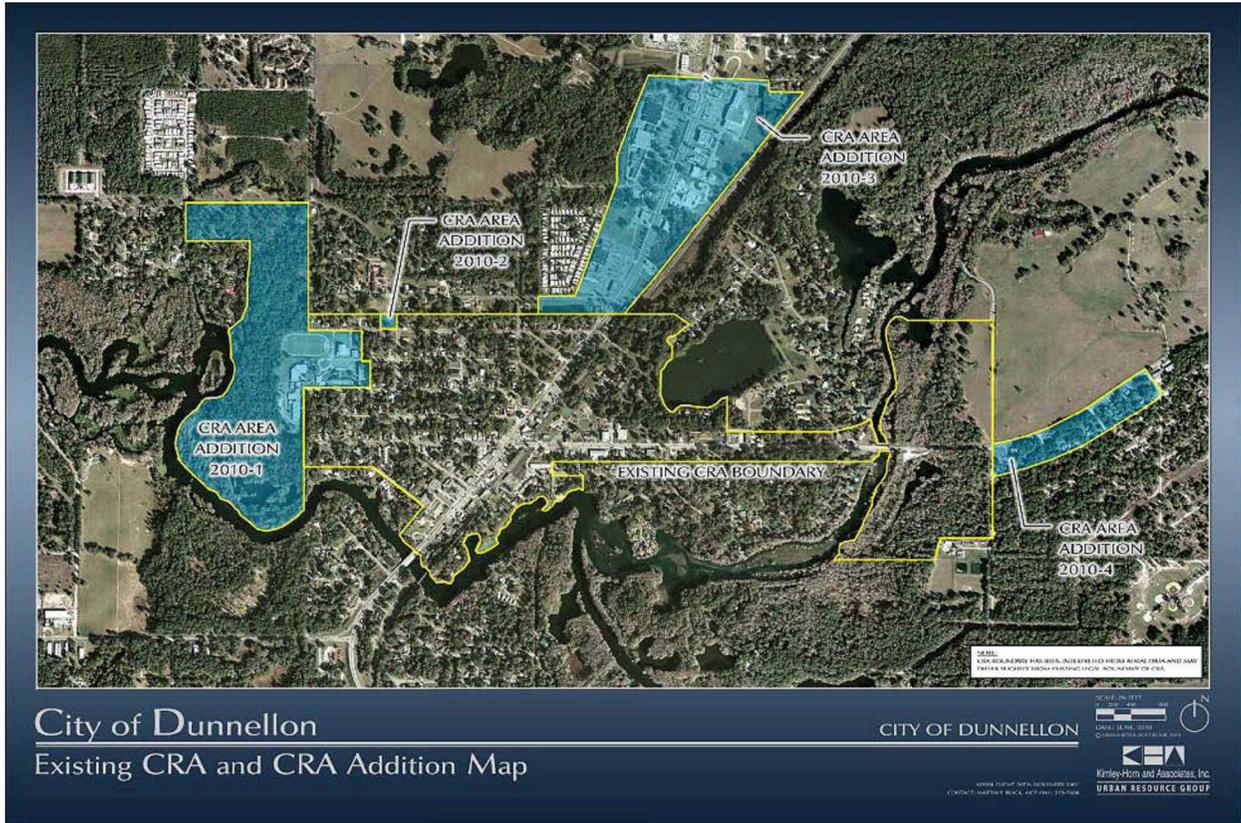
I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this 9th day of June 2011.



A handwritten signature in cursive script, appearing to read "Dawn M. Bowne", is written over a horizontal line.

Dawn M. Bowne, M.M.C.

Exhibit A



05/25/2011 10:43

3523668336

MARION CITY PROP APPR

PAGE 02/06

City of Dunnellon parcel numbers for CRA 2010-1,2010-2,2010-3 and 2010-4

33303-000-00	35
33303-001-00	35
3350-081-000	35
33625-001-00	35
33626-001-00	35
33627-003-01	35
33627-000-00	35
33627-001-00	35
33627-002-00	35
33627-004-00	35
33627-005-00	35
33631-000-00	35
33631-001-00	35
33631-002-00	35
33635-000-00	35
33639-001-01	35
33639-001-02	35
33639-000-00	35
33639-001-01	35
33639-001-02	35
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33639-001-04	35
33639-001-05	35
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33639-003-00	35
33639-004-00	35
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33641-002-03	35
33641-003-00	35
33687-000-00	35
33688-000-00	35
33756-001-00	35
33756-001-01	35
33756-001-02	35
33757-000-01	35
33757-000-02	35
33757-000-03	35
33757-000-04	35

created by D. Minchew 5-25-2011

City of Dummellon parcel numbers for CRA 2010-1,2010-2,2010-3 and 2010-4

33757-001-01	35
33757-001-03	35
33757-001-04	35
33757-002-01	35
33757-003-00	35
33757-003-01	35
33757-003-02	35
33757-003-03	35
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33757-003-05	35
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33757-003-08	35
33757-004-00	35
33757-004-01	35
33757-004-02	35
33757-101-01	35
33757-101-02	35
33757-101-03	35
3380-1861-00	35
3448-001-000	35
3448-004-000	35
3448-010-000	35
3448-012-000	35
3448-014-000	35
3448-015-000	35
3448-016-000	35
3448-018-000	35
3448-023-000	35
3448-024-000	35
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3448-026-000	35
3448-027-000	35
3448-029-000	35
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3448-131-000	35
3448-132-000	35
3448-133-000	35
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3448-140-000	35
3448-143-000	35
3448-144-000	35
3448-149-000	35
3448-150-000	35

created by D. Minchew 5-25-2011

City of Dunnellon parcel numbers for CRA 2010-1,2010-2,2010-3 and 2010-4

3448-151-000	35
3448-156-000	35
3448-160-000	35
3448-164-000	35
3448-165-000	35
3448-166-000	35
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3448-192-000	35
3448-193-000	35
3448-194-000	35
3448-195-000	35
3448-196-000	35
3448-197-000	35

created by D. Minchew 5-25-2011



City of Dunnellon
 Existing CRA and CRA Addition Map

CITY OF DUNNELLON

SCALE IN FEET
 1" = 200'

DATE: 08/01/2010

Kimley-Horn and Associates
 URBAN RESOURCES