

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA DECLARING A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY; DECLARING ITSELF TO BE THE COMMUNITY REDEVELOPMENT AGENCY FOR THE AREA DESIGNATED IN THE FINDING OF NECESSITY STUDY GENERALLY DESCRIBED AS SOUTH OF EAST 7TH STREET, WEST OF SOUTH BERTHE AVENUE AND NORTH BERTHE AVENUE AND ITS NORTHERLY EXTENSION AND NORTH OF BOATRACE ROAD; PROVIDING DETAILS REGARDING THE COMMUNITY REDEVELOPMENT AGENCY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND RECITING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Callaway, Florida, in Resolution 06-20 authorized a study to consider whether a Finding of Necessity Resolution pursuant to §163.355, Florida Statute, should be adopted; and

WHEREAS, the study area for the authorized study was that portion of the City which lies south of East 7th Street, west of South Berthe Avenue and North Berthe Avenue and its northerly extension and north of Boatrace Road ("Study Area"); and

WHEREAS, PMG Associates acting as the consultant to the City Commission has conducted a Finding of Necessity Study; and

WHEREAS, the conditions in the Study Area meet the criteria described in Section 163.340(7) or (8) of the Florida Statutes; and

WHEREAS, the City Commission of the City of Callaway, in Resolution 07-01, adopted the finding of necessity study for Community Redevelopment after finding that the data and

analysis contained in that study was such that a Finding of Necessity Resolution pursuant to § 163.355 of the Florida Statutes should be adopted for the Study Area; and

WHEREAS, a Community Redevelopment Agency is the appropriate entity to carry out the community redevelopment purposes of Chapter 163, Part III, Florida Statute, the City of Callaway desires to create a public body corporate and politic to function as a community redevelopment agency.

WHEREAS, the City Commission of the City of Callaway has provided notice, pursuant to §163.346, Florida Statute, of its intention to create a Community Redevelopment Agency to all taxing authorities that levy ad valorem taxes on taxable real property contained within the geographic boundaries of the redevelopment area.

NOW THEREFORE, BE IT RESOLVED AND ORDAINED by the City Commission of the City of Callaway as follows:

SECTION 1. Adoption of Recitals. The foregoing recitals are found and determined to be true and are adopted by the City in support of its actions provided for herein.

SECTION 1. Need for a Community Redevelopment Agency. The City declares that there is a need for a community redevelopment agency to function in the City to carry out the community redevelopment purposes of Part III, Chapter 163, Florida Statute.

SECTION 2. City Commission as Community Redevelopment Agency. The City Commission of the City of Callaway declares itself, as permitted by §163.355, Florida Statute, to be the Community Redevelopment Agency, a public body corporate and politic.

SECTION 3. Community Redevelopment Agency Details.

- a. The Community Redevelopment Agency shall have all authority,

purposes, powers, functions, and duties as provided for in Part III, Chapter 163, Florida Statute.

- b. The geographic boundary for the Community Redevelopment Area under the authority of the Community Redevelopment Agency shall be the Study Area, described more particularly in the Finding of Necessity Resolution, Resolution 07-01.
- c. The Board of Commissioners of the Community Redevelopment Agency shall consist of the City Commissioners of the City of Callaway and the organization, rules of procedure, compensation, and administrative duties of the Board of Commissioners of the Community Redevelopment Agency shall be those provided in Part III, Chapter 163, Florida Statute, and where not addressed therein, as normally provided by the City of Callaway Charter, Ordinances, and Resolutions as applicable to City Commissioners of the City of Callaway.
- d. The City Commissioners, now serving as the Board of Community Redevelopment Agency, have always been and will continue to be subject to any ethical, financial disclosure, noticing, and reporting requirements as required by Florida law.
- e. The Community Redevelopment Agency may be financed by any means permissible under Part III, Chapter 163, Florida Statute.
- f. The creation of this Community Redevelopment District is not inconsistent with the Comprehensive Plan of the City of Callaway.

SECTION 4. Severability. If any phrase, clause, sentence, paragraph, section, or subsection of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Ordinance.

SECTION 5: Repeal. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. Recording. A certified copy of this Ordinance shall be filed with the Clerk

of Circuit Court of Bay County, Florida, and duly recorded in the public record of Bay County, Florida.

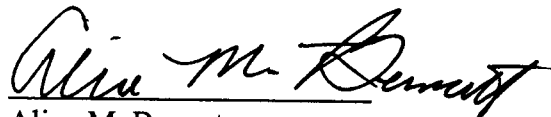
SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its passage.

PASSED, APPROVED, RESOLVED, AND ADOPTED at the regular meeting of the City Commission of the City of Callaway, Florida, this 9th day of May, 2007.

CITY OF CALLAWAY, FLORIDA

By 
Kenneth L. Meer, Mayor

ATTEST:


Alice M. Bennet
Acting City Clerk