

ORDINANCE NO. 00-O-51

CITY OF TALLAHASSEE
DEPT. OF NEIGHBORHOOD &
COMMUNITY SERVICES

00 JUL 28 PM 2:01

1 AN ORDINANCE OF THE CITY OF TALLAHASSEE,
2 FLORIDA, ESTABLISHING A COMMUNITY
3 REDEVELOPMENT TRUST FUND; PROVIDING FOR
4 THE ADMINISTRATION OF THE COMMUNITY
5 REDEVELOPMENT TRUST FUND; ESTABLISHING
6 THE BASE YEAR FOR DETERMINING ASSESSED
7 VALUES OF PROPERTY IN THE COMMUNITY
8 REDEVELOPMENT AREA FOR TAX INCREMENT
9 PURPOSES; PROVIDING FOR ANNUAL
10 APPROPRIATION OF THE TAX INCREMENT BY
11 TAXING AUTHORITIES IN THE COMMUNITY
12 REDEVELOPMENT AREA; APPOINTING THE
13 GOVERNING BODY OF THE COMMUNITY
14 REDEVELOPMENT AGENCY AS THE TRUSTEE OF
15 THE COMMUNITY REDEVELOPMENT TRUST
16 FUND; AND PROVIDING AN EFFECTIVE DATE.
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21 WHEREAS, by Resolution No. 98-R-0039, approved by the City
22 Commission on August 26, 1998; Ordinance No. 98-O-0046, approved by the
23 City Commission on September 23, 1998; and Resolution No. 00-R-28,
24 approved by the City Commission on June 28, 2000, it was determined that
25 one or more blighted areas exist within the City limits of the City of
26 Tallahassee and that the rehabilitation, conservation or redevelopment, or a
27 combination thereof, of such area or areas is necessary in the interest of the
28 public health, safety, morals or welfare of the residents of the City; and

29 WHEREAS, by Ordinance No. 98-O-0046, approved by the City
30 Commission on September 23, 1998, the City Commission created the
31 Tallahassee Community Redevelopment Agency (the Redevelopment Agency)
32 and appointed a seven member board of commissioners composed of the five
33 members of the City Commission and two members of the Board of County

1 Commissioners of Leon County pursuant to Sections 163.356 and 163.357,
2 Florida Statutes; and

3 WHEREAS, by Resolution No. 00-R-28, approved by the City
4 Commission on June 28, 2000, the City Commission approved the
5 Tallahassee Community Redevelopment Plan (the Redevelopment Plan) for
6 the Community Redevelopment Area as fully described in Resolution No. 98-
7 R-0039, which legal description is incorporated herein by reference and made
8 a part hereof; and

9 WHEREAS, in order to plan and implement community redevelopment
10 within the Community Redevelopment Area it is necessary that a
11 Community Redevelopment Trust Fund be established and created for said
12 area as provided for in Section 163.387, Florida Statutes; and

13 WHEREAS, notice to each taxing authority and public notice of the
14 City's intention to adopt an ordinance creating the Trust Fund has been
15 given, in accordance with Section 163.346 and 166.041(3), Florida Statutes
16 (1999).

17 NOW THEREFORE BE IT ENACTED by the People of the City of
18 Tallahassee, Florida, as follows:

19 **Section 1.** There is hereby established and created, in accordance
20 with the provision of Part III, Chapter 163, Florida Statutes (1999), (the
21 Redevelopment Act), the Community Redevelopment Trust Fund (Trust
22 Fund) for the Community Redevelopment Area, which fund shall be utilized
23 and expended for the purpose of and in accordance with the Redevelopment

1 Plan, including any amendments or modifications thereto approved in
2 accordance with the Redevelopment Act, and including any “community
3 redevelopment” as that term is defined in Section 163.340, Florida Statutes
4 (1999) under the Redevelopment Plan.

5 **Section 2.** The moneys to be allocated to and deposited into the Trust
6 Fund shall be used to finance “community redevelopment” within the
7 Community Redevelopment Area, which shall be appropriated when
8 authorized by the Redevelopment Agency. The Redevelopment Agency shall
9 utilize the funds and revenues paid into and earned by the Trust Fund for
10 community redevelopment purposes as provided in the Redevelopment Plan
11 and as permitted by law. The Trust Fund shall exist for the duration of the
12 “community redevelopment” undertaken by the Redevelopment Agency
13 pursuant to the Redevelopment Plan and to the extent permitted by the
14 Redevelopment Act. Moneys shall be held in the Trust Fund and the Trust
15 Fund shall be administered by the City for and on behalf of the
16 Redevelopment Agency, and disbursed from the Trust Fund as provided by
17 the Redevelopment Act, this ordinance, or when authorized by the
18 Redevelopment Agency.

19 **Section 3.** The money held in the Trust Fund shall be continuously
20 secured in the same manner as state and municipal deposits are authorized
21 to be secured by the laws of the State of Florida. The funds may be invested
22 according to the Redevelopment Act and Florida Statutes. The cash required
23 to be accounted for in the Trust Fund described in this Redevelopment Act

1 may be deposited in a single bank account, provided that adequate
2 accounting records are maintained to reflect and control the restricted
3 allocation of cash on deposit therein for the various purposes of such funds
4 and accounts as herein provided.

5 **Section 4.** There shall be paid into the Trust Fund each year by each
6 of the "taxing authorities", as that term is defined in Section 163.340, Florida
7 Statutes (1999), levying ad valorem taxes within the Community
8 Redevelopment Area, and shall be that amount equal to 95 percent of the
9 incremental increase in ad valorem taxes levied each year by that taxing
10 authority, as calculated in accordance with Section 5 of this ordinance and
11 the Redevelopment Act, based on the base year established in Section 5 of
12 this ordinance. Such annual amount will be known as the "tax increment."

13 **Section 5.** The most recently approved tax roll prior to the effective
14 date of this ordinance used in connection with the taxation of real property in
15 the Community Redevelopment Area shall be the real property assessment
16 roll of Leon County, Florida, reflecting the valuation of real property for
17 purposes of ad valorem taxation as of January 1, 1999, the "base year value",
18 and submitted to the Department of Revenue pursuant to Section 193.1142,
19 Florida Statutes (1999), and all deposits into the Trust Fund shall be in the
20 amount of tax increment calculated as provided in Section 6 hereof based
21 upon increases in valuation of taxable real property from the base year value.

1 **Section 6.** The tax increment shall be determined annually by each
2 taxing authority and shall be that amount equal to 95 percent of the
3 difference between:

4 a. The amount of ad valorem taxes levied each year by all
5 the taxing authorities, exclusive of any amount from any debt service
6 millage, on taxable real property contained within the geographic boundaries
7 of the Community Redevelopment Area; and

8 b. The amount of ad valorem taxes which would have been
9 produced by the rate upon which the tax is levied each year by or for each
10 taxing authority, exclusive of any debt service millage, upon the total of the
11 assessed value of the taxable real property in the Community Redevelopment
12 Area as shown upon the assessment roll used in connection with the taxation
13 of such property by each taxing authority, prior to the effective date of this
14 ordinance.

15 **Section 7.** Each taxing authority shall annually appropriate to and
16 cause to be deposited in the Trust Fund the tax increment determined
17 pursuant to the Redevelopment Act and Section 6 of this ordinance at the
18 beginning of each fiscal year thereof as provided in the Redevelopment Act.
19 The obligation of each taxing authority to annually appropriate the tax
20 increment for deposit in the Trust Fund shall commence immediately upon
21 the effective date of this ordinance and continue to the extent permitted by
22 the Redevelopment Act until all loans, advances and indebtedness, if any,
23 and interest thereon, incurred by the Redevelopment Agency as a result of

1 community redevelopment in the Community Redevelopment Area have been
2 paid.

3 **Section 8.** The Trust Fund shall be established and maintained as a
4 separate trust fund by the City pursuant to the Redevelopment Act and this
5 ordinance, and other directives of the governing body of the Redevelopment
6 Agency as may from time to time be adopted, whereby the Trust Fund may
7 be promptly and effectively administered and utilized by the Redevelopment
8 Agency expeditiously and without undue delay for its statutory purposes
9 pursuant to the Redevelopment Plan.

10 **Section 9.** The Treasurer-Clerk, or his/her designee, of the City of
11 Tallahassee, Florida (the "Trustee"), on behalf of the City and the
12 Redevelopment Agency, shall be the trustee of the Trust Fund and shall be
13 responsible for the receipt, custody, disbursement, accountability,
14 management, investment, and proper application of all moneys paid into or
15 expended from the Trust Fund in accordance with the Redevelopment Agency
16 authorization and with state and local laws. Disbursement of moneys shall
17 be made upon presentation of adequate supporting documentation in the
18 reasonable opinion of the Trustee.

19 **Section 10.** The Redevelopment Agency shall provide for an
20 independent financial audit of the Trust Fund each fiscal year and a report of
21 such audit pursuant to Section 163.387, Florida Statutes (1999). Such report
22 shall describe the amount and source of deposits into the amount and
23 purpose of withdrawals from, the Trust Fund during such fiscal year and the

1 amount of principal and interest paid during such year on any indebtedness
2 to which is pledged increment revenues and remitting amount of such
3 indebtedness. The Redevelopment Agency shall provide a copy of the audit
4 report to each taxing authority.

5 **Section 11.** The City Commission may, in its discretion, deposit such
6 other legally available funds into the Trust Fund as may be described by
7 resolution adopted on or after the effective date of this ordinance.

8 **Section 12. Conflict With Other Ordinances and Codes.**

9 All ordinances or parts of ordinances of the Code of Ordinances of the
10 City of Tallahassee, Florida, in conflict with the provisions of this ordinance
11 are hereby repealed to the extent of such conflict.

12 **Section 13. Severability.**

13 If any provision or portion of this ordinance is declared by any court of
14 competent jurisdiction to be void, unconstitutional, or unenforceable, then all
15 remaining provisions and portions of this ordinance shall remain in full force
16 and effect.

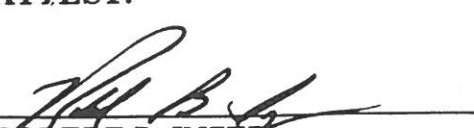
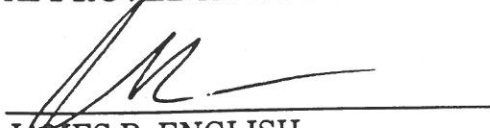
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18 **Section 14.** This ordinance shall become effective immediately upon
19 passage.

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21 INTRODUCED in the City Commission on the 14th day of June, 2000.

22 PASSED by the City Commission on the 28th day of June, 2000.

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SCOTT MADDOX, MAYOR

ATTEST:  ROBERT B. INZER Treasurer-Clerk	APPROVED AS TO FORM:  JAMES R. ENGLISH City Attorney
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