

**PROPOSED
ORDINANCE NO. 23 - 17**

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 16-05 TO PROVIDE FOR EXTENSION OF THE EASTSIDE NEIGHBORHOOD REDEVELOPMENT TRUST FUND ESTABLISHED UNDER THE AUTHORITY OF CHAPTER 163, PART III; FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. FINDINGS. It is hereby ascertained, determined and declared as follows:

A. The City Council of the City of Pensacola (the "City Council") is authorized by Chapter 163, Part III, Florida Statutes (the "Redevelopment Act") to exercise the community redevelopment powers set forth therein to eliminate, remedy and prevent conditions of slum and blight.

B. In accordance with the Redevelopment Act, the City Council has previously (i) established the City of Pensacola Community Redevelopment Agency (the "Agency"), (ii) designated the "Urban Infill and Redevelopment Area" and determined that such area is a blighted area in need of redevelopment, and (iii) adopted a community redevelopment plan for such area to remediate the conditions of blight therein (the "Urban Infill And Redevelopment Area Plan").

C. In February 2004, the City Council adopted the Eastside Neighborhood Plan identifying the redevelopment activities to be undertaken therein. The Eastside Neighborhood is located within the Urban Infill and Redevelopment Area boundaries.

D. On October 27, 2005, the City Council adopted Ordinance No. 15-05 which incorporated the Eastside Neighborhood Plan into and made it a part of the Urban Infill and Redevelopment Area Plan.

E. On October 27, 2005, the City Council adopted Ordinance No. 16-05 (the "Trust Fund Ordinance") which declared the Eastside Neighborhood a blighted area, established the Eastside Neighborhood Redevelopment Trust Fund and provided for the funding thereof in accordance with the authority of section 163.387 of the Redevelopment Act.

F. The Trust Fund Ordinance provided for annual funding of the Eastside Neighborhood Redevelopment Trust Fund for a 20 year term, commencing on January 1, 2006 and for each of 19 years thereafter.

G. Section 163.387 of the Redevelopment Act provides that the Neighborhood Redevelopment Trust Fund may have a term of 40 years after the fiscal year in which the initial redevelopment plan is approved or adopted.

H. On April 10, 2017, the Agency recommended extension of the Eastside Neighborhood Trust Fund for an additional 20 years to continue revitalization efforts in the Eastside Neighborhood.

I. The City Council hereby makes a legislative finding that conditions in the Eastside Neighborhood meet the criteria described in Section 163.340(8) of the Redevelopment Act, that the Eastside Neighborhood is a blighted area within the City of Pensacola, and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Eastside Neighborhood is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

J. The City and Agency have given notice of a proposed ordinance to consider extension of the Eastside Neighborhood Trust Fund by publication and by mailed notice to affected taxing authorities, in the manner required by the Redevelopment Act.

K. A public meeting for the purpose of receiving comments from interested parties has been duly held and such comments, if any, have been heard and considered.

SECTION 2. AMENDMENT OF ORDINANCE NO. 16-05. Section 4.B. of the Trust Fund Ordinance is hereby amended as follows, with additional text indicated by underline and deleted text indicated by strikethrough.

"B. Commencing on January 1, 2006 and for each of thirty-nine (39) ~~nineteen (19)~~ years thereafter, each taxing authority except school districts and water management districts shall annually appropriate and pay on or before April 1 to the Eastside Neighborhood Redevelopment Trust Fund a sum which is no less than the increment of ad valorem tax revenues as defined and determined in paragraph A 1. and 2. above. ~~Provided, however, the City Council may by resolution adopted during calendar year 2015 terminate this obligation for future years.~~"

SECTION 3. RATIFICATION AND CONFIRMATION. Except as amended hereunder, all prior ordinances, resolutions and actions by the City Council regarding the establishment and creation of the Agency, the Eastside Neighborhood Plan, the Urban Infill and Redevelopment Area Plan, and the Eastside Neighborhood Trust Fund, including but not

limited to findings of blight and necessity associated therewith, are hereby ratified and confirmed.

SECTION 4. SEVERABILITY. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____

President of City Council

Attest:

City Clerk