

RESOLUTION
NO. 2022-071

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT WITHIN THE EASTSIDE COMMUNITY REDEVELOPMENT AREA; PROVIDING FINDINGS; APPROVING AND AUTHORIZING THE EXPENDITURE OF CITY AND CRA FUNDS TO ACQUIRE CERTAIN REAL PROPERTY THEREIN LOCATED AT 2700 BLOCK DR. MARTIN LUTHER KING, JR. DRIVE IN FURTHERANCE OF THE PURPOSES ESTABLISHED IN CHAPTER 163, PART III, FLORIDA STATUTES AND THE EASTSIDE REDEVELOPMENT PLAN; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Constitution of the State of Florida, the Community Redevelopment Act of 1969 codified in Part III, Chapter 163, Florida Statutes (the "Act"), Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

(A) On September 25, 1980, the City Council (the "City Council") of the City of Pensacola, Florida (the "City") adopted Resolution No. 55-80 which created the Community Redevelopment Agency (the "Agency") of the City of Pensacola, Florida and declared the City Council to be the Agency as provided in Section 163.357, Florida Statutes.

(B) Pursuant to Ordinance No. 46-00 and Ordinance No. 47-00, each enacted on October 26, 2000, the City Council designated the boundaries and found and determined that an area designated therein as the "Urban Infill and Redevelopment Area" is a blighted area as therein described.

(C) On February 12, 2004, the City Council approved an "Eastside Neighborhood Plan" for an area located within the boundaries of the Urban Infill and Redevelopment Area (as amended from time to time, including as amended pursuant to Ordinance No. 20-17 of the City Council enacted on July 13, 2017, and together with the redevelopment plan adopted for the Urban Infill and Redevelopment Area, the "Redevelopment Plan").

(D) Pursuant to Resolution No. 41-05 adopted by the City Council on October 13, 2005, the City Council found and determined that such area, designated therein as the Eastside Neighborhood Redevelopment Area (the "Redevelopment Area"), is a blighted area and that the rehabilitation, conservation and redevelopment of such area,

including the development of affordable housing therein, is necessary and that such area is appropriate for redevelopment projects.

(E) On October 13, 2005, pursuant to Section 163.387, Florida Statutes, the City Council enacted Ordinance No. 16-05 which created and established the Eastside Neighborhood Redevelopment Trust Fund (the "Trust Fund"), which ordinance was further amended on July 13, 2017 by Ordinance No. 21-17 providing for an extension of the Trust Fund.

(F) On August 28, 2014, the City Council enacted Ordinance No. 32-14 which amended and readopted the Eastside Neighborhood Plan element of the Redevelopment Plan adding priority elements.

(G) On August 10, 2017, the City Council adopted Resolution No. 17-43 which authorized issuance of the City's Eastside Redevelopment Revenue Bond, Series 2017 (the "Series 2017 Bond") to finance community redevelopment projects in the Redevelopment Area, in furtherance of the Redevelopment Plan, and provided that the Series 2017 Bond would be payable from and secured by tax increment revenues paid into the Trust Fund and conveyed by the Agency to the City for payment of the Bond pursuant to interlocal agreement between the Agency and the City.

(H) The City and Agency have jointly established a program known as the Attainable Housing Infill Program for purposes of providing financial and other assistance to facilitate construction of affordable housing in the Redevelopment Area and other areas of the City.

(I) Such financial assistance includes the provision of residential lots upon which affordable housing will be constructed, without charge, through a grant or donation.

(J) The provision of affordable housing in the Redevelopment Area is contemplated by and is an objective of the Redevelopment Plan and Chapter 163, Part III, Florida Statutes.

(K) Fellowship Prayer Temple Inc. (the "Seller") owns a parcel of real property located in the Redevelopment Area, at 2700 Block Dr. Martin Luther King, Jr. Drive, Pensacola, Florida, Parcel ID# 000S009020180146 (the "Property") and has agreed to sell the Property to the City for the appraised value of \$190,000.

(L) The City hereby determines that acquisition of the Property will facilitate the goals and objectives of the Attainable Housing Infill Program, the Redevelopment Plan and Chapter 163, Part III, Florida Statutes.

SECTION 3. PURCHASE OF THE PROPERTY AUTHORIZED.

(A) The City Council hereby determines that it is necessary and in the best interests of the health, safety and welfare of the City, the Redevelopment Area and the

inhabitants thereof to acquire the Property, that such acquisition shall advance the community redevelopment objectives of the Redevelopment Plan and shall constitute and serve the purposes of "community redevelopment" within the meaning of and in accordance with the Act, and such acquisition is hereby authorized.

(B) The cost to acquire the Property shall be paid with City funds consisting of proceeds of the Series 2017 Bond and CRA funds consisting of Trust Fund revenues.

(C) Upon acquisition of the Property, the Property shall be utilized by the City solely for the affordable housing purposes contemplated herein. Any conveyance of the Property, or portion thereof, by the City to a third party for such affordable housing purposes shall be solely by grant or donation and not for monetary consideration; provided, however, that the instrument(s) effectuating such conveyance may include restrictions upon, and covenants, conditions, and obligations assumed by, the third party to ensure that the Property is developed and/or used for affordable housing purposes.

(D) The Mayor is hereby authorized and directed to take all actions necessary to effectuate the provisions of this Resolution.

SECTION 4. SEVERABILITY. If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or shall for any reason whatsoever be held invalid by a court of competent jurisdiction, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

SECTION 5. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the Charter of the City.

Adopted: _____

Approved: _____
City Council President

ATTEST:

City Clerk