

**ORDINANCE NO. 590**

**AN ORDINANCE OF THE CITY COUNCIL OF BROOKSVILLE, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND; PROVIDING FOR THE DESIGNATION OF THE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO SECTION 163.387, FLORIDA STATUTES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICT, SEVERABILITY, REPEAL AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Brooksville has by Resolution established a finding of blight; and,

**WHEREAS**, the City Council desires to provide for the removal of such blighted areas and redevelop such areas, pursuant to the Community Redevelopment Act of 1969, hereafter referred to as the "CRA", as contained in Florida Statutes, Chapter 163, Part III; and,

**WHEREAS**, the City Council has approved a Community Redevelopment Plan for the City; and,

**WHEREAS**, the City Council finds that this Ordinance is not in conflict or inconsistent with the City of Brooksville's adopted Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA**, as follows:

Section 1. There is hereby established and created, in accordance with the provisions of Section 163.387, Florida Statutes, a Community Redevelopment Trust Fund, hereafter referred to as the "Fund".

Section 2. The monies allocated to and deposited into the Fund are hereby appropriated to the City of Brooksville Community Redevelopment Agency, hereafter referred to as the "Agency", to finance projects within the Community Redevelopment Project Area, hereafter referred to as the "Project". The Agency shall utilize the monies and the revenue paid into and earned by the Fund for all and every Community development purpose delegated to it by the established Community Redevelopment Plan, hereafter referred to as the "Plan", and as further provided by law. The Fund is to exist for the duration of the Project programs or until legally terminated by ordinance. Said monies shall be held by the City for and on behalf of the Agency and distributed to the Agency in accordance with a subsequent agreement to be established between the City and the Agency.

Section 3. There shall be paid into the Fund each year by all taxing authorities within the Project, excluding the school district, the incremental increase in ad valorem taxes levied each year by the above-referenced taxing authorities over the amount of ad valorem taxes levied by the referenced taxing authorities in the base year, as established in Section 5 below.

Section 4. The tax roll used in connection with the taxation of such property for the base year shall be the Tax Roll of 1998 in Hernando County. All deposits into the Fund shall begin with the incremental increases in ad valorem tax revenues received subsequent to November 1, 1998.

Section 5. The tax increment shall be determined and appropriated annually in an amount equal to the difference between:

a. that amount of ad valorem taxes levied each year by all taxing authorities, excluding the school district, on taxable real property contained within the geographic boundaries of the Project; and,

b. that amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for all taxing authorities, excluding the school district, upon the total of the assessed value of the taxable property in the Project, as shown upon

the 1998 assessment roll used in connection with the taxation of such property by all taxing authorities, excluding the school district. If any conflict occurs between the provisions of this Ordinance and the provisions of Chapter 163, Part III, Florida Statutes, concerning tax increment financing, the statutory provisions shall control and apply to this Ordinance.

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Section 6. The tax increment shall be computed by using the assessed value of taxable property in the Project for the year 1998 as the base, and in subsequent years using the assessment value of property in the Project for that year as the second factor in determining the amount of tax increment in that year.

Section 7. All taxing authorities, excluding the school district, will annually appropriate to the Fund the aforesaid sum at the beginning of their fiscal year. The Fund shall receive the tax increment above described only as, if and when such taxes may be collected by the taxing authorities. The taxing authorities' obligation to annually appropriate to the Fund shall commence immediately upon the effective date of this Ordinance and continue until all loans, advances and indebtednesses, if any, and interest thereon, incurred by the Agency as a result of the Project have been paid and only to the extent that such tax increment recited above accrues.

Section 8. The Agency with the approval of the City Council is directed to establish and set up the Fund and to develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said monies for their allocated statutory purpose.

Section 9. The Agency shall be responsible for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the Fund subject to the provisions of Section 2 of this Ordinance.

Section 10. If any provision of this ordinance or the application thereof is held in conflict with any laws, rules, or regulations of higher authority, or be declared null and/or void of constitutional authority by courts of competent jurisdiction, such provision so declared shall stand severed herewith.

Section 11. This ordinance shall become and be made a part of the Official Code of Ordinances of the City of Brooksville and the sections of this ordinance may be renumbered to accomplish such intent.

Section 12. This ordinance shall take effect upon passage and remain in force until supplemented, amended, repealed or otherwise altered.

CITY OF BROOKSVILLE, FLORIDA



Richard E. Lewis, Mayor

ATTEST:   
Karen M. Phillips, CMC, City Clerk

PASSED ON FIRST READING this 10<sup>th</sup>19<sup>th</sup> day of October, 1998.

PASSED ON SECOND READING this 7<sup>th</sup> day of June, 1999.

Approved as to form and content  
for the reliance of the City of  
Brooksville only:



Robert B. Battista, City Attorney

FINAL VOTE OF COUNCIL:

Wever	<u>Aye</u>
Lewis	<u>Aye</u>
Brayton	<u>Aye</u>
Johnston	<u>Aye</u>
Staib	<u>Aye</u>

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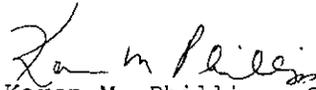
NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City Council of the City of Brooksville, Florida, will hold a public hearing on June 7, 1999 at 7:00 p.m., in the City Council Chambers, 201 Howell Ave. (located at the corner of Howell Ave. and Ft. Dade Ave.) on the final adoption of Ordinance No. 590. The ordinance in its entirety may be inspected at the office of the City Clerk during regular workings hours.

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All persons wishing to be heard, please take notice and govern yourself accordingly. You are further advised that if a person decides to appeal any decision with respect to any matter considered at these proceedings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352/544-5407.

By:   
Karen M. Phillips, CMC  
City Clerk

FILE: 99-15

PUBLISH: May 28, 1999

NOTICE TO PAPER: Please run smallest legal ad (Col In) possible in Hernando Section only and provide two (2) affidavits of publication upon completion.

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REA - FYE  
Council  
5/26/99 fax to  
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