

RESOLUTION NO. 09-07

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PORT RICHEY
PERTAINING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS;
AFFIRMING RESOLUTION NO. 02-01; FINDING EXISTENCE OF CERTAIN
CONDITIONS IN THE CITY; AMENDING THE COMMUNITY REDEVELOPMENT
PLAN ADOPTED BY RESOLUTION NO. 02-03 TO PROVIDE FOR CERTAIN
CAPITAL IMPROVEMENTS; PROVIDING FOR FUNDING OF SUCH
IMPROVEMENTS.**

WHEREAS, on January 8, 2002, the City Council adopted Resolution No. 02-01 finding one or more slum or blighted areas or one or more areas in which there is a shortage of housing for residents of low or moderate income, including the elderly, exist in the City (such areas being hereinafter referred to as the "Community Redevelopment Area") pursuant to s. 163.355, Florida Statutes (2001); and

WHEREAS, in Resolution No. 02-01, the City Council found that the rehabilitation, conservation, or redevelopment, or combination thereof, including, if appropriate, the development of housing that residents of low or moderate income, including the elderly, can afford is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of Port Richey as is authorized by s. 163.355, Florida Statutes (2001); and

WHEREAS, on January 29, 2002 pursuant to s. 163.360, Florida Statutes (2001), the City Council adopted Resolution No. 02-03 which approved the community redevelopment plan for the rehabilitation, conservation, and redevelopment of the areas found in Resolution No. 02-01 to be in need of such rehabilitation, conservation, and redevelopment and contained the contents required by s. 163.362, Florida Statutes (2001); and

WHEREAS, the Port Richey Community Redevelopment Agency ("CRA") has determined there is a need to review and update the community redevelopment plan and to provide for certain capital improvements to be paid for, in whole or in part, from money in the community redevelopment trust fund; and

WHEREAS, the CRA has authorized the preparation of an amendment to the existing community redevelopment plan to address certain conditions in the Community Redevelopment Area and to authorize actions to eradicate or minimize those conditions and to provide for the funding thereof from the community redevelopment trust fund; and

WHEREAS, the CRA has received, reviewed and considered a proposed amendment to the community redevelopment plan, has approved such amendment and forwarded it to the City Council with the CRA's recommendation that the City Council adopt such amendment; and

WHEREAS, the City Council has received and reviewed the recommendation from the CRA concerning the proposed amendment to the community redevelopment plan; and

WHEREAS, the City Council has received information from City officials and comments from the public concerning the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port Richey, as follows:

Section 1. Findings. The City Council does hereby make the following findings based upon evidence in the record or presented to it at a noticed public meeting of the City Council:

- (a) The City Council does hereby affirm the findings in Resolution No. 02-01.
- (b) The recitals set forth above in the WHEREAS clauses are hereby adopted and incorporated herein as findings by the City Council.
- (c) The notices required by s. 163.346, Florida Statutes (2008), were timely and properly published or mailed as required by that statute.
- (d) The City Council received presentations from City officials and others to support the finding of conditions set forth in Section 3.
- (e) The City Council received and considered the recommendation of the Community Redevelopment Agency that the amendment to the community redevelopment plan set forth in this resolution be adopted and incorporated into the plan.

Section 2. Authority. The authority for this resolution and the plan amendment is s. 163.361, Florida Statutes (2008) to amend a community redevelopment plan adopted pursuant to the authority of s. 163.360, Florida Statutes (2001), and containing the contents set forth in s. 163.362, Florida Statutes (2001).

Section 3. Additional Findings. The City Council does hereby find, based upon evidence presented to it that the following additional conditions exist in the Community Redevelopment Area and that all of the necessary improvements, replacements and/or upgrades to correct these conditions can and should be funded either directly from the CRA and/or the City or the Utility Enterprise Fund with funds provided or reimbursed by the CRA:

- (a) There is a shortage of up-to-date fire fighting equipment to control and extinguish fires in the Community Redevelopment Area and that all of the necessary improvements, replacement and/or upgrades and/or personnel to correct these conditions are necessary.
- (b) Due to the incidence of crime in the Community Redevelopment Area, there is a shortage of law enforcement officers to provide increased levels of service, e.g., hours on duty, in the area, including community policing, and a deficiency in the equipment and vehicles used by such officers.
- (c) Canals and waterways in the Community Redevelopment Area have conditions that contribute to unsafe and unsanitary conditions, adverse environmental conditions, and reduced, inadequate, or unsafe use by the public.
- (d) Structures in the Community Redevelopment Area, including City-owned buildings, and vehicles are not energy efficient and are in need of improvements and/or repairs to improve energy efficiency.
- (e) Existing water, sewer and stormwater facilities and piping in the Community Redevelopment Area are obsolescent and need to be replaced, upgraded and/or

new facilities need to be installed or added.

- (f) Inadequate traffic facilities, including vehicular and pedestrian modes, streets, sidewalks, and drainage exist within the Community Redevelopment Area and need to be improved, upgraded or replaced.
- (g) Conditions of blight existing in the Community Redevelopment Area need to be addressed through the acquisition and improvement of real property, or through the solicitation, acceptance and implementation of improvements or demolition to such property or by demolition of structures by private enterprise.
- (h) Visual blight is a problem in the Community Redevelopment Area that can be addressed through the improvement of facilities, structures, grounds and/or maintenance to existing parks or the acquisition and improvement of real property for new parks in the Community Redevelopment Area.
- (i) Planning and implementation of the plan for the Community Redevelopment Plan, Overlay Districts, Development Plans and other methods to improve conditions, including the amendments, requires certain City staff work on such planning and implementation on behalf of the Community Redevelopment Area.

Section 4. Amendment to Plan.

(a) Section 6.0 of the community redevelopment plan adopted by Resolution No. 02-03 is amended to add the following subsections:

6.2 To address the condition of inadequate fire protection in the community redevelopment area it is necessary and appropriate to replace aged equipment with modern, up-to-date fire fighting/suppression equipment and vehicles (e.g., fire truck, command vehicles, etc) and fund fire personnel. This can be done by the CRA providing funds to the City to purchase and/or lease such equipment and vehicles or reimburse the City for the cost of such purchase and/or lease.

6.3. The incidence of crime in the community redevelopment area can be addressed through the employment of additional law enforcement officers, increasing the amount of time law enforcement officers are on duty, and initiating and implementing a community policing program. This can be accomplished by the CRA providing funds to the City or reimbursing the City for the costs to pay the expense of such enhancements in law enforcement in the area and the cost to purchase and/or lease vehicles and equipment or reimburse the City for the cost of such purchase and/or lease.

6.4 The poor condition of the canals and waterways in the community redevelopment area is a health concern as well as a retarding factor for residential and commercial development in the area. Addressing the condition of the canals and waterways can be accomplished by the CRA providing funds or reimburse the City for providing funds to pay the cost of dredging such canals and waterways to clear them of debris, silt, and other conditions that make them unsafe, unsanitary or undesirable including engineering and other costs related to such dredging.

6.5 Because of the significant number of structures that are aged, obsolescent, or in need of repair these structures are not energy efficient which contributes to high levels of wasted energy and high energy costs. This situation can be addressed by the CRA providing funding or reimbursing the City for a program of repairs, remodeling, and improvements to make such structures more energy efficient. As a demonstration project, the City will initially undertake making City owned buildings energy efficient to reduce energy costs to the public with a goal of making the City energy self-sufficient in the near future and to purchase energy efficient equipment and vehicles.

6.6 The obsolescence of existing water, sewer and stormwater facilities and piping in the Community Redevelopment Area needs to be corrected in order to eradicate conditions of blight. This can be accomplished by the CRA providing funds from the community redevelopment trust fund or reimbursing the City or the Utility Enterprise Fund for the cost of such plans, purchase, design, construction and installation.

6.7 To correct the conditions of blight in the community redevelopment Area caused by inadequate traffic facilities, the CRA can provide funds from the community development trust fund or reimburse the City. This also includes the cost of payments for vehicular and pedestrian modes, streets, sidewalks and drainage, including the cost of planning, designing, engineering, constructing and installing such improved facilities or reimbursing the City for the cost of such planning, designing, engineering and installation of such improvements including staff costs.

6.8 From time to time to eradicate conditions of blight in the community redevelopment area, real property will need to be purchased and improved for redevelopment, be it by the public or private sector. The CRA may use funds from the community redevelopment trust fund to purchase or improve such land itself and/or through demolition of structures or provide funds to reimburse the City for that purpose, including the costs of studies and redevelopment proposal solicitations and evaluation and staff time.

6.9 Plan, design, prepare for and undertake the installation and construction of improvements to existing parks in the Community Redevelopment Area and, when needed, the acquisition of real property for additional parks. The CRA may use funds from the community redevelopment trust fund to pay the costs of such planning, designing, installation and construction itself or by payments to the City to reimburse the City for such costs or reimbursement for such costs.

7.0 The CRA may use funds in the Community Redevelopment Trust Fund to pay or reimburse the City for the salaries and wages of City employees who work on any community redevelopment undertaking described in this Community Redevelopment Plan, as amended. The City shall create and maintain records of the extent of each employee's time spent on such work and reimbursement or payments to the City by the CRA shall be based upon such records.

(b) The community redevelopment plan adopted by Resolution No. 02-03 is amended to add Appendix, Capital Improvements Paid with Money in the Community Redevelopment Trust Fund:

CAPITAL IMPROVEMENTS PAID WITH MONEY IN COMMUNITY REDEVELOPMENT TRUST FUND ANNUALLY NOT TO EXCEED THE ESTIMATED COST

<u>Improvement</u>	<u>Annual Estimated Cost</u>
Dredging of canals and waterways	\$ 500,000
Purchase/lease of a fire truck, vehicles and equipment and personnel	\$ 500,000
Additional police officers, including community policing, and police equipment and vehicles	\$ 500,000
Installation of energy efficiency devices and materials in City owned buildings and purchase of energy efficient equipment and vehicles as a demonstration of the savings that can be realized by City government and ultimately by the public	\$ 500,000
Water, sewer and storm water improvements and upgrades	\$ 500,000
Street, sidewalks, drainage and other transportation and staff time improvements	\$ 500,000
Purchase and improvement of real property, including studies and solicitation for proposals to redevelop such and staff time	\$ 500,000
Parks improvements and staffing	\$ 500,000
Administration costs of CRA	\$ 500,000

Section 4. Notices. The City Council hereby finds that the notice to taxing authorities and the public notice required by s. 163.346, Florida Statutes (2008), were timely and properly mailed and published in accordance with such statute. The City Council further finds that a copy of this resolution and the proposed amendment to the community redevelopment plan was timely delivered to each taxing authority for review.

Section 5. Authorization and Direction to CRA. The City Council does hereby authorize and direct the Community Redevelopment Agency to initiate and complete the findings and purchases described in this resolution.

Adopted this ____ day of _____, 2009.

Richard Rober, Mayor

Attest:

Shirley Dresch, City Clerk

