

RESOLUTION NO. 09-GG

A RESOLUTION OF THE CITY OF FELLSMERE COMMUNITY REDEVELOPMENT AGENCY INDIAN RIVER COUNTY, FLORIDA, CAUSING THE SUBMITTAL OF THE MODIFICATION OF THE COMMUNITY REDEVELOPMENT PLAN FOR THE EXPANSION OF THE COMMUNITY REDEVELOPMENT AREA TO THE LOCAL PLANNING AGENCY/PLANNING AND ZONING COMMISSION AND TO THE GOVERNING BODY AND EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE EXPANDED REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fellsmere, Florida, has, by Resolution No. 05-KK adopted a Community Redevelopment Plan for the City; and

WHEREAS, Resolution No. 09-CC, adopted by the City Council of the City of Fellsmere, Florida on September 17, 2009, determined the existence of blight in a certain area (the "Expansion Area") of the City of Fellsmere, Florida and that such area was in need of redevelopment and needed to be added to and incorporated in the existing Community Redevelopment Area as provided in Section 163.361, Florida Statutes; and

WHEREAS, the City Council desires to provide for the removal of such blighted areas within the Expansion Area and redevelop the Expansion Area pursuant to the Community Redevelopment Act of 1969, as amended, or the "Act", as contained in Florida Statutes, Chapter 163, Part III, by expansion of the boundaries of the existing Community Redevelopment Area; and

WHEREAS, the City has caused a redevelopment plan to be prepared that includes the Expansion Area being added to and incorporated in the existing Community Redevelopment Area; and

WHEREAS, as required by the Act, specifically Section 163.360(4) Florida Statutes, the Community Redevelopment Agency (the "CRA") must submit the modified Community Redevelopment Plan to the Local Planning Agency of the City of Fellsmere, Florida, which is the Planning and Zoning Commission, for review, which includes the Expansion Area, for

conformity with the City's Comprehensive Plan for the development of the City as a whole; and

WHEREAS, as required by the Act, specifically Section 163.361(3)(a) Florida Statutes, the Community Redevelopment Agency must submit any modifications to the Community Redevelopment Plan that expand the boundaries of the Community Redevelopment Area to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the Community Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED, by the Community Redevelopment Agency of the City of Fellsmere, Florida, as follows:

SECTION 1. SUBMITTAL OF THE PLAN.

1. The City Manager or his designee is hereby requested to submit the proposed modified Community Redevelopment Plan for the Community Redevelopment Area, as expanded, to the City of Fellsmere Local Planning Agency/Planning and Zoning Commission for their review of its conformance with the City's Comprehensive Plan as a whole.

2. The City Manager or his designee is hereby requested to submit the proposed modified Community Redevelopment Plan for the Community Redevelopment Area, as expanded, to the governing body (City Council) and to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the Community Redevelopment Area.

SECTION 2. SEVERABILITY. If any section, part of a sentence, paragraph, phrase or word of this Resolution is for any reason held to be unconstitutional, invalid, inoperative or void, such holding shall not effect the validity of the remaining portions hereof and it shall be construed to have been the legislative intent to pass this Resolution without such unconstitutional, invalid, inoperative or void part, thereby causing said remainder to remain in full force and effect.

SECTION 3. CONFLICTS. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent necessary to give this Resolution full force and effect.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was moved for adoption by CRA Member _____ .The motion was seconded by CRA Member _____ and upon being put to a vote, the vote was as follows:

CRA Chairman Susan P. Adams	_____
CRA Member Fernando R. Herrera	_____
CRA Member Joel Tyson	_____
CRA Member Sara J. Savage	_____
CRA Member Daniel Naranjo	_____

The Chairman thereupon declared this Resolution duly passed and adopted this _____ day _____ of 2009.

CITY OF FELLSMERE, FLORIDA

Susan P. Adams, Mayor

Attest:

Deborah C. Krages, City Clerk

(SEAL)