

RESOLUTION NO. 09-II

A RESOLUTION OF THE CITY OF FELLSMERE COMMUNITY REDEVELOPMENT AGENCY, INDIAN RIVER COUNTY, FLORIDA, MAKING WRITTEN RECOMMENDATIONS TO THE CITY COUNCIL FOR ADOPTION OF THE MODIFIED COMMUNITY REDEVELOPMENT PLAN FOR THE CITY OF FELLSMERE COMMUNITY REDEVELOPMENT AREA AS EXPANDED, NOTING CONFORMANCE WITH THE APPLICABLE GOALS, OBJECTIVES AND POLICIES CONTAINED WITHIN THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR SUBMITTAL OF THE PLAN TO THE CITY COUNCIL; PROVIDING FOR SEVERABILITY; 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 Part III of Chapter 163, Florida Statutes (The Community Redevelopment Act of 1969, as amended, or the "Act") specifically Section 163.360(4) of the Act, the Local Planning Agency must submit its written recommendations with respect to the conformity of the proposed modifications to the Community Redevelopment Plan to the Community Redevelopment Agency, a copy of Resolution 09-HH, adopted by the Local

Planning Agency/Planning and Zoning Commission on _____, 2009, is attached hereto and made a part hereof; and

WHEREAS, as required by Part III of Chapter 163, Florida Statutes (The Community Redevelopment Act of 1969, as amended, or the "Act") specifically Section 163.361(1) of the Act, requires the Community Redevelopment Agency to submit the proposed Community Redevelopment Plan, which includes the Expanded Area, to the City Council as the governing body of the City of Fellsmere, Florida, with written recommendations regarding adoption of the modified Community Redevelopment Plan; and

WHEREAS, this Resolution constitutes the Community Redevelopment Agency's written recommendations.

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

SECTION 1. FINDINGS.

1. The Local Planning Agency/Planning and Zoning Commission reviewed the proposed modified Community Redevelopment Plan for the Community Redevelopment Area, including the Expansion Area, on _____, 2009, and found in Resolution No. 09-HH that the modified Community Redevelopment Plan conforms to and is consistent with the applicable Goals, Objectives and Policies of the City's Comprehensive Plan for the development of the City as a whole.
2. The Local Planning Agency/Planning and Zoning Commission submitted the proposed modified Community Redevelopment Plan back to the Community Redevelopment Agency with their recommendations.
3. The Community Redevelopment Agency has submitted the proposed modified Community Redevelopment Plan for the Community Redevelopment Area, including the Expansion Area, to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the Community Redevelopment Area, as required by the Act.
4. The Community Redevelopment Agency recommends approval of the modified Community Redevelopment Plan to the City Council, City of Fellsmere, Florida, finding it necessary to improve the general economic, social, cultural, aesthetic, health, safety, and welfare of the community.

SECTION 2. SUBMITTAL OF THE PLAN. The City Manager or his designee is hereby requested to submit the modified Community Redevelopment Plan for the Community Redevelopment Area, to the City Council with this Resolution constituting the written recommendation to adopt the modified Community Redevelopment Plan.

SECTION 3. 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 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)