

**RESOLUTION NO. 17-870**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, AMENDING THE CITY OF BRADENTON BEACH COMMUNITY REDEVELOPMENT PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, DOES HEREBY RESOLVE AS FOLLOWS:**

**WHEREAS**, Part III of Chapter 163, Florida Statutes, as amended, (hereinafter referred to as the "Act") currently allows a county or municipality to create a Community Redevelopment Agency ("CRA") to carry out redevelopment of slum or blighted areas when certain conditions exist. Examples of conditions that can support the creation of a CRA include the presence of substandard or inadequate structures, a shortage of affordable housing, inadequate infrastructure, and insufficient roadways; and

**WHEREAS**, on January 23, 1992, a Special District, known as the Bradenton Beach Community Redevelopment Agency, was created pursuant to Chapter 163, Part III, Florida Statutes; and

**WHEREAS**, Ordinance Number 92-273, as amended by Ordinance Numbers 92-273a and 92-275, and Resolution 98-615 set forth, and established the Mayor and City Commission as the Community Redevelopment Agency for the City of Bradenton Beach in accordance with Section 163.356, Florida Statutes;

**WHEREAS**, the City Commission of the City of Bradenton Beach, Florida, has heretofore adopted Resolution Numbers 92-499 and 92-500 in which certain findings of fact were made relating to the existence of blighted areas within the boundaries of the City, thereby finding a necessity to implement the provisions of the Community Redevelopment Act of 1969; and

**WHEREAS**, the CRA has the authority as a body corporate and politic established by the City of Bradenton Beach pursuant to Chapter 163, Part III, Florida Statutes, to conduct business on behalf of the Community Redevelopment District; and

**WHEREAS**, the CRA has determined that the 1992 Community Redevelopment Plan and Commercial Revitalization Plan for the City of Bradenton Beach, Florida needs to be updated, amended, and the timeframe needs to be expanded for the CRA to complete its projects to rehabilitate the CRA District and eradicate conditions of slum and blight, or both, therein. Said efforts cannot be completed within the timeframe of the 1992 CRA Plan and needs to be extended thirty (30) years from the date of the adoption of this Resolution in accordance with Florida Statute, Part III, Chapter 163; and

**WHEREAS**, the CRA has held duly noticed public meetings at which all citizens so desiring had an opportunity to be heard concerning the 2017 Plan; and

**WHEREAS**, the City Planner, by Memorandum and the City of Bradenton Beach Planning and Zoning Board, sitting as the Local Land Planning Agency pursuant to Section 163.360(3), Fla. Stat., reviewed the City of Bradenton Beach Community Redevelopment Plan ("2017 Plan") on April 12, 2017 and April 19, 2017 and found that it conforms with the City of Bradenton Beach Comprehensive Plan; and

**WHEREAS**, the City of Bradenton Beach CRA has reviewed the 2017 Plan, and has approved it to be considered by the City of Bradenton Beach City Commission with proper notice and opportunity to be heard by the local taxing authorities; and

**WHEREAS**, all local taxing authorities have been provided written notice of the adoption of the CRA Plan Amendment, as well as a copy of the proposed 2017 CRA Plan.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

**Section 2.** The City of Bradenton Beach Community Redevelopment Agency Plan, which is attached hereto and incorporated herein as Exhibit "A" satisfies the requirements of Chapter 163, Florida Statutes (2016) (the "Act"). Further, the rehabilitation, conservation, redevelopment, or a combination thereof, of the CRA is necessary in the interest of the public health, safety, morals, or welfare of the residents of the CRA by rehabilitating and revitalizing the area economically and socially, thereby inhibiting the spread of disease and crime, and *inter alia*, improving the tax base, promoting sound growth, and providing improved housing conditions and waterfront areas. Pursuant to Section 163.335(4), Fla. Stat., the Florida Legislature recognized that economically and physically distressed coastal areas should be revitalized via CRAs, which has been defined to include:

[C]oastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout, or a combination thereof which the governing body designates as appropriate for community redevelopment. Section 163.340(10), Fla. Stat.

Further, the 2017 Plan conforms to the Comprehensive Plan of the City as a whole and, therefore is hereby approved and shall replace the 1992 CRA Plan in its entirety.

**Section 3.** The CRA is hereby authorized and directed to carry out the 2017 CRA Plan and exercise those powers granted by the Act and such other powers granted herein, as

either shall be amended from time to time.

**Section 4.** Regardless of any powers granted to the Community Redevelopment Agency by the Redevelopment Act, the Commission shall retain and may exercise the power set forth and described in Section 163.370, Florida Statutes (2016), as amended, and the following powers, which continue to remain vested in the Commission, pursuant to Section 163.358, Florida Statutes (2016):

1. The power to determine an area to be a slum or blighted area, or combination thereof; to designate such area as appropriate for community redevelopment; and to hold any public hearings required with respect thereto;
2. The power to grant final approval to community redevelopment plans and modification thereof;
3. The power to authorize the issuance of revenue bonds as set forth in s. 163.385, Florida Statutes;
4. The power to approve the acquisition, demolition, removal, or disposal of property as provided in Section 163.370(4), Florida Statutes, and the power to assume the responsibility to bear loss as provided in Section 163.370(4), Florida Statutes;
5. The power to approve the development of community policing innovations; and
6. The power of eminent domain.

**Section 5. Severability.** If any section, sub-section, paragraph, sentence, clause or phrase in this Resolution shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND DULY ADOPTED** with a quorum present and voting this 23 day of

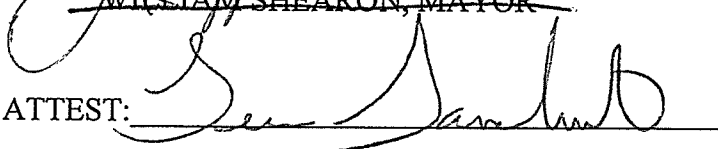
May, 2017.

**CITY OF BRADENTON BEACH, FLORIDA, BY AND THROUGH THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH.**

BY:

  
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WILLIAM SHEARON, MAYOR

ATTEST:

  
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CITY CLERK/DEPUTY CITY CLERK