



Legislation Details (With Text)

File #: 19-0209

Type: Public Hearing

Status: Passed

In control: Board of County Commissioners

On agenda: 1/29/2019

Final action: 1/29/2019

Title: ADOPTION OF AN ORDINANCE AND A RESOLUTION EXTENDING THE TERM OF EACH COMMUNITY REDEVELOPMENT AREA FOR AN ADDITIONAL TEN YEARS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance_CRA Time Extension.pdf, 2. Resolution CRA Plans modification 10 years.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------------------|----------|--------|
| 1/29/2019 | 1 | Board of County Commissioners | approved | Pass |

PLACEMENT: Public Hearings

TITLE:

ADOPTION OF AN ORDINANCE AND A RESOLUTION EXTENDING THE TERM OF EACH COMMUNITY REDEVELOPMENT AREA FOR AN ADDITIONAL TEN YEARS

EXECUTIVE SUMMARY:

The Community Redevelopment Plans (CRP) for each of the six (6) Community Redevelopment Areas (CRA areas) were adopted between 15-18 years ago. To build the visions as directed in the CRPs, the Community Redevelopment Agency is requesting the Board of County Commissioners to extend the term of each of the CRA areas for an additional ten (10) years.

DEPARTMENT: Administration

PREPARED BY: **Name:** Susan Kores
Title: Manager, Office of Community Development

REQUESTED BY: Susan Kores

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

Each CRA area was created based on a Finding of Necessity adopted by the Board of County Commissioners identifying slum and blighted conditions, as defined in Section 163.335, Florida Statutes. A CRP was adopted Countywide and for each CRA area in accordance with Sections 163.360 and 163.362, Florida Statutes, providing for a term of thirty (30) years from the date of adoption of the CRP for completing redevelopment financed by increment revenues.

Slum and blighted conditions, as defined in Section 163.335, Florida Statutes, and as addressed in each CRP, still exist in all of the six (6) CRA areas. However, new codes, enhanced roadways (i.e., Mapp and Bridge), infrastructure enhancements, property acquisition, comprehensive plan amendments and an opportunity zone designation are all happening now. When these projects, and others, are complete, additional collaborative opportunities with the private sector will be available, thus increasing the Agency's positive redevelopment outcomes. Thorough, thoughtful and considerate redevelopment does not happen quickly, which is why, at this critical juncture in the time of these CRA areas, it is so important to adopt the ten-year extension.

Each Neighborhood Advisory Committee and the Community Redevelopment Agency has unanimously voted to recommend this extension.

Attached is an amendment to Section 39.4, General Ordinances, Martin County Code, that adds language consistent with Sections 163.361, 163.362, and 163.387, Florida Statutes, allowing the term of each CRP to be extended.

Attached is a Resolution adopting a modification to the CRP for each of the six (6) CRA areas and the Countywide to extend the term of each CRA area ten (10) years, for a total of forty (40) years each.

CRP adoption dates:

Golden Gate - September 24, 2002
Hobe Sound - December 19, 2000
Jensen Beach - November 12, 2002
Old Palm City - April 22, 2003
Port Salerno - June 13, 2000
Rio - April 24, 2001
Countywide - March 20, 2001

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

The adoption of the Ordinance is a legislative matter. Legislative decisions are those in which the local government formulates policy rather than applying specific rules to a particular situation. A local government's approval or denial of an issue in its legislative capacity is typically subject to a fairly debatable standard of review. Fairly debatable means that the government's action must be upheld if reasonable minds could differ as to the propriety of the decision reached. Decisions subject to the fairly debatable standard of review need only be rationally related to a legitimate public purpose, such as the health, safety, and welfare of the public, to be valid. Given this broad discretion, only decisions that arbitrary and capricious or illegal are subject to serious legal challenge.

The adoption of the Resolution is a matter of Board policy and to the extent this item contains legal issues; it has been reviewed for legal sufficiency.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board adopt the Ordinance amending Section 39.4, General Ordinances, Martin County Code to allow each CRA area an additional ten (10) years of operation.
2. Move that the Board adopt the Resolution approving modification to the Port Salerno, Hobe Sound, Rio, Golden Gate, Jensen Beach, Old Palm City, and Countywide Community Redevelopment Plans to extend, by ten (10) years, the current sunset date of each plan.

ALTERNATIVE RECOMMENDATIONS

Move that the Board provide direction.

FISCAL IMPACT:

RECOMMENDATION

Tax Increment Financing within the six (6) CRA areas will continue for ten (10) additional years.

| Funding Source | County Funds | Non-County Funds |
|----------------|--------------|------------------|
| | | |
| | | |
| | | |
| Subtotal | | |
| Project Total | | |

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☒ Ordinance ☒ Resolution
☐ Other: