

Town of Eatonville



# TOWN OF EATONVILLE COMMUNITY REDEVELOPMENT AGENCY – BOARD TRAINING

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# TOP REDEVELOPMENT BEST PRACTICE

- THE LAW TRUMPS POLITICS EVERY TIME
- “MAY” PLUS AN ACTION VERB IS THE BEST REDEVELOPMENT PLAN RECIPE
- LET THE EXPERTS BE THE EXPERTS
- CRA “PUBLIC PROFIT” IS HEALTHY, LEGAL AND IS MEASURABLE OVER THE CRA’S LIFESPAN
- THE PLAN RUNS THE MONEY ○ THE MONEY RUNS THE PLAN
- LOCAL GOVERNMENT EQUALS LOWEST BID / CRA EQUALS ABOVE AND BEYOND
- GOVERNMENT DOES NOT CREATE INCREMENT REVENUE, THE PRIVATE SECTOR DOES
- IF THE CITY/COUNTY IS ALREADY DOING IT, THEN THE CRA PROBABLY SHOULDN’T

# HOW CHAPTER 163, PART III CAME ABOUT?

## STATE OF FLORIDA FINDS / DECLARES THAT MENACING SLUM AND BLIGHT AREAS:

- INJURE THE RESIDENTS OF THE STATE'S PUBLIC HEALTH, SAFETY, MORALS AND WELFARE
- SPREAD DISEASE AND CRIME
- CONSTITUTE ECONOMIC AND SOCIAL LIABILITIES IMPOSING AN ONEROUS BURDEN THAT: 1) DECREASE THE TAX BASE; 2) REDUCE TAX REVENUE; 3) IMPAIR OR ARREST SOUND GROWTH; 4) DELAY HOUSING ACCOMMODATION; 5) AGGRAVATE TRANSPORTATION PROBLEMS, AND 6) HAMPER TRAFFIC HAZARD ELIMINATION
- ENDANGER AREA AS A FOCAL CENTER OF DISEASE
- PROMOTE JUVENILE DELINQUENCY
- CONSUME EXCESSIVE REVENUE BECAUSE OF EXTRA POLICE, FIRE, ACCIDENT, HOSPITALIZATION AND OTHER SERVICES

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## WHAT IS “COMMUNITY REDEVELOPMENT” - SECT. 163.340(9)

*UNDERTAKINGS, ACTIVITIES, OR PROJECTS IN A COMMUNITY REDEVELOPMENT AREA FOR THE FOLLOWING:*

- ELIMINATION AND PREVENTION OF THE DEVELOPMENT OR SPREAD OF **SLUM AND BLIGHT**, OR
- REDUCTION OR PREVENTION OF **CRIME**, OR
- PROVISION OF **AFFORDABLE HOUSING**, WHETHER FOR **RENT** OR FOR **SALE**, TO **RESIDENTS** OF LOW (80% AMI) OR MODERATE (120% AMI) INCOME, INCLUDING THE **ELDERLY**, AND MAY INCLUDE
- **SLUM CLEARANCE** AND **REDEVELOPMENT** IN A COMMUNITY REDEVELOPMENT AREA OR
- REHABILITATION AND REVITALIZATION OF COASTAL RESORT AND TOURIST AREAS THAT ARE **DETERIORATING** AND **ECONOMICALLY DISTRESSED**, OR
- REHABILITATION OR CONSERVATION IN A COMMUNITY REDEVELOPMENT AREA, OR
- ANY COMBINATION OR PART THEREOF, **IN ACCORDANCE WITH A COMMUNITY REDEVELOPMENT PLAN**, AND MAY
- INCLUDE THE PREPARATION OF SUCH A **PLAN**.

# WHAT IS A CRA – SECT. 163.356(1)

DEPENDENT **SPECIAL**  
DISTRICT – F.S. 189.012

**SEPERATE** and **DISTINCT**  
from the **GOVERNING**  
**BODY** that created it - FS  
163.356 (1)

APPOINTED Board  
Members

- 5-9 members – F.S. 163.356 (2)
- 4-year terms – F.S. 163.356(2)
- **NO** compensation – F.S. 163.356  
(3)(a)

GOVERNING BODY as CRA  
Board

**ONE** Community  
Redevelopment Agency  
Board per jurisdiction;  
except in Charter Counties  
having a population less  
than 1.6 million people –  
F.S. 163. 356 (1)

**ONE** CRA may have  
**MULTIPLE CRA AREAS** or  
**ADVISORY COMMITTEES**

**AREAS** have **SEPERATE** trust  
funds, accounting, uses,  
plans

# HOW DO CRA'S REDEVELOP COMMUNITIES? – SECT. 163.370(2)

## CRA'S MAY

- CONTRACT
- DISSEMINATE **SLUM CLEARANCE** AND COMMUNITY REDEVELOPMENT **INFORMATION**
- ACQUIRE, IMPROVE, HOLD, CLEAR, PREPARE, AND DISPOSE OF **PROPERTY** AT **FAIR VALUE**  
\***ACQUIRE** MEANS PURCHASE, LEASE, OPTION, GIFT, GRANT, BEQUEST, DEVISE, OR OTHER VOLUNTARY METHOD OF PERSONAL OR REAL PROPERTY
- DEMOLISH **BUILDINGS** AND **IMPROVEMENTS**
- INSTALL **STREETS, UTILITIES, PARKS, PLAYGROUNDS, MAJOR HOTEL PUBLIC AREAS IN**
- **SUPPORT OF CONVENTION CENTERS, AND OTHER IMPROVEMENTS** NECESSARY TO CARRY OUT THE **COMMUNITY REDEVELOPMENT PLAN**
- REPAIR AND REHABILITATE **BUILDINGS** OR **OTHER IMPROVEMENTS**
- PLAN, SURVEY, APPRAISE, STUDY, ZONE, REZONE, CLOSE, AND VACATE
- DEVELOP/IMPLEMENT **COMMUNITY POLICING INNOVATION**



# HOW DO CRA'S REDEVELOP COMMUNITIES? – SECT. 163.370(2) (CONT.)

- MORTGAGE, PLEDGE, HYPOTHECATE, OR ENCUMBER OR DISPOSE OF **REAL PROPERTY**
- INSURE, OR PROVIDE INSURANCE FOR **ANY COUNTY** OR **CITY REAL** OR **PERSONAL PROPERTY** OR OPERATION AGAINST ANY RISK OR HAZARD
- TO SOLICIT **REQUESTS FOR PROPOSALS** FOR **REAL** PARCEL REDEVELOPMENT CONTEMPLATED BY A COMMUNITY REDEVELOPMENT PLAN TO BE ACQUIRED FOR REDEVELOPMENT PURPOSES BY THE CRA PURSUANT TO **163.380**
- INVEST RESERVE CRA FUNDS
- BORROW **MONEY** AND **APPLY** FOR AND **ACCEPT ADVANCES, LOANS, GRANTS, CONTRIBUTIONS** AND ANY OTHER FORM OF ASSISTANCE
- PLAN **VOLUNTARY** OR **COMPULSORY** REPAIR AND REHABILITATION OF **BUILDINGS** AND **IMPROVEMENTS**
- PLAN **ENFORCEMENT** OF **STATE** AND **LOCAL LAND USE** AND **OCCUPANCY LAWS, CODES, AND REGULATIONS.**

# WHAT CRA'S MAY NOT TO REDEVELOP COMMUNITIES? – SECT. 163.370(3)

## CRA'S MAY NOT

- USE EMINENT DOMAIN AS A FUNCTION OF REDEVELOPMENT
- BUILD PUBLIC BUILDINGS, EXCEPT FOR THE FOLLOWING:
  - **POLICE DEPARTMENT** AS PART OF THE COMMUNITY REDEVELOPMENT PLAN'S COMMUNITY POLICING INNOVATION
  - **PUBLIC BUILDINGS** AGREED UPON BY **EACH** TAXING AUTHORITY
- INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR, OR ALTER ANY **PUBLICLY-OWNED IMPROVEMENT PROJECTS** CURRENTLY ON THE **GOVERNING BODY'S CAPITAL IMPROVEMENTS PLAN. MUST USE A 3-YEAR WAIT PERIOD**
- OFFSET GENERAL GOVERNMENT EXPENSES UNRELATED TO THE PLANNING AND CARRYING OUT OF THE COMMUNITY REDEVELOPMENT PLAN

# WHAT IS INCREMENT REVENUE? – SECT. 163.387(1)(A)

- CRAS DO NOT SPEND TAXES (DIRECTLY), THEY SPEND INCREMENT REVENUE
- **TAX INCREMENT FINANCE (TIF)** IS THE METHOD USED TO CALCULATE THE CRA'S **INCREMENT REVENUE**
- 1980 MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY V. STATE OF FLORIDA - "THE SOURCE OF THIS REVENUE **IS NOT LIMITED TO ANY SPECIFIC GOVERNMENT REVENUE**. THAT THE STATUTORY DUTY TO MAKE THE ANNUAL CONTRIBUTIONS WOULD BECOME A CONTRACTUAL DUTY, PART OF THE OBLIGATION OF THE BONDS, DOES NOT MEAN, HOWEVER, THAT THESE BONDS ARE PAYABLE FROM AD VALOREM TAXATION, IN THE CONSTITUTIONAL SENSE OF THE TERM."
- 2006 STRAND V. ESCAMBIA COUNTY **REAFFIRMED**
- FLORIDA STATE CONSTITUTION ARTICLE VII, SECTION 10 - "NEITHER THE STATE NOR ANY COUNTY, SCHOOL DISTRICT, MUNICIPALITY, **SPECIAL DISTRICT**, OR AGENCY OF ANY OF THEM, SHALL BECOME A JOINT OWNER WITH, OR STOCKHOLDER OF, OR GIVE, LEND OR USE ITS **TAXING POWER OR CREDIT** TO AID ANY CORPORATION, ASSOCIATION, PARTNERSHIP OR PERSON..."



# HOW INCREMENT IS VALUED – SECT. 163.387(1)(A)

Contributed by cities, counties, certain districts, but not school boards, water or library districts

BASE Year start the increment

On average, taxable property value increases from year of creation

May include sales taxes, utility fees, donations, loans

Goal: leverage with private money

Statutorily, the CRA receives 95% of the increment, may vary in chartered counties

Taxing authorities continue to receive base year value plus between 5 and 50% of the increment, charter counties may limit their contributions

All taxable properties in the CRA

City/county millage rates apply

Does not include debt service millage

Collected for up to 40 years for CRAs started after 2002, 60 years for prior

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HOW DO CRAS SPEND THE  
INCREMENT? – SECT.

163.370(2)

# INCREMENT SPENDING

Administrative  
and overhead  
expenses

Redevelopment  
planning, surveys  
and financial  
analysis

Acquisition of real  
property in the CRA  
district

Clearance/preparation  
& relocation of  
occupants

Repayment of  
borrowed funds

All expenses related  
to bonds/other  
indebtedness

Development of **LOW  
TO MODERATE  
INCOME** housing

Community policing  
innovations

# INCREMENT SPENDING (CONT.)

Capital  
Expenditures

Promotion and  
marketing as a  
means of  
dissemination

Incentives and  
grants

Code Enforcement

Land Acquisition

Cost  
sharing/allocation  
for services

**MAINTENANCE**  
and Repair  
sometimes

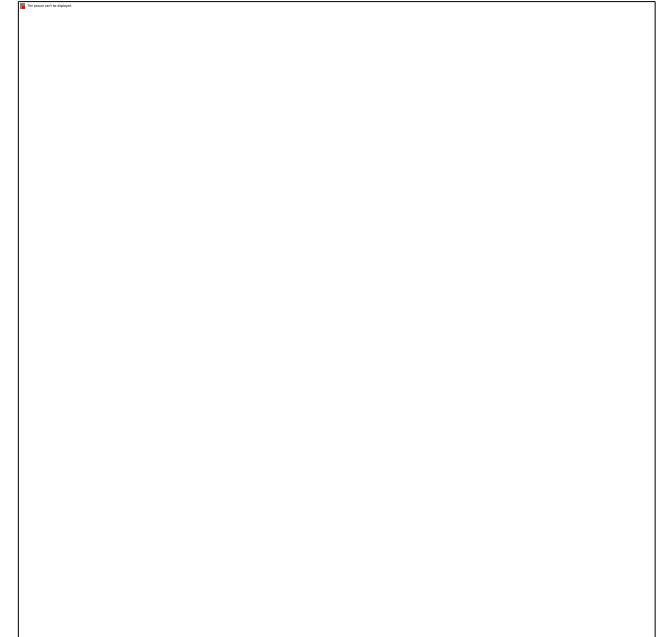


## ADMINISTRATIVE COSTS – SECT. 163.370(2)

- EXECUTIVE DIRECTOR (SECT. 163.356(C))
- TECHNICAL EXPERTS
- EDUCATIONAL/PROFESSIONAL DEVELOPMENT
- LEGAL COUNSEL AND STAFF
- OTHER SUCH EMPLOYEES AND AGENTS AS REQUIRED

# WHAT IS IN A REDEVELOPMENT PLAN? - SECT. 163.362

- LEGAL DESCRIPTION
- LAND USE AND GEOGRAPHY
- NEIGHBORHOOD IMPACT IF HOUSING IS PLANNED (GENTRIFICATION EFFECT)
- PUBLIC FUNDED PROJECTS – “IDENTIFIED SPECIFICALLY”
- SAFEGUARDS – THAT WORK CARRIED OUT IS “PURSUANT TO THE PLAN”
- RETENTION OF LAND CONTROLS
- RELOCATION OF EXISTING RESIDENTS
- HOUSING REMEDIES IF HOUSING IS PLANNED
- STATEMENT OF PROJECT COSTS
- TIME CERTAIN FOR REDEVELOPMENT
- BOND EXEMPTION –TO CRAS PRIOR TO 1984





# RECOMMENDATIONS TO CRA LEADERSHIP

- DO YOUR HOMEWORK, **TRUST YOUR CRA STAFF**
- MAKE SURE YOUR CRA STAFF IS TRAINED, **SO YOU CAN TRUST THEM**
- SEEK INPUT FROM CITIZENS, BUSINESSES — BUILD CONSENSUS
- ADOPT A **SHARED, CLEAR** VISION AND COMMITMENT TO IT, **NO MISSION DRIFT**
- GET OUT OF THE WAY - **STEER DON'T ROW**
- WORK FOR REDEVELOPMENT SUCCESS, **SUCCESS LEADS TO RESPECT**
- ARE PHILOSOPHICALLY THE CITY/COUNTY OPPOSITE CRAs, **SWITCH HATS AND SEATS**

# CRA REPORTING

- WEBSITE FILING OF UP-TO-DATE CRA DETAILED DISTRICT INFORMATION - CH. 189
- CRA ANNUAL BUDGET/CITY BUDGET WITH CRA IN IT POSTED ON OFFICIAL CRA WEBSITE PAGES TWO DAYS PRIOR AND 30 DAYS AFTER ADOPTION (SEPTEMBER/OCTOBER) - CH. 189
- WITHIN 10 DAYS OF BUDGET APPROVAL SEND COPY TO ACTIVE TAXING AUTHORITIES
- ANNUAL FILING FEE \$175 AND ANY UPDATES TO FLORIDA SPECIAL DISTRICT OFFICE (DEC) - CH. 189
- CRA ANNUAL FINANCIAL REPORT (AFR/CAFR) - CH. 218
- CRA LOCAL ANNUAL REPORT COMPLETED WITH NOTICE IN NEWSPAPER (MARCH) - CH. 163 PART III
- COPY OF ANNUAL AUDIT TO EACH TAXING AUTHORITY AND TO AUDITOR GENERAL (45 DAYS AFTER COMPLETION OR JUNE 30) - CH. 218

# BUILDING CONSENSUS

Use experts and professionals

Develop innovative and creative ways to gather opinions

Did you understand “what they just said”? CRAs are unlike anything else in Florida –**COMPLICATED** and **UNIQUE** - ask questions

You can over think things: timing is everything - **HAVE STAFF TO PULL ME BACK**

Easy and clear measures progress/success -**KISS**

Implement simple/effective communication system for CRA reports, activities –  
**KNOW WHAT YOU'RE TALKING ABOUT**

# AREAS OF CONCERN FOR CRA'S – ASK YOUR CRA LEGAL COUNSEL

- MARKET/DIRECT FUNDING EVENTS - AG-2010-40
- FUNDING NON-PROFITS - AG-2010-40
- SUBSTITUTION OF CRA FUNDING FOR CITY/COUNTY DUTIES/PROJECTS DONE PREVIOUSLY BY THEM (CANNOT BE USED FOR GENERAL OPERATING EXPENSES OF THE GOVERNING BODY LACKING ANY CONNECTION WITH CRA-SPECIFIC ACTIVITIES OR UNDERTAKINGS)
- MAINTENANCE AND REPAIR OF CRA PROJECTS – IS IT IN YOUR PLAN?
- COMMUNITY POLICING INNOVATION – DETAILS, DETAILS, DETAILS (IT'S IMPERATIVE TO DISTINGUISH THE EXPENDITURES FOR POLICING INCURRED BY THE CRA FROM GENERAL OPERATING EXPENSES OF THE CITY)
- REIMBURSEMENT TO CITY/COUNTY OF EXPENSES - AUDITOR GENERAL REPORTS 2006
- PUBLIC RECORDS
- SUNSHINE LAW COMPLIANCE

# WARNING!!

163.370 Any project or program not outlined in the Community Redevelopment Plan (CRP) and not expended in the CRA district

***(Even if the statute authorizes it!)***

All throughout the statute, it says do not spend CRA money unless the expenditure is in the plan and within the CRA boundaries.



THANK YOU

QUESTIONS?