

ORDINANCE O-24-2022

AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA CREATING THE GREEN COVE SPRINGS COMMUNITY REDEVELOPMENT AGENCY; APPOINTING A FIVE MEMBER BOARD OF COMMISSIONERS OF THE AGENCY; DESIGNATING STAGGERED TERMS; APPOINTING A CHAIR AND VICE CHAIR; AUTHORIZING AN INTERLOCAL AGREEMENT WITH CLAY COUNTY TO ALLOW COUNTY COMMISSIONERS OR THEIR REPRESENTATIVES TO SERVE ON THE BOARD; BESTOWING ALL THE RIGHTS, POWERS, DUTIES, PRIVILEGES, AND IMMUNITIES PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES UPON AND TO THE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR RELATED PROVISIONS AND ACCEPTING THE TERMS OF RESOLUTION NO. 2021/2022-56 OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR SEVERABILITY, REPEALER AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Green Cove Springs, Florida (the “City”), has begun the process of establishing a Community Redevelopment Agency (the “Agency”) pursuant to the Community Redevelopment Act of 1969 which is codified at Part III, Chapter 163, Florida Statutes, as amended (the “Act”); and

WHEREAS, the City Council of the City duly adopted, Resolution No. R-03-2022 (the “City Resolution”), which is attached hereto as Exhibit A and incorporated herein by reference, which among other things, declared an area within the City boundaries, generally described as the downtown and US 17 corridor and referred to as the Green Cove Springs Redevelopment Area (the “Area”), to be “slum or blighted area”; and

WHEREAS, Clay County, Florida (the “County”) has duly adopted a home rule charter; and

WHEREAS, the County has pursuant to section 163.410 of the Act, adopted Resolution No. 2021/2022-56 (the “County Resolution”) delegating to the City Council certain powers conferred upon the County by the Act within the corporate boundaries of the City; and

WHEREAS, a true copy of the County Resolution is attached hereto as Exhibit B and incorporated herein by reference ; and

WHEREAS, the County Resolution delegated limited power to the City to create the Agency provided that 1) the composition of the Agency shall consist of two (2) members appointed by the City, two (2) members appointed by the Board of County

Commissioners (the “Board”), and one (1) at-large member appointed by the other four (4) members, and 2) the sole power initially delegated to the Agency is to propose and adopt a plan of development for the Area (the “Plan”), which Plan shall then be submitted to the City and County for review and upon the completion of their respective reviews, be submitted to the City Council and thereafter to the Board for approval after notice; and

WHEREAS, after approval of the Plan by the City and County, the County Board shall consider the delegation of additional powers to the Agency in the form of an interlocal agreement by subsequent resolution of the County Board; and

WHEREAS, the prospective five (5) Commissioners and their positions in the initial Agency governing body have now been chosen as follows:

Seat 1 - Mitch Timberlake, Chair	4 year term
Seat 2 - Van Royal, Vice Chair	4 year term
Seat 3 - Krista Burke	3 year term
Seat 4 - Heather _____	2 year term
Seat 5 - Andrea Vallencourt	1 year term; and

WHEREAS, seats 3 and 4 have previously been approved by the County Board; and

WHEREAS, this Ordinance shall duly establish and create the Green Cove Springs Community Redevelopment Agency with all of the rights, powers, privileges, duties, and immunities of a community redevelopment agency as allowed by law unless otherwise limited or modified by subsequent Resolution of the County Board; and

WHEREAS, the next steps for the Agency will be to approve the Plan and submit same to the City Council and the County Board for approval.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:

SECTION 1. The foregoing recitations are incorporated as part of this Ordinance by reference.

SECTION 2. Pursuant to Chapter 163 Part III, Florida Statutes, specifically, section 163.356, Florida Statutes; the City Council does hereby establish and create the Green Cove Springs Community Redevelopment Agency for the Area as described in the City Resolution attached as Exhibit A which include the parcels of real property shown on Exhibit C attached hereto, as well as City properties located in such Area.

SECTION 3. The Agency shall comply with all applicable provisions of Chapter 189, Florida Statutes, entitled cited as the “Uniform Special District Accountability Act”.

SECTION 4. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon passage.

INTRODUCTION AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA, ON THIS 15th DAY OF NOVEMBER, 2022.

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
Daniel M. Johnson, Mayor

ATTEST: _____
Erin West, City Clerk

PASSED ON SECOND AND FINAL READINGS BY THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 6th DAY OF DECEMBER, 2022.

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
Daniel M. Johnson, Mayor

ATTEST: _____
Erin West, City Clerk

APPROVED AS TO FORM:

L. J. Arnold III, City Attorney