

ORDINANCE NO. 84-17

AN ORDINANCE OF THE CITY OF DELAND, PURSUANT TO FLORIDA STATUTE 163.387, PROVIDING FOR THE CREATION AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND FOR THE DELAND COMMUNITY REDEVELOPMENT PROJECT AREA AS SET FORTH IN RESOLUTIONS 84-3 AND 84-10 OF THE CITY COMMISSION OF THE CITY OF DELAND, FLORIDA, FOR THE DURATION OF THE COMMUNITY REDEVELOPMENT PROJECT; DESIGNATING THE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO CHAPTER 163.387(1), FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of DeLand has heretofore adopted Resolution No. 84-3 and Resolution 84-10, on which certain findings of fact were made relating to the existence of slum or blighted areas within the boundaries of certain areas of the City of DeLand; and

WHEREAS, said Resolutions describe the areas in which there exists slum and blight; and

WHEREAS, the City Commission of the City of DeLand desires to provide for the removal of such slum and blighted areas and redevelop such areas, pursuant to the Community Redevelopment Act of 1969, as contained in Florida Statutes, Chapter 163, Part III.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELAND, FLORIDA, AS FOLLOWS:

Section 1. There is hereby established and created, in accordance with the provisions of Florida Statute 163.387, a Community Redevelopment Trust Fund hereafter referred to as the "Fund".

Section 2. The funds allocated to and deposited into the Fund are hereby appropriated to the DeLand Downtown Redevelopment Authority, acting as the Community Redevelopment Agency, hereafter referred to as the "Agency", to finance projects within the DeLand Community Redevelopment Project Area, hereafter referred to as the "Agency", to finance projects within the DeLand Community Redevelopment Project Area, hereafter referred to as the "Project", as authorized by Resolutions 84-3 and 84-10, said

Resolutions being adopted and made a part of this Ordinance by reference. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every Community Redevelopment purpose delegated to it in the aforementioned Resolutions, and as contained in the Plan for Redevelopment and as provided by law, said Fund to exist for the duration of the Project. Said funds shall be held by the City of DeLand for and on behalf of the Community Redevelopment Agency.

Section 3. There shall be paid into the Fund each year by all taxing authorities, except school districts within the Community Redevelopment Project Area, the incremental increase in ad valorem taxes levied each year by the above taxing authorities, as compared to the amount of ad valorem taxes collected by the taxing authorities on taxable property in the Community Redevelopment Project Area, as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the Ordinance approving the Community Redevelopment Plan.

Section 4. The most recent tax roll used in connection with the taxation of such property shall be the Tax Roll of 1983 of Volusia County, and all deposits into the Fund shall begin with incremental increases in ad valorem tax revenues received subsequent to November 1, 1984.

Section 5. Said tax increment shall be determined and appropriated annually, and shall be an amount equal to the difference between:

- a. That amount of ad valorem taxes levied each year by all taxing authorities except the school district on taxable real property contained within the geographic boundaries of the Community Redevelopment Project Area; and
- b. That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for all taxing authorities, except the school district, upon the total of the assessed value of the taxable property in the

Community Redevelopment Project Area, as shown upon the assessment roll used in connection with the taxation of such property by all taxing authorities.

Section 6. All taxing authorities, except the school district, will annually appropriate to the Fund the aforestated sum at the beginning of their fiscal year. The Fund shall receive tax increment above described only as, if and when such taxes may be collected by the taxing authorities. The taxing authorities' obligation to annually appropriate to the Fund shall commence immediately upon the effective date of this Ordinance and continue until all loans, advances and indebtednesses, if any, and interest thereon, incurred by the Agency as a result of the Project have been paid and only to the extent that such tax increment recited above accrues.

Section 7. The Agency is directed to establish and set up the Fund and to develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said funds for their allocated statutory purpose.

Section 8. The tax increment shall be computed by using the assessed value of taxable property in the Community Redevelopment Project Area for the year 1983 as the base, and in subsequent years using the assessed value of property in the Community Redevelopment Project Area for that year as the second factor in determining the amount of tax increment in that year.

Section 9. The Agency accepts full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the Fund, subject to the provisions of Section 2 of this Ordinance.

Section 10. Any and all ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

Section 11. If any part of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of the remainder, which shall remain in full force and effect.

Section 12. This Ordinance shall take effect as provided by law.

PASSED IN REGULAR SESSION THIS 7th DAY OF MAY, 1984.
ADOPTED ON SECOND READING THIS 21st DAY OF MAY, 1984.


Mayor - Commissioner

ATTEST:


City Clerk - Auditor

APPROVED AS TO FORM AND CORRECTNESS:


City Attorney

DeLand Sun News

Published Daily

DeLand, Volusia County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF VOLUSIA:

before the undersigned authority personally appeared,

Brad Mason

who on oath says that he is Advertising Dir.

of the DeLand Sun News, a daily newspaper published at
DeLand in Volusia County, Florida; that the attached copy
of advertisement, being a Notice of

Public Hearing

in the matter of Ordinance No.

84-(17)

Circuit

in the _____ Court,

was published in said newspaper in the issues of:

May 11, 1984

**NOTICE OF PUBLIC HEARING
CITY COMMISSION
CITY OF DELAND, FLORIDA**

NOTICE IS HEREBY GIVEN that there will be a Public Hearing on the following ordinance on Monday, May 21, 1984, at the regular meeting of the DeLand City Commission. The meeting will take place at 7:30 P.M. in the City Commission Chambers, 129 South Florida Avenue. All interested parties are invited to attend and be heard on the matter.

The original of the ordinance is on file in the office of the City Clerk and may be inspected Monday through Friday from 8:00 A.M. to 4:30 P.M.

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s/v. Ballentine
City Clerk

-Auditor
May 11, 1984

Brad Mason

Sworn to and subscribed before me this 11th day

of May AD. 19 84

Natary Public, State of Florida

My Commission Expires Nov. 5, 1986

Bonded By Ohio Casualty Insurance Co.

Pub. Cost, \$ 5.60