

ORDINANCE NO. 2000-42



AN ORDINANCE OF COLLIER COUNTY, FLORIDA, ESTABLISHING A REDEVELOPMENT TRUST FUND; PROVIDING FOR THE FUNDING OF A REDEVELOPMENT TRUST FUND FOR COMMUNITY REDEVELOPMENT WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR ADMINISTRATION OF THE REDEVELOPMENT TRUST FUND; DETERMINING THE TAX INCREMENT TO BE DEPOSITED IN THE REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR THE ANNUAL APPROPRIATION OF THE TAX INCREMENT BY TAXING AUTHORITIES IN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING THE GOVERNING BODY OF THE COMMUNITY REDEVELOPMENT AGENCY AS THE TRUSTEE OF THE REDEVELOPMENT TRUST FUND; EXEMPTING CERTAIN SPECIAL DISTRICTS FROM THE ANNUAL REQUIREMENT TO APPROPRIATE INCREMENT REVENUES TO THE REDEVELOPMENT TRUST FUND AND AUTHORIZING AND DIRECTING THE PREPARATION OF AN INTERLOCAL AGREEMENT IMPLEMENTING EACH SUCH EXEMPTION; PROVIDING AN EFFECTIVE DATE.

FILED
2000 JUN 19 PM 12:55
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

WHEREAS, by Resolution No. 2000-82 adopted by the County Commission of Collier County, Florida (the "County Commission") on March 14, 2000, it was determined that one or more blighted areas exist within Collier County, Florida, and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of Collier County; and

WHEREAS, by Resolution No. 2000-83 adopted by the County Commission on March 14, 2000, the County Commission created the Community Redevelopment Agency of Collier County, Florida (the "Agency"); and

WHEREAS, by Resolution No. 2000-181 adopted by the County Commission on June 13, 2000, the County Commission adopted a community

redevelopment plan (the "Plan") for the community redevelopment area as fully described in that Resolution and in Exhibit "A" attached hereto and made a part hereof (the "Community Redevelopment Area"); and

WHEREAS, in order to plan and implement community redevelopment within the Community Redevelopment Area it is necessary that a redevelopment trust fund be established and created for said area as provided in Section 163.387, Florida Statutes (1999) (the "Act"); and

WHEREAS, it is appropriate and reasonable for certain special taxing districts to be exempted from the requirement to make an annual appropriation of "increment revenues" to the redevelopment trust fund being created by this ordinance; and

WHEREAS, notice of the County Commission's intention to create a redevelopment trust fund has been published in a local newspaper of general circulation and mailed to all "taxing authorities" (as hereinafter defined) in accordance with Section 163.346, Florida Statutes (1999);

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION 1. There is hereby established and created, in accordance with the provisions of the Act, a Community Redevelopment Trust Fund (the "Fund") for the Community Redevelopment Area, which fund shall be utilized and expended for the purposes of and in accordance with the Plan, including any amendments or modifications thereto, including any "community redevelopment," as that term is defined in Section 163.340(9), Florida Statutes (1999), under the Plan.

SECTION 2. The monies to be allocated to and deposited into the Fund shall be used to finance "community redevelopment" within the Area according to tax increment revenues attributed to the Area, which shall be appropriated by the Agency. The Agency shall utilize the funds and revenues paid into and earned by the Fund for community redevelopment purposes as provided in the Plan and as permitted by law. The Fund shall exist for the duration of the "community redevelopment" undertaken by the Agency pursuant to the Plan to the extent permitted by the Act. Monies shall be held

In the Fund by Collier County, for and on behalf of the Agency, and disbursed from the Fund as provided by the Agency.

SECTION 3. There shall be paid into the Fund each year by each of the "taxing authorities," as that term is defined in Section 193.340(2), Florida Statutes (1999) except for those special districts exempted from such requirement, levying ad valorem taxes within the Community Redevelopment Area, a sum equal to ninety-five percent (95%) of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with Section 5 of this Ordinance and the Act, based on the base tax year established in Section 4 of this Ordinance (such annual sum being hereinafter referred to as the "tax increment").

SECTION 4. The most recent assessment roll used in connection with the taxation of property prior to the effective date of this Ordinance shall be the assessment roll of taxable real property in Collier County, Florida, prepared by the Property Appraiser of Collier County, Florida, and certified pursuant to Section 193.122, Florida Statutes (1999) reflecting valuation of real property for purposes of ad valorem taxation as of January 1, 1999 (the "base year value"), and all deposits into the Fund shall be in the amount of tax increment calculated as provided in Section 5 hereof based upon increases in valuation of taxable real property from the base year value as reflected on the preliminary assessment roll of taxable real property in the community redevelopment area in the unincorporated area in Collier County, Florida, prepared by the Property Appraiser of Collier County, Florida, filed with the Department of Revenue pursuant to Section 193.1142, Florida Statutes (1999).

SECTION 5. The tax increment shall be determined and appropriated annually by each taxing authority, and shall be an amount equal to ninety-five percent (95%) of the difference between:

(a) That amount of ad valorem taxes levied each year by all taxing authorities on taxable real property located within the geographic boundaries of the Community Redevelopment 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, upon the total of the assessed value of the taxable real property in the Community Redevelopment Area as shown upon the

assessment roll used in connection with the taxation of such property by all taxing authorities, prior to the effective date of this Ordinance.

SECTION 6. All taxing authorities shall annually appropriate to and cause to be deposited in the Fund the tax increment determined pursuant to the Act and Section 5 of this Ordinance at the beginning of each fiscal year thereof as provided in the Act. The obligation of each taxing authority to annually appropriate the tax increment for deposit in the Fund shall commence immediately upon the effective date of this Ordinance and continue to the extent permitted by the Act so long as any indebtedness pledging "increment revenue" is to be paid and so long as the Plan is in effect.

SECTION 7. The fund shall be established and maintained as a separate trust fund by the Agency so that the Fund may be promptly and effectively administered and utilized by the Agency expeditiously and without undue delay for its statutory purpose pursuant to the Plan.

SECTION 8. The governing body of the Agency shall be the trustees of the Fund and shall be responsible for the receipt, custody, disbursement, accountability, management, investment and proper application of all monies paid into the Fund.

SECTION 9. Pursuant to Section 183.387(2)(d), Florida Statutes (1999), the Board of County Commissioners of Collier County, Florida, as the governing body of Collier County, Florida, does hereby exempt the following special districts from the annual requirement to appropriate "increment revenues" and cause that amount to be deposited in the community redevelopment trust fund created by this ordinance: East Naples Fire District; Collier County Mosquito Control District; Big Corkscrew Fire District; and Immokalee Fire District. The appropriate County officials and consultants and advisors to the County and the CRA are hereby authorized and directed to prepare in conjunction with each such special district an interlocal agreement establishing the conditions of the exemption, including the period of time for which the exemption is granted.

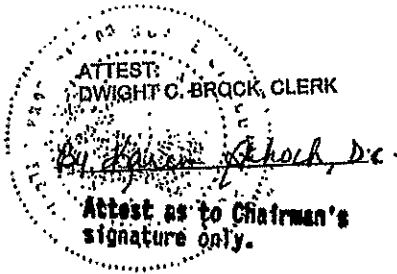
SECTION 10. Any and all ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

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 of this Ordinance, which shall remain in full force and effect.

SECTION 12. The Clerk of the Board of County Commissioners of Collier County, Florida, is hereby authorized and directed to send a certified copy of this Ordinance to each of the taxing authorities and to the Property Appraiser of Collier County, Florida.

SECTION 13. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County the 13 day of June, 2000.



BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: [Signature]
TIMOTHY J. CONSTANTINE, CHAIRMAN

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
David C. Welgel
County Attorney

This ordinance filed with the Secretary of State's Office the 19 day of June, 2000 and acknowledgement of that filing received this 21 day of June, 2000
By: [Signature]
Deputy Clerk

EXHIBIT A

BAYSHORE/GATEWAY TRIANGLE REDEVELOPMENT AREA DESCRIPTION

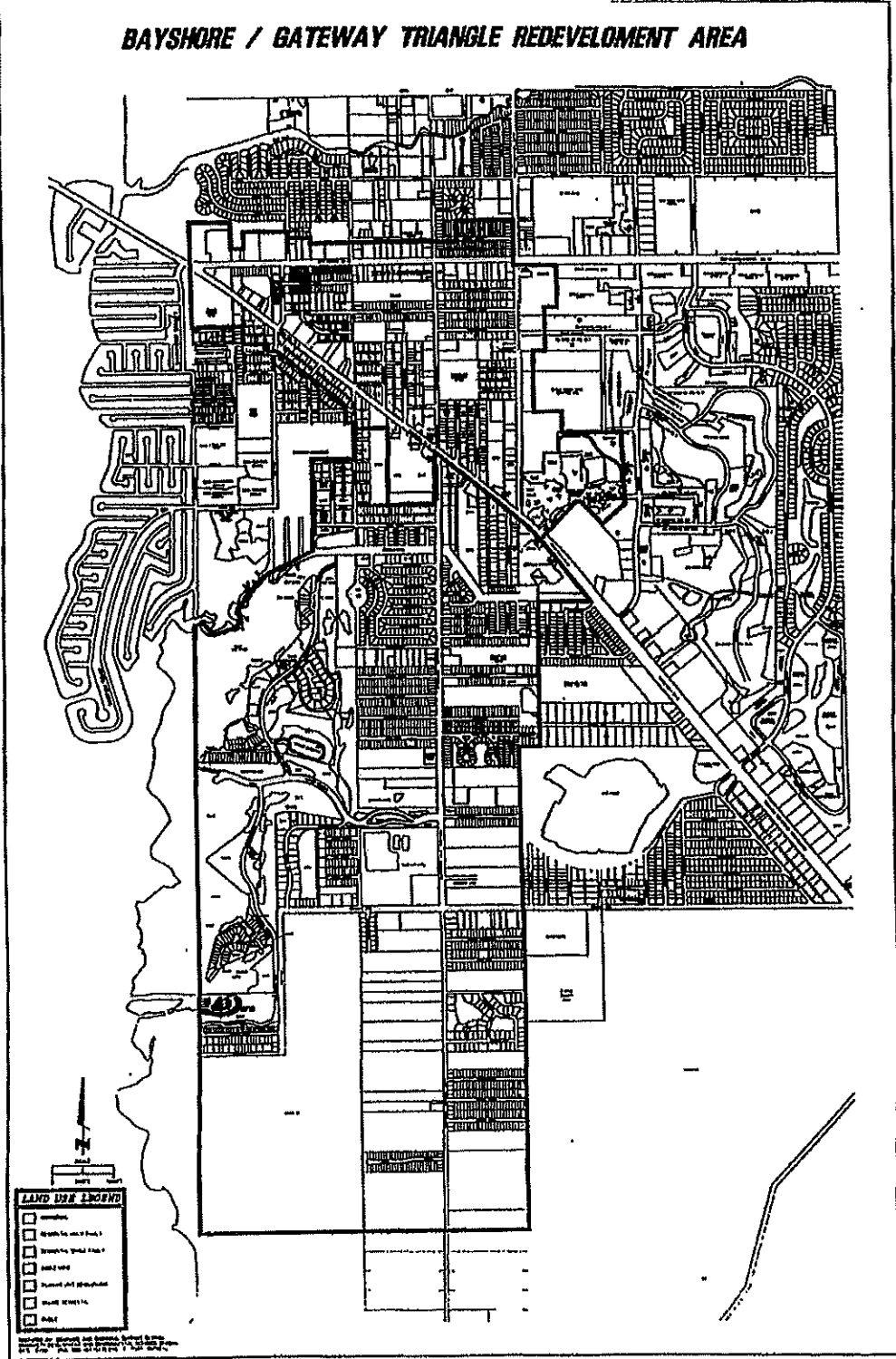
BEG SW CNR SECT 2, TWP 50, RNG 25, N 630', E 662', S 427', E 200', N 270', E TO THE E R/W LINE OF BROOKSIDE DRIVE, S TO THE SW CNR OF LOT 10, SUNSET SUB, E TO THE SE CNR OF LOT 6, SUNSET SUB, S 92', E TO THE NW CRN OF LOT 55, BLK A, ROCK CREEK PARK, N TO THE NW CNR OF LOT 10, BLK B, ROCK CREEK PARK, E TO THE E SECT LINE SECT 2, TWP 50, RNG 25, S TO THE NW CNR OF SECT 12, TWP 50, RNG 25, E 670', S 773', W 200', S 735', W 200', S 990', E 460', S 330', E 972', S 1174', SWLY 481', NWLY 523', W 95', SWLY 730' TO THE NELY R/W LINE U.S. 41, CONT SWLY TO THE SWLY R/W LINE U.S. 41, NWLY ALG THE SWLY R/W LINE OF U.S. 41 TO ITS INTERSECT WITH THE W R/W LINE OF BAYSHORE DRIVE,

S TO THE N R/W LINE OF WEEKS AVE, W 761', N 1355', W TO THE W R/W LINE OF PINE STREET, N TO THE SE CNR OF LOT 2, BLK K, INOMAH SUB, W 100', N TO THE N R/W OF WASHINGTON AVE, CONT NWLY AND WLY ALG NLY R/W LINE WASHINGTON AVE TO THE SW CNR OF LOT 2, BLK C, INOMAH SUB, W TO THE W R/W LINE OF FREDRICK ST, N TO NE CNR LOT 9, COC-LEE-TERRACE SUB, W TO THE W SECT LINE OF SECT 11, TWP 50, RNG 25, N TO THE SW SECT CNR OF SECT 2, TWP 50, RNG 25 AND THE POB.

AND

BEG SE CNR SECT 23, TWP 50, RNG 25, N ALG THE E SECT LINES OF SECT 23 AND 14, TWP 50, RNG 25, TO E ¼ CNR SECT 14, TWP 50, RNG 25, E TO THE SE CNR LOT 6, CREWS SUB, N TO THE S LINE OF HALDEMAN CREEK, E TO THE SWLY R/W LINE OF U.S. 41, NWLY ALG THE SWLY R/W LINE OF U.S. 41 TO ITS INTSECT WITH THE W R/W LINE OF BAYSHORE DRIVE, S TO THE N R/W LINE OF WEEKS AVE, W 761', N 1355', W TO THE W R/W LINE OF PINE STREET, S TO THE S R/W LINE OF MANGROVE STREET, W TO THE NW CNR LOT 14, BLK F, HALDEMAN RIVER SUB, S TO THE N LINE OF HALDEMAN CREEK, SWLY ALG THE N LINE OF HALDEMAN CREEK TO ITS INTSECT WITH THE W SECT LINE OF SECT 14, TWP 50, RNG 25, S ALG THE W SECT LINE OF SECT 14 AND 23, TWP 50, RNG 25, TO THE SW CNR OF SECT 23, TWP 50, RNG 25, E TO THE SE CNR OF SECT 23, TWP 50, RNG 25 AND THE POB.

BAYSHORE / GATEWAY TRIANGLE REDEVELOPMENT AREA



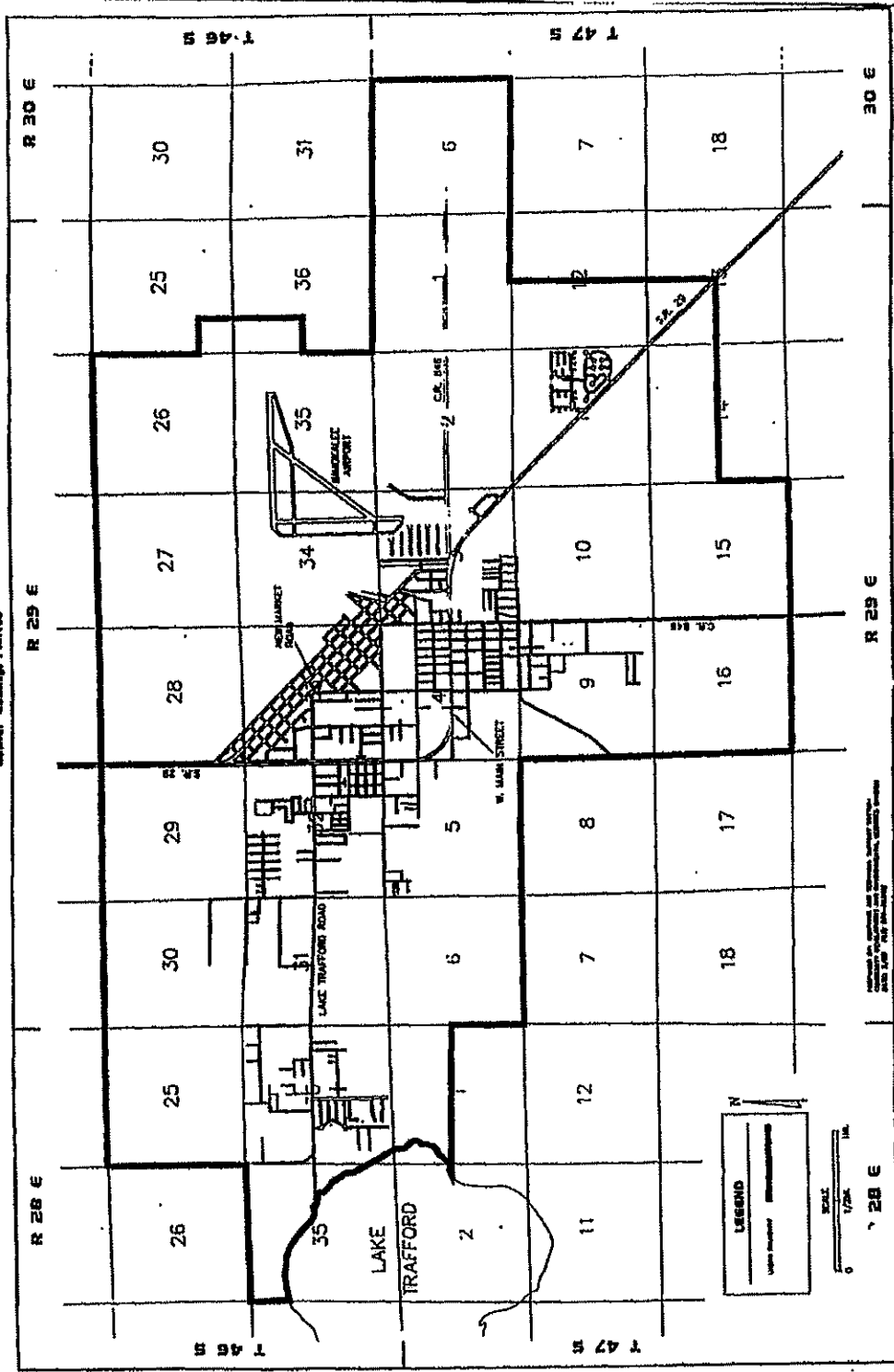
LAND USE LEGEND

[Symbol]	Office
[Symbol]	Medium-Density Residential
[Symbol]	Low-Density Residential
[Symbol]	Public Use
[Symbol]	Industrial
[Symbol]	Water
[Symbol]	Other

Map prepared by [unreadable] and [unreadable] for the [unreadable] Commission. Date of preparation: [unreadable].

IMMOKALEE REDEVELOPMENT AREA

Collier County, Florida



STATE OF FLORIDA)
COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2000-42

Which was adopted by the Board of County Commissioners on the 13th day of June, 2000, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 14th day of June, 2000.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners
By: *Karen Schoch*
Karen Schoch,
Deputy Clerk

2000 JUN 19 PM 12:59
FILED
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

