

RESOLUTION NO. R-06-2023

**A RESOLUTION OF THE CITY OF GREEN COVE SPRINGS, FLORIDA,
RELATING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS;
RE-ADOPTING A COMMUNITY REDEVELOPMENT PLAN;; REPEALING
RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Florida Legislature duly enacted Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act") establishing the conditions and procedures for the establishment of community redevelopment areas and agencies; and

WHEREAS, a community redevelopment plan as contemplated by Part III, Chapter 163, Florida Statutes, has been prepared which addresses the redevelopment needs in a certain area of the City; and

WHEREAS, on April 19, 2022, the City adopted Resolution No. R-03-2022 by which the City (1) ascertained, determined and declared a Finding of Necessity as required by law and determined that the Redevelopment Area (as defined therein) constituted a "blighted area" as defined in Section 163.340(8), Florida Statutes; (2) expressed the need for the creation of a community redevelopment agency to carry out the community redevelopment activities contemplated by Chapter 163, Part III, Florida Statutes; and (3) sought approval from Clay County that the Redevelopment Area meets the criteria described in Section 163.340(8) and 163.355, Florida Statutes and requested delegation of authority to create a community redevelopment agency, adopt a community redevelopment plan and establish a redevelopment trust fund; and

WHEREAS, on May 26, 2022, the City submitted the Finding of Necessity to Create a Redevelopment Agency to the County for review and approval and requested delegation of authority as stated therein; and

WHEREAS, on August 9, 2022, the County found and determined that the establishment of a community redevelopment agency and the establishment of the Redevelopment Area would serve a public purpose and would be consistent with the goals, objectives and policies of the Clay County Comprehensive Plan, and would otherwise be consistent with the controlling provisions of State law. Pursuant to Section 163.410, Florida Statutes, the County adopted Resolution No. 2021-2022-56 which delegated to the City the limited power to create a community redevelopment agency and to prepare and adopt a redevelopment plan to be reviewed and approved by the City and the County; and

WHEREAS, on November 29, 2022, the City Planning and Zoning Commission, as the Local Planning Agency, unanimously approved a redevelopment plan; and

WHEREAS, on December 13, 2022, the City established the Green Cove Springs Community Redevelopment Agency (“Agency”) pursuant to Ordinance O-24-2022; and

WHEREAS, on January 12, 2023, the Agency approved a revised redevelopment plan dated January 11, 2023, as described in Exhibit A attached hereto (the “Redevelopment Plan”) and recommended the Redevelopment Plan be approved by the City Council; and

WHEREAS, on April 4, 2023, the City adopted Resolution No. R-03-2023, approving the Redevelopment Plan which inadvertently deleted certain findings of conformance as required by Section 163.360(7), Florida Statutes; and

WHEREAS, on April 4, 2023, the City Council voted to approve an interlocal agreement with Clay County which was subsequently revised substantially; and

WHEREAS, Clay County approved the Redevelopment Plan on April 25, 2023, and an Interlocal Agreement dated January 11, 2023, as described in Exhibit B attached hereto (the “Interlocal Agreement”) by and among the City, County and Agency, pursuant to Resolution 2022/2023-39; and

WHEREAS, the City finds that the rehabilitation, conservation, or redevelopment, or a combination thereof, within the Redevelopment Area as described in the Redevelopment Plan is necessary and in the interest of the public health, safety, morals, or welfare of the residents of the City; and

WHEREAS, the City further finds that the Interlocal Agreement by and among the County, City and Agency furthers the goals and objectives of and is consistent with the Community Redevelopment Act and the Redevelopment Plan; and

WHEREAS, a duly noticed public hearing on this Resolution was held by the Council on May 16, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA:

Section 1. The foregoing recitals are incorporated as part of this Resolution by reference.

Section 2. Finding of Conformance with Comprehensive Plan.

Based upon the evidence, data, analysis and facts presented to it, the City Commission hereby determines and declares that the Community Redevelopment Plan conforms to the City's Comprehensive Plan and complies with the provisions of the Act, including without limitation, Section 163.360, Florida Statutes.

Section 3. Finding of Conformance with Section 163.360(7), Florida Statutes.

The City Council hereby finds the following:

- (a) A feasible method exists for the location of families who will be displaced, if any, from the Community Redevelopment Area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;
- (b) The Community Redevelopment Plan conforms to the general plan of the City as a whole;
- (c) The Community Redevelopment Plan gives due consideration to the utilization of community policing innovations, and to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Community Redevelopment Plan; and
- (d) The Community Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the Community Redevelopment Area by private enterprise.

Section 4. Adoption of Community Redevelopment Plan.

The City Council hereby re-adopts the Community Redevelopment Plan as the community redevelopment plan for the City of Green Cove Springs Community Redevelopment Area, and hereby authorizes and directs the Green Cove Springs Community Redevelopment Agency to proceed with the implementation of the Plan.

Section 5. The City Council hereby retracts its vote on April 4, 2023 approving a prior version of an interlocal agreement with Clay County and the Interlocal Agreement as set forth in Exhibit B attached hereto is hereby approved and the Mayor is hereby authorized to execute said Agreement.

Section 6. Severability.

If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution, are declared severable.

Section 7. Repeal of Conflicting Resolutions.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 8. Effective Date.

This Resolution shall take effect upon approval by the City Council.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
GREEN COVE SPRINGS, FLORIDA, THIS 16TH DAY OF MAY, 2023.**

CITY OF GREEN COVE SPRINGS, FLORIDA


Constance W. Butler, Mayor

ATTEST:


Erm West

Erm West, City Clerk

Approved as to form:


L. J. Arbold

L. J. Arbold, City Attorney