

RESOLUTION NO. 85-284

A RESOLUTION DELEGATING AUTHORITY AND POWERS CONFERRED UPON PINELLAS COUNTY THROUGH THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, AS AMENDED, TO THE CITY OF ST. PETERSBURG CITY COUNCIL FOR THE REDEVELOPMENT OF THE BAYBORO HARBOR AREA; PROVIDING CONDITIONS FOR THE DELEGATION OF AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Legislature of Florida enacted the Community Redevelopment Act of 1969, as amended; and,

WHEREAS, All powers arising through the aforesaid enactment were conferred by that enactment upon counties with home rule charters, which counties in turn are authorized to delegate such powers to municipalities within their boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and,

WHEREAS, Such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

"163.410 Exercise of powers in counties with home rule charters. In counties which have adopted home rule charters, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon said county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county." and,

WHEREAS, The County and the City of St. Petersburg desire to increase the tax base of the City and County; and,

WHEREAS, The County and the City of St. Petersburg find that delegation of Chapter 163, Part III, redevelopment powers and authority to the City of St. Petersburg City Council is an appropriate vehicle with which to accomplish redevelopment in the Bayboro Harbor area; and,

WHEREAS, The County and the City of St. Petersburg find redevelopment of the Bayboro Harbor area to serve in the best interest of the public; and,

WHEREAS, The City of St. Petersburg City Council has identified areas suitable for redevelopment under Chapter 163, F.S.

NOW THEREFORE, BE IT RESOLVED By the Board of County Commissioners of Pinellas County, Florida:

1. That the City of St. Petersburg is hereby delegated all powers enumerated in Section 163.355 including but not limited to the power to make findings that:
 1. One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in the City.
 2. The rehabilitation, conservation, or redevelopment or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.
2. That as further delineated and defined within this resolution the Board of County Commissioners of Pinellas County delegates to the City of St. Petersburg the powers and authority to conduct redevelopment activities in the following described area (Bayboro Harbor Area) and to act as the Redevelopment Agency for said area:

From a point of beginning at the intersection of the east right-of-way line of 1st Street and the south right-of-way line of 5th Avenue South (extended), proceed southward along the east right-of-way line of 1st Street to the south right-of-way line of 6th Avenue South (extended); thence proceed westward along the south right-of-way line of 6th Avenue South (extended) to the east right-of-way line of 3rd Street; thence proceed southward along the east right-of-way line of 3rd Street to the north right-of-way line of 11th Avenue South; thence proceed eastward along the north right-of-way line of 11th Avenue South to the southeast corner of lot 11, block 18 of the Map of Bayboro Addition to St. Petersburg, FL; thence proceed northward from that point to the seawall 120' north of the northeast corner of lot 5, block 19 of the Map of Bayboro Addition to St. Petersburg, FL; thence proceed from that point eastward 380' along the seawall line; thence proceed from that point southward 55' along the seawall line; thence proceed from that point eastward 70' along the seawall line; thence proceed from that point in a southeastern direction 135'

along the seawall line; thence proceed from that point southward 135' along the seawall line; thence proceed from that point in a southeastern direction 969.16' along the seawall line; thence from that point proceed southward to the northeast corner of lot 1, block 1 of the Bayboro Pinellas Seafood Replat; thence proceed southward along the east lot line of lot 1, block 1 of the Bayboro Pinellas Seafood Replat to the southeast corner of lot 1, block 1; thence proceed southward 10' to the centerline of the alleyway; thence proceed eastward along the centerline of the alleyway to the northwest corner of water lot 4, Map of Bayboro Addition to St. Petersburg, FL; thence proceed southward along the east right-of-way line of Beach Drive to the south right-of-way line of 15th Avenue Southeast; thence proceed westward along the south right-of-way line of 15th Avenue Southeast to the east right-of-way line of Bay Street Southeast; thence proceed southward along the east right-of-way line of Bay Street Southeast to the south right-of-way line of 16th Avenue Southeast; thence proceed westward along the south right-of-way line of 16th Avenue Southeast to the east right-of-way line of 2nd Street; thence proceed southward along the east right-of-way line of 2nd Street to the south right-of-way line of 17th Avenue South; thence proceed westward along the south right-of-way line of 17th Avenue South to the east right-of-way line of 3rd Street; thence proceed southward along the east right-of-way line of 3rd Street to the south right-of-way line of 18th Avenue South; thence proceed westward along the south right-of-way line of 18th Avenue South to the east right-of-way line of 4th Street South; thence from that point proceed southward along the east right-of-way line of 4th Street South to the south right-of-way line of Tangerine Avenue (extended); thence proceed from that point westward along the south right-of-way line of Tangerine Avenue to the west right-of-way line of 5th Street South (extended); thence from the intersection of the south right-of-way line of Tangerine Avenue and the west right-of-way line of 5th Street South (extended) proceed northward to the south right-of-way line of 17th Avenue South; thence from that point proceed westward along the south right-of-way line of 17th Avenue South to the west right-of-way line of 6th Street South; thence from that point proceed northward along the west right-of-way line of 6th Street South to the north right-of-way line of Preston Avenue South; thence from that point, proceed eastward along the north right-of-way line of Preston Avenue South to

the westernmost edge of the 16 foot alley of block 1 of the Kerr Addition; thence from that point proceed northward along the west edge of the 16 foot alley of block 1 of the Kerr Addition to the south right-of-way line of Newton Avenue; thence proceed from that point eastward 40 feet; thence proceed northward 150 feet to the southwest corner of lot 17 of the Royal Poinciana Subdivision; thence from the southwest corner of lot 17 of the Royal Poinciana Subdivision proceed westward 10' to the southeast corner of lot 18 of the Royal Poinciana Subdivision; thence from the southeast corner of lot 18 of the Royal Poinciana Subdivision proceed northward along the west edge of the 10 foot alley to the south right-of-way line of 11th Avenue South; thence proceed westward along the south right-of-way line of 11th Avenue South to the west right-of-way line of 5th Street (extended); thence proceed northward along the west right-of-way line of 5th Street (extended) to the south right-of-way line of 5th Avenue South; thence proceed eastward along the south right-of-way line of 5th Avenue South to the point of beginning.

3. That the City of St. Petersburg is hereby delegated all redevelopment power enumerated in Chapter 163, Part III, of the Florida Statutes within the Bayboro Harbor Area including, but not limited to the following:
 - (a) Powers enumerated in Chapter 163.358, Florida Statutes, including, but not limited to:
 1. The power to determine an area to be a slum or blighted area, or combination thereof, to designate such areas as appropriate for community redevelopment, and to hold any public hearings required with respect thereto.
 2. The power to prepare and grant final approval to community redevelopment plans and modifications thereof.
 3. The power to authorize the issuance of revenue bonds as set forth in Section 163.385.
 4. The power to approve the acquisition, demolition, removal, or disposal of property and the power to assume the responsibility to bear loss.
 - (b) Powers enumerated in Chapter 163.375 Florida Statutes which include the power to acquire by Eminent Domain any interest in real property.
 - (c) The power to declare itself a redevelopment agency.
 - (d) All powers listed in Sections 163.350, 163.353, 163.360, 163.361, 163.365, 163.370, 163.380, 163.385, 163.387, 163.395 and 163.400 of the Florida Statutes.

- (e) All powers listed in Sections 163.356 and 163.357 of the Florida Statutes as limited by paragraph 5 below.
- 4. That delegation of authority contained herein is subject to the Board of County Commissioners of Pinellas County retaining authority to:
 - (a) Review and approve the initial redevelopment plan prior to its implementation and also prior to its presentation to the Pinellas Planning Council; and
 - (b) Review and approve the creation, operational basis and debt service structure of the redevelopment trust fund prior to its implementation.
- 5. That the City of St. Petersburg shall not delegate any powers to a Community Redevelopment Agency. By way of explanation, the foregoing sentence means that the powers and authority to conduct redevelopment activities delegated by this resolution shall be exercised solely by the elected officials constituting the City Council of the City of St. Petersburg acting in their capacity as councilmembers or as members of the Community Redevelopment Agency and that no separate redevelopment agency apart from the one consisting of the City Council members shall be delegated any powers by the City.

This resolution shall become effective immediately upon its adoption.

Legal Department	(Approved as to Form and Substance)	Date
PLN23A	RES RDV BAYBORO	

APPROVED AS TO FORM
 OFFICE OF COUNTY ATTORNEY
 By [Signature]
 Attorney