

ORDINANCE NO. 2946

**AN ORDINANCE
To Be Entitled:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AMENDING THE CITY CODE CHAPTER 2, ADMINISTRATION, ARTICLE VI, COMMUNITY REDEVELOPMENT BY CREATING SECTION 2-222(c)(10) DR. MARTIN LUTHER KING JR. BOULEVARD REDEVELOPMENT SUB-AREA 1 AND CREATING SECTION 2-232 REDEVELOPMENT TRUST FUND FOR AREA 10; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS: Pursuant to Part III, Chapter 163, Florida Statutes, Community Redevelopment Act of 1969, as amended, the City of Fort Myers has previously created the Community Redevelopment Agency to undertake redevelopment within the corporate limits of the City pursuant to the Redevelopment Act; and

WHEREAS: Based on evidence presented to the City Council at a public meeting and incorporated into the records of Council meetings, the area in the City of Fort Myers more fully described below meets the criteria of a blighted area as defined in Section 63.340(8)(a), Florida Statutes; and

WHEREAS: The redevelopment of the aforesaid area is necessary in the interest of the public health, safety and welfare of the residents of the City of Fort Myers and in the interest of implementing the intent of the Florida Legislature as expressed in the Act by revitalizing the area economically and socially, thereby improving the tax base, promoting sound growth, and providing economic development.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

SECTION 1. The City Code, Chapter 2, Article VI Community Redevelopment, Section 2-222 Name and purpose (c)(10) is hereby created to read as follows:

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(a) Area 10. Dr. Martin Luther King Jr. Boulevard

Redevelopment Sub-Area 1:

A parcel of land described in O.R. 1651, Page 3490, Public Records of Lee County, Florida.

Together With:

Lots 25-48 of Block 15, Block 16, North Half of Block 17 and Lot 40 of Block 17, North Half of Block 18, Evans Addition No. 2 Plat Book 2, Page 1a, Public Records of Lee County, Florida.

Together With:

A parcel of land described in O.R. 1685, Page 2363, O.R. 1685, Page 2366, O.R. 1029, Page 1719, O.R. 2552, Page 2135, O.R. 2546, Page 1112, O.R. 159, Page 598, O.R. 2068, Page 1195, Lot 20 of Block 14, Lots 25-30, 32, 34, 36, 38, 40, 42, 44, 46, and 48 of Block 13, Evans Addition, Plat Book 1, Page 29, Public Records of Lee County, Florida.

Together With:

Lots 9-12 and Lot 14, Blount's Addition, Plat Book 1, Page 56, Public Records of Lee County, Florida.

Together With:

Lots 10-12 of Block 1, Lots 9-12 of Block 2, Lots 10-12 of Block 3, Lots 6-12 of Block 6, Lots 7-12 of Block 7, Lots 7-12 of Block 10, Knights Extension, Plat Book 2, Page 2, Public Records of Lee County, Florida.

Together With:

Lots 7-18 of Block A, Lots 6-18 of Block B, Lots 7-12 of Block C, Dunbar Heights, Plat Book 8, Page 56, Public Records of Lee County, Florida.

Together With:

Lots 7-12 of Block A, Lots 5-18 of Block B, Lots 7-18 of Block C, Dunbar Heights Extension, Plat Book 8, Page 66, Public Records of Lee County, Florida.

Together With:

Blocks 1-5, Lots 1-15 of Block 6, Lots 1-16 of Block 7, Lots 1-16, 27, and 28 of Block 8, Lots 1-20 of Block 9, Lots 1-18, 25, 26, and the West 9 Feet of Lot 24 of Block 10, Lincoln Park, Plat Book 3, Page 43, Public

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Records of Lee County, Florida.

Subject To Easements, Restrictions, Reservations and Rights of Way of Record.

SECTION 2. The City Code, Chapter 2, Article VI Community Redevelopment, Section 2-232 of the City Code is hereby created to read as follows:

Section 2-232. Redevelopment trust fund for Area 10.

(a) There is hereby established in accordance with the provision of F.S. 163.387, a redevelopment trust fund for Area 10, also known as Dr. Martin Luther King Jr. Boulevard Sub-Area 1, which fund is hereinafter referred to as the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund. The finance director is hereby appointed and designated to administer the Dr. Martin Luther King, Jr. Boulevard Sub-Area 1 Trust Fund on behalf of the agency and is authorized and directed to maintain and administer the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund in accordance with applicable laws, ordinances, resolutions and directives of the agency. The monies allocated to and deposited into the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund are hereby appropriated to and may only be used by the agency to pay the costs of and to finance the undertakings of the agency to carry out redevelopment within Area 10.

(b) There shall be annually paid into the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund an amount not less than that increment in the income, proceeds, revenues and funds derived from or held

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in connection with its undertaking and carrying out of community redevelopment. Such increment shall be determined annually and shall be that amount equal to ninety-five (95) percent of the difference between:

(c) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from debt service millage, on taxable real property contained within the geographic boundaries of Area 10; and

(d) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in Area 10 as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to April 3, 2000.

(e) The agency shall annually receive and deposit into the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund an amount from each taxing authority equal to the increment as calculated in accordance with F.S. 163.387(1), and this article. For the purposes of this article, "taxing authority" shall have the same meaning as that in F.S. 163.340(2).

(f) Payment of the increment shall be made no later than January first of each year. The obligation of each taxing authority to annually appropriate the amount of the increment to the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund shall commence as of April 3, 2000 and shall continue until all loans, advances and indebtedness pertaining to redevelopment in Area 10, if

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any, and any interest thereon incurred by the agency have been paid. The funding of the Dr. Martin Luther King Jr. Boulevard Sub-Area 1 Trust Fund shall continue for the duration of the Dr. Martin Luther King Jr. Boulevard Redevelopment Plan, the community redevelopment plan for Area 10.

SECTION 3. Severability

Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 4. This ordinance shall become effective immediately upon adoption.

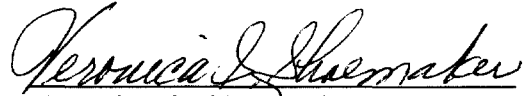
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PASSED IN PUBLIC SESSION of the City Council of the City of Fort Myers, Florida, this 3rd day of April, A.D., 2000.

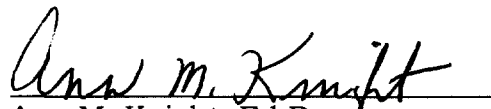
AYE


Dr. W. Robert Anderson

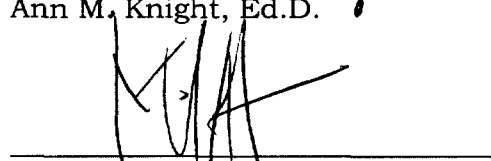
AYE


Veronica S. Shoemaker


AYE


Ann M. Knight, Ed.D.

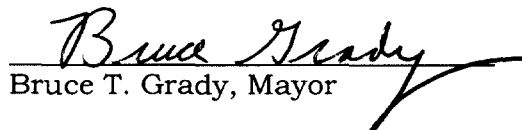
AYE


Michael Flanders

AYE


Brenda S. Brewer
Council Members

APPROVED this 3rd day of April A.D., 2000, at 7:01 o'clock p.m.


Bruce T. Grady, Mayor

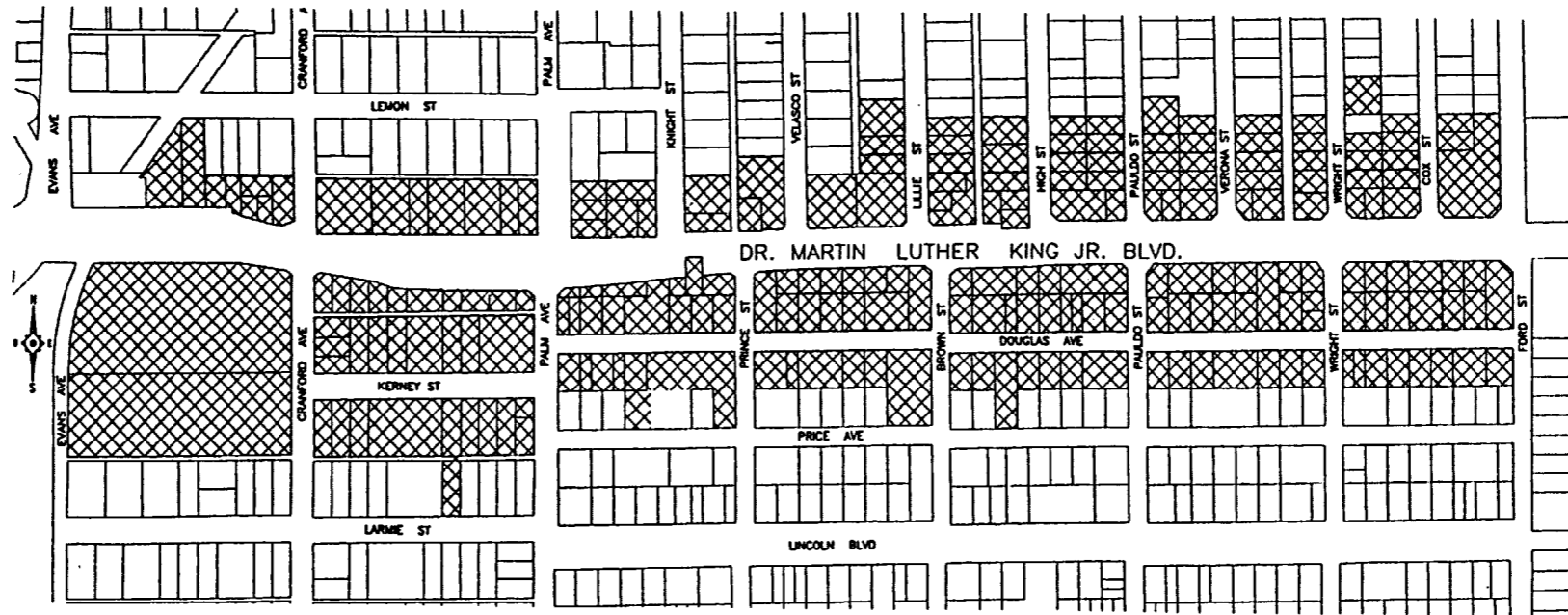
FILED in the Office of the City Clerk this 3rd day of April, A.D., 2000.


Marie Adams, City Clerk

 City Study Area

Sub Area 1

Dr. Martin Luther King Jr. Boulevard Redevelopment Plan



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