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Pinellas County Commission, October 17, 2023

The Residents of Pinellas County were told that The Pinellas County Charter began in 1980 which is not true.

Pinellas County Charter section 2.04(p) sheds light to an "Existing and Future Interlocal agreement" which brings into focus the Interlocal Cooperation Act of 1969, in statute 163.01. Recognizing such Existing Interlocal Agreement, the County Charter is based in Chapter 163 of the Florida Statutes in support of an Interlocal Compact stemming from 1969, ~~54 years ago and did not begin in 1980.~~

Statute 163.01 states the purpose of the Interlocal Cooperation Act is to create a "Separate Legal Entity, a Jurisdiction of such, that has been given the Rights to Exercise Power of Eminent Domain, Intent on Privatizing government thru local Downtown ReDevelopment "Geographic" zones in statute 163.45, as Enumerated in statute 163.410.

Enacting Jurisdictional Powers, as Enumerated in Section 2.01 of the Charter, in recognition of the Enumeration clause of Article 1 section 2 of the U.S. Constitution stemming from 236 years ago

The Enumeration of such "Privatized" ReDevelopment zones and their Jurisdictional Powers of Eminent Domain, (as recognized in (both) the County Charter and Chapter 163) stemming from Article 1 section 2 of the U.S Constitution is relative to a Direct Tax, which bases the Jurisdiction of the 14th Amendment and its "so-called" Due Process clause making such "Privatized Downtown" Jurisdictional ReDevelopment as being ratified 155 years ago..

The Blighted and Slum like conditions basing "today's" reasoning for Downtown ReDevelopment zones is recognized as far back as 1977 (46 years ago), in Statute 163.57.

The need to rehabilitate Downtown was recognized 46 years ago and was Deliberately Neglected as an objective, to help "Aid and Abet" " in the formulation and Privatization of Downtown ReDevelopment Zones as recognized, in statute 163.345.

Seen as a "Transfer of County Function and Power" in HomeRule Charter 2.04(q).

The County Charter is a navigational tool, being used to usurp political "function and power" to help aid in a "longstanding" Constitutional "Carpetbag" operation.

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Home Rule Charter
2.04 (P)

The 2023 Florida Statutes

Title XI
COUNTY ORGANIZATION AND INTERGOVERNMENTAL
RELATIONS

Chapter 163
INTERGOVERNMENTAL
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163.410 **Exercise of powers in counties with home rule charters.**—In any county which has adopted a home rule charter, 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 the 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. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter. Unless otherwise provided by an existing ordinance, resolution, or interlocal agreement between any such county and a municipality, the governing body of the county that has adopted a home rule charter shall grant in whole or in part or deny any request from a municipality for a delegation of powers or a change in an existing delegation of powers within 120 days after the receipt of all required documentation, or such request shall be deemed granted unless this period is extended by mutual consent in writing by the municipality and county. Within 30 days after receipt of the request, the county shall notify the municipality by registered mail whether the request is complete or if additional information is required. Any request by the county for additional documentation shall specify the deficiencies in the submitted documentation, if any. The county shall notify the municipality by registered mail within 30 days after receiving the additional information whether such additional documentation is complete. If the meeting of the county commission at which the request for a delegation of powers or a change in an existing delegation of powers is unable to be held due to events beyond the control of the county, the request shall be acted upon at the next regularly scheduled meeting of the county commission without regard to the 120-day limitation. If the county does not act upon the request at the next regularly scheduled meeting, the request shall be deemed granted.

History.—s. 17, ch. 69-305; s. 1, ch. 83-29; s. 9, ch. 2002-294; s. 8, ch. 2006-307.

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ARTICLE I SECTION 2

BASES THE 14th AMENDMENT

STATUTE
163.01

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163.01

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The 2023 Florida Statutes

Title XI
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163.357 Governing body as the community redevelopment agency. — *170.03*

14th Amendment

(1)(a) As an alternative to the appointment of not fewer than five or more than seven members of the agency, the governing body may, at the time of the adoption of a resolution under s. 163.355, or at any time thereafter by adoption of a resolution, declare itself to be an agency, in which case all the rights, powers, duties, privileges, and immunities vested by this part in an agency will be vested in the governing body of the county or municipality, subject to all responsibilities and liabilities imposed or incurred. *197.363 - Levy Imposed*

(b) The members of the governing body shall be the members of the agency, but such members constitute the head of a legal entity, separate, distinct, and independent from the governing body of the county or municipality. If the governing body declares itself to be an agency which already exists, the new agency is subject to all of the responsibilities and liabilities imposed or incurred by the existing agency. *Existing?*

(c) A governing body which consists of five members may appoint two additional persons to act as members of the community redevelopment agency. *Existing?* The terms of office of the additional members shall be for 4 years, except that the first person appointed shall initially serve a term of 2 years. Persons appointed under this section are subject to all provisions of this part relating to appointed members of a community redevelopment agency.

(d) As provided in an interlocal agreement between the governing body that created the agency and one or more taxing authorities, one or more members of the board of commissioners of the agency may be representatives of a taxing authority, including members of that taxing authority's governing body, whose membership on the board of commissioners of the agency would be considered an additional duty of office as a member of the taxing authority governing body. *170.03*

(2) Nothing in this part prevents the governing body from conferring the rights, powers, privileges, duties, and immunities of a community redevelopment agency upon any entity in existence on July 1, 1977, which has been authorized by law to function as a downtown development board or authority or as any other body the purpose of which is to prevent and eliminate slums and blight through community redevelopment plans. Any entity in existence on July 1, 1977, which has been vested with the rights, powers, privileges, duties, and immunities of a community redevelopment agency is subject to all provisions and responsibilities imposed by this part, notwithstanding any provisions to the contrary in any law or amendment thereto which established the entity. Nothing in this act shall be construed to impair or diminish any powers of any redevelopment agency or other entity as referred to herein in existence on the effective date of this act or to repeal, modify, or amend any law establishing such entity, except as specifically set forth herein. *197.363 - Levy Imposed*

History.—s. 2, ch. 77-391; s. 75, ch. 79-400; s. 2, ch. 83-231; s. 5, ch. 84-356; s. 3, ch. 2006-307.

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REDEVELOPMENT RECOGNIZED
IN 1977 YET NEGLECT?
INACTION?
DELAY?
PROCRASTINATE?
OMISSION?

CHAPTER 75 paragraph (15) (F)
CHAPTER 125 part I
CHAPTER 166 part II
CHAPTER 159 part I

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The 2020 Florida Statutes

1980 vs 1969

Title XI COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS

HOME RULE
CHARTER
2.04(P)

Chapter 163 INTERGOVERNMENTAL PROGRAMS

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163.01 Florida Interlocal Cooperation Act of 1969.

RECONSTITUTED
373.715

(1) This section shall be known and may be cited as the "Florida Interlocal Cooperation Act of 1969."

(2) It is the purpose of this section to permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.

(3) As used in this section:

(a) "Interlocal agreement" means an agreement entered into pursuant to this section.

(b) "Public agency" means a political subdivision, agency, or officer of this state or of any state of the United States, including, but not limited to, state government, county, city, school district, single and multipurpose special district, single and multipurpose public authority, metropolitan or consolidated government, a separate legal entity or administrative entity created under subsection (7), and independently elected county officer, any agency of the United States Government, a federally recognized Native American tribe and any similar entity of any other state of the United States.

(c) "State" means a state of the United States.

(d) "Electric project" means:

1. Any plant, works, system, facilities, and real property and personal property of any nature whatsoever, together with all parts thereof and appurtenances thereto, which is located within or without the state and which is used or useful in the generation, production, transmission, purchase, sale, exchange, or interchange of electric capacity and energy, including facilities and property for the acquisition, extraction, conversion, transportation, storage, reprocessing, or disposal of fuel and other materials of any kind for any such purposes.

2. Any interest in, or right to, the use, services, output, or capacity of any such plant, works, system, or facilities.

3. Any study to determine the feasibility or costs of any of the foregoing, including, but not limited to, engineering, legal, financial, and other services necessary or appropriate to determine the legality and financial and engineering feasibility of any project referred to in subparagraph 1. or subparagraph 2.

(e) "Person" means:

1. Any natural person;

2. The United States; any state; any municipality, political subdivision, or municipal corporation created by or pursuant to the laws of the United States or any state; or any board, corporation, or other entity or body declared by or pursuant to the laws of the United States or any state to be a department, agency, or instrumentality thereof;

3. Any corporation, not-for-profit corporation, firm, partnership, cooperative association, electric cooperative, or business trust of any nature whatsoever which is organized and existing under the laws of the United States or any state; or

United States or any state; or

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The 2023 Florida Statutes

Title XI
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163.345 Encouragement of private enterprise.—

(1) Any county or municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this part, shall afford maximum opportunity, consistent with the sound needs of the county or municipality as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprise. Any county or municipality shall give consideration to this objective in exercising its powers under this part, including the formulation of a workable program; the approval of community redevelopment plans, communitywide plans or programs for community redevelopment, and general neighborhood redevelopment plans (consistent with the general plan of the county or municipality); the development and implementation of community policing innovations; the exercise of its zoning powers; the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements; the development of affordable housing; the disposition of any property acquired, subject to the limitations of s. 73.013; and the provision of necessary public improvements.

(2) In giving consideration to the objectives outlined in subsection (1), the county or municipality shall consider making available the incentives provided under the Florida Enterprise Zone Act and chapter 420.

History.—s. 4, ch. 69-305; s. 4, ch. 83-231; s. 2, ch. 94-236; s. 2, ch. 98-314; s. 26, ch. 2001-60; s. 12, ch. 2005-287; s. 8, ch. 2006-11.

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3RD AMENDMENT

PRIVATIZED
LAW?

EMINENT DOMAIN
153.03(5)

Implementation of programs for regulation of charitable solicitations. ~ GRANTS 153.90

(p)

All powers necessary to provide municipal services in the unincorporated areas of the county and in accordance with any existing and future interlocal agreement. 103.01 SELF-LIQUIDATE 159.02(5) 159.08

(q)

All powers necessary to transfer the functions and powers of any other governmental agency upon approval by the governing body of that agency and the board of county commissioners. USURPATION

(r)

All power necessary, upon approval of a vote of the electors, to levy a one-mill increase in ad valorem taxes in order to make funds available to be used solely to acquire beachfront and other property to be dedicated as public parks for recreational use. This subsection shall in no manner limit a municipality from levying any such tax under any authorization it might have at this time or may receive in the future. 14th AMENDMENT WATER JURISDICTION

(s)

Countywide planning authority as provided by special law. In the event of a conflict between a county ordinance adopted pursuant to the county's countywide planning authority as provided by special law and a municipal ordinance, the county ordinance shall prevail over the municipal ordinance; however, a municipal ordinance shall prevail over a county ordinance in the event a municipal ordinance provides for a less intense land use or a lesser density land use within the corporate boundaries of the municipality than that provided by county ordinance. DICTATED? REQUIRED 103.3107 (1-D) IMPOSED-1971, 303

(t)

Development and operation of countywide mosquito control programs. "LITTLE-PRICK" LEGISLATIONS

(u)

Development and operation of water and navigation control programs, including: (1) regulating and exercising control over the dredging and filling of all submerged bottom lands in the waters of Pinellas County, together with all islands, sandbars, swamps and overflow lands including sovereignty lands, and regulating and exercising control over the construction of docks, piers, wharves, mooring piles and buoys therein and (2) performing all things necessary to undertake projects for the construction, maintenance and improvement of portions of the Intracoastal Waterway and other channels within the navigable water of Pinellas County; and (3) undertaking programs for the dredging and maintenance of waterway channels within the incorporated and unincorporated areas of Pinellas County which have become or have been nonnavigable, in particular. POLITICAL (USURPATION) TRANSFER