



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

July 20, 2012

Honorable Ken Burke  
Clerk of the Board of County Commissioners  
Pinellas County Courthouse  
315 Court Street, 5<sup>th</sup> Floor  
Clearwater, Florida 33756

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BOARD OF  
2012 JUL 25 AM 9:49  
BOARD OF COUNTY  
COMMISSIONERS  
PINELLAS COUNTY FLORIDA

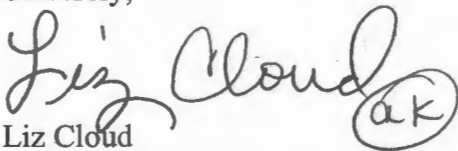
Attention: Chad M. Totten, Deputy Clerk

Dear Mr. Burke:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 17, 2012 and certified copies of Pinellas County Ordinance Nos. 12-26 through 12-28, which were filed in this office on July 20, 2012.

As requested, one date stamped copy is being return for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud". To the right of the signature, the initials "ak" are circled in ink.

Liz Cloud  
Program Administrator

LC/elr

Enclosures

ORDINANCE NO. 12-26

AN ORDINANCE AMENDING ORDINANCE NO. 88-67 APPROVING THE CREATION OF A REDEVELOPMENT TRUST FUND BY THE CITY OF DUNEDIN, FLORIDA; PROVIDING FOR THE APPROPRIATION OF TAX INCREMENT REVENUES OF THE COUNTY TO SAID REDEVELOPMENT TRUST FUND; PROVIDING FOR THE DURATION OF THE TAX INCREMENT FINANCING; PROVIDING FOR A MID-TERM ASSESSMENT INCLUDING THE POTENTIAL TO SHORTEN THE DURATION; PROVIDING CRITERIA FOR REVIEW FOR CONTINUED FUNDING; PROVIDING FOR CONSTRUCTION, SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR AMENDMENTS ARISING FROM PUBLIC INPUT AND CONSULTATION WITH RESPONSIBLE AUTHORITIES.

FILED

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DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

WHEREAS, the Legislature of Florida has enacted the Community Redevelopment Act of 1969, as amended, and codified as Part III, Chapter 163, Florida Statutes (the "Redevelopment Act"); and

WHEREAS, all powers arising through the Redevelopment Act were conferred by that Act upon counties which have adopted home rule charters, which counties in turn are authorized to delegate such powers to municipalities within their boundaries when such municipalities desire to undertake redevelopment within their respective municipal boundaries; and

WHEREAS, Pinellas County, Florida (the "County") and the City of Dunedin, Florida (the "City") mutually desire to increase the ad valorem tax base of the County and City; and

WHEREAS, the City Commission of the City of Dunedin, Florida, by its Resolution No. 87-40, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida, declared an area of the City to be a slum or blighted area (the "Redevelopment Area"); and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by Resolution No. 88-128, delegated to the City Commission of the City of Dunedin, Florida, the power and authority to conduct redevelopment activities as defined in Chapter 163, Part III, Florida Statutes (the "Act"); and

WHEREAS, the City Commission of the City of Dunedin, Florida declared itself to be a community redevelopment agency to carry out the redevelopment of the area determined to be a slum or blighted area; and

WHEREAS, the City Commission of the City of Dunedin, Florida, by its Ordinance No. 88-31, adopted its downtown redevelopment plan, *Guideways to Downtown's Future* (Redevelopment Plan), a copy of which plan has been submitted to

the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, at its November 22, 1988 meeting, approved the Redevelopment Plan of the Community Redevelopment Agency for the City of Dunedin; and

WHEREAS, the City Commission of the City of Dunedin, Florida, on December 20, 1988 adopted Ordinance 88-32, creating a redevelopment trust fund pursuant to the Act, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, on December 20, 1988 enacted Ordinance No. 88-67 approving a redevelopment trust fund for the Dunedin Redevelopment District, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the City Commission of the City of Dunedin, Florida has conducted public hearings on the updated redevelopment plan called the Dunedin Downtown Master Plan 2033 on December 16, 2010 and on January 6, 2011; and

WHEREAS, the City Commission of the City of Dunedin, Florida, by its Ordinance No. 2010-22, approved, on January 6, 2011, an updated Dunedin Downtown Master Plan 2033; a copy of which amendment has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the County Administrator received a letter, dated, March 13, 2012, from the Dunedin CRA Director, requesting that the Board of County Commissioners conduct a public hearing to consider approving the Dunedin Downtown Master Plan 2033; and

WHEREAS, the Board of County Commissioners of Pinellas County approved, at their April 24, 2012 meeting, the advertisement of a public hearing to consider approving the Dunedin Downtown Master Plan 2033; and

WHEREAS, by Resolution No. 12-44, the Board of County Commissioners of Pinellas County, Florida, on May 22, 2012 approved the Dunedin Downtown Master Plan 2033, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the City Commission of the City of Dunedin, Florida conducted public hearings on June 7, 2012 and on June 21, 2012 regarding amendments to the Dunedin Community Redevelopment Trust Fund; and

WHEREAS, the City Commission of the City of Dunedin, Florida adopted, on second reading on June 21, 2012, Ordinance No. 12-23, amending the Dunedin

Community Redevelopment Trust Fund for the Dunedin Redevelopment District by extending the Trust Fund through Year 2033, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida.

NOW, THEREFORE, IN REGULAR SESSION DULY ASSEMBLED ON THIS 10<sup>th</sup> DAY OF JULY, 2012, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, as follows:

SECTION 1. Pinellas County Ordinance No. 88-67, as that Ordinance has been incorporated into Pinellas County Code, section 38-68, is hereby amended to read as follows:

**Sec. 38-68. City of Dunedin.**

a. The creation of the redevelopment trust fund by the City of Dunedin, Florida, is hereby approved.

b. The County shall annually pay into the fund a sum equal to the increment in the income, proceeds, revenues, and funds of the County derived from, or held in connection with the community redevelopment project area, for the use of Dunedin's Community Redevelopment Agency in its undertaking and carrying out of the community redevelopment project plan. The increment shall be determined and appropriated annually and shall be that amount equal to ninety-five percent (95%) of the difference between:

1. The amount of ad valorem taxes levied each year by or for the County, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area as defined in Resolution No. 88-128 of Pinellas County; and
2. The amount of ad valorem taxes which would have been produced by the rate upon which the taxes levied each year by or for the County, exclusive of any debt service millage, upon the total of the assessed value of the taxable property in the above-described redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the Ordinance of the City of Dunedin providing for the funding of the redevelopment trust fund described above.

In calculating the increment, the amount of the ad valorem taxes levied based on the Countywide debt service on County bonds shall be totally excluded from the calculation. All increments in this amount shall continue to be used for its voter-approved purposes and shall not be appropriated in any part of the fund. Any adjustments made in the appropriation will be based upon the final extended tax roll. In no year shall the

County's obligation to the fund exceed the amount of that year's tax increment as determined in this subsection of this Ordinance.

c. Beginning with the twentieth (20<sup>th</sup>) year after the date of sale of the initial bonding or indebtedness, if any, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without approval of the Board of County Commissioners. The County's increment contributions are to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service.

d. The County shall annually appropriate to the Fund the tax increment due the Fund at the beginning of the County fiscal year. However, the Fund shall receive the tax increment only if and when such taxes are collected. The County's obligation to annually appropriate to the Fund shall continue for forty-five years from the effective date of Ordinance 88-67.

e. *Mid-Term Review.* Notwithstanding the duration established in subsection d, above, in 2025, the County may review its tax increment contribution to determine whether given the totality of the circumstances, it continues to be appropriate to dedicate the County portion of tax increment at the existing level, beyond Year 2025. The County may continue the contribution or eliminate it, provided that there shall be no reduction in the dedication of tax increment revenues for as long as there are unpaid loans, advances or indebtedness approved as provided herein and secured by the County's tax increment revenues. Nothing herein precludes the County from considering dedication at a reduced commitment provided that option is legally available. The approval may require the City to seek additional funding sources for the redevelopment plans and projects that will be in addition to any tax increment financing.

f. *Redevelopment Conditions for Tax Increment Financing (TIF) Mid-Term review.* The success of the Plan relies on public investment to stimulate investment in residential, employment and retail uses so that the community redevelopment area is marketable.

1. Performance of TIF revenues
  - a. During the mid-term review period, how do the annual TIF revenues collected compare to the projected revenues?
  - b. Measures: Collected TIF revenues (per Property Appraiser and Tax Collector)
2. Implementation of Downtown Master Plan 2033
  - a. During the mid-term review period, how did the City perform in implementing the Downtown Master Plan 2033 with particular emphasis on use of TIF funds in implementation?
  - b. Measure: Progress made in implementing Table 12 and Table 13 in the Capital Improvements Chapter of the Downtown Master Plan 2033.

3. Effectiveness of the Downtown Master Plan 2033 at Mitigating Blighting Influences

a. During the mid-term review period, did the actions implementing the Downtown Master Plan 2033 have the desired effect of redeveloping the CRA and reducing blighting influences?

b. Measures

i. Defective or Inadequate Street Layout: A comparison of the changes to enhance walkability and other methods of travel along with securing additional downtown parking between Year 2012 and Year 2025.

ii. Tax Revenue: The percentage of citywide tax revenues that were collected from properties in the Redevelopment District in Year 2012 and in Year 2025.

iii. Diversity of Ownership: Progress in capitalizing on strategic Downtown vacant parcels to foster economic development during the period Year 2012 to Year 2025.

g. The City shall submit the data and analysis to the County for the mid-term review no later than October 1, 2025. The Board of County Commissioners shall complete its review prior to April 5, 2026 and shall notify the Dunedin Community Redevelopment Agency, in writing, by April 5, 2026, if it intends to eliminate or reduce the amount and/or duration of the County's tax increment contribution after the 37<sup>th</sup> year of increment. In the absence of such notification, the contribution shall continue as provided herein.

h. Copies of reports of audits required by Section 163.387(8), Florida Statutes, shall be provided to the Board of County Commissioners of Pinellas County each year.

SECTION 2. All Ordinances and Resolutions or parts of same in conflict herewith be and the same are hereby repealed.

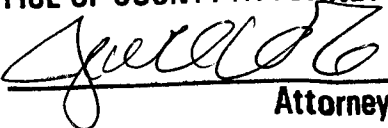
SECTION 3. This Ordinance being for a public purpose and for the welfare of the citizens of Pinellas County, Florida, shall be liberally construed to effectuate the purposes thereof.

SECTION 4. Severability. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

SECTION 5. Inclusion in the Code. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Pinellas County, Florida. The section of this Ordinance be renumbered or reletter to accomplish such intention, and the word "Ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 6. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners. This Ordinance shall become effective when the acknowledgement is received from the Secretary of State that the Ordinance has been duly filed.

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By   
Attorney



STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on July 10, 2012 relative to:

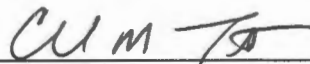
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IN WITNESS WHEREOF, I hereunto set my hand and official seal this July 17, 2012.

KEN BURKE  
Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

By:

  
Chad M. Totten, Deputy Clerk

