

**RESOLUTION NO. 07-13**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CALLAWAY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS; APPROVING THE CALLAWAY COMMUNITY REDEVELOPMENT PLAN; AUTHORIZING AND DIRECTING THE CALLAWAY COMMUNITY REDEVELOPMENT AGENCY TO IMPLEMENT THE PLAN PURSUANT TO CHAPTER 163, PART II, FLORIDA STATUTES; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND RECITING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Callaway, Florida, in Resolution 06-20 authorized a study to consider whether a Finding of Necessity Resolution pursuant to §163.355, Florida Statute, should be adopted; and

WHEREAS, the study area for the authorized study was that portion of the City which lies south of East 7<sup>th</sup> Street, west of South Berthe Avenue and North Berthe Avenue and its northerly extension and north of Boatrace Road ("Study Area"); and

WHEREAS, PMG Associates acting as the consultant to the City Commission of the City of Callaway has conducted a Finding of Necessity Study; and

WHEREAS, the conditions in the Study Area meet the criteria described in Section 163.340(7) or (8) of the Florida Statutes; and

WHEREAS, on February 27, 2007, the City Commission of the City of Callaway, in Resolution 07-01, adopted the finding of necessity study for Community Redevelopment after finding that the data and analysis contained in that study was such that a Finding of Necessity Resolution pursuant to § 163.355 of the Florida Statutes should be adopted for the Study Area; and

WHEREAS, the City Commission of the City of Callaway, in Ordinance 829, declared that there is a need for a community redevelopment agency to function in the City to carry out the community redevelopment purposes of Part III, Chapter 163, Florida Statutes.

WHEREAS, the City Commission of the City of Callaway, in Ordinance 829, declared itself, as permitted by §163.355, Florida Statute, to be the Callaway Community Redevelopment Agency, a public body corporate and politic.

WHEREAS, PMG Associates conducted three public meetings, twenty stakeholder interviews, and extensive independent research to design a community redevelopment plan tailored to the specific needs of the area identified for community redevelopment.

WHEREAS, the Callaway Community Redevelopment Agency submitted the Community Redevelopment Plan to the Planning Board of the City of Callaway, which is the local planning agency for the City of Callaway, for review and recommendations as to its conformity with the City of Callaway Comprehensive Growth Development Plan.

WHEREAS, the Planning Board of the City of Callaway has considered the Community Redevelopment Plan in a public meeting held on May 15, 2007 and made the written recommendation to the Community Redevelopment Agency that the proposed Community Redevelopment Plan is consistent with the City of Callaway Comprehensive Growth Development Plan.

WHEREAS, on May 17, 2007 the Community Redevelopment Agency of the City of Callaway recommended the Community Redevelopment Plan to the City Commission of the City of Callaway for its consideration and approval; and

WHEREAS, the Community Redevelopment Agency of the City of Callaway timely

submitted the Community Redevelopment Plan to the appropriate taxing authorities and issued all notices to such taxing authorities and the public as required under the Act; and

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Callaway as follows:

SECTION 1. Adoption of Recitals. The foregoing recitals are found and determined to be true and are adopted by the City Commission of the City of Callaway in support of its actions provided for herein.

SECTION 2. Findings. As a result of a review of the Community Redevelopment Plan and consideration of input at the public hearing, the City Commission of the City of Callaway finds and makes a part of the Community Redevelopment Plan that:

(a) the Community Redevelopment Area contains a substantial number of deteriorated, or deteriorating structures, including buildings, sidewalks, parking facilities, stormwater and drainage structures, signage, and other infrastructure, as well as other factors of blight and that remedying these structures and factors of blight is in the best interest of the citizens of Callaway;

(b) it is not anticipated that the programs recommended by the Community Redevelopment Plan will displace any citizens from their homes, but to the extent that any citizens might be displaced, a feasible method exists for the location of families, if any, who will be displaced from the community redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;

(c) the Community Redevelopment Plan conforms to the general plan of the City of Callaway as a whole;

(d) as crime was not identified as a significant problem in the Community Redevelopment Area, the Community Redevelopment Plan gives due consideration to the utilization of community policing innovations, and the Community Redevelopment Plan gives due consideration 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 plans through its addition of new and improvement of existing sidewalks, drainage and stormwater features, and recreational and open spaces;

(e) the community redevelopment plan will afford maximum opportunity, consistent with the sound needs of the City of Callaway as a whole, for the rehabilitation or redevelopment of the community redevelopment area by private enterprise.

SECTION 2. Approval of the Callaway Community Redevelopment Plan. The City Commission of the City of Callaway hereby approves and adopts the Callaway Community Redevelopment Plan, which is attached and incorporated by reference as Exhibit A.

SECTION 3. Implementation of the Callaway Community Redevelopment Plan. The Board of the Callaway Community Redevelopment Agency is authorized and directed to implement the Callaway Community Redevelopment Plan in conformance with Part III, Chapter 163, Florida Statutes. City staff is directed to cooperate with the Community Redevelopment Agency in effecting the Callaway Redevelopment Plan but shall at all time require compliance by the Callaway Redevelopment Agency with all applicable federal, state, and local laws. Neither the Community Redevelopment Plan nor this Resolution exempts any community redevelopment activities from normal City of Callaway review or planning processes including, when necessary, action by the City Commission of the City Callaway.

SECTION 4. Severability. If any phrase, clause, sentence, paragraph, section, or subsection of this Resolution should be declared unconstitutional or invalid for any reason whatsoever, then such provision shall be null and void and such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Resolution.

SECTION 5: Repeal. All prior resolutions of this City Commission inconsistent with the

provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions of this Resolution.

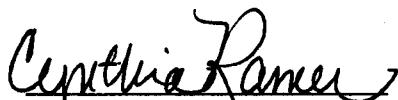
SECTION 7. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED, AND RESOLVED at the special meeting of the City Commission of the City of Callaway, Florida, this 4 day of June, 2007.

CITY OF CALLAWAY, FLORIDA

By   
Kenneth L. Meer, Mayor

ATTEST:

  
Cynthia Ramer  
Acting City Clerk