

ORDINANCE NO. 92-45

AN ORDINANCE OF POLK COUNTY, FLORIDA, PURSUANT TO FLORIDA STATUTE 163.387, PROVIDING FOR CREATION AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND FOR THE POLK COMMERCE CENTRE COMMUNITY REDEVELOPMENT AREA AS SET FORTH IN RESOLUTION 92-03 OF THE COUNTY COMMISSION OF POLK COUNTY, FLORIDA, FOR THE DURATION OF THE COMMUNITY REDEVELOPMENT PLAN; DESIGNATING THE POLK COMMERCE CENTRE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO CHAPTER 163.387(1), FLORIDA STATUTES, TO BE ADMINISTERED BY THE POLK COMMERCE CENTRE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County Commission of Polk County, Florida, has hereto adopted Resolution No. 92-03, on which certain findings of fact were made relating to the existence of slum and transportation blighted areas within the boundaries of certain areas of Polk County; and

WHEREAS, said Resolution describes the areas in which there exists transportation blight; and

WHEREAS, the County Commission of Polk County desires to provide for the elimination of such transportation blighted areas and the redevelopment of such areas, pursuant to the Community Redevelopment Act, as contained in Florida Statutes, Chapter 163, Part III.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSION OF POLK COUNTY, FLORIDA.

SECTION ONE: There is hereby established and created, in accordance with the provisions of Florida Statute 163.387, a Polk Commerce Centre Community Redevelopment Trust Fund hereafter referred to as the "Fund."

SECTION TWO: The funds allocated to and deposited into the Fund are hereby appropriated to the Polk Commerce Centre Community Redevelopment Agency, hereafter referred to the "Agency," to finance projects within the Polk Commerce Centre Community Redevelopment Area, hereafter referred to as the "Area," as authorized by Resolution __ 92-03 __, said Resolution being adopted and made a part of this Ordinance by reference. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every Community Redevelopment purpose delegated to it in the aforementioned Resolution, and as contained in the Community Redevelopment Plan and as provided by law, said Fund to exist for the duration of the Plan.

SECTION THREE: There shall be paid into the Fund each year by all taxing authorities, except school district and the Southwest Florida Water Management District, within the Community Redevelopment Area, the incremental increase in ad valorem taxes levied each year by the above taxing authorities as compared to the amount of ad valorem taxes collected by the taxing authorities on taxable property in the Polk Commerce Centre Community 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 approving the Polk Commerce Centre Community Redevelopment Plan.

SECTION FOUR: The most recent tax roll used in connection with the taxation of such property shall be the Tax Roll of 1992 of Polk County, and all deposits into the fund shall begin with incremental increases in ad valorem tax revenues received subsequent to November 1, 1993.

SECTION FIVE: Said tax increment shall be determined and appropriated annually, and shall be an amount equal to the difference between:

a. That amount of ad valorem taxes levied each year by all taxing authorities except the school district and the Southwest Florida Water Management District on taxable real property contained within the geographic boundaries in the Polk Commerce Centre Community Redevelopment Area; and

b. That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for all taxing authorities, except the school district and the Southwest Florida Water Management District, last equalized prior to the effective date of the Ordinance approving the Polk Commerce Centre Community Redevelopment Plan.

SECTION SIX: All taxing authorities, except the school district and the Southwest Florida Water Management District, will annually appropriate to the Fund the aforesaid sum at the beginning of their fiscal year. The Fund shall receive tax increment above described only as, if and when such taxes may be collected by the taxing authorities. The taxing authorities' obligation to annually appropriate to the Fund shall commence immediately upon the effective date of this Ordinance and continue until all projects, loans, advances and indebtednesses, if any, and interest thereon, undertaken or incurred by the Agency as a result of the plan have been paid and only to the extent that such tax increment recited above accrues.

SECTION SEVEN: The Agency is directed to establish and set up the Fund and to develop and promulgate rules, regulations, and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said funds for their allocated statutory purpose.

SECTION EIGHT: The tax increment shall be computed by using the assessed value of taxable property in the Polk Commerce Centre Community Redevelopment Area for the

year 1992 as the base, and in subsequent years using the assessed value of property in the Polk Commerce Centre Community Redevelopment Area for that year as the second factor in determining the amount of tax increment in that year.

SECTION NINE: The Agency accepts full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the Fund, subject to the provisions of Section Two of this Ordinance.

SECTION TEN: Any and all Ordinances or parts of Ordinances related to this geographic area and the financing of infrastructure within the geographic area that are in conflict herewith be and the same hereby repealed.

SECTION ELEVEN: If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION TWELVE: This Ordinance shall take effect as provided by law.

PASSED AND ADOPTED THIS ____ DAY OF _____, 1992.

STATE OF FLORIDA,)
)
COUNTY OF POLK.)

I, E. D. "Bud" Dixon, Clerk of the Board of County Commissioners of Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 92-45, Ordinance pursuant to Florida Statute 163.387, providing for creation and administration of Community Redevelopment Trust Fund for the Polk Commerce Centre Community Redevelopment Area, which was adopted by the said Board in regular session on Tuesday, December 22, 1992.

WITNESS my hand and official seal on this 29th day of December 19 92.

E. D. "Bud" Dixon
Clerk

(SEAL)

By: Martha H. Crews
Deputy Clerk



IMPERIAL POLK COUNTY

Clerk and Auditor
Board of County Commissioners
330 W. Church Street
P.O. Box 988
Bartow, Florida 33830

E.D. "BUD" DIXON
CLERK OF THE CIRCUIT COURT AND COUNTY COURT

December 29, 1992

Mrs. Liz Cloud
Chief, Bureau of Laws and
Administrative Code
Office of Secretary of State
Room 2002, The Capitol
Tallahassee, Florida 32399-0250

Dear Mrs. Cloud:

Enclosed is (are) certified copy(ies) of the following ordinance(s) adopted by the Polk County Board of County Commissioners in regular session on December 22, 1992:

Ordinance No. 92-45 - Ordinance providing for creation and administration of a Community Redevelopment Trust Fund for the Polk Commerce Centre Community Redevelopment Area

Ordinance No. 92-46 - Ordinance approving a Community Redevelopment Plan for the Polk Commerce Centre Community Redevelopment Area

Please give the Clerk official notification when the ordinance(s) has (have) been filed in your office.

With kind regards, we are

Yours very truly,

E. D. "Bud" Dixon
Clerk and Auditor

Martha H. Crews

By Martha H. Crews
Deputy Clerk

mc
Enclosure(s)



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS

Room 2002, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-8427

RECEIVED

1-04-93

Clerk Of The Board

M. Crews

December 30, 1992

Honorable E. D. "Bud" Dixon
Clerk of the Circuit Court
Polk County
Post Office Box 988
Bartow, Florida 33830

Attention: Martha Crews, Deputy Clerk

Dear Mr. Dixon:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters of December 29, 1992 and certified copy of Polk County Ordinance Nos. 92-45, 92-46 and 92-47 which were filed in this office on December 30, 1992.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/dlb



IMPERIAL POLK COUNTY

Clerk and Auditor
Board of County Commissioners
330 W. Church Street
P.O. Box 988
Bartow, Florida 33830

E.D. "BUD" DIXON
CLERK OF THE CIRCUIT COURT AND COUNTY COURT

December 23, 1992

Mrs. Liz Cloud
Chief, Bureau of Laws and
Administrative Code
Office of Secretary of State
Room 2002, The Capitol
Tallahassee, Florida 32399-0250

Dear Mrs. Cloud:

Enclosed is (are) certified copy(ies) of the following ordinance(s) adopted by the Polk County Board of County Commissioners in regular session on December 22, 19 92:

Ordinance No. 92-43 - Ordinance creating the Mount Olive Shores Phase 5 Special Street Lighting District
Ordinance No. 92-44 - Ordinance creating the Highland Park Manor Special Street Lighting District

Please give the Clerk official notification when the ordinance(s) has (have) been filed in your office.

With kind regards, we are

Yours very truly,

E. D. "Bud" Dixon
Clerk and Auditor

Martha H. Crews

By Martha H. Crews
Deputy Clerk

mc
Enclosure(s)



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS

Room 2002, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-8427

RECEIVED

1-04-93

Clerk Of The Board

M. Crews

December 28, 1992

Honorable E. D. "Bud" Dixon
Clerk of the Circuit Court
Polk County Courthouse
Post Office Box 988
Bartow, Florida 33830

Attention: Martha H. Crews, Deputy Clerk

Dear Mr. Dixon:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of December 23, 1992 and certified copies of Polk County Ordinance Numbers 92-43 and 92-44, which were received and filed in this office on December 28, 1992.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb