

RESOLUTION NO. 1805

A RESOLUTION OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA; MAKING FINDINGS; FINDING THAT BLIGHTED AREAS EXIST ADJACENT TO THE EXISTING BABCOCK STREET COMMUNITY REDEVELOPMENT DISTRICT; DECLARING THAT THE REHABILITATION, CONSERVATION AND REDEVELOPMENT OF SUCH BLIGHTED AREAS ARE NECESSARY IN THE INTEREST OF PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF MELBOURNE; DETERMINING THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE REDEVELOPMENT PURPOSES OF CHAPTER 163, PART III, FLORIDA STATUTES, WITHIN THE BLIGHTED AREAS; PROVIDING FOR THE EXPANSION OF THE BABCOCK STREET COMMUNITY REDEVELOPMENT DISTRICT; DECLARING THE BOARD OF COMMISSIONERS OF SAID COMMUNITY REDEVELOPMENT DISTRICT SHALL CONSIST OF THE CITY COUNCIL APPOINTED PURSUANT TO SECTION 163.356, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, pursuant to Section 163.410, Florida Statutes, on September 9, 1997, the Board of County Commissioners of Brevard County, Florida adopted Brevard County Resolution No. 97-187, delegating authority to the City Council of the City of Melbourne to create and operate a Chapter 163, Florida Statutes, Community Redevelopment Agency generally known as the Babcock Street Community Redevelopment Agency within the area described in Section 10-153, City Code; and

WHEREAS, pursuant to Section 163.361, Florida Statutes, and Sections 1.b., f., g., and j. of the aforesaid Resolution No. 97-187, the boundaries of the Babcock Street Community Redevelopment Agency may be adjusted; and

WHEREAS, pursuant to Section 163.340(8), Florida Statutes, a "blighted area" is defined as follows:

"Blighted area" means either:

(a) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of the county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

1. Predominance of defective or inadequate street layout;

2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
3. Unsanitary or unsafe conditions;
4. Deterioration of site or other improvements;
5. Tax or special assessment delinquency exceeding the fair market value of the land; and
6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(b) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction; and

WHEREAS, there exists a blighted area to the east of the existing boundaries of the Babcock Street Community Redevelopment Agency described by parcel identification numbers and depicted in Exhibit "A" which blighted area should be included within the boundaries of the Babcock Street Community Redevelopment Agency; and

WHEREAS, in the area described in Exhibit "A" there exists faulty or inadequate street layouts; a deterioration of infrastructure and sites; faulty lot layouts and non-conforming parking and ingress/egress points; economic and social liabilities imposing onerous burdens, which decrease the tax base and reduce tax revenues, and thus meeting the criteria of a blighted area as defined in Section 163.340(8), Florida Statutes, and consistent with Section 163.335(1), Florida Statutes; and

WHEREAS, a study (the "Study") was conducted by the City's Planning and Economic Development Department which makes factual findings of blight as described in the paragraph above, in addition to the other factors which demonstrate declining property values and a deteriorating infrastructure; and

WHEREAS, the City Council acknowledges receipt of the Study, and finds that based on the Study and other evidence and testimony presented by the City's Planning and Economic Development Department, that areas described in Exhibit "A," constitute a Chapter 163, Part III, Florida Statutes, "blighted area;" and

WHEREAS, based on the Study and other evidence and testimony presented by the City's Planning and Economic Development Department, the City Council finds that expansion of the Babcock Street Community Redevelopment Agency boundaries to include the area as described in

Exhibit "A," meets the intent and requirements set forth in and would be consistent with the requirements set forth in Section 163.335(1), Florida Statutes; and

WHEREAS, the rehabilitation, conservation and redevelopment or a combination thereof of the aforesaid area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Melbourne, and in the interest of implementing the intent of the Florida Legislature as expressed in the Community Redevelopment Act of 1969, as amended, by revitalizing the area economically and socially, thereby improving the tax base, promoting sound growth and providing infrastructure; and

WHEREAS, the State of Florida has found and declared that the preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; that tax increment financing is an effective method of achieving such preservation and enhancement in areas in which such tax base is declining; that community redevelopment in such areas, when complete, will enhance such tax base and provide increased tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes.

BE IT RESOLVED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That the area of Melbourne more fully described in Exhibit "A," which area is wholly within the corporate limits of the City of Melbourne, is hereby found and declared to be a "blighted area," as defined and within the purpose and intent of Chapter 163, Part III, Florida Statutes.

SECTION 2. That pursuant to the provisions of Section 163.355, Florida Statutes, it is hereby found and declared that:

(a) The rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Exhibit "A" is necessary in the interest of public health, safety, morals, and welfare of the citizens of the City of Melbourne;

(b) That blighted areas exist within the area described in Exhibit "A;" and

(c) That area described in Exhibit "A" is appropriate to be included within, and is immediately and substantially contiguous to, the Babcock Street Community Redevelopment Agency boundaries pursuant to Chapter 163, Part III, Florida Statutes.

SECTION 3. That there is a need for a community redevelopment agency to function and carry out the community redevelopment purposes as specified in Chapter 163, Part III, Florida Statutes.

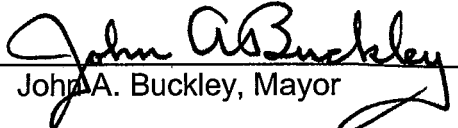
SECTION 4. That the City Council of the City of Melbourne, Florida, hereby declares that the area described in Exhibit "A:"

(a) Shall be included within the boundaries of the Babcock Street Community Redevelopment Agency; and

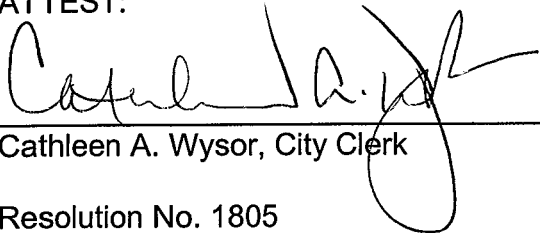
(b) Shall be subject to the jurisdiction of the existing board of commissioners of the Babcock Street Community Redevelopment Agency.

SECTION 5. That this resolution shall become effective immediately upon its adoption in accordance with the Charter of the City of Melbourne.

SECTION 6. That this resolution was adopted at a regular meeting of the City Council on the 28<sup>th</sup> day of January, 2003.

BY:   
John A. Buckley, Mayor

ATTEST:

  
Cathleen A. Wysor, City Clerk

Resolution No. 1805

Attachment: Exhibit A

EXHIBIT "A"

Lots 14, 15, 16, 17, 18, 19, and 20, and the vacated alley located between Lots 7-13 and Lots 14-20, Block 5, Re-Subdivision of Platt's Subdivision, according to the plat thereof, as recorded in Plat Book 2, Page 50, Public Records of Brevard County, Florida; and

Lots 10, 11, 12, 15, 16, 17, and 18, and the vacated alley located between Lots 1-4 and Lots 15-18 and the vacated alley located between Lots 7-9 and Lots 10-12, Block 6, Re-Subdivision of Platt's Subdivision, according to the plat thereof, as recorded in Plat Book 2, Page 50, Public Records of Brevard County, Florida; and

Lots 12, 13, 14, 15, 16, and 17, and the alley located between Lots 1-6 and Lots 12-17, Block 15, Re-Subdivision of Platt's Subdivision, according to the plat thereof, as recorded in Plat Book 2, Page 50, Public Records of Brevard County, Florida.

All of the foregoing property is also described by the following Brevard County Property Appraiser's Tax identification parcel numbers: 28-37-03-32-00006.0-0015.0; 28-37-03-32-00015.0-0001.0; 28-37-03-32-00006.0-0010.0; 28-37-03-32-00006.0-0012.0; 28-37-03-32-00006.0-0017.0; 28-37-03-32-00015.-0012.0; 28-37-03-32-00005.0-0014.0; and