



MEMORANDUM

Office of the City Attorney

Legistar No. 002143

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: November 26, 2001
FIRST READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-01-68
An ordinance of the City of Gainesville, Florida, amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment; creating the Eastside District trust fund; creating the boundaries of the Eastside District Redevelopment Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

On September 24, 2001, the City Commission authorized the preparation of an ordinance to describe the boundaries of the Eastside District Community Redevelopment Area and to create a trust fund for tax increment funds. The ordinance describes the Community Development area from which increment funds will be collected, sets the base amount upon which future increases in values will be measured, and requires certain taxing authorities to deposit increment funds on an annual basis.

Prepared by:

Charles L. Hauck,
Sr. Assistant City Attorney

Approved and
Submitted by:

Marion J. Radson,
City Attorney

MJR:CLH:sw

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ORDINANCE NO. _____
0-01-68

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An ordinance of the City of Gainesville, Florida, amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment; creating the Eastside District trust fund; creating the boundaries of the Eastside District Redevelopment Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, Resolution No. 000728, adopted by the City Commission of the City of Gainesville on November 27, 2000, determined that the Eastside District was an area appropriate for community redevelopment pursuant to the Community Redevelopment Act of 1969; and

WHEREAS, Resolution No. 001895, adopted by the City Commission of the City of Gainesville on October 22, 2001, adopted a community redevelopment plan for the Eastside District;

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the Auditorium of City Hall in the City of Gainesville; and

WHEREAS, a Public Hearing was held pursuant to the published notice described at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

1 Section 1. Section 2-415 of the Code of Ordinances of the City of Gainesville is
2 hereby created and added to read as follows:

3 Sec. 2-415. Eastside District trust fund.

4 (a) There is hereby established a trust fund, to be separately administered and
5 accounted for, to be known as the Eastside District redevelopment trust fund.

6 (b) The trust fund shall be used for the deposit of all tax increment funds obtained by
7 the Gainesville community redevelopment agency to finance or refinance community
8 redevelopment projects within the Eastside District community redevelopment area
9 described in Section 2-410.3 and all such funds shall be used to carry out redevelopment
10 activities included in the community redevelopment plan for the Eastside District
11 community redevelopment area.

12 (c) Each taxing authority shall make annual appropriations to the trust fund as
13 provided by law.

14 (d) Pursuant to F.S. §163.387, the tax increment to be allocated annually to the trust
15 fund shall be that amount equal to the difference between:

16 (1) The amount of ad valorem taxes levied each year by all taxing authorities except
17 school districts and those taxing authorities listed in §163.387(2)(c), F.S. (2001),
18 exclusive of any debt service millage, on taxable real property contained within the
19 geographic boundaries of the Eastside District.

20 (2) The amount of ad valorem taxes which would have been produced by the rate
21 upon which the tax is levied each year by or for all taxing authorities, except school
22 districts and those taxing authorities listed in §163.387(2)(c), F.S. (2001), exclusive of
23 any debt service millage, upon the total of the assessed value of the taxable property in

1 the Eastside District community redevelopment area as shown upon the most recent
2 assessment roll used in connection with the taxation of such property by each taxing
3 authority prior to the adoption of this ordinance.

4 (e) It is hereby determined that the total of the assessed value of the taxable property
5 in the Eastside District community redevelopment area, as shown on the most recent
6 assessment roll prior to the effective date of this ordinance, is \$32,574,596.

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8 **Section 2.** Section 2-410.3 of the Code of Ordinances of the City of Gainesville is
9 hereby created and added to read as follows:

10 Sec. 2-410.3. Boundaries of the Eastside District community redevelopment area.

11 An area of land located in Sections 3, 4, 9, 33 and 34 of Township 10 South, Range 20
12 East of Alachua County, Florida, being more particularly described as follows:

13 Commence at the southeast corner of the intersection of NE 15th Street and NE 16th
14 Avenue, as the Point-of-Beginning; from said Point-of-Beginning run East along the
15 south right-of-way line of said NE 16th Avenue (and an easterly extension thereof) to a
16 point lying on the northeasterly right-of-way line of the abandoned Seaboard Coastline
17 Railroad property (parcel number 10812-300-000) also known as the Rail-to-Trail
18 property; thence run in a Southwesterly direction to a point on the south line of a City of
19 Gainesville drainage ditch as per Official Record Book 573, page 33, of the Public
20 Records of Alachua County, Florida; thence run along said south line to the east line of
21 Section 34, Township 9 South, Range 20 East; thence run South along said east line to a
22 point lying on the south right-of-way line of NE 8th Avenue; thence run West along said
23 south right-of-way line to the east right-of-way line of NE 25th Street; thence run South

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1 along the east right-of-way line of said NE 25th Street to the south right-of-way line of
2 East University Avenue; thence run West along said south right-of-way line of East
3 University Avenue to the east right-of-way line of SE 21st Street; thence run South along
4 said east right-of-way line of SE 21st Street to a point on an easterly extension of the
5 south right-of-way line of SE 6th Avenue; thence run West along said south right-of-way
6 line extension and along the south right-of-way line of SE 6th Avenue to the west right-of-
7 way line of SE 17th Terrace; thence run North along said west right-of-way line of SE 17th
8 Terrace to the south right-of-way line of SE 4th Avenue; thence run West along said south
9 right-of-way line of SE 4th Avenue to the east right-of-way line of SE 15th Street; thence
10 run South along said east right-of-way line of SE 15th Street to its intersection with the
11 south line of Section 4, Township 10 South, Range 20 East; thence run West along said
12 south right-of-way line of Section 4, Township 10 South, Range 20 East to its intersection
13 with the west right-of-way line of SE 12th Street; thence run South 10 feet; thence run
14 West to the east right-of-way line of SE 11th Street; thence run South along said east
15 right-of-way line of SE 11th Street to an easterly extension of the south right-of-way line
16 of SE 9th Avenue; thence run West along said southerly extension and along the south
17 right-of-way line of SE 9th Avenue to a point lying 119 feet east of the east right-of-way
18 of SE 7th Street (being also the east line of tax parcel number 16044-000-000); thence run
19 South to the south right-of-way line of SE 9th Place and a westerly extension thereof to
20 the west right-of-way line of SE 4th Street; thence run Northwesterly along said westerly
21 right-of-way line of SE 4th Street to the south right-of-way line of the abandoned
22 Seaboard Coastline Railroad property, tax parcel number 12745-300-000 (also known as
23 the Rail-to-Trail property); thence run Easterly and Northeasterly along said right-of-way

1 line of the abandoned Seaboard Coastline Railroad property to the north right-of-way line
2 of NE 3rd Avenue; thence run West along said north right-of-way line of NE 3rd Avenue
3 to the east right-of-way line of NE 12th Court; thence run North along said east right-of-
4 way line of NE 12th Court to a creek branch; thence run Northwesterly along aid creek
5 branch (being also the south line of tax parcel 12560-000-000) to the East line of Lot 1,
6 Block 1, Range 5 of Doig and Robertson edition as per Deed Book "W", page 437, of the
7 Public Records of Alachua County, Florida; thence run North to the south right-of-way
8 line of NE 5th Avenue; thence run East along said south right-of-way line to a southerly
9 extension of the east line of Sperry Heights, a subdivision as per Plat Book "E", page 1,
10 of the Public Records of Alachua County, Florida; thence run Northeasterly along said
11 east line of Sperry Heights Subdivision to the south right-of-way line of NE 6th Place;
12 thence run West along said south line of NE 6th Place to the west right-of-way line of NE
13 12th Street; thence run North along said west right-of-way line of NE 12th Street to the
14 south right-of-way line of NE 8th Avenue; thence run East along said south right-of-way
15 line of NE 8th Avenue to a southerly extension of the easterly right-of-way line of NE 14th
16 Street; thence run Northerly and Northeasterly along said southerly extension and along
17 said easterly right-of-way line of NE 14th Street and along the easterly right-of-way line of
18 NE 15th Street to the southeast corner of the intersection of NE 15th Street and NE 16th
19 Avenue, being the Point-of-Beginning, and close. All lying and being in the City of
20 Gainesville, Florida; containing 952 acres more-or-less.

21 **Section 3.** It is the intention of the City Commission that the provisions of Sections 1
22 and 2 of this Ordinance shall become and be made a part of the Code of Ordinances of the

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1 City of Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may
2 be renumbered or relettered in order to accomplish such intentions.

3 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be
4 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall
5 in no way affect the validity of the remaining portions of this ordinance.

6 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent
7 of such conflict hereby repealed.

8 **Section 6.** This ordinance shall become effective immediately upon final adoption.

9 **PASSED AND ADOPTED** this ____ day of _____, 2001.

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12 _____
13 THOMAS D. BUSSING, MAYOR

14
15 ATTEST:

Approved as to form and legality

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17
18 _____
19 KURT M. LANNON
20 CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

21 This Ordinance passed on first reading this ____ day of _____, 2001.

22 This Ordinance passed on second reading this ____ day of _____, 2001.

