

BOARD OF COUNTY COMMISSIONERS

DATE: January 28, 2014

AGENDA ITEM NO. 13

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

Subject:

Southside St. Petersburg Community Redevelopment Area – Delegation Deadline Extension.

Department:

Planning and Development Services

Staff Member Responsible:

Larry Arrington, Executive Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS, PURSUANT TO SEC. 163.410, FLORIDA STATUTES, APPROVE EXTENDING THE DEADLINE PERIOD FROM JANUARY 31, 2014 TO JUNE 6, 2014 WHEREBY PINELLAS COUNTY MUST GRANT, IN WHOLE OR IN PART, OR DENY THE CITY OF ST. PETERSBURG'S REQUEST FOR DELEGATION OF REDEVELOPMENT AUTHORITY FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA.

Background:

The City of St. Petersburg (City) in Resolution 2013-247, adopted on June 20, 2013, described an area in the City as the "Southside St. Petersburg Community Redevelopment Area" and is requesting that the Board delegate to the City Council all authority and powers conferred upon Pinellas County through the Community Redevelopment Act of 1969, as amended, for the Southside St. Petersburg Community Redevelopment Area (CRA). The City has also requested authority to establish two tax increment financing districts and two associated redevelopment trust funds within the Southside St. Petersburg CRA. If a municipality requests for a delegation of these community redevelopment powers, the Board must grant in whole or in part or deny this municipal request for a delegation of powers within 120 days after the receipt of all required documentation, or such request shall be deemed granted unless this period is extended by mutual consent in writing by the municipality and the county. The deadline for Board action on this request for delegation was extended to January 31, 2014 by mutual consent of the Board and the St. Petersburg City Council in October 2013. The extension through the end of January 2014 was to give the staffs at the City of St. Petersburg and Pinellas County the opportunity to prepare an interlocal agreement between the City and the County that would provide the framework for a concerted multi-jurisdictional and multi-agency effort to address the blight conditions in the CRA. As stated in the October 8, 2013 Board agenda memo that recommended the initial extension of redevelopment authority through January 31st, the interlocal agreement is anticipated to include direction on Community Redevelopment Agency representation, its function, how the community will be engaged, the collaboration with other interested parties, a mechanism for financing options beyond tax increment financing, and administration to develop and implement the community redevelopment plan.

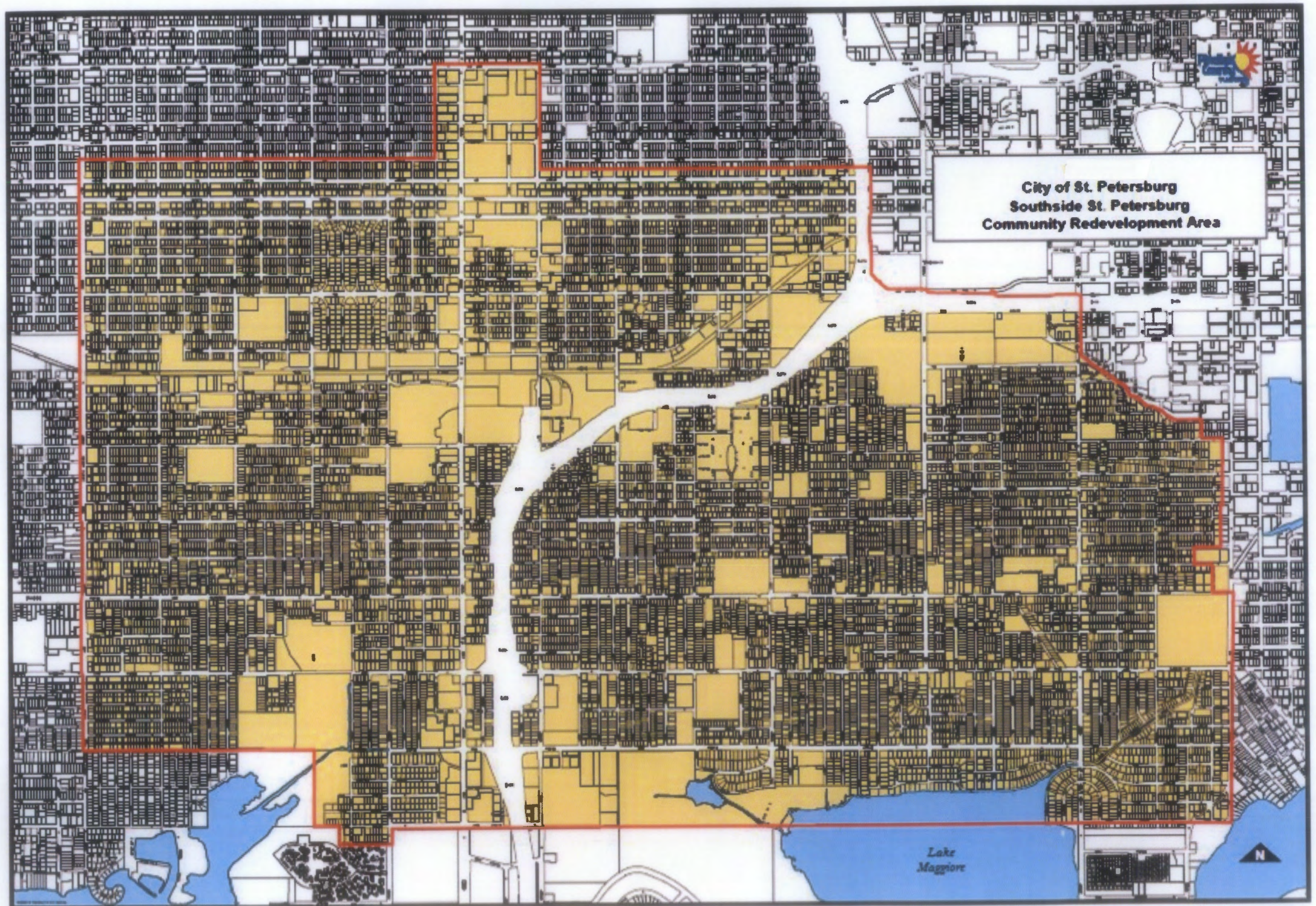
Additional time is needed to complete the interlocal agreement. In discussions between City and County staffs, it has been concluded that an additional four months are likely necessary to draft, review, revise and adopt an interlocal agreement to establish a framework for using the CRA designation to improve conditions in Southside St. Petersburg. To provide sufficient time to negotiate a mutually acceptable interlocal agreement, the St. Petersburg City Council is scheduled to take action on January 23rd to extend the deadline for Board action on delegating redevelopment authority to the City for the Southside St. Petersburg CRA to June 6, 2014. Attached is the proposed resolution that will be considered by the City Council on January 23rd. It is recommended that the Board take similar action to extend the deadline to June 6, 2014 as provided for in Sec. 163.410 in the Florida Statutes, which allows the deadline to be extended by mutual consent in writing by the City and the County.

Fiscal Impact/Cost/Revenue Summary:

The details of funding proposals, including tax increment projections, and capital improvement expenditures are to be presented in the Community Redevelopment Plan.

Exhibits/Attachments Attached:

Map of Southside St. Petersburg Community Redevelopment Area
Proposed St. Petersburg Resolution



PROPOSED
ST. PETERSBURG RESOLUTION

NO. 2014 - ____

A RESOLUTION, PURSUANT TO SEC. 163.410 OF THE COMMUNITY REDEVELOPMENT ACT OF 1969, EXTENDING FURTHER THE DEADLINE BY WHICH PINELLAS COUNTY MUST GRANT IN WHOLE OR IN PART, OR DENY THE CITY OF ST. PETERSBURG'S REQUEST FOR DELEGATION OF REDEVELOPMENT AUTHORITY FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA, AS SET FORTH IN RESOLUTION 2013-247 (SEE EXHIBIT A); SETTING JUNE 6, 2014, AS THE DATE BY WHICH THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS MUST TAKE ACTION ON SAID REQUEST OR SAME SHALL BE DEEMED GRANTED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Legislature of Florida enacted the Community Redevelopment Act of 1969; and

WHEREAS, The Legislature of Florida has amended said Act from time to time and it is presently codified in Part III of Chapter 163 of the Florida Statutes; and

WHEREAS, in counties with home rule charters, all powers arising through the aforesaid enactment are conferred by that enactment upon the county and the county in turn is authorized to delegate such powers to municipalities within its boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

163.410 Exercise of powers in counties with home rule charters.--In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter. Unless otherwise provided by an existing ordinance, resolution, or interlocal agreement between any such county and a municipality, the governing

body of the county that has adopted a home rule charter shall grant in whole or in part or deny any request from a municipality for a delegation of powers or a change in an existing delegation of powers within 120 days after the receipt of all required documentation or such request shall be deemed granted unless this period is extended by mutual consent in writing by the municipality and county. Within 30 days after receipt of the request, the county shall notify the municipality by registered mail whether the request is complete or if additional information is required. Any request by the county for additional documentation shall specify the deficiencies in the submitted documentation, if any. The county shall notify the municipality by registered mail within 30 days after receiving the additional information whether such additional documentation is complete. If the meeting of the county commission at which the request for a delegation of powers or a change in an existing delegation of powers is unable to be held due to events beyond the control of the county, the request shall be acted upon at the next regularly scheduled meeting of the county commission without regard to the 120-day limitation. If the county does not act upon the request at the next regularly scheduled meeting, the request shall be deemed granted; and

WHEREAS, The County of Pinellas has adopted a Home Rule Charter; and

WHEREAS, The City of St. Petersburg, in making a findings of necessity for the Southside St. Petersburg Community Redevelopment Area, requested a delegation of redevelopment authority on June 20, 2013, as set forth in Res. 2013-247 (see Exhibit A); and,

WHEREAS, Section 163.410, FS, requires Pinellas County to grant in whole or in part or deny any request from a municipality for delegation of (redevelopment) powers within 120 days after the receipt of all required documentation, or such request shall be deemed granted unless this period is extended by mutual consent in writing by the municipality and county; and,

WHEREAS, The City of St. Petersburg submitted by June 27, 2013, all required information necessary for Pinellas County to take action on City Council's request for delegation, and by so doing set October 25, 2013, as the date by which the Pinellas County Board of County Commissioners (BOCC) would have to take action on the delegation request; and,

WHEREAS, on October 3, 2013, the City of St. Petersburg City Council approved Res. 2013-397, extending the date by which the Pinellas County BOCC must take action on the redevelopment delegation request to January 31, 2014, to allow for continued collaboration between the City and County to develop an agreement establishing the parameters for joint

governance of the Southside St. Petersburg Community Redevelopment Area (see Exhibit B); and

WHEREAS, Pinellas County staff has submitted a request to extend the delegation deadline for an additional four months in order to conclude review, negotiation and approval of the joint governance agreement by the City of St. Petersburg and Pinellas County (see Exhibit C).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Petersburg, Florida does hereby consent to Pinellas County's request to extend the date by which it must grant in whole or in part, or deny the City of St. Petersburg's request for delegation of redevelopment authority for the Southside St. Petersburg Community Redevelopment Area, as set forth in Res. 2013-247, from January 31, 2014 until June 6, 2014, which will become the date by which the Pinellas County Board of County Commissioners must take action on the City's request for delegation of authority, or it shall be deemed granted, unless mutually extended by the City of St. Petersburg and Pinellas County.

BE IT FURTHER RESOLVED that this consent is a conditional consent and shall not be effective unless the Pinellas County Board of County Commissioners agree with this extension by January 31, 2014.

This resolution shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council in regular session on the 23rd day of January, 2014.

APPROVED AS TO FORM AND CONTENT:

APPROVED BY:

City Attorney (Designee)

Dave Goodwin, Director
Planning and Economic Development
Department

Exhibit A

Resolution 2013-247 (does not include attachments)

Findings of Necessity and Request for Delegation of Redevelopment Authority
Southside St. Petersburg Community Redevelopment Area

A RESOLUTION FINDING THAT THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA WITHIN THE CITY OF ST. PETERSBURG IS A BLIGHTED AREA, AS DEFINED IN THE COMMUNITY REDEVELOPMENT ACT (CHAPTER 163, PART III OF THE FLORIDA STATUTES) AND THE REHABILITATION, CONSERVATION, OR REDEVELOPMENT, OR A COMBINATION THEREOF, OF SAID AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF THE CITY; FINDING THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT COMMUNITY REDEVELOPMENT WITHIN THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; REQUESTING CITY ADMINISTRATION TO PREPARE A REDEVELOPMENT PLAN FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; REQUESTING THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS DELEGATE REDEVELOPMENT POWERS TO THE CITY OF ST. PETERSBURG CITY COUNCIL, AS DEFINED UNDER THE COMMUNITY REDEVELOPMENT ACT OF 1969 (CHAPTER 163, PART III OF THE FLORIDA STATUTES) AS AMENDED, FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; REQUESTING AUTHORITY FROM THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS TO ESTABLISH TWO TAX INCREMENT FINANCING DISTRICTS AND REDEVELOPMENT TRUST FUNDS WITHIN THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Legislature of Florida enacted the Community Redevelopment Act of 1969; and

WHEREAS, The Legislature of Florida has amended said Act from time to time and it is presently codified in Part III of Chapter 163 of the Florida Statutes; and

WHEREAS, in counties with home rule charters, all powers arising through the aforesaid enactment are conferred by that enactment upon the county and the county in turn is authorized to delegate such powers to municipalities within its boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

163.410 Exercise of powers in counties with home rule charters.--In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter. Unless otherwise provided by an existing ordinance, resolution, or interlocal agreement between any such county and a municipality, the governing body of the county that has adopted a home rule charter shall act on any request from a municipality for a delegation of powers or a change in an existing delegation of powers within 120 days after the receipt of all required documentation or such request shall be immediately sent to the governing body for consideration. Within 30 days after receipt of the request, the county shall notify the municipality by registered mail whether the request is complete or if additional information is required. Any request by the county for additional documentation shall specify the deficiencies in the submitted documentation, if any. The county shall notify the municipality by registered mail within 30 days after receiving the additional information whether such additional documentation is complete.

If the meeting of the county commission at which the request for a delegation of powers or a change in an existing delegation of powers is unable to be held due to events beyond the control of the county, the request shall be acted upon at the next regularly scheduled meeting of the county commission without regard to the 120-day limitation. If the county does not act upon the request at the next regularly scheduled meeting, the request shall be deemed granted; and

WHEREAS, The County of Pinellas has adopted a Home Rule Charter; and

WHEREAS, The City of St. Petersburg desires to increase the tax base of all taxing authorities; and,

WHEREAS, The City of St. Petersburg finds that the delegation of Florida Statute Chapter 163, Part III, redevelopment powers and authority to the City of St. Petersburg City Council is an appropriate vehicle with which to accomplish redevelopment of slum and/or blighted areas to serve the best interest of the public; and,

WHEREAS, The City of St. Petersburg City Council must determine that the Southside St. Petersburg Community Redevelopment Area is an area of slum and/or blight and make such finding prior to the delegation of redevelopment powers by the Pinellas County Board of County Commissioners; and,

WHEREAS, the appropriate taxing authorities which levy taxes in the Southside St. Petersburg Community Redevelopment Area, as defined herein, have been notified of this proposed resolution as required under Florida Statute Section 163.346.; and,

WHEREAS, appropriate notice has been given by publication in accordance with Florida Statute Section 166.041(3)(a); and

WHEREAS, a public hearing has been held on the day noticed by said publication.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Petersburg, Florida:

1. That the following described property and inclusive of rights-of-way (hereinafter referred to as "Southside St. Petersburg Community Redevelopment Area") is within the City of St. Petersburg, Florida, and is described verbally in and shown graphically as Exhibit "A".

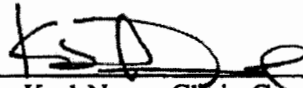
2. That the Southside St. Petersburg Community Redevelopment Area is hereby found and declared to be a blighted area as defined in Florida Statute 163.340(8), as supported by the documentation found in Exhibit "B" of this Resolution, in that the above-described area has:
 - a. Declining assessed property values over the five years prior to making this finding; and
 - b. A significant number of deteriorated site or other improvements relative to the remainder of St. Petersburg.
3. That it is hereby found that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Southside St. Petersburg Community Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City of St. Petersburg.
4. That based upon the foregoing findings this City Council hereby finds that there is a need for a community redevelopment agency to function in the City of St. Petersburg to carry out the community redevelopment purposes of Part III of Chapter 163 of the Florida Statutes in the Southside St. Petersburg Community Redevelopment Area.

BE IT FURTHER RESOLVED that the City Council of the City of St. Petersburg

1. Requests that the Board of County Commissioners of Pinellas County delegate to the City Council of the City of St. Petersburg all authority and powers conferred upon Pinellas County through the Community Redevelopment Act of 1969, as amended (Chapter 163, Part III, Florida Statutes) for the Southside St. Petersburg Community Redevelopment Area;
2. Requests authority from the Board of County Commissioners of Pinellas County to establish two tax increment financing districts and two redevelopment trust funds within the Southside St. Petersburg Community Redevelopment Area, the general boundaries of which are shown graphically in Exhibit "B", under the authority provided by Florida Statute 163.370 and 163.387 to implement needed improvements that will remedy the stated blighted conditions; and
3. Requests City Administration to prepare a redevelopment plan for the Southside St. Petersburg Community Redevelopment Area pursuant to the requirements of Chapter 163, Part III, Florida Statutes.

This resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 20th day of June,
2013.



Karl Nurse Chair-Councilmember
Presiding Officer of the City Council

ATTEST:

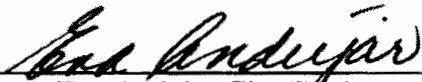

Eva Andujar City Clerk

Exhibit B

Resolution 2013-397 (does not include attachments)

Extending the Time Period for the Pinellas County Board of County Commissioners
to Grant Redevelopment Authority to the City of St. Petersburg in the Southside
St. Petersburg CRA

NO. 2013-397

A RESOLUTION, PURSUANT TO SEC. 163.410 OF THE COMMUNITY REDEVELOPMENT ACT OF 1969, CONSENTING TO THE EXTENSION OF THE 120-DAY PERIOD WITHIN WHICH PINELLAS COUNTY MUST GRANT IN WHOLE OR IN PART, OR DENY THE CITY OF ST. PETERSBURG'S REQUEST FOR DELEGATION OF REDEVELOPMENT AUTHORITY FOR THE SOUTHSIDE ST. PETERSBURG COMMUNITY REDEVELOPMENT AREA, AS SET FORTH IN RESOLUTION 2013-247; CONSENTING TO THE EXTENSION UNTIL JANUARY 31, 2014, AS THE DATE BY WHICH THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS MUST TAKE ACTION ON SAID REQUEST OR SAME SHALL BE DEEMED GRANTED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida enacted the Community Redevelopment Act of 1969; and

WHEREAS, the Legislature of the State of Florida has amended said Act from time to time and it is presently codified in Part III of Chapter 163 of the Florida Statutes; and

WHEREAS, in counties with home rule charters, all powers arising through the aforesaid enactment are conferred by that enactment upon the county and the county in turn is authorized to delegate such powers to municipalities within its boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

163.410 Exercise of powers in counties with home rule charters. -- In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within

the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter. Unless otherwise provided by an existing ordinance, resolution, or interlocal agreement between any such county and a municipality, the governing body of the county that has adopted a home rule charter shall grant in whole or in part or deny any request from a municipality for a delegation of powers or a change in an existing delegation of powers within 120 days after the receipt of all required documentation, or such request shall be deemed granted unless this period is extended by mutual consent in writing by the municipality and county. Within 30 days after receipt of the request, the county shall notify the municipality by registered mail whether the request is complete or if additional information is required. Any request by the county for additional documentation shall specify the deficiencies in the submitted documentation, if any. The county shall notify the municipality by registered mail within 30 days after receiving the additional information whether such additional documentation is complete. If the meeting of the county commission at which the request for a delegation of powers or a change in an existing delegation of powers is unable to be held due to events beyond the control of the county, the request shall be acted upon at the next regularly scheduled meeting of the county commission without regard to the 120-day limitation. If the county does not act upon the request at the next regularly scheduled meeting, the request shall be deemed granted; and

WHEREAS, Pinellas County has adopted a Home Rule Charter; and

WHEREAS, the City of St. Petersburg, in making findings of necessity for the Southside St. Petersburg Community Redevelopment Area (see map as Exhibit A), requested a delegation of redevelopment authority on June 20, 2013, as set forth in Res. 2013-247 (see Exhibit B); and,

WHEREAS, Section 163.410, F.S., requires Pinellas County to grant in whole or in part or deny any request from a municipality for delegation of (redevelopment) powers within 120 days after the receipt of all required documentation, or such request shall be deemed granted unless this period is extended by mutual consent in writing by the municipality and county; and,

WHEREAS, the City of St. Petersburg submitted all required information necessary for Pinellas County to take action on City Council's request for delegation on June 27, 2013; and,

WHEREAS, Pinellas County must take action on the City of St. Petersburg's request for delegation of authority by October 25, 2013, or such request shall be deemed granted; and

WHEREAS, the City of St. Petersburg and Pinellas County are currently involved in a productive collaboration that will outline the structure, policies and processes for governing the Southside St. Petersburg Community Redevelopment Area that could serve as a model for future delegations of redevelopment authority to municipalities in Pinellas County within the five identified areas of poverty.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Petersburg, Florida does hereby consent to the extension of the 120-day period, established by Sec. 163.410, F.S., by which Pinellas County must grant in whole or in part, or deny the City of St. Petersburg's request for delegation of redevelopment authority for the Southside St. Petersburg Community Redevelopment Area, as set forth in Res. 2013-247, from October 25, 2013 until January 31, 2014, which will become the date by which the Pinellas County Board of County Commissioners must take action on the City of St. Petersburg's request for delegation of redevelopment authority for the Southside St. Petersburg Community Redevelopment Area, or it shall be deemed granted, unless mutually extended by the City of St. Petersburg and Pinellas County.

BE IT FURTHER RESOLVED that this consent to extend the 120-day period is a conditional consent and shall not be effective unless Pinellas County agrees with this extension before October 25, 2013.

This resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 3rd day of October, 2013.



Karl Nurse Chair-Councilmember
Presiding Officer of the City Council

ATTEST:



Eva Andujar City Clerk

Exhibit C

Request from Pinellas County to Further Extend the Time Period for Acting on the
City of St. Petersburg's Redevelopment Authority Delegation Request

Rick Smith - Deadline Extension Southside St. Petersburg CRA

From: "Beardslee, Gordon R" <gbeardsl@co.pinellas.fl.us>
To: Rick Smith <Rick.Smith@stpete.org>
Date: 1/9/2014 1:26 PM
Subject: Deadline Extension Southside St. Petersburg CRA
CC: "Rick.Mussett@stpete.org" <Rick.Mussett@stpete.org>

Rick,

As you know, in October 2013, both the Board of County Commissioners and the St. Petersburg City Council agreed to extend the deadline to January 31, 2014 for Board action on the City's request for delegation of redevelopment authority for the Southside St. Petersburg Community Redevelopment Area. We need to request a further extension in order to provide adequate time to prepare a draft Interlocal Agreement, have discussions between County and City staffs, and then present to the Board and City Council for their consideration and approval. I am recommending that we extend the deadline for Board action on the City's request for delegation of redevelopment authority through June 6, 2014. If we can get it done sooner, so much the better. If the City agrees with this timeframe, I will request the Board take action on January 28th to approve this extension. It is my understanding that the City Council could take similar action on January 23rd.

Gordon Beardslee

General Planning Administrator
Pinellas County Planning Department
310 Court Street, Clearwater, FL 33756
Phone (727) 464-8200
Fax (727) 464-8201
gbeardsl@pinellascounty.org

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