

**RESOLUTION NO. 2024-33**

**A RESOLUTION OF THE CITY OF FELLSMERE COMMUNITY REDEVELOPMENT AGENCY INDIAN RIVER COUNTY, FLORIDA, CAUSING THE SUBMITTAL OF THE 2024 UPDATED AND MODIFIED PLAN WHICH CONTAINS AN EXTENSION OF THE COMMUNITY REDEVELOPMENT AGENCY TERM TO FORTY (40) YEARS SUNSETTING ON OCTOBER 1, 2046, TO THE CITY OF FELLSMERE, LOCAL PLANNING AGENCY/PLANNING AND ZONING COMMISSION AND CITY COUNCIL WITH ITS RECOMMENDATION FOR ADOPTION; PROVIDING FOR SEVERALITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Fellsmere, Florida by Resolution No. 05-KK adopted a Community Redevelopment Plan on December 15, 2005 (the “Plan”) for the City (the “Initial Community Redevelopment Area”); and

**WHEREAS**, Resolution No. 09-CC, adopted by the City Council of the City of Fellsmere, Florida on September 17, 2009, determined the existence of blight in an additional area (the “Expansion Area”) of the City of Fellsmere, Florida (the “City”), and that such area was in need of redevelopment and therefore needed to be added to and incorporated in the existing Community Redevelopment Area as provided in Section 163.361, Florida Statutes the boundaries of which compromise the complete and current Community Redevelopment Area which are not changed by this updated Plan; and

**WHEREAS**, the City Council adopted Ordinance 09-19 on December 3, 2009, expanding the legal boundaries of the Community Redevelopment Area and providing for the inclusion of the legally described Expansion Area into the Fellsmere Community Redevelopment Trust Fund; and

**WHEREAS**, the City Council’s desire by creating and amending the Plan was to provide for the removal of such blighted areas within the Community Redevelopment Area pursuant to the Community Redevelopment Act of 1969, as amended, or the “Act”, as contained in Florida Statutes, Chapter 163, Part III.

**WHEREAS**, the same area (Initial Community Redevelopment Area and Expansion Area) is included in the 2024 modified Community Redevelopment Plan and said Trust Fund will continue to accept annual revenues from appropriate taxing authorities for the implementation of the 2024 modified Community Redevelopment Plan; and

**WHEREAS**, the City has recently caused the Community Redevelopment Plan to be modified by updating the Plan, addressing accomplishments, identifying new projects and capital investment and infrastructure programs, and incorporating prior and new overall strategies needed to arrest the decline in, increase the marketability of, and encourage social and economic investment in the City of Fellsmere; and

**WHEREAS**, the modified Plan also extended the term of the Community Redevelopment Agency (the “CRA”) and the Plan from Thirty (30) to Forty (40) years, sunseting on October 1, 2046; and

**WHEREAS**, the CRA will submit the modified Community Redevelopment Plan to the City Manager or his designee for distribution to the Local Planning Agency/ Planning and Zoning Commission of the City of Fellsmere, Florida, (the “LPA/PZ”) for review for conformity with the City’s Comprehensive Plan and to the City Council for review and adoption; and

**WHEREAS**, as required by the Act, specifically Section 163.346 and Section 163.361(3)(a) Florida Statutes, the City Council must submit any modification of the Community Redevelopment Plan that extends the term of the CRA to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the redevelopment area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Community Redevelopment Agency of the City of Fellsmere, Florida, as follows:

**SECTION 1. SUBMITTAL OF THE PLAN.**

1. The City Manager or his designee is hereby requested to submit the proposed modified Community Redevelopment Plan for the Community Redevelopment Area, to the City of Fellsmere Local Planning Agency/Planning and Zoning Commission for their review of its conformance with the City’s Comprehensive Plan as a whole and recommendation of adoption to the City Council of the City of Fellsmere..

2. The City Manager or his designee is hereby requested to submit the proposed modified Community Redevelopment Plan for the Community Redevelopment Area, to the City Council of the City of Fellsmere for their review and adoption after duly noticed public hearing by the LPA/PZ.

3. The City Manager or his designee is hereby requested to submit the proposed modified Community Redevelopment Plan for the Community Redevelopment Area to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the Community Redevelopment Area.

**SECTION 2. SEVERABILITY.** If any section, part of a sentence, paragraph, phrase, or word of this Resolution is for any reason held to be unconstitutional, invalid, inoperative, or void, such holding shall not affect the validity of the remaining portions hereof and it shall be construed to have been the legislative intent to pass this Resolution without such unconstitutional, invalid, inoperative or void part, thereby causing the remainder to remain in full force and effect.

**SECTION3. CONFLICTS.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent necessary to give this Resolution full force and effect.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was moved for adoption by CRA Member \_\_\_\_\_ . The motion was seconded by CRA Member \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Chairman, Joel Tyson	_____
Agency Member Fernando Herrera	_____
Agency Member Inocensia Hernandez	_____
Agency Member Gerald Renick	_____
Agency Member Jessica Salgado	_____

The Chairman thereupon declared this Resolution fully passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF FELLOSMERE, FLORIDA

\_\_\_\_\_  
Joel Tyson, Chairman

ATTEST:

\_\_\_\_\_  
Maria Suarez-Sanchez, Agency Secretary