

BOARD RECORD
FILED FOR THE CLERK

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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

ORDINANCE NO. 2015-064

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2006-027, AS CODIFIED IN ARTICLE VIII OF CHAPTER 38 OF THE SARASOTA COUNTY CODE RELATING TO THE COMMUNITY REINVESTMENT PROGRAM; AMENDING SECTION 38-180 OF THE CODE RELATING TO THE FINDINGS OF FACT; AMENDING SECTION 38-184 OF THE CODE RELATING TO ELIGIBLE PROJECTS; AMENDING SECTION 38-185 OF THE CODE RELATING TO CRITERIA FOR PROJECT INVESTMENT; AMENDING SECTION 38-188 OF THE CODE RELATING TO METHOD OF INVESTMENT; AMENDING SECTION 38-190 RELATING TO PROGRESS REPORTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

SECTION 1. This Ordinance hereby amends Ordinance No. 2006-027 as codified in Article VIII of Chapter 38 of the Sarasota County Code of Ordinances (the "Code"). In this Ordinance, new text is indicated by underlining and deleted text is indicated by ~~striketrough~~.

SECTION 2. Section 38-180 of the Code is hereby amended as follows:

Sec. 38-180. Findings of fact.

- (a) Pursuant to Article VIII, Section 1 (g) of the Florida Constitution, Chapter 125, Florida Statutes, and the Sarasota County Charter, the Board of County Commissioners ("Board") has all the powers of local self-government to perform County functions, municipal functions and to render services for County purposes in a manner not inconsistent with general law, or with special law approved by vote of the electors, and such power may be exercised by the enactment of County ordinances. ~~Section 125.01 1 (g), Florida Statutes, expressly authorizes counties to prepare and enforce comprehensive plans for the development of the county.~~
- (b) It is in the best interests of the public that the County encourage community redevelopment with the construction of new public facilities or public improvements as well as the redesign, alteration, renovation and

expansion of existing facilities or public improvements through community reinvestment, and to promote the principles set forth in the 2000 Sarasota County Evaluation and Appraisal Report regarding "Directions for the Future" as noted in the Comprehensive Plan and the top 10 community issues.

- (c) Redevelopment Construction of new public facilities and improvements as well as the redesign, alteration, renovation and expansion of existing facilities or public improvements within urban areas promotes the efficient and effective use of land, infrastructure and other resources.
- (d) Targeted redevelopment investment in public facilities and improvements is an integral part of improving and revitalizing neighborhoods.
- (e) Forming partnerships with other governmental entities to foster development and redevelopment of projects that promotes a unified vision for a sense of place and optimizes the use of public infrastructure so as to promote an optimal return on investment and ensure a healthy tax base, now and into the future.

SECTION 3. Section 38-184 of the Code is hereby amended as follows:

Sec. 38-184. Eligible Activities/Projects.

Activities/Projects shall be a part of an adopted a municipal or County redevelopment program, and/or an adopted master plan or policy adopted by the governmental entity in furtherance of the public interest and may include:

- (1) Acquisition of real property;
- ~~(2) Relevant expenses of redevelopment planning, surveys and financial analyses;~~
- (2) (3) Design, engineering, site preparation and construction of public improvements, including, but not limited to, roads, streetscaping, water and wastewater systems, and other public amenities or facilities, which are necessary to the success of the project redevelopment program;
- (3) Renovation, redesign, alteration or expansion of existing public facilities or public improvements.
- ~~(4) Partial or full repayment of principal and interest, or, any refunding, advance refunding, or redemption of any debt obligation, including issuance costs and incidental expenses thereto, provided, however, that the proceeds or portion proceeds of such debt obligation was used for a project or projects which would otherwise qualify for benefits under this Community Reinvestment Program.~~

SECTION 4. Section 38-185 of the Code is hereby amended as follows:

Sec. 38-185. Criteria for ~~Activity~~ Project Investment.

Upon submittal of an application by a governing body of a municipality or the County, the County shall consider investing in eligible ~~activities/projects~~ that preserve and strengthen existing communities, based upon the extent to which the activity/project achieves the following criteria:

- ~~(a) Preserves and strengthens existing communities focusing on a sense of place;~~
- (a) Applicant has completed relevant project feasibility studies, plans, surveys and financial analyses;
- (b) Promotes one or more of the following smart sustainable growth goals:
 - (1) Commitment to local procurement and local hiring
 - (2) Capital investment in areas experiencing underinvestment
 - (3) Sustainable transportation strategies
 - (4) Land use - walk score
 - (5) Minimize environmental impacts
 - (6) Sustainable water strategies
 - (7) Sustainable building strategies
 - (8) Balance jobs with housing
- ~~—— (1) Provide for a variety of land uses and lifestyles to support residents of diverse ages, incomes, and family sizes;~~
- ~~—— (2) Reduce automobile trips;~~
- ~~—— (3) Create efficiency in planning and provision of infrastructure;~~
- ~~—— (4) Conserve water and energy;~~
- ~~—— (5) Encourage green building;~~
- ~~—— (6) Allocate development costs appropriately;~~
- ~~—— (7) Balance jobs with housing.~~
- (c) Provides an economic stimulus to the community; ~~Provides a net increase to the tax base;~~
- (d) Leverages funding from other public and private sources.
- ~~(d) Is financially feasible and promotes an optimal return on the County's investment;~~

~~(e) Includes a substantial financial contribution from non county sources.~~

SECTION 5. Section 38-188 of the Code is hereby amended as follows:

Sec. 38-188. Method of Investment

At the Board's discretion, County investment in a ~~Program activity/project~~ shall be ~~made either through loans or grants, determined on a project specific basis as either pay-for-performance or reimbursement.~~ Upfront lump-sum payment will be considered if there are irrevocable commitments from other funding sources. ~~County investment within existing Community Redevelopment Areas (CRA) shall be predicated on the successful renegotiation of terms and conditions in the CRA's existing Plan in furtherance of the County's goal of providing a reasonable, quantifiable and prudent mechanism for County participation in redevelopment activities.~~

SECTION 6. Section 38-190 of the Code is hereby amended as follows:

Sec. 38-190. Progress Reports.

Progress reports and requests for payment shall be submitted to the ~~Board~~ County pursuant to the process established by Board resolution.

SECTION 7. Severability clause.

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

SECTION 8. Effective Date.

This Ordinance shall take effect upon filing with the Office of Secretary of State of the State of Florida.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 21st day of September, 2015.

ATTEST:
KAREN E. RUSHING, Clerk of
Circuit Court and Ex-officio Clerk
To the Board of County Commissioners
Of Sarasota County, Florida

By: Charles Maloney
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA**

By: Charles A. Maloney
Chair