

**RESOLUTION NO. 19-137**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY; MAKING FINDINGS OF FACT; AMENDING THE BUDGET FOR THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR COMMENCING ON OCTOBER 1, 2018, AND ENDING ON SEPTEMBER 30, 2019; ESTABLISHING THE BUDGET FOR THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR COMMENCING ON OCTOBER 1, 2019, AND ENDING ON SEPTEMBER 30, 2020; APPROPRIATING THE USE OF FUNDS SHOWN THEREIN AS STATED AND AS MAY BE NECESSARY OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES RELATING TO THE RESPECTIVE PIER PARK AND FRONT BEACH ROAD REDEVELOPMENT PLANS FOR EACH SUCH FISCAL YEAR; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX-OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

**SECTION 1. AUTHORITY**

Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City of Panama City Beach (the "City") has all powers of local self-government to perform municipal functions, render municipal services and budget and appropriate funds for the same. Pursuant to Section 163.358, Florida Statutes, the City Council of the City, acting *ex officio* as the governing body of the Panama City Beach Community Redevelopment Agency (the "Agency"), has all the powers necessary

or convenient to carry out and effectuate the purposes and provisions of Part III of Chapter 163, Florida Statutes (the "Community Redevelopment Act"), including the power to budget and appropriate redevelopment funds for such purposes.

**SECTION 2. COMMUNITY REDEVELOPMENT AGENCY 2019 AMENDED BUDGET.**

A. The 2019 budget of the Agency adopted September 27, 2018, by Resolution 18-137 is hereby amended as shown upon attached, incorporated and marked "Attachment I" for the fiscal year beginning October 1, 2018, and ending September 30, 2019.

B. The 2019 revenues shown in Attachment I for the Front Beach Road Redevelopment Project, or as much thereof as may be needed or deemed necessary, are hereby appropriated for the purposes shown in Attachment I for all expenses and liabilities specified in the 2019 Front Beach Road Community Redevelopment Area Special Revenue Fund budget, as amended, attached, incorporated and marked "Attachment II," all of which are hereby found and determined to advance the community redevelopment purposes and objectives of the Front Beach Road Redevelopment Plan during the fiscal year commencing on October 1, 2018, and ending on September 30, 2019. For purposes of the 2019 budget of the Agency shown on Attachment I, the line item "Transfer to City of Panama City Beach Special Revenue Fund for Operating, Capital Outlay and Debt Service Expenses" shall include the

operating, debt service and capital costs of redeveloping Alf Coleman Road, Front Beach Road Segments 2, 3/Highway 79 (Arnold Road) and 4.1, all costs associated with planning, designing, permitting and acquiring any right of ways or real estate interests for said projects, developing and operating public parking facilities serving the redevelopment area, implementing Community Objectives of the Redevelopment Plan specifically including code enforcement and elimination of aesthetic and safety nuisances within the redevelopment area, and implementing the CRA program priorities, as specified in the Near Term Work Plan adopted by Resolution 18-128. In addition, that portion of the 2019 to 2020 cash carry forward derived from tax increment, being the amount of \$12,865,264.00 as shown upon Attachment II, is hereby appropriated for those purposes, as well as the purposes set forth in Section 3(B) below, to be expended within three years or less or as soon as practicable.

C. The 2019 revenues shown in Attachment I for the Pier Park Redevelopment Project, or as much thereof as may be needed or deemed necessary, are hereby appropriated for the purposes shown in Attachment I and as specified in that certain Public Improvement Partnership Agreement between the City, the Agency, the Pier Park Community Redevelopment Agency and the St. Joe Company, dated as of September 27, 2001, as supplemented and amended, to advance the community redevelopment purposes and objectives of the Pier Park Community Redevelopment Plan

during the fiscal year commencing on October 1, 2018, and ending on September 30, 2019.

**SECTION 3. COMMUNITY REDEVELOPMENT AGENCY 2020 BUDGET.**

A. The 2020 budget of the Agency attached, incorporated and marked “Attachment I” is hereby adopted for the fiscal year beginning October 1, 2019, and ending September 30, 2020.

B. The 2020 revenues shown in Attachment I for the Front Beach Road Redevelopment Project, or as much thereof as may be needed or deemed necessary, are hereby appropriated for the purposes shown in Attachment I, implementing the CRA program priorities, as specified in the Near Term Work Plan adopted by Resolution 19-126, and for all operating, debt service and capital costs specified in the 2020 Front Beach Road Community Redevelopment Area Special Revenue Fund budget attached, incorporated and marked “Attachment II,” including without limitation, the redevelopment of Alf Coleman Road, Powell Adams Road, Front Beach Road Segments 2, 3/Highway 79 (Arnold Road) and 4.1, all costs associated with planning, designing, permitting and acquiring any right of ways or real estate interests for said projects, developing and operating public parking facilities serving the redevelopment area, implementing Community Objectives of the Redevelopment Plan specifically including code enforcement and elimination of aesthetic and safety nuisances within the redevelopment area, all of which are hereby found and determined to advance the community redevelopment purposes and objectives of the Front Beach Road

Redevelopment Plan during the fiscal year commencing on October 1, 2019, and ending on September 30, 2020.

C. The 2020 revenues shown in Attachment I for the Pier Park Redevelopment Project, or as much thereof as may be needed or deemed necessary, are hereby appropriated for the purposes shown in Attachment I and as specified in that certain Public Improvement Partnership Agreement between the City, the Agency, the Pier Park Community Redevelopment Agency and the St. Joe Company, dated as of September 27, 2001, as supplemented and amended, to advance the community redevelopment purposes and objectives of the Pier Park Community Redevelopment Plan during the fiscal year commencing on October 1, 2019, and ending on September 30, 2020.

#### **SECTION 4. REIMBURSEMENT**

Pursuant to City and Agency Joint Resolution 08-42, the Agency shall transfer to the City from time to time such funds as are available to it and which the City may require to hold and pay from those funds directly the incurred costs of implementing the Front Beach Road Redevelopment Plan, provided always that those funds and costs have been appropriated and budgeted in this Resolution, as this Resolution may be amended from time to time by the City, except that the City shall not amend the Agency's 2020 Front Beach Road Project Budget (Attachment I, Exhibits A and B) without the concurrence of the Agency. Nothing herein shall affect the Interlocal Agreement between the City and the Agency dated December 30, 2002, and recorded in Official Records Book 2224, Page 243, Bay County, Florida, as amended by instrument dated

August 24, 2006, recorded in Official Records Book 2846, Page 1371, Bay County, Florida, relating to the Front Beach Road Redevelopment Plan (the “Reimbursement Agreement”) or the ability of the City to advance funds to implement the Front Beach Road Redevelopment Plan within the limit specified in the Reimbursement Agreement and be reimbursed therefore by the Agency.

**SECTION 5. SEVERABILITY.**


Should any section or provision of this resolution or any portion thereof of any budget incorporated herein, any paragraph, sentence or word, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder thereof or make the whole invalid.

**SECTION 6. EFFECTIVE DATE.**

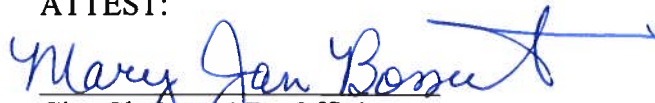
This Resolution shall become effective immediately upon passage.

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of September, 2019.

**CITY COUNCIL OF PANAMA  
CITY BEACH, FLORIDA, AND  
EX-OFFICIO AS THE  
GOVERNING BODY OF THE  
PANAMA CITY BEACH  
COMMUNITY  
REDEVELOPMENT AGENCY**

  
\_\_\_\_\_  
Mayor, and Ex-Officio as  
Chair of the Agency

ATTEST:

  
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City Clerk, and Ex-Officio as  
Clerk to the Agency