

RESOLUTION 19-140

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE GOVERNING BODY OF THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE FIRST AMENDMENT OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PLAN TO EXTEND THE PLAN'S DURATION; MAKING FINDINGS OF FACT; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on or about November 30, 2000, the City Council of the City of Panama City Beach, Florida, created the Panama City Beach Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 00-23 and declared that the City Council shall sit ex officio as the governing body of the Agency; and

WHEREAS, the City, acting as the Agency, oversees two community redevelopment areas: The Pier Park community redevelopment area and its associated community redevelopment plan adopted for the purpose of designing, financing, developing and maintaining Aaron Bessant Park, the City Pier and adjacent land into a thriving economic town center and entertainment area; and The Front Beach Road community redevelopment area and its associated community redevelopment plan adopted for the purpose of rehabilitating and redeveloping aging scenic corridors and public transportation facilities in a coastal community, among other things; and

WHEREAS, these community redevelopment initiatives have been successful—Pier Park has been developed and has turned the blighted Wayside Park into a bustling commercial and recreational city center, while the Front Beach Road community redevelopment initiative has completed streetscape and transportation projects that have fostered private redevelopment and improvement of properties; and

WHEREAS, the Pier Park redevelopment area and Plan will likely complete its mission in the near future, but the projects and purposes contemplated in the Front Beach Road Community Redevelopment Plan adopted in August 30, 2001, cannot be fully realized by the expiration of that plan in 2031, due to, among other things: the significant resources necessary

to design, acquire right of way, permit and construct each transportation project; and

WHEREAS, though the Agency and City have made much progress implementing the three primary purposes of the Front Beach Road Community Redevelopment Plan, and to a lesser extent, the three secondary purposes of the Plan, the City finds that the completion of the streetscape and transportation projects are the best measurement of the community redevelopment progress, and the truest indicator of the time necessary to see the purposes of the plan fully realized; and

WHEREAS, since 2002, the Agency has:

- (1) completed the following contemplated streetscape projects:
 - (a) Churchwell Road;
 - (b) Beckrich Road n/k/a Richard Jackson Boulevard;
 - (c) Powell Adams Segment 1;
 - (d) South Thomas Drive, Front Beach Road Segment 1 (from Middle Beach to South Thomas Drive);
 - (e) Front Beach Road Segment 2 (from South Thomas Drive to REJ Boulevard);

- (2) undertaken the preliminary designs for the following contemplated streetscape projects to be constructed:
 - (a) Front Beach Road Segment 3/Hwy 79;
 - (b) Alf Coleman Phase 1;
 - (c) Powell Adams Phase 2;
 - (d) Front Beach Road Segment 4.1 (1.35 miles from Lullwater Drive to Hills Road);

- (3) yet to be able to undertake adequate preparations for the design and construction of the following streetscape projects:
 - (a) Front Beach Road Segment 4.2 (1.41 miles from Hills Road to Hutchison Boulevard);
 - (b) Front Beach Road Segment 4.3 (1.81 miles from Hutchison Boulevard to REJ Boulevard);
 - (c) Front Beach Road Segment 5 (1.68 miles from Hwy 79 to Cobb Road);
 - (d) Cobb Road;
 - (e) Hills Road;
 - (f) Nautilus Street;
 - (g) Clara Avenue;
 - (h) North Thomas Drive; and

WHEREAS, Agency staff and advisors can only estimate that Front Beach Road Segment 3, 4.1, 4.2 and 4.3, Alf Coleman Phase I, and Powell Adams could be completed by 2031 based on estimated Trust Fund income (after debt service); and

WHEREAS, Agency staff and advisors can only estimate that the balance of the streetscape and transportation projects could likely be completed no later than 2049, but no earlier than 2041; and

WHEREAS, on August 8th, 2019, the City Council as the governing body that created the Agency, approved in Resolution 19-126 the continued existence of the Agency until the completion of the Roadways and Streetscapes contemplated in the Front Beach Road Community Redevelopment Plan; and

WHEREAS, the Agency necessarily recommends the Front Beach Road Community Redevelopment Plan, adopted August 20, 2001, by Resolution 01-41, be amended to revise the time certain for completing the streetscape and transportation projects; and

WHEREAS, Section 163.362(10), Florida Statutes (2019) requires community redevelopment plans to “provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted or amended pursuant to s. 163.361(1). However, for any agency created after July 1, 2002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.”; and

WHEREAS, the Agency and the Front Beach Road Community Redevelopment Plan were both created prior to July 1, 2002, the Agency and the Front Beach Road Community Redevelopment Plan, as a matter of law, are not subject to the 40 year limitation set forth in s. 163.361(10); and

WHEREAS, the Agency and City find and determine that amendment of the Front Beach Road Community Redevelopment Plan to extend its duration is necessary and desirable to accomplish a paramount public purpose resulting from the full realization of the purposes and intent of the Front Beach Road Community Redevelopment Plan as adopted in 2001, but that no other amendment to the Plan is presently warranted; and

WHEREAS, pursuant to the requirements of ss. 163.346 and 163.361(2), Florida Statutes, the City and Agency properly noticed and held a properly advertised public hearing on the proposed modification on September 26, 2019; and

WHEREAS, pursuant to the requirements of s. 163.362(3), Florida Statutes, the City, acting as the Agency, has reported the proposed modification to each taxing authority.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AND EX OFFICIO AS THE PANAMA CITY BEACH COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Findings. The City Council finds, declares and determines that the matters set forth in the foregoing recitals are true and correct and are incorporated herein as part of this Resolution.

Section 2. Amendment.

(A)The City Council does hereby adopt the following First Amendment to the Front Beach Road Community Redevelopment Plan:

Section 6.04 DURATION OF THE PLAN.

The redevelopment initiatives and work program described in the Front Beach Road Community Redevelopment Plan are expected to be funded through tax increment revenues and must be completed no later than **September 30, 2049**. ~~30 years after the Front Beach Road Community Redevelopment Plan is approved, adopted or amended.~~

(B)Except as modified and amended herein, the Front Beach Road Community Redevelopment Plan shall remain in full force and effect.

Section 3. This Resolution shall take effect immediately upon its approval by the City Council.

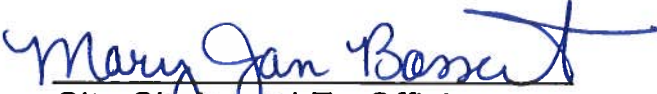
PASSED, APPROVED AND ADOPTED in regular session this 26th day of September, 2019.

**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:



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