

CITY OF DELRAY BEACH

CITY CLERK

100 N.W. 1st AVENUE

• DELRAY BEACH, FLORIDA 33444

• 407/243-7000



1993

C E R T I F I C A T I O N

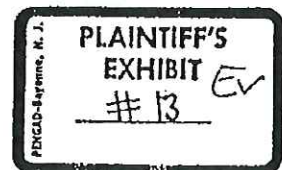
I, ALISON MacGREGOR HARTY, City Clerk of the City of Delray Beach, Florida, do hereby certify that the attached Community Redevelopment Agency, Finding of Necessity, City of Delray Beach, 1985, is a true and correct copy of the original of said document which is an official record on file with the City of Delray Beach, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the City of Delray Beach, Florida, on this the 14th day of April, 1994.

Alison MacGregor Harty
Alison MacGregor Harty
City Clerk
City of Delray Beach, Florida

S E A L

662

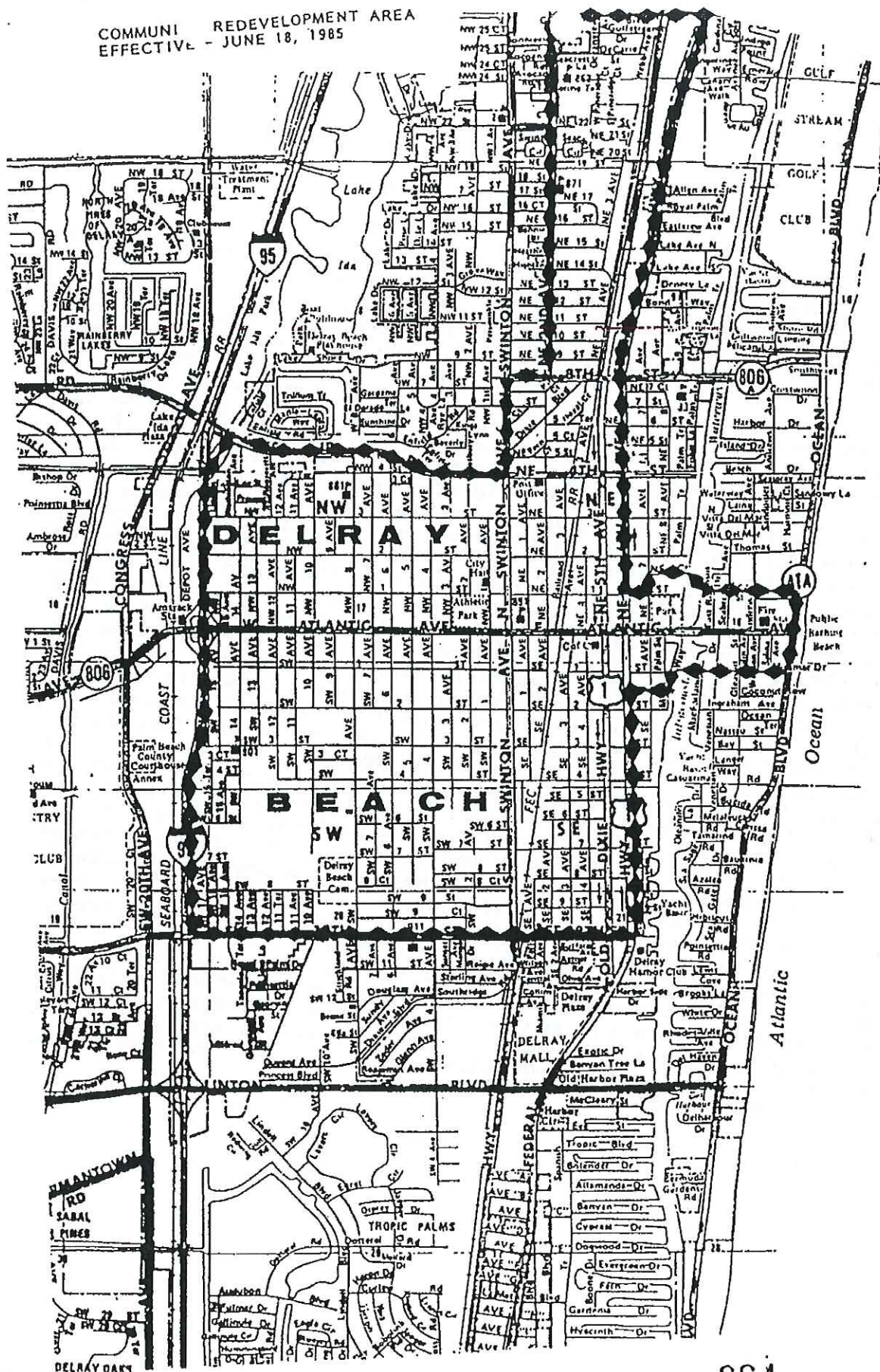


**COMMUNITY
REDEVELOPMENT
AGENCY

FINDING OF NECESSITY**

CITY OF DELRAY BEACH

COMMUNITY REDEVELOPMENT AREA
EFFECTIVE - JUNE 18, 1985



APPENDIX A. 10 RESOLUTION NO. 32-85

On the north, beginning at the intersection of N. W. 4th Street and Swinton Avenue, thence run westerly along N. W. 4th Street to N. W. 4th Avenue; thence run westerly along Lake Ida Road to the E-4 Canal; thence run southwesterly along the E-4 Canal to the east right-of-way of I-95; thence run southerly along the eastern right-of-way line of I-95 to S. W. 10th Street; thence run easterly along S. W. 10th Street to S. E. 6th Avenue (U.S. #1-Northbound); thence run northerly along S. E. 6th Avenue to the south lot line of Lot 19 of Block 118 of Town of Linton Plat; thence run easterly along the easterly projection of said south lot line of Lot 19 of Block 118 of Town of Linton Plat to the west right-of-way of the Intracostal Waterway; thence run northerly along the west right-of-way of the Intracostal Waterway to the south right-of-way line of S. E. 1st Street; thence run easterly along the easterly projection of the south right-of-way line of S. E. 1st Street to the west right-of-way line of A1A; thence run northeasterly along the west right-of-way line of Lowry Street; thence run westerly along the easterly projection of, and the north right-of-way line of, Lowry Street to the west right-of-way line of the Intracostal Waterway; thence run northeasterly along the west right-of-way line of the Intracostal Waterway to the centerline of the right-of-way of N. E. 1st Court; thence run westerly along the centerline of the right-of-way of N. E. 1st Court to the west right-of-way line of N. E. 7th Avenue; thence run southerly along the west right-of-way line of N. E. 7th Avenue to the south lot line of Lot 15 of Block 115 of Town of Linton Plat; thence run westerly along the westerly projection of the south lot line of Lot 15 of Block 115 of Town of Linton Plat to N. E. 6th Avenue (U. S. #1-Northbound); thence run northerly along N. E. 6th Avenue to N. E. 8th Street; thence run northeasterly along Federal Highway (U. S. #1) to Gulfstream Boulevard; thence run westerly on Gulfstream Boulevard to N. E. 2nd Avenue; thence run southerly along N. E. 2nd Avenue to N. E. 8th Street; thence run westerly along N. E. 8th Street to North Swinton Avenue; thence run southerly along North Swinton Avenue to point of beginning.

ORDINANCE NO. 46-85

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY ADDING A NEW ARTICLE VIII., "COMMUNITY REDEVELOPMENT AGENCY", AND ADDING SECTION 2-135, "CREATION OF COMMUNITY REDEVELOPMENT AGENCY", TO PROVIDE FOR LEGISLATIVE INTENT; ORGANIZATION OF THE COMMUNITY REDEVELOPMENT AGENCY; THE COMMUNITY REDEVELOPMENT PLAN; DELEGATION OF POWER; ORDINANCE AS SUPPLEMENTAL; PROVIDING A GENERAL REPEALER CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Delray Beach, Florida, has made certain findings and declarations, as set forth in a resolution of necessity; and,

WHEREAS, the City Council of the City of Delray Beach, Florida, by the adoption of this ordinance, reaffirms such findings and declarations; and,

WHEREAS, the City Council of the City of Delray Beach, Florida, desires to create a public body corporate and politic, to be constituted as a public instrumentality to function within the City of Delray Beach, to carry out the Community Redevelopment purposes of Part III, Chapter 163, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 2, "Administration", of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended by adding a new Article VIII, "Community Redevelopment Agency", to read as follows:

ARTICLE VIII. COMMUNITY REDEVELOPMENT AGENCY

Sec. 2-135. Creation of community redevelopment agency.

(1) Intent.

There is hereby established the Delray Beach Community Redevelopment Agency, a public body corporate and politic, having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of Part III, Chapter 163, Florida Statutes, and this ordinance, subject to all limitations set out therein. The Delray Beach Community Redevelopment Agency shall be referred to hereinafter as "the agency".

(2) Organization of the Community Redevelopment Agency.

(a) The agency shall be governed by a board of commissioners consisting of seven (7) persons appointed by the City Council. The terms of office of the commissioners shall be for four (4) years, except that three (3) of the members first appointed shall be designated to serve terms of one (1), two (2), and three (3) years respectively, from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term by appointment by the City Council of Delray Beach. Commissioners who continue to be eligible for appointment may be reappointed provided, however, that no member may serve more than two (2) successive terms on the board of commissions.

(b) Any person may be appointed as a commissioner if he or she resides or is engaged in business within the City of Delray Beach. "Engaged in business" shall mean owning a business, practicing a profession, performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged within the City.

(c) The board of commissioners may adopt bylaws, adopt a seal, and establish a place of business within the City of Delray Beach.

(d) A majority of the commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the agency upon a vote of the majority of the commissioners present, unless in any case the bylaws shall require a larger number.

(e) A commissioner shall receive no compensation for his/her services, but shall be entitled to the necessary expenses, including travelling expenses, incurred in the discharge of his/her duties.

(f) The City Council shall designate a chairman or vice-chairman upon any vacancy of such position.

(3) Community Redevelopment Plan.

The agency shall prepare or cause to be prepared a community redevelopment plan as described in Section 163.360, Florida Statutes, for any area that the City Council has, by resolution, determined to be a slum area, a blighted area, or an area in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, or a combination thereof.

(4) Delegation of power.

The City Council of Delray Beach hereby delegates to the Delray Beach Community Redevelopment Agency each of the powers set forth in Sections 163.370 (excluding however those powers enumerated in 163.370(1)(l) and (m)) and 163.380, Florida Statutes. Provided, however, that the City of Delray Beach retains the right to exercise any of the powers delegated herein to the Delray Beach Community Redevelopment Agency, and such powers shall not be deemed to be vested exclusively in the agency.

(5) Ordinance as supplemental.

This ordinance shall be deemed supplemental to the provisions of Part III, Chapter 163, Florida Statutes, the provisions of which are incorporated herein by reference.

Section 2. That all ordinances or parts of ordinances which are in conflict herewith are hereby repealed.

Section 3. That should any section or provision of this ordinance or any portion thereof, 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 hereof as a whole or part thereof other than the part declared to be invalid.

Section 4. That this ordinance shall take effect immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the 18th day of June, 1985.


MAYOR

ATTEST:


City Clerk

First Reading May 14, 1985

Second Reading June 18, 1985

ORDINANCE NO. 64-85

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, APPOINTING MEMBERS OF THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY IN ACCORDANCE WITH SECTION 163.356, FLORIDA STATUTE; ENUMERATING THEIR TERMS OF OFFICE; APPOINTING A CHAIRMAN AND VICE-CHAIRMAN; PROVIDING A GENERAL REPEALER CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by resolution, the City of Delray Beach, Florida has made certain findings and declarations necessary to create a Community Redevelopment Agency; and,

WHEREAS, Section 163.356, Florida Statute, requires that the City Council by ordinance appoint the members of said Community Redevelopment Agency.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The Community Redevelopment Agency shall be governed by a board of commissioners consisting of seven (7) persons appointed by the City Council. The board of commissioners shall initially consist of the following persons, each of whom is hereby appointed for the term of office as indicated:

1. Mark Stowe (One [1] year term)
2. Armand Mowe (Two [2] year term)
3. Matt Gracey, Jr. (Three [3] year term)
4. Tom Lynch (Four [4] year term)
5. Jack Duane (Four [4] year term)
6. Dave Randolph (Four [4] year term)
7. Leon Weekes (Four [4] year term)

Section 2. The first chairman and vice-chairman of the board of commissioners shall be:

1. Tom Lynch (Chairman)
2. Leon Weekes (Vice-Chairman)

Section 3. That this ordinance shall not be codified.

Section 4. That all ordinances or parts of ordinances which are in conflict herewith are hereby repealed.

Section 5. That should any section or provision of this ordinance or any portion thereof, 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 hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. That this ordinance shall become effective ten (10) days after its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this
the 9th day of July, 1985.

Frank S. Campbell
MAYOR

ATTEST:

Elizabeth H. Hines
City Clerk

First Reading June 18, 1985

Second Reading July 9, 1985

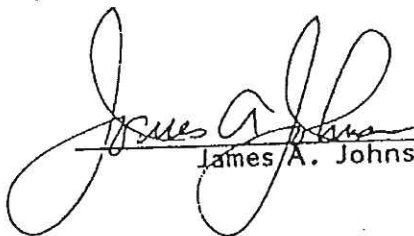
MEMORANDUM

TO: JAMES PENNINGTON - CITY MANAGER
FROM: JAMES A. JOHNSON - DIRECTOR OF DEVELOPMENT & INSPECTIONS/CBO
SUBJECT: COMMUNITY REDEVELOPMENT AGENCY
DATE: APRIL 11, 1985

The following steps are involved in establishing a C.R.A.:

- 1) Notice to taxing authorities.
- 2) Adopt resolution finding that slum/blight exist in certain areas, etc.
- 3) Adopt a resolution declaring the need for a C.R.A.
- 4) Appoint a Board of Commissioners (5, 6 or 7 members).
- 5) Develop a workable program usually with the assistance of a consultant working with good guidelines (i.e. Community Redevelopment Plan) established with citizen input. Must agree with the comprehensive plan in accordance with Paragraph 163.362 of Florida Statutes.
- 6) City Council holds public hearings on the Community Redevelopment Plan.
- 7) Following the public hearing, the City Council adopts the Community Redevelopment Plan, if all conditions are met.
- 8) Establish a redevelopment trust fund in accordance with Paragraph 163.387 of the Florida Statutes.
- 9) Collect the tax increment from each taxing authority and deposit into trust fund.
- 10) The C.R.A. with resolution by Council may issue revenue bonds in accordance with Paragraph 163.385 of the State Statutes to be retired with revenue created by the tax increment. The maximum time to retire bonds is 30 years.
- 11) In anticipation of sale of revenue bonds, the CRA may issue bond anticipation notes for up to 5 years.

Also attached is a "finding of necessity", which is the second step in the process of establishing a CRA, if the City Council concurs they should adopt a resolution. I have requested that Sharon Delegal prepare a resolution for the Council's consideration.


James A. Johnson

JAJ:DQ

Attachment

670

FINDING OF NECESSITY

Within the municipal limits of Delray Beach, there exists areas which are slum and blight. There also exist areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly.

Based on the 1980 census, certain indicators of distress were identified. Based upon the finding that there existed areas containing slum and blighted conditions, deteriorated and deteriorating structures, low income levels, high unemployment, general unsafe conditions and a high crime rate, an expanded enterprise zone was established and approved in accordance with the provisions of Chapter 290 of the Florida Statutes and the Department of Community Affairs Rule 9B-15, "Rules for the Approval of Enterprise Zone."

This expanded Enterprise Zone was accepted on June 29, 1984 by the Department of Community Affairs. Based on the fact that the indicators of distress are documented evidence of slum and blight, the entire expanded Enterprise Zone is hereby determined to fall within the criteria of Finding of Necessity, Chapter 163 of the Florida Statutes. The Enterprise Zone documentation and boundary is attached as Appendix A.

Within the municipal limits of Delray Beach, there exist additional areas in which slum and blighting influences exist. These areas occur within census tract 6501, 6502, 64 and 7401.

Housing Values -

The median housing values within census tract 6501, 6502, and 64 are significantly lower than those of the entire city. See the following table. This is particularly true in census tracts 6501 and 6502. There is a great deal of variation in census tract 64 which is in itself a negative factor in maintaining property values.

TABLE I
HOUSING VALUES

<u>Area</u>	<u>Median Owner Occupied Value Price Asked</u>	<u>% of City</u>	<u>Contract Rent</u>	<u>% Owner Occupied</u>
City	61,700		220	
Census tract 6501 Block Group 2	45,800	.74%	231	59.8%
Census tract 6502 Block Group 2	40,000	64.8%	191	34.6%
Census tract 6502 Block Group 3	36,000	58.3%	178	72%
Census tract 6502 Block Group 4	38,000	61.6%	223	47.9%
Census tract 64 Block 224	Not Available		Not Available	28.6%
Census tract 64 Block 225	Not Available		Not Available	100%
Census tract 64 Block 301	65,000	105.3%	Not Available	75%
Census tract 64 Block 302	42,500	69%	Not Available	52.9%
Census tract 64 Block 303	80,000	129.6%		

Income Levels -

Within census tracts 6501 and 6502, the per capita income is 7,402 (79.3%) and 6,708 (71.8%) respectively in relation to 9,337 for the city. This level is not the property level however, it is significantly below the city average at 79.3% of city average in census tract 6501 and 71.8% of city average in census tract 6502.

The block data in census tract 64 did not yield any statistics on the income levels of the residents since the data has been suppressed due to the small number of people in the blocks studied. This reduced income becomes evident by the residents failure to properly maintain their property and environment since their resources are directed to more immediate needs. This is producing rapid deterioration and loss of property values in the area.

TABLE 2
AGE OF HOUSING

Year Structure Built	City		6501		6502		64	
	units	percent	units	percent	units	percent	units	percent
19 - March 1980	2539	13.55	23	3.2	4	.05	166	7.8
75 - 1978	4014	21.53	29	4	54	6.4	368	17.4
70 - 1974	4531	24.30	59	8.3	97	11.5	710	33.4
60 - 1969	3384	18.14	157	22	113	13.4	431	20.3
50 - 1959	2391	12.82	346	48.8	194	23.0	223	10.6
40 - 1949	930	4.98	62	8.8	143	16.9	93	4.4
Prior to 1940	872	4.68	35	4.9	244	28.8	141	6.6
	18,561	100	711	100	849	100	2132	100
				62.5		68.7		21.6
				Prior to 1960				

Table 2, Age of Housing, indicate a major factor in the deterioration of census tracts 6501 and 6502. Since 62.5% of the dwelling units in census tract 6501 were constructed prior to 1960, 68.7% of the dwelling units in census tract 6502 were constructed prior to 1960. With the majority of the housing stock over 25 years old, the neighborhood is changing with a significant number of the units changing from owner occupied to rental units.

These rental units are not being maintained with the same pride of ownership that existed prior to 1980. The information in census tract 64 is not statistically significant because it includes the entire census tract.

The housing statistics in Table 2 are not available on a block-by-block basis; however, visual inspection of the blocks identified have demonstrated that slum and blight exist in these areas.

Central Business District -

The central element in census tract 64 is the original CBD of the City of Delray Beach.

Although the structures are aging and the market has been heavily impacted by the advent of numerous scattered shopping centers, the central business district is still viable. It is critical to the maintenance of the tax base in the entire city that this core remain environally viable. One of the primary components of the workable program should be the replacement and enhancement of the aging infrastructure. Many concepts for the revitalization of the CBD have been provided by the Atlantic Avenue Task Force report.

Additional Factors -

One of the major negatives to the areas continual viability as a single family area is the proximity of the FEC Railraod which cuts diagonally through census tracts 6501 and 6502.

The area is well-served with public facilities with Swinton on the west and Federal Highway on the east. It is planned that a workable program will be developed to include provisions to prevent the spread of slum and blight into these areas.

The workable program must also address the changing character of this area and must provide the necessary incentives to redevelop, preserve and protect this area in order to enhance the tax base.

The slum and blighting conditions in the blocks identified in census tract 7401 are not identified in the statistical information provided by the census data. The slum and blight in this area occurs in isolated areas in terms of delapidated buildings, age of some buildings and generally inadequate parking. The most significant negative impact is the traffic and parking problems generated by residents outside of the area, and many in fact, outside of the city who use the 2 miles of public beach provided by the City of Delray Beach.

This is an area which must be addressed by the workable program to preserve and enhance the tax base by preventing the spread of slum and blight due to the negative factors imposed by citizens outside of the area.

The attached map labeled Appendix B identifies the areas that contain slum or blight conditions.

The rehabilitation, conservation or redevelopment of these areas is necessary in the interest of public health, safety, morals and the welfare of the residents of Delray Beach.

This report is submitted to the City Council as support for the attached resolution of need.

APPENDIX A

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	1
GENERAL DESCRIPTION OF PROPOSED ENTERPRISE ZONE	1
INDICATORS OF DISTRESS	3

INTRODUCTION

The City Council of the City of Delray Beach, Florida has determined that there do exist areas adjacent to the boundaries of the existing enterprise zone that contain substantial slum, deteriorated or deteriorating structures, low-income levels, high unemployment, and general unsafe conditions. In an effort to alleviate these conditions, the Council finds it necessary that the area within the existing boundaries be expanded and approved as a new enterprise zone. Such expansion and subsequent approval shall be in accordance with Chapter 290 of the Florida Statutes and Department of Community Affairs Rule 9B-15, "Rules for the Approval of Enterprise Zones".

The purpose of this report is to demonstrate that the expanded enterprise zone exhibits socio-economic characteristics of distress that are disproportionately high as compared to the City as a whole. Census data regarding the population and housing stock has been collected for the City as a whole as well as census tracts 67 and 68. A portion of the proposed enterprise zone lies within census tracts 69.01 and 69.02. However, no census data has been presented for these areas since they do not contain any residential units.

GENERAL DESCRIPTION OF PROPOSED ENTERPRISE ZONE

LOCATION

The area to be included in the proposed enterprise zone has been outlined in the accompanying map and has the following general boundaries:

- North- N.W. 4th Street, Lake Ida Road,
and LWDD Canal No. L-32
- West- LWDD Canal No. E-4 and Congress Avenue
- South- Germantown Road, Audubon Boulevard, and
S.W. 10th Avenue
- East- Swinton Avenue, Lindell Boulevard, and
Germantown Road.

As illustrated on the map, the proposed enterprise zone includes all of census tract 67 and all but the southeast corner of census tract 68. This corner constitutes approximately 20% of the total land area within census tract 68 and was excluded from the proposed enterprise zone due to the reported presence of newly constructed subdivisions and household income levels that are not indicative of those found in distressed areas.

EXISTING LAND USE

The proposed enterprise zone contains approximately 1,350 acres of land and is divided by Interstate 95 into two distinct areas. That portion of the proposed zone lying east of the Interstate 95 right-of-way is primarily a residential neighborhood. This area does include two strip commercial districts. One is along Atlantic Avenue running east from I-95 to Swinton Avenue and the other is a three-block area on 5th Avenue extending two blocks north and one block south of Atlantic. The majority of the businesses in both of these areas are convenience and neighborhood commercial establishments.

There are currently three tracts of vacant land within the proposed zone lying east of I-95 that are of significant size. Two of these are approximately twenty (20) acres each and are located south of S.W. 4th Street on 10th Avenue. These areas are stabilized land fills and are not capable of supporting anything of substantial size and bulk and are most suitable for single family development. The third parcel is located south of Linton Boulevard on Lindell Boulevard and is approximately eighty (80) acres in size. Although there are other vacant parcels scattered throughout the area on a lot by lot basis, these three properties are the only lands on which substantial future development may occur within the area.

The area of the proposed enterprise zone lying west of Interstate 95 contains no residential development and is the primary center of heavy commercial/light industrial development within the City limits. Types of businesses that are characteristic of the area include the following:

- Mini-warehousing
- Food Distribution
- Concrete Supply
- Farm Supply
- Roofing Supply

Approximately 25% of the land area is currently vacant. This accounts for a large proportion of developable land within the City that would be suitable for future heavy commercial/light industrial development. It should be noted that the existing enterprise zone does not contain any vacant parcels that would be suitable for future large scale commercial or industrial development.

INDICATORS OF DISTRESS

CONCENTRATION OF MINORITY POPULATION

Table 1 illustrates that relative to the City as a whole, the population of the proposed enterprise zone has a high minority content. While the combined population of census tracts 67 and 68 represents 27% of the City's total population, 96% of all blacks and 65 percent of all hispanics located within the City limits are accounted for in these two areas.

Although a concentration of minorities within a specific area does not necessarily indicate distress, there is often a high positive correlation between the percent of minority population within an area and the indicators of distress (i.e., high levels of unemployment, substandard housing, and percent of population below poverty level).

Table 1

Racial Characteristics of Population

	<u>City</u>	<u>Census Tract 67</u>	<u>Census Tract 68</u>	<u>Proposed Enterprise Zone</u>
Total Population	34,325	3,003	6,351	9,354
Black Population	8,222	2,615	5,208	7,823
Percent of Total	23.95%	87.07%	82.00%	83.63%
Hispanic Population	1,167	63	736	799
Percent of Total	3.40%	2.10%	11.60%	68.46%

Source: 1980 Census of Population and Housing for Palm Beach County,
Tables P-1, P-3, P-5.

CONDITION OF EXISTING HOUSING STOCK

There is no 1980 census data or current land use information available indicating the number of "substandard" dwelling units that exist within the City of Delray Beach and the individual census tracts. However, various housing characteristics such as age, median value and units lacking complete plumbing are often indicative of the condition of housing. Table 2 illustrates that 9.6 percent of all dwelling units within City limits were constructed prior to 1950. In comparison, 571 dwelling units in census

tracts 67 and 68 or 20.4% of the existing housing stock in these areas were constructed before 1950. The proposed enterprise zone does not include approximately 250 units within census tract 62 that were constructed since 1950. Therefore, the actual percentage of the existing housing stock constructed prior to 1950 may be slightly higher for the proposed area.

The median housing values within the proposed enterprise zone are significantly lower than those of the entire City. Table 3 shows that the median owner-occupied housing value in census tract 67 is slightly less than half of the median value for the entire City. The median owner-occupied housing value for census tract 68 is slightly higher, yet is still only 54.6% of the median value of the City as a whole. In addition, the median contract rent for the entire City is 37% higher than that of census tract 67 and 32% than that of census tract 68.

The number of year-round housing units lacking complete plumbing within the City in 1980 was 126, or less than 1% of the existing housing stock. Although this number is negligible, 88 of these units, or 70%, were located within census tracts 67 and 68.

Table 2

Age of Year-Round Housing Stock

Year Structure Built	City		Census Tract 67		Census Tract 68		Proposed Enterprise Zone	
	units	percent	units	percent	units	percent	units	percent
1979-March 1980	2,539	13.55	117	11.31	10	0.57	127	4.53
1975-1978	4,014	21.53	41	3.96	98	5.56	139	4.96
1970-1974	4,531	24.30	48	4.64	349	19.78	397	14.20
1960-1969	3,384	18.14	298	28.83	550	31.18	848	30.31
1950-1959	2,391	12.82	219	21.18	497	28.18	716	25.60
1940-1949	930	4.98	187	18.08	144	8.16	331	11.82
Prior to 1940	872	4.68	124	12.00	116	6.57	240	8.58
Total	18,561	100.00	1,034	100.00	1,764	100.00	2,798	100.00

Source: 1980 Census of Population and Housing for Palm Beach County, Table H-7

Table 3

Housing Values

	Median Owner-Occupied Value	Contract Rent
City	\$61,700	\$220
Census Tract 67	29,800	161
Census Tract 68	33,700*	167*

Source: 1980 Census of Population and Housing for Palm Beach County,
Table H-1

* The proposed enterprise zone does not include approximately 250 units located within census tract 68. Therefore, the actual median value and contract rent of dwelling units within the proposed area may be lower than these figures indicate.

INCOME LEVELS

Relative to the rest of the City, the income levels of the proposed enterprise zone are extremely depressed. Table 4 illustrates that the City's median household income for 1979 was 75% higher than that of census tract 67 and 33% higher than census tract 68. In addition, the per capita income of the entire City for 1979 is 135% higher than that of census tract 67 and 138% higher than census tract 68 for the same time period.

Table 4

Income Characteristics

	<u>Median Household Income</u>	<u>Per Capita Income</u>
City	\$16,483	\$9,337
Census Tract 67	9,400	3,971
Census Tract 68	12,433*	3,930*

Source: 1980 Census of Population and Housing for Palm Beach County,
Table P-11

*Census tract 68 contains a substantial number of households with income levels higher than those found in the proposed enterprise zone. The actual median income and per capita income for the proposed area may be slightly lower than these figures indicate.

HOUSEHOLDS BELOW POVERTY LEVEL

As Table 5 illustrates, census tracts 67 and 68 account for a disproportionately high number of households below poverty level. These two census tracts contain only 17.4% of all households within the City, but account for 55% of all households below poverty level. An annual household income of \$7,500 was utilized as the poverty level threshold.

Table 5

Households Below Poverty Threshold¹

	<u>Total Households</u>	<u>Households Below Poverty Level</u>	<u>Percent of Total</u>
City	14,689	1,596	10.86
Census Tract 67	961	403	41.96
Census Tract 68	1,592	477	30.00
Proposed Enterprise Zone	2,553	880	34.47

¹An annual household income of \$7,500 was used as the poverty threshold

Source: 1980 Census of Population and Housing for Palm Beach County,
Table P-11

CRIME INCIDENCE

Another measure of economic stability within an area is the number of reported crimes. Table 6 provides a comparison of the number of "Part One" crimes reported per 1,000 people for the entire City and the proposed enterprise zone during 1983. Part One crimes include the following:

- Homicide
- Sexual Battery
- Burglary
- Thefts
- Aggravated Assaults
- Arson

The reported crime rate of Part One crimes for the proposed enterprise zone was 43% higher than the same rate for the entire City in 1983.

Table 6

1983 Crime Rates¹

City	100.64
Proposed Enterprise Zone	143.78

¹Figures reflect number of reported crimes per 1,000 people

Source: Delray Beach Police Department

UNEMPLOYMENT LEVEL

The unemployment level within an area can often be indicative of the overall economic condition. Table 7 illustrates that in census tracts 67 and 68 during 1980, there were a total of 297 workers or 7.18% of the combined areas work force unemployed. This figure is 48% higher than the unemployment rate for the entire City.

Table 7

Unemployment Level

	<u>Labor Force</u>	<u>Unemployed</u>	<u>Percent</u>
City	13,379	650	4.86
Census Tract 67	1,306	138	10.56
Census Tract 68	2,830	159	5.62
Proposed Enterprise Zone	4,136	297	7.18

Source: 1980 Census of Population and Housing for Palm Beach County

RESOLUTION NO. 25-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING 1985 AS THE BASE YEAR FOR THE COMMUNITY REDEVELOPMENT AGENCY'S TAX INCREMENT DISTRICT; SERVING NOTICE OF THE INTENT TO ESTABLISH A REDEVELOPMENT TRUST FUND.

WHEREAS, the City Council of the City of Delray Beach, Florida, did adopt Resolution No. 32-85 on the 14th day of May 1985 declaring certain areas of the City as slum or blighted as defined in Chapter 163, Part III, Florida Statutes; declaring a need for the rehabilitation of such areas; and finding a need for a Community Redevelopment Agency; and,

WHEREAS, the City Council of the City of Delray Beach, Florida did adopt Ordinance No. 46-85 on the 18th day of June, 1985 creating the Community Redevelopment Agency and requiring the Agency to prepare or cause to prepare a community redevelopment plan as described in Section 163.360, Florida Statutes for the purpose of eliminating such conditions as may exist in the area declared slum or blighted; and,

WHEREAS, the Community Redevelopment Agency has met with the Palm Beach County Property Appraiser for the purpose of identifying the boundaries and properties that exist within the area determined to be slum or blighted for the purpose of establishing a tax increment redevelopment trust fund as described in Section 163.387, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the base year for the purpose of calculating tax increment revenues shall be 1985 as corresponds to the date of adoption of Resolution 32-85.

Section 2. That the year of implementations for the purpose of receiving tax increment funds shall be 1986 provided that the Council shall adopt an ordinance creating the Redevelopment Trust Fund prior to December 31 of that year.

Section 3. That this resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED in regular session on this the 22nd day of April, 1986.

Dock S. Campbell
MAYOR

ATTEST:

Elizabeth Brown
City Clerk

ORDINANCE NO. 62-86

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A REDEVELOPMENT TRUST FUND PURSUANT TO SECTION 163.387, FLORIDA STATUTES; ALLOCATING THE FUNDS APPROPRIATED THERETO TO FINANCE THE COMMUNITY REDEVELOPMENT PLAN FOR DOWNTOWN DELRAY BEACH; APPROPRIATING A "TAX INCREMENT" TO SAID TRUST FUND; DELEGATING TO THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORITY TO ESTABLISH AND ADMINISTER SAID FUNDS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND FOR NON-CODIFICATION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That there is hereby established and created in accordance with the provisions of Section 163.387, Florida Statutes, a redevelopment trust fund (hereinafter referred to as the "Trust").

Section 2. That the funds allocated to, and deposited into the Trust are hereby appropriated to the Delray Beach Community Redevelopment Agency (hereinafter referred to as the "Agency") to finance or refinance each community redevelopment project it undertakes. The Agency shall utilize the funds and revenues paid into and earned by the Trust for all and every community redevelopment purpose as contained in the plan for redevelopment and as provided by law.

Section 3. That the annual funding of the "Trust" shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of the City derived from or held in connection with its undertaking and carrying out of community redevelopment projects therein

Said increment shall be determined and appropriated annually, and shall be that amount equal to the difference between:

(1) That amount of ad valorem taxes levied each year by all taxing authorities except the School Board of Palm Beach County on taxable real property contained within the geographic boundaries of the community redevelopment project; and

(2) That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for all taxing authorities except the school board upon the total of the assessed value of the taxable property in the community redevelopment project as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority, last equalized prior to the effective date of the resolution approving the community redevelopment plan.

Section 4. That the City's obligation to fund the Trust shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the Agency incurred as the result of a community redevelopment project have been paid, but only to the extent that the tax increment described in Section 3 of this ordinance accrues. The City shall make its appropriation to the Trust at the beginning of the City's fiscal year. The Trust shall receive the income above-described prior to December 31 of each calendar year. The City shall fund the Trust for the duration of each project undertaken by the Agency and approved by the City. Further,

(1) The revenue bonds and notes of every issue of the Agency shall be payable solely out of revenues pledged to and received by the Agency and deposited to the Trust. The lien created by such bonds or notes shall not attach until the revenues referred to herein are deposited in the Trust at the times, and to the extent that, such revenues accrue. The holders of such bonds or notes shall have no right to require the imposition of any tax or the establishment of any rate of

taxation in order to obtain the amounts necessary to pay and retire such bonds or notes.

(2) Revenue bonds issued by the Agency shall not be deemed to constitute a debt, liability, or obligation of the City or the state or any political subdivision thereof, or a pledge of the faith and credit of the City or the state or any political subdivision thereof, but shall be payable solely from the revenues provided therefor. All such revenue bonds shall contain on the face thereof a statement to the effect that the Agency shall not be obligated to pay the same or the interest thereon except from the revenues of the Agency held for that purpose and that neither the faith and credit nor the taxing power of the City or of the state or of any political subdivision thereof is pledged to the payment of the principal of, or the interest on, such bonds.

Section 5. That the Agency is hereby directed to establish the Trust and to develop and promulgate rules, regulations, and criteria whereby the Trust may be promptly and effectively administered, including the establishment and the maintenance of books and records and the adoption of procedures whereby the Agency may expeditiously utilize said funds for their allocated statutory purpose.

Section 6. That if any section, subsection, paragraph or other provision of this ordinance, or its application to any person or circumstance, shall be held invalid or unconstitutional, such holding shall not affect the validity of any other section, subsection, paragraph or provision or its application to other persons or circumstances, and towards that end this ordinance is declared severable.

Section 7. That this ordinance shall take effect immediately upon its passage on second and final reading, and shall not be codified in the City's Code of Ordinances.

PASSED AND ADOPTED on second and final reading on this the
23rd day of September, 1986.

Doak S. Campbell III
MAYOR

ATTEST:

Elizabeth Ann
City Clerk

First Reading September 9, 1986

Second Reading September 23, 1986

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING ALL POWERS AND AUTHORITY WITHIN THE BOUNDARIES OF THE CITY OF DELRAY BEACH, CONFERRED UPON THE COUNTY, AS A CHARTER COUNTY, PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES, FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY, TO THE GOVERNING BODY OF THE CITY OF DELRAY BEACH, FLORIDA; APPROVING, AFFIRMING AND RATIFYING THE ACTIONS TAKEN BY THE CITY OF DELRAY BEACH PURSUANT TO VARIOUS RESOLUTIONS AND ORDINANCES AND AGREEMENT OF THE CITY OF DELRAY BEACH, FLORIDA, CONCERNING THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES; AUTHORIZING THE PROPER OFFICERS OF THE COUNTY TO DO ALL THINGS DEEMED NECESSARY FOR THE DELEGATION OF SUCH POWERS AND AUTHORITY OF THE COUNTY TO, AND THE APPROVING, AFFIRMATION AND RATIFICATION OF THE VARIOUS RESOLUTIONS AND ORDINANCES AND AGREEMENT OF, THE CITY OF DELRAY BEACH, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County, Florida (the "County"), a political subdivision of the State of Florida, through its Board of County Commissioners (the "Board"), is authorized and empowered, by Chapter 163, Part III, Florida Statutes, as amended, known as the Community Redevelopment Act of 1969, and other applicable provisions of law (the "Act"), to create a Community Redevelopment Agency for the purpose of the elimination and prevention of the development or spread of slum areas or blighted areas (as both terms are defined in the Act); and

WHEREAS, the County became a home rule charter county on January 1, 1985, clothing the County with exclusive authority, within the County, pursuant to Section 163.410 of the Act to exercise the powers conferred by the Act unless, by resolution, the County delegates the exercise of the powers so conferred upon the County by the Act within the boundaries of the municipality to the governing body of such municipality; and

94348.19.2943.02:6

BOOK 605 PAGE 351

RECORDER'S MEMO: Legibility
of Writing, Typing or Printing
unsatisfactory in this document
when received.

WHEREAS, the City of Delray Beach (the "City"), located within the boundaries of the County, did, on May 14, 1985, adopt Resolution No. 32-85, which declared certain areas within its boundaries as blighted or slum areas or areas in which there is a shortage of housing affordable to residents of low or moderate income including the elderly or a combination thereof, declared a need for rehabilitation of such areas, and found a need for a community redevelopment agency; and

WHEREAS, the City did, on June 18, 1985, adopt Ordinance No. 46-85, which amended Chapter 2, "Administration" of the Code of Ordinances of the City by adding a new Article VIII, "Community Redevelopment Agency," and added Section 2-135, "Creation of Community Redevelopment Agency," to provide legislative intent, and provided the organization of the Delray Beach Community Redevelopment Agency (the "Agency"), the Community Redevelopment Plan and delegation of power to the Agency; and

WHEREAS, the City did, on July 9, 1985, adopt Ordinance No. 64-85, which appointed members of the Agency of the City, enumerated their terms of office and appointed a Chairman and Vice Chairman; and

WHEREAS, the City did, on March 11, 1986, adopt Resolution No. 9-86, which amended Resolution No. 32-85 by repealing Section 4 thereof and enacted a new Section 4, which references an amended Appendix "A" which designated the slum and blighted areas within the City; and

-2-

94348.19.2943.02:6

BOOK 605 PAGE 352

86 2003

RECORDER'S MEMO: Legibility
of Writing, Typing or Printing
unsatisfactory in this document
when received.

WHEREAS, the City did, on April 22, 1986, adopt Resolution No. 25-86, which established 1985 as the Base Year for the Agency's Tax Increment District and served notice of the intent to establish a Redevelopment Trust Fund; and

WHEREAS, the County did, on August 12, 1986, adopt Resolution No. R-86-1201, which authorized the execution of an inter-local agreement (the "Agreement") between the County, the City and the Agency, to provide for construction of a new County courthouse and other governmental facilities on land within the designated blighted areas of the Agency; and

WHEREAS, the City did, on September 9, 1986, adopt Resolution No. 49-86, which approved a Community Redevelopment Plan for downtown Delray Beach, made a finding that such Plan conforms to the Act, made further findings pursuant to Florida Statutes, Section 160.360(7)(b) and provided for further commitments by the City; and

WHEREAS, the City did, on September 23, 1986, adopt Ordinance No. 62-86, which established a Redevelopment Trust Fund pursuant to Section 163.387 of the Act, allocated the funds appropriated thereto to finance the Community Redevelopment Plan for downtown Delray Beach, appropriated a "Tax Increment" to said Trust Fund and delegated to the Agency the authority to establish and administer said Funds (the aforementioned resolutions and ordinances and all other actions taken by the governing body of the City relating to the Agency collectively referred to as "Resolutions and Ordinances"); and

WHEREAS, the Resolutions and Ordinances were adopted by the City without the powers being expressly conferred upon it by a

resolution of the County as required by Section 163.410 of the Act;

and

WHEREAS, the courts of this state have heretofore recognized and affirmed the power of a county to recognize and ratify the creation of, and actions taken by, a redevelopment agency of a municipality within the county, which creation and actions were undertaken by the municipality prior to the redevelopment authority being delegated by the county to the municipality; and

WHEREAS, it is the intention and express purpose of the County, by this resolution, to delegate the exercise of the powers conferred upon the County by the Act within the boundaries of the City to the governing body of the City and to approve and ratify the actions taken by the City and the Redevelopment Agency pursuant to the Resolutions and Ordinances and the Agreement, and to ratify the Agreement and all actions taken by the County pursuant to the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. The County, by the express provisions of Section 163.410 of the Act, hereby delegates the exercise of the powers conferred upon the County by Chapter 163, Part III, Florida Statutes, within the boundaries of the City to the governing body of the City. This delegation of such powers of the Act by the County to the City is complete and without limitation and no powers conferred by the Act within the boundaries of the City are reserved to the County.

SECTION 2. The County hereby expressly approves, affirms and ratifies the Resolutions and Ordinances and the Agreement and all actions heretofore taken by the City and its officers, agents and employees, and the Agency and its officers, agents and employees, under the Resolutions and Ordinances and the Agreement, all as of the date hereof.

SECTION 3. The County hereby expressly ratifies the Agreement and all actions heretofore taken by the County and its officers, agents and employees under and pursuant to the Agreement, all as of the date hereof.

SECTION 4. The members of the Board and its officers, attorneys or other agents or employees be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the intent of this resolution.

SECTION 5. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

SECTION 6. This instrument shall take effect immediately upon its adoption.

The foregoing resolution was offered by Commissioner Wilken, who moved for its adoption. The motion was seconded by Commissioner Adams and, upon being put to a vote, the vote was as follows:

-5-

94348.19.2943.02:6

BOOK 605 PAGE 355

86 2003

Karen T. Marcus - ABSENT
Jerry L. Owens - AYE
Carol A. Roberts - AYE
Dorothy H. Wilken - AYE
Ken Adams - AYE

The Chair thereupon declared the resolution duly passed and
adopted this 23 day of December, 1986.

Palm Beach County, Florida,
by its Board of County
Commissioners

By

Thomas Weaver
Deputy Clerk

Approved as to Form and Legal
Sufficiency

[Signature]
County Attorney

FILED THIS DAY OF
DEC 23 1986
AND RECORDED IN
MINUTE BOOK NO AT
PAGE RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY *[Signature]* D.C.

BOOK 605 PAGE 356

94348.19.2943.02:6

86 2003