

RESOLUTION NO. CRA 2023-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF FORT MYERS, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, APPROVING THE REDUCTION OF FUNDS OVER APPROPRIATED IN THE REDEVELOPMENT TRUST FUND FOR THE SPECIAL DISTRICT BUDGET IN THE AMOUNT OF \$388,763.00 FOR THE DR. MLK, JR. BLVD. REDEVELOPMENT AREA, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS: The City Council of the City of Fort Myers, Florida (hereinafter "City Council"), adopted Resolution No. 87-46 on September 9, 1987, and Ordinance No. 2420 on September 22, 1987, establishing a Community Redevelopment Agency pursuant to Part III, Chapter 163 Florida Statutes and designated itself to be the Community Redevelopment Agency of the City of Fort Myers (hereinafter "CRA") and to serve as the governing body thereof; and

WHEREAS: City Council adopted Ordinance No. 2249 on September 17, 1984, creating the Dr. MLK, Jr. Blvd Redevelopment Area and a Redevelopment Trust Fund therefor; and

WHEREAS: Funds allocated to and deposited into the Redevelopment Trust Fund for the Dr. MLK, Jr. Blvd. Redevelopment Area are expended for undertakings of the CRA as described in the approved community redevelopment plan for the Dr. MLK, Jr. Blvd. Redevelopment Area pursuant to an annual budget adopted by the Board of Commissioners of the CRA and for the purposes specified in Florida Statute Section 163.387(6)(c); and

WHEREAS: For Fiscal Year 2022-2023, the CRA budgeted and appropriated funds deposited in the aforementioned Redevelopment Trust

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Fund to pay certain administrative and operating expenses as well as project and program expenses of the CRA in accordance with Florida Statute Section 163.387(6)(c); and

WHEREAS: Certain funds were over appropriated in the aforementioned Redevelopment Trust Fund as of September 30, 2022, after the payment of all budgeted expenses in accordance with Florida Statute Section 163.387(6)(c); and

WHEREAS: Florida Statute Section 163.387(7) provides that on the last day of the fiscal year of the CRA, any money which remains in the trust fund after the payment of expenses pursuant to subsection 163.387(6) for such year shall be:

(a) Returned to each taxing authority which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the trust fund by all taxing authorities for that year;

(b) Used to reduce the amount of any indebtedness to which increment revenues are pledged;

(c) Deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or

(d) Appropriated to a specific redevelopment project pursuant to an approved community redevelopment plan. The funds appropriated for such project may not be changed unless the project is amended, redesigned, or delayed, in which case the funds must be reappropriated pursuant to the next annual budget adopted by the board of commissioners of the community redevelopment agency.


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NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF FORT MYERS, FLORIDA, that:

1. As of September 30, 2022, there is an over appropriated amount of \$388,763.00 in the Redevelopment Trust Fund for the Dr. MLK, Jr. Blvd. Redevelopment Area.
2. The Board of Commissioners of the Community Redevelopment Agency of the City of Fort Myers, Florida desires to reduce such funds for Fiscal Year 2022-2023 operating expenditures and for future capital Improvement Projects as shown on the attached "Exhibit A".
3. Such projects are included within the approved Community Redevelopment Plan for the Dr. MLK, Jr. Blvd. Redevelopment Area.
4. This resolution shall become effective immediately upon adoption.

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PASSED IN PUBLIC SESSION of the Board of Commissioners of the Community Redevelopment Agency of the City of Fort Myers, Florida, this 21st day of February 2023, A.D.



Kevin Anderson, Chair


Teresa Watkins Brown, Vice Chair



Liston Bochette III



Darla Bonk



Fred Burson



Johnny W. Streets, Jr.

Terolyn P. Watson

ADOPTED this 21st day of February 2023 A.D. at 11:05 o'clock A.M.