

RESOLUTION NO. CRA-RES-2022-03

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE MULBERRY COMMUNITY REDEVELOPMENT AGENCY RELATING TO FINANCE; AMENDING THE FISCAL YEAR 2021-2022 BUDGET; MAKING FINDINGS RELATING TO EXPENDITURES PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969 AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Mulberry Community Redevelopment Agency (“CRA”) is a dependent special district of the City of Mulberry, Florida as defined by the *Uniform Special District Accountability Act*, Section 189.012(2)(b), Florida Statutes (2022); and

WHEREAS, the CRA’s redevelopment trust fund is a dependent major fund of the City of Mulberry; and

WHEREAS, after review of the redevelopment trust fund’s revenues and expenditures for Fiscal Year 2021-2022, the Board of Commissioners of the Mulberry CRA determines it necessary to change the total appropriations of the fund; and

WHEREAS, the Board of Commissioners of the Mulberry CRA desires to amend its budget for Fiscal Year 2021-2022 to reconcile expected revenues and expenditures with actual revenues and expenditures and to make additional appropriations from the redevelopment trust fund in the amount of \$211,000; and

WHEREAS, after review, the Board of Commissioners of the Mulberry CRA finds its expenditures of funds from the redevelopment trust fund during Fiscal Year 2021-2022 to be appropriate, permitted and authorized under Section 163.387(6)(c), Florida Statutes (2021) as (i) administrative and overhead expenses and (ii) expenses necessary to exercise its powers under Section 163.370, Florida Statutes (2022) as delegated under Section 163.358, Florida Statutes (2022); and

WHEREAS, the additional appropriations made from the redevelopment trust fund by this resolution and budget amendment correspond with funds available in the redevelopment trust fund that were previously budgeted and appropriated in prior fiscal years and expended during this fiscal year; and

WHEREAS, the Mulberry CRA budget for Fiscal Year 2021-2022 estimated receipt of tax increment revenue in the sum of \$602,682, and actual receipt of tax increment revenue for Fiscal Year 2021-2022 was the sum of \$600,244; and

WHEREAS, there appears to be no “money[s] which remain[] in the trust fund after the payment of expenses” pursuant to Section 163.387(7), Florida Statutes (2022), for Fiscal Year

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2021-2022 that are not previously encumbered and appropriated by prior budget resolutions and end-of-fiscal-year amendments adopted by the Board of Commissioners of the Mulberry CRA; accordingly, there does not appear to be any requirement for the Board of Commissioners of the Mulberry CRA to make an appropriation of the remaining balance in the redevelopment trust fund to pending projects pursuant to Section 163.387(7)(d), Florida Statutes; and

WHEREAS, in an abundance of caution, to the extent that there are any “money[s] which remain[] in the trust fund after the payment of expenses” pursuant to Section 163.387(7), Florida Statutes (2022) that are present or not reflected on the final budget sheet for Fiscal Year 2021-2022 that is attached hereto and incorporated herein, that are not previously encumbered and appropriated by prior budget resolutions and end-of-fiscal-year amendments by the Board of Commissioners of the Mulberry CRA, the Board of Commissioners of the Mulberry CRA intends to appropriate such sums to its pending projects in equal shares as stated herein below; and

WHEREAS, this amendment and budget resolution is made, in part, pursuant to authority granted to the Board of Commissioners of the Mulberry CRA by Section 163.387(7) of the Florida Statutes; **NOW, THEREFORE**,

Be it resolved by the Board of Commissioners of the Mulberry Community Redevelopment Agency:

Section 1. Recitals.

The above referenced recitals and “whereas” clauses are true and correct and incorporated into this Resolution.

Section 2. Fiscal Year 2021-2022 Budget Amendment.

(a) The Fiscal Year 2021-2022 budget for the Mulberry Community Redevelopment Agency is amended as reflected in Exhibit ‘A’ attached hereto and incorporated herein, such exhibit named “City of Mulberry: Community Redevelopment Fund Year End: Estimated Budget to Actual through September 30, 2022.”

(b) Pursuant to § 189.016(7) of the Florida Statutes, CRA Staff is directed to post the amended budget on the official website of the Mulberry CRA within 5 days of adoption of this Resolution and to keep the amended budget available for inspection on the official website for at least 2 years.

Section 3. Finding Relating to Expenditures for Fiscal Year 2021-2022.

The Board of Commissioners of the Mulberry CRA formally finds the total of its expenditures for Fiscal Year 2021-2022, as amended and reflected on Exhibit ‘A’ attached hereto and incorporated herein, to be made for the purposes specified in Section 163.387(6)(c), Florida

Statutes (2022).

Section 4. End-of-Year Appropriations Contingency.

To the extent required by law, and to the extent that any fund balance in the redevelopment trust account is considered to be “money[s] which remain[] in the trust fund after the payment of expenses pursuant to” the *Community Redevelopment Act of 1969*, as amended, and are, in fact, on deposit in the Mulberry Community Redevelopment Agency redevelopment trust fund, the Board of Commissioners of the Mulberry CRA hereby makes an appropriation of the balance of such funds to its pending projects, including the Historic Gem Theater Renovation and Rehabilitation Project and the payment obligations imposed by its interlocal agreements regarding the same, and the upcoming Depot 303 Renovation and Rehabilitation Project and the payment obligations to be imposed by interlocal agreements, in equal shares. This appropriation of funds may not be changed unless either: (i) the balance of such funds has not, in fact, been deposited to the redevelopment trust fund, in which case the appropriation shall be automatically rescinded; or (ii) such pending projects are amended, redesigned, or delayed, in which case such funds must be reappropriated by the Board of Commissioners of the Mulberry CRA by formal amendment to the Fiscal Year 2021-2022 Mulberry Community Redevelopment Agency budget.

Section 5. Effective Date.

This resolution shall take effect immediately upon approval.

PASSED and **DULY ADOPTED** with a quorum present in voting by the Board of Commissioners of the Mulberry Community Redevelopment Agency this 29th day of November, 2022.

**MULBERRY COMMUNITY
REDEVELOPMENT AGENCY**

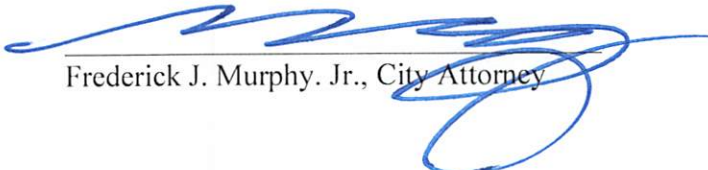

Chairman George H. Hatch

Attest:



City Clerk

Approved as to form:



Frederick J. Murphy, Jr., City Attorney

EXHIBIT "A"
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BUDGET AMENDMENT

CITY OF MULBERRY: COMMUNITY REDEVELOPMENT FUND
YEAR END: ESTIMATED BUDGET TO ACTUAL THROUGH SEPTEMBER 30, 2022

City of Mulberry: Community Redevelopment Fund
Year End: Estimated Budget to Actual through September 30, 2022

Account	Estimated Actual	Original Budget	Favorable (Unfavorable)	Budget Amendments	Amended Budget	Favorable (Unfavorable)	% Var	Note
REVENUES:								
Taxes	600,244	602,682	(2,438)	(2,438)	600,244	0	0%	
TOTAL REVENUE	600,244	602,682	(2,438)	(2,438)	600,244	0	0%	
EXPENDITURES:								
<i>Economic Environment</i>	217,394	121,534	(95,860)	113,000	234,534	17,140	-79%	
<i>Debt Service</i>	283,284	281,600	(1,684)	2,000	283,600	316	-1%	
<i>Capital Outlay</i>	95,102	-	(95,102)	96,000	96,000	898		
TOTAL EXPENDITURES	595,780	403,134	(192,646)	211,000	614,134	18,354		
SURPLUS (DEFICIT)	4,464	199,548	(195,084)	(213,438)	(13,890)	(18,353)		

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- {b} -
- {c} -
- {d} -
- {e} -
- {f} -