

**RESOLUTION NO. 08-263 (City)**  
**RESOLUTION NO. 08-03 (Agency)**

**A JOINT RESOLUTION OF THE CITY OF PARKER, FLORIDA, AND THE CITY OF PARKER COMMUNITY REDEVELOPMENT AGENCY, RELATING TO THE RECEIPT, ACCOUNTING AND USE OF FUNDS FROM BAY COUNTY, FLORIDA AS REQUIRED BY CITY ORDINANCE NO. 06-312 FOR DEPOSIT INTO THE COMMUNITY REDEVELOPMENT TRUST FUND; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Parker, Florida (“City”) duly created the City of Parker Community Redevelopment Agency (“Agency”) pursuant to Resolution No. 06-254 to transact redevelopment activities and exercise powers under and pursuant to the Chapter 163 part III, Florida Statutes (“Redevelopment Act”);

**WHEREAS**, the Agency and City adopted a Community Redevelopment Plan (“Plan”) relating to community redevelopment pursuant to Resolution No. 06-01 and Resolution No. 06-255, respectively;

**WHEREAS**, in order to effect the projects pursuant to the Plan, the City established and created in accordance with the provisions of section 163.387, Florida Statutes, the City of Parker Community Redevelopment Trust Fund (“Trust Fund”) pursuant to Ordinance No. 06-312 of the City into which the tax increment revenues for the Agency are deposited;

**WHEREAS**, Ordinance No. 06-312 requires Bay County, Florida (“County”), to disperse specified monies into the Trust Fund annually;

**WHEREAS**, on January 4, 2008, the City and Agency received a check in the amount of \$45,560.04 from the County (“Payment”); and

**WHEREAS**, the establishment of the Agency and creation of the community redevelopment area have been challenged by the County, with the pending litigation currently at the Florida Supreme Court.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA, AND THE GOVERNING BODY OF THE CITY OF PARKER COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

**SECTION 1. RECEIPT OF DISBURSEMENT.**

(A) The City Council for itself and the City Council acting ex-officio as the governing body of the Agency hereby authorize and direct the City staff and Clerk to confirm the accuracy of the Payment and do an accounting for all payments due from the County to the Trust Fund.

(B) The City Council for itself and the City Council acting ex-officio as the governing body of the Agency hereby authorize and direct that the Payment be processed and held by the City without expenditure until finality of the review required above, disposition of *City of Parker v. State*, Case No. SC07-1400, or further direction by the City Council, and ex-officio as the governing body of the Agency.

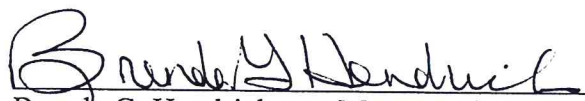
(C) The City Council for itself and the City Council acting ex-officio as the governing body of the Agency hereby direct that a copy of this Resolution be forthwith provided to the County for informational purposes and with a request for information used in calculating the Payment, or any other information reasonably required to confirm the accuracy of the Payment.

**SECTION 2. SEVERABILITY.** If any provision of this Resolution, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Resolution.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND DULY ADOPTED** by the City Council for itself and the City Council acting ex-officio as the governing body of the Community Redevelopment Agency of the City of Parker, Florida, this 23<sup>rd</sup> day of January 2008.

**CITY OF PARKER, FLORIDA AND CITY OF  
PARKER COMMUNITY REDEVELOPMENT  
AGENCY**

  
Brenda G. Hendricks, as Mayor and Chair

**ATTEST:**

  
Adonna Mullen, as City Clerk and Clerk of the Agency