

# **APPENDIX B**

## **CURRENT ARTICLE VI BEING AMENDED IN TOTAL**

ARTICLE VI. - COMMUNITY REDEVELOPMENT AGENCY<sup>(4)</sup>*Footnotes:**-- (4) --**State Law reference— Community Redevelopment Act of 1969, F.S. § 163.330 et seq.*

## Sec. 2-851. - Creation of the Community Redevelopment Agency.

The Community Redevelopment Agency, consisting of six members, which shall carry out the community redevelopment purposes of the Community Redevelopment Act of 1969 (F.S. § 163.330 et seq.), was originally established April 5, 1982, by Ordinance No. O-82-5 and later amended by Ordinance Nos. O-98-14 and O-98-24. The members of such Agency shall have the following qualifications and be appointed and removed as follows:

- (1) Each appointed agency member shall be at least 18 years of age. Each member shall be an individual of outstanding reputation for integrity, responsibility, and business ability or acumen. No officer, employee, or elected official of the City shall be eligible for appointment as a member of the Agency. Any person may be appointed a member if they reside or are engaged in business, which shall mean owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged in the City, and are otherwise eligible for such appointment under this subsection.
- (2) The City Commission may remove an appointed member of the Agency for inefficiency, neglect of duty, or misconduct in office only after a hearing and only if the member had been given a copy of the charges at least ten days prior to the hearing and has had an opportunity to be heard in person or by counsel.
- (3) Each member of the Agency shall serve without compensation for services rendered as a member, but may be reimbursed by the Agency for necessary and reasonable expenses actually incurred in the performance of duty.
- (4) Each member shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any member shall be filed with the Clerk of the City Commission, and such certificate shall be conclusive evidence of the due and proper appointment of such member.
- (5) A City Commissioner shall be designated by the Mayor to serve as liaison between the City Commission and the Agency, and a staff person shall be designated by the City Manager to provide technical planning assistance to the Agency.

(Ord. No. O-99-03, § 1, 11-16-1998)

**State Law reference—** Community Redevelopment Agency authorized, members, etc., F.S. § 163.356.

**Sec. 2-852. - Agency bylaws and internal governance.**

The agency shall formulate and may amend its own rules of procedure and written bylaws not inconsistent with this article. Such rules and bylaws, and amendments thereto, shall not be effective until approved by the City Commission. A majority of the Agency's appointed membership shall constitute a quorum, and all action shall be taken by a vote of at least a majority of the quorum present, unless in any case the bylaws shall require a larger number. The City Commission shall designate a Chairperson and Vice-Chairperson from among the members. The agency shall hold regular meetings and shall provide in its bylaws for holding special meetings. All meetings shall be given public notice and shall be open to the public. Any funds appropriated by the City Commission for the operation of the Agency shall be expended only as approved by the City Commission.

(Ord. No. O-99-03, § 2, 11-16-1998)

**Sec. 2-853. - Employment of technical experts and such other agents and employees, permanent and temporary.**

The agency may employ technical experts, and such other agents and employees, permanent and temporary, as it may require, and determine their qualifications, duties, and compensation. For such legal services as it may require, the Agency may employ or retain its own counsel. The agency shall file with the City Commission and with the Auditor General, on or before March 31 of each year, a report of its activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year. At the time of filing the report, the Agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the City and that the report is available for inspection during business hours in the office of the Clerk of the City Commission and in the office of the Agency. The City may appropriate to the Agency such amounts as the City deems necessary for the administrative expenses and overhead of the Agency.

(Ord. No. O-99-03, § 3, 11-16-1998)

**State Law reference**— Similar provisions, F.S. § 163.356(3)(c).

**Sec. 2-854. - Community redevelopment area.**

- (a) The following legally described area has been designated as a slum or blighted area and found to be appropriate for a Community Redevelopment Project by Ordinance No. O-82-5 passed April 5, 1982, and Resolution No. R-98-46, passed September 10, 1998. Such area was designated as the Community Redevelopment District by the City Commission in 1987, and the base year valuations were determined for these properties in 1987. Such area shall be the Community Redevelopment Area in which the Agency shall undertake activities for the elimination and prevention of the development and spread of slums and blight in accordance with this chapter.
- (b) The area shall consist of all the territory lying within the boundaries as described in the attached legal description attached as Exhibit "A" to the ordinance from which this article is derived.

(Ord. No. O-99-03, § 4, 11-16-1998)

**Sec. 2-855. - Expansion of community development area.**

The City Downtown Redevelopment District Boundary is amended to include the area described in Exhibit "A" and which is also indicated on the map, both of which are attached to the ordinance from which this section is derived.

(Ord. No. O-00-18, § 2, 5-1-2000; Ord. No. O-01-11, § 2, 12-18-2000; Ord. No. 13-07, § 3, 8-26-2013)

**Sec. 2-856. - Powers.**

The Agency hereby created is authorized and empowered to carry out the following activities within its Community Redevelopment Area in a manner not inconsistent with the Community Redevelopment Act of 1969 (F.S. § 163.330 et seq.):

- (1) To sue and be sued, except that no suit may be instituted by the Agency against the City or any of its officers, agents, or employees, without specific authority for the City Commission;
- (2) To have and use a corporate seal;
- (3) To make and execute contracts and other instruments necessary or convenient to its exercise of powers under this article;

- (4) To purchase, hold, lease, sell or otherwise acquire and convey real property and interest therein as may be necessary and proper to carry out its powers and duties herein expressed;
- (5) To accept grants and donations of any type of property, labor or other things of value from any public or private source;
- (6) To have the exclusive control of funds legally available to it, subject to limitations imposed upon it by law or by any valid agreement;
- (7) To cooperate and enter into agreements with other governmental agencies or public bodies;
- (8) To prepare and maintain an analysis of the economic conditions and changes occurring within the district, including the effect thereon of such factors as metropolitan growth, traffic congestion, lack of adequate parking and other facilities, and structural obsolescence and deterioration;
- (9) To formulate and maintain on a current basis both short range and long range plans for improving the attractiveness and accessibility to the public of facilities within the district, promoting the efficient use thereof, and remedying the deterioration of and redeveloping property within the district;
- (10) To actively encourage and assist by all lawful means private redevelopment and promotional activities by property owners within the district, jointly or individually;
- (11) To recommend to the City Commission and Plan Board of the City changes in zoning and land use regulations to facilitate revitalization of property within the district;
- (12) To recommend to the City Commission of the City, for its approval, amendments or modifications to the Community Redevelopment Plan, which recommendations may include changes in the boundaries of the area;
- (13) To exercise control over, manage, and receive revenues from, within guidelines established by the City Commission, any City property or activities when so authorized by said City Commission;
- (14) To request by resolution that the City exercise its power of eminent domain to acquire any real property within the district for public purposes;
- (15) To request by resolution that the City exercise its powers to specially assess properties within the district fronting or abutting on streets, avenues, or public places for improvements thereto, pursuant to the Charter of the City, in connection with redevelopment projects within the district conducted by the City or the Agency on approval by the City Commission;

- (16) To request by resolution that the City exercise its power to issue revenue bonds for redevelopment projects within the district conducted by the City or by the Agency on approval of the City Commission, and to pledge, for the payment of such bonds, all revenues from such projects as are conducted by it;
- (17) To fix, regulate, and collect rents, fees, rates and charges for its facilities or activities or any parts thereof or services furnished by it or under its control; and
- (18) Except as expressly limited hereinabove, to exercise those powers provided in F.S. § 163.370(1), not including the power to institute eminent domain proceedings and not including those powers provided in F.S. § 163.370(1)(k).

(Ord. No. O-99-03, § 5, 11-16-1998)

Sec. 2-857. - Redevelopment trust fund.

- (a) There is hereby established a trust fund, to be separately administered and accounted for, to be known as the Downtown Redevelopment Trust Fund.
- (b) Such trust fund shall be used for the deposit of all tax increment funds obtained by the Agency to finance or refinance community redevelopment projects within the Community Redevelopment Area and all such funds shall be used to carry out redevelopment activities included in the Community Redevelopment Plan.
- (c) Until all redevelopment projects included in the Community Redevelopment Plan are completed and paid for, such trust fund shall receive the annual tax increment, as hereinafter defined, from all taxing authorities except school districts, for the area previously described in section 2-854.
- (d) Pursuant to F.S. § 163.387, the tax increment to be allocated annually to such trust fund shall be 95 percent of the difference between:
  - (1) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of a community redevelopment area; and
  - (2) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the community redevelopment area as shown upon the most recent assessment roll used in

connection with the taxation of such property by each taxing authority prior to the approval of the Community Redevelopment District in 1987 and providing for the funding of the trust fund.

- (e) It is hereby determined that the total of the assessed value of the taxable property in the area described in section 2-854, as shown by the most recent assessment roll prior to adopting the Community Redevelopment Plan in 1987 was \$6,295,700.00, as shown on the list of tax parcels attached to the original of the ordinance from which this article is derived and incorporated therein.
- (f) Until such time as the redevelopment plan is completed and paid for, the City shall, and all other taxing authorities except school districts are called upon to, annually appropriate to, the trust fund created hereby, the tax increment described in this section for the area described in section 2-854(b).

(Ord. No. O-99-03, § 6, 11-16-1998)

**State Law reference—** Redevelopment trust fund, F.S. § 163.387.

Secs. 2-858—2-880. - Reserved.