ORDINANCE NO. 2001-128

AN ORDINANCE OF THE CITY OF CORAL SPRINGS PROMULGATED PURSUANT TO PART III OF THE COMMUNITY REDEVELOPMENT ACT, CHAPTER 163, FLORIDA STATUTES DECLARING THE NEED FOR A COMMUNITY REDEVELOPMENT AGENCY, ESTABLISHING THE BOUNDARIES OF A COMMUNITY REDEVELOPMENT AGENCY AS DESCRIBED IN EXHIBIT “A”, ESTABLISHING THE COMMUNITY REDEVELOPMENT AGENCY, ITS ORGANIZATION AND PROCEDURES, AND DELEGATING TO THE COMMUNITY REDEVELOPMENT AGENCY CERTAIN POWERS AS NECESSARY AND APPROPRIATE FOR COMMUNITY REDEVELOPMENT.

WHEREAS, the City Commission of the City of Coral Springs adopted Resolution No. 2001-018, containing findings of necessity, approving a slum and blight study, and requesting Broward County to delegate the exercise of all powers and responsibilities conferred to the County by Section 163.410, Florida Statute, to the City for the purposes of establishing a Community Redevelopment Agency and the preparation of a Redevelopment Plan, and

WHEREAS, Broward County adopted Resolution No.2001-538, delegating to the City Commission of the City of Coral Springs the authority to adopt a resolution declaring the need for a community redevelopment agency within the City, to create a community redevelopment agency, to appoint its board, to adopt procedures, and to prepare a community redevelopment plan, and

WHEREAS, the City Commission of the City of Coral Springs has determined that there is a need for a community redevelopment agency within the City, and

WHEREAS, the City Commission has determined that the Community Redevelopment Area for the City of Coral Springs shall be the area depicted on Exhibit A, attached hereto and incorporated herein, and

WHEREAS, the City Commission has commenced the preparation of a Redevelopment Plan for the Community Redevelopment Area,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, BROWARD COUNTY, FLORIDA, as follows:

Section 1. The foregoing findings are hereby confirmed and incorporated herein by reference.
Section 2. Community Redevelopment Agency Established. A new Chapter 23 of the City of Coral Springs Code of Ordinances, to be entitled "Community Redevelopment," is hereby enacted to read as follows:

Article I
General Provisions

Sec. 23-1. Declaration of Intent.
It is the intent of the City of Coral Springs to create a Community Redevelopment Agency and to prepare and adopt a Community Redevelopment Plan in order to achieve the goals and objectives of Resolution No. 2001-018 and Resolution No. 2001-538 of Broward County and the purposes of Part III of the Community Redevelopment Act, Chapter 163, Florida Statutes.

Sec. 23-2 - 23.4. Reserved

Article II
Community Redevelopment Agency

Sec. 23-5. Community Redevelopment Agency Established. A Community Redevelopment Agency for the City of Coral Springs, which shall have all the rights, powers, duties, privileges and immunities vested by Part III of the Community Redevelopment Act, Chapter 163, Florida Statutes, is hereby established. The Community Redevelopment Agency shall be a separate, distinct and independent legal entity and shall be known as the City of Coral Springs Community Redevelopment Agency and shall be referred to in the City’s Code as the "Agency".

Sec. 23-6. Definitions.

(a) “Agency” shall mean the Community Redevelopment Agency established by the City Commission of the City of Coral Springs pursuant to the provisions of this Chapter.

(b) "Board" shall mean the governing body of the Community Redevelopment Agency.

(c) "Community Redevelopment Area" shall mean the area portrayed on Exhibit A hereto, legally described in the Community Redevelopment Plan, and subject to a Resolution of Necessity, adopted as Resolution 2001-018 by the City of Coral Springs on March 6, 2001.
Sec. 23-7. Organization of the Community Redevelopment Agency Board

(a) Composition of Board: The Agency shall be governed by a Board composed of seven (7) persons, appointed by the City of Coral Springs City Commission.

(b) Terms: The terms of office for the members of the Board shall be four (4) years; provided however, 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 appointment. Each member shall hold office until his or her successor has been appointed and has qualified. A certification of the appointment or reappointment of any member shall be filed with the City Clerk and such certificate is conclusive evidence of the due and proper appointment of such member.

(c) Qualifications of Members: Any person may be appointed as a member if he or she resides or is engaged in business, which means 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, within the area of operation of the Agency and the City. One (1) of the members shall be experienced in finance, one (1) in real estate, one (1) in retail business and one (1) in urban design.

(d) Compensation: No members shall receive compensation for services, but is entitled to the necessary expenses, including travel expenses, incurred in the discharge of his or her duties.

Sec. 23-8. Powers of the Board: The Board shall exercise the following powers:

(a) Prior to a Community Redevelopment Plan being approved by Broward County's Board of County Commissioners:

(i) to employ an Executive Director, technical experts and such other agents and employees as the Board deems necessary for the Agency;

(ii) to employ or retain legal counsel and staff,
(iii) to receive and administer funds from the City or other sources and make such expenditures as the Board deems necessary, for the administrative expenses and overhead of the Agency; and

(iv) to prepare and recommend the adoption of a Community Redevelopment Plan to the City Commission, in accordance with the provisions of Sec. 23-163.360, Fla Stat. (2001).

(b) After the Community Redevelopment Plan is approved by Broward County’s Board of County Commissioners: all powers which are capable of being exercised by community redevelopment agencies as set forth in Sec. 23-163.340 through 163.395, Fla. Stat. (2001) unless the Board of County Commissioners reserves any such powers in its Resolution delegating permanent powers to the Agency pursuant to Sec. 23-163.410, Fla. Stat. (2001)

(c) After the Community Redevelopment Plan is approved by Broward County’s Board of County Commissioners: the power to acquire by condemnation any interest in real property, including a fee simple title interest, is hereby expressly delegated to the Agency whenever it deems such interest necessary for, or in connection with, community redevelopment and related activities pursuant to the provisions of Section 163.375, Fla. Stat. (2001).

(d) After the Community Redevelopment Plan is approved by Broward County’s Board of County Commissioners: the power to approve the acquisition, demolition, removal, or disposal of property and the power to assume the responsibility to bear loss as provided in s. 163.370(3) is hereby expressly delegated to the Agency;

(e) The Board may not exercise the following powers:

(i) the power to determine an area to be a slum or blighted area, or combination thereof; to designate such area as appropriate for community redevelopment; and to hold any public hearings required with respect thereto;

(ii) the power to grant final approval to community redevelopment plans and modifications thereof;

(iii) the power to approve the development of community policing innovations.
Sec. 23-9. Procedures of the Board.

(a) Quorum. A majority of the Board’s members constitutes 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 the vote of a majority of the members present, unless the bylaws of the Board require a larger number.

(b) Chair and Vice Chair: The City Commission of the City of Coral Springs shall designate a chair and vice chair from among the members of the Board.

(i) The Chair shall be the presiding officer, when present and eligible, at all meetings of the Board.

(ii) The Vice Chair shall become the Chair pro-tempore in the absence of the Chair at any meeting of the Board.

(c) Staff. The Board of the Agency may employ an executive director, technical experts, legal staff and such other agents and employees, permanent and temporary, as it requires, and determine their qualifications, duties and compensation.

(d) Meetings. Annually the Board shall establish a schedule of regular meetings. Special meetings may be called by the Chair, any three Board members or the Executive Director whenever, in their opinion, Board business requires it. At least twenty-four hours notice and the nature or purpose of the special meeting shall be delivered to the Board and the public.

(e) Governing Rules. Except as otherwise provided by this section, the methods or organization and the conduct of business of the Board shall be governed by Robert's Rules of Order Newly Revised, 1990 edition.

(f) Public Hearings. All public hearings and meetings of the Agency shall be conducted in accordance with the requirements of City Code and as provided by law.

(g) Annual Report. 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 fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and
operating expenses as of the end of such fiscal year. At the time of filing of the report, the Agency shall publish in a newspaper of general circulation in the City 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 City Clerk and in the office of the Agency.

Sec. 23-10. Severability. If any section or portion of a section of this Ordinance is declared to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of the Ordinance.

Sec. 23-11. Effective Date. This Ordinance shall become effective upon approval of the City Commission.

PUBLISHED the ___ day of ___ Oct., 2001.

PASSED FIRST READING the ___ day of ___ Oct., 2001.

PASSED SECOND READING the ___ day of ___ Nov., 2001.

CITY OF CORAL SPRINGS, FLORIDA

JOHN SOMMERER, Mayor

ATTEST.

Peter M.J. Richardson, CMC, City Clerk

Unanimous __

Motion/2nd Yes No

Mayor Sommerer __ __

Vice Mayor Berk __ __

Commissioner Stradling __ __

Commissioner Calhoun __ __

Commissioner Polin __ __