CITY OF MARGATE, FLORIDA

ORDINANCE NO. 96-15

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 2, ADMINISTRATION, BY ADDING NEW SECTION 2-147 ENTITLED COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR INTENT; PROVIDING FOR ORGANIZATION OF THE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR APPOINTMENT OF BOARD OF COMMISSIONERS; PROVIDING FOR QUORUM AND POWERS; PROVIDING FOR NO COMPENSATION FOR COMMISSIONERS BUT FOR PAYMENT OF EXPENSES; PROVIDING FOR THE CHOOSING OF CHAIRPERSON AND VICE-CHAIRPERSON; PROVIDING FOR PREPARATION OF THE COMMUNITY REDEVELOPMENT PLAN; PROVIDING FOR DELEGATION OF POWER; PROVIDING FOR RETENTION OF POWER BY THE CITY OF MARGATE; PROVIDING FOR INTERPRETATION WITH PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Margate, Florida has made certain findings and declarations, as set forth in a resolution of necessity; and

WHEREAS, the City Commission of the City of Margate, Florida, by the adoption of this ordinance, reaffirms such findings and declarations; and

WHEREAS, the City Commission of the City of Margate, Florida desires to create a public body corporate and politic, to be constituted as a public instrumentality to function within the City of Margate, to carry out the Community Redevelopment purposes of Part III, Chapter 163, Florida Statutes.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the foregoing Preamble is hereby ratified and confirmed as true and correct by the City Commission of the City of Margate, Florida.

SECTION 2: The Code of Ordinances of the City of Margate, Florida, Chapter 2. Administration, is hereby amended by the addition of new Section 2-147 entitled Community Redevelopment Agency, which shall read as follows:

Section 2-147. Community Redevelopment Agency.

(1) Creation of Community Redevelopment Agency.

(a) Intent. There is hereby established the City of Margate Community Redevelopment Agency, a public body corporate and politic, having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of Part III, Chapter 163, Florida Statutes, and this ordinance, subject to all limitations set out therein. The City of Margate Community Redevelopment Agency shall be referred to hereinafter as "the agency".

(b) Organization of the Community Redevelopment Agency. The agency shall be governed by a board of commissioners consisting of five (5) persons appointed by the City Commission. The terms of office of the commissioners shall be for four (4) years, except that three (3) of the members first appointed shall be designated to serve terms of one (1), two (2) and three (3) years respectively,

NOTE: This entire ordinance recites new language and therefore the City Attorney's office has not underscored the entire ordinance.

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from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term by appointment by the City Commission of Margate. Commissioners who continue to be eligible for appointment may be reappointed.

(c) Any person may be appointed as a commissioner if he or she resides or is engaged in business within the City of Margate. "Engaged in business" shall mean owning a business, practicing a profession, performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged within the City.

(d) A majority of the commissioners shall constitute 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 a vote of the majority of the commissioners present, unless in any case the bylaws shall require a larger number.

(e) A commissioner shall receive no compensation for his/her services, but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his/her business.

(f) Pursuant to this Ordinance, a separate Resolution shall be adopted naming the individuals who shall constitute commissioners of the Margate Community Redevelopment Agency, and same shall hold their authority pursuant to this Ordinance.

(g) The City Commission shall designate a Chair and Vice-Chair, who shall serve until the end of their terms, or unless a Chair or Vice-Chair is otherwise designated by resolution of the City Commission.

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(2) Community Redevelopment Plan.

The agency shall prepare or cause to be prepared a Community Redevelopment Plan as described in Section 163.360, Florida Statutes, for any area that the City Commission has, by resolution, determined to be a slum area, a blighted area or an area in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, or a combination thereof.

(3) Delegation of Power.

The City Commission of the City of Margate hereby delegates to the City of Margate Community Redevelopment Agency each of the powers set forth in Section 163.370 (excluding however those powers enumerated in F.S. 163.358). Provided, however, that the City of Margate retains the right to exercise any of the powers delegated herein to the City of Margate Community Redevelopment Agency, and such powers shall not be deemed to be vested exclusively in the agency.

(4) Ordinance as supplemental.

This ordinance shall be deemed supplemental to the provisions of Part III, Chapter 163, Florida Statutes, the provisions of which are incorporated herein by reference.

SECTION 2: All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 3: If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

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SECTION 4: It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Margate Code, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5: That this ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS 18TH day of SEPTEMBER, 1996.
PASSED ON SECOND READING THIS 2ND day of OCTOBER, 1996.

ATTEST:

DEPUTY CITY CLERK

MAYOR ARTHUR J. BROSS

SEPTMBER 18, 1996
RECORD OF VOTE - 1ST READING

Donovan   AYE
Varsallone AYE
Anton     AYE
Talerico  AYE
Bross     AYE

OCTOBER 2, 1996
RECORD OF VOTE - 2ND READING

Donovan   AYE
Varsallone AYE
Anton     AYE
Talerico  AYE
Bross     AYE

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