

1 CITY OF MARGATE, FLORIDA

2 ORDINANCE NO. 96-15

3 AN ORDINANCE AMENDING THE CODE OF THE CITY
4 OF MARGATE, FLORIDA, CHAPTER 2.
5 ADMINISTRATION, BY ADDING NEW SECTION 2-147
6 ENTITLED COMMUNITY REDEVELOPMENT AGENCY;
7 PROVIDING FOR INTENT; PROVIDING FOR
8 ORGANIZATION OF THE COMMUNITY REDEVELOPMENT
9 AGENCY; PROVIDING FOR APPOINTMENT OF BOARD
10 OF COMMISSIONERS; PROVIDING FOR QUORUM AND
11 POWERS; PROVIDING FOR NO COMPENSATION FOR
12 COMMISSIONERS BUT FOR PAYMENT OF EXPENSES;
13 PROVIDING FOR THE CHOOSING OF CHAIRPERSON
14 AND VICE-CHAIRPERSON; PROVIDING FOR
15 PREPARATION OF THE COMMUNITY REDEVELOPMENT
16 PLAN; PROVIDING FOR DELEGATION OF POWER;
17 PROVIDING FOR RETENTION OF POWER BY THE
18 CITY OF MARGATE; PROVIDING FOR
19 INTERPRETATION WITH PART III, CHAPTER 163,
20 FLORIDA STATUTES; PROVIDING FOR REPEAL;
21 PROVIDING FOR SEVERABILITY; PROVIDING FOR
22 CODIFICATION; PROVIDING FOR AN EFFECTIVE
23 DATE.

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

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

31 WHEREAS, the City Commission of the City of
32 Margate, Florida desires to create a public body corporate
33 and politic, to be constituted as a public instrumentality
34 to function within the City of Margate, to carry out the
35 Community Redevelopment purposes of Part III, Chapter 163,
36 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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2 from the date of their appointments. A vacancy
3 occurring during a term shall be filled for the
4 unexpired term by appointment by the City
Commission of Margate. Commissioners who continue
to be eligible for appointment may be reappointed.

5 (c) Any person may be appointed as a commissioner
6 if he or she resides or is engaged in business
7 within the City of Margate. "Engaged in business"
8 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.

9 (d) A majority of the commissioners shall
10 constitute a quorum for the purpose of conducting
11 business and exercising the powers of the agency
12 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.

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

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

18 (g) The City Commission shall designate a Chair
19 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.

21
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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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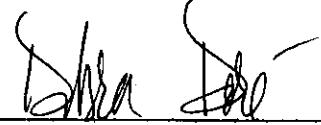
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2 SECTION 4: It is the intention of the City
3 Commission that the provisions of this ordinance shall
4 become and be made a part of the City of Margate Code, and
5 that the sections of this ordinance may be renumbered or
6 relettered and the word "ordinance" may be changed to
7 "section", "article" or such other appropriate word or
phrase in order to accomplish such intentions.

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

10 PASSED ON FIRST READING THIS 18TH day of SEPTEMBER, 1996.

11 PASSED ON SECOND READING THIS 2ND day of OCTOBER, 1996.

12 ATTEST:

13 
14 DEPUTY CITY CLERK

15 
16 MAYOR ARTHUR J. BROSS

17 SEPTEMBER 18, 1996
18 RECORD OF VOTE - 1ST READING

19 Donovan AYE
20 Varsallone AYE
21 Anton AYE
22 Talerico AYE
23 Bross AYE

17 OCTOBER 2, 1996
18 RECORD OF VOTE - 2ND READING

19 Donovan AYE
20 Varsallone AYE
21 Anton AYE
22 Talerico AYE
23 Bross AYE