

ORDINANCE NO. 82-38

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 2 AND CREATING ARTICLE 6, TO PROVIDE FOR THE CREATION OF THE MELBOURNE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR THE EXERCISE OF POWERS BY SAID AGENCY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Part III, Chapter 163, Florida Statutes, entitled "Community Redevelopment", the City Council of the City of Melbourne has adopted Resolution No. 775; and

WHEREAS, Resolution No. 775 finds that the Melbourne Downtown area is a blighted area; and that the rehabilitation, conservation and redevelopment of the area as defined in said resolution is necessary in the public interest; and that there exists a need for a Community Redevelopment Agency to function in the City of Melbourne; and that the Melbourne Downtown area is designated a community redevelopment area and is appropriate for community redevelopment projects.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA:

SECTION 1. DEFINITIONS. The definition of terms as provided in Section 163.340, Florida Statutes, are hereby adopted by reference whenever used or referred to in this Ordinance.

SECTION 2. CREATION OF COMMUNITY REDEVELOPMENT AGENCY. Pursuant to Section 163.357, Florida Statutes, the City Council of the City of Melbourne hereby declares itself to be the Community Redevelopment Agency in the City of Melbourne. All rights, powers, duties, privileges, and immunities vested in a community redevelopment agency by Part III, Chapter 163, Florida Statutes, are hereby vested in the City Council of the City of Melbourne subject to all responsibilities and liabilities imposed or incurred.

SECTION 3. EXERCISE OF POWERS.

A. In the exercise of rights, powers, duties, privileges, and immunities of a community redevelopment agency, the City Council of the City of Melbourne hereby authorizes, assigns, permits and directs its City Manager, and all future incumbents to said office, to perform the following functions on behalf of the Agency.

1. Employ any agents or employees, permanent or temporary, as may be required, and determine their qualifications, duties and compensation; subject to the limitations on funding as specified in Section 3(B). The City Manager shall assign employees of the City of Melbourne to provide services required by the Community Redevelopment Agency.

2. Through the Melbourne Downtown Redevelopment Committee prepare community redevelopment plans and modifications thereof for community redevelopment projects in the designated community redevelopment areas.

3. Work with private investors, other governmental agencies, its agents and consultants, employees and community groups and interests to foster the development and redevelopment of City properties identified in Resolution No. 775.

4. Exercise the powers enumerated in Sections 163.370, 163.380 and 163.385, Florida Statutes, except as they may be limited by Section 3(B).

5. Comply with the reporting requirements and other requirements imposed on community redevelopment agencies by Part III, Chapter 163, Florida Statutes.

B. The City Council of the City of Melbourne shall have sole power to:

1. Determine an area to be a slum or blighted area, or combination thereof, to designate such area as appropriate for a community redevelopment project, and to hold any public hearings required with respect thereto.

2. Grant final approval to community redevelopment plans and modifications thereof, after receiving recommendation of the City Manager and the Melbourne Downtown Redevelopment Committee.

3. Authorize the issuance of revenue bonds as set forth in Section 163.385, Florida Statutes.

4. Approve the acquisition, demolition, removal or disposition of property as provided in Section 163.370, Florida Statutes, and the power to assume the responsibility to bear loss as provided in Section 163.370, Florida Statutes.

5. Appropriate funds deemed necessary for the administration expense and overhead of the agency.

6. Establish a Redevelopment Trust Fund as provided in Section 163.387, Florida Statutes.

SECTION 4. It is the intention of the Mayor and the City Council that the provisions of this ordinance shall become and be made a part of the City of Melbourne Code of Ordinances and the sections of this ordinance may be renumbered to accomplish said intention.

SECTION 5. That this ordinance shall become in full force and effect in accordance with the Charter of the City of Melbourne, Brevard County, Florida.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. The ordinance was duly passed on first reading at a regular meeting of the City Council on the 10th day of August, 1982, and passed on the second and final reading at a Regular meeting of the City Council on the 24th day of August, 1982.

[Signature]
Mayor, City of Melbourne, Florida

ATTEST:

[Signature]
City Clerk

CITY OF MELBOURNE COUNTY OF BREVARD STATE OF FLORIDA
I HEREBY CERTIFY that the foregoing constitutes a full, true and correct copy of Ord # 82-38 passed by the Melbourne City Council at its final reading at a Regular meeting of the City Council, held at Melbourne City Hall the 24th day of August, 1982.
(SEAL) [Signature]
Posted: [Signature]
Dep. City Clerk, City of Melbourne, Florida