

ORDINANCE NO. 861

AN ORDINANCE ESTABLISHING THE CITY OF LIVE OAK COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT, SECTIONS 163.330 THROUGH 163.450, FLORIDA STATUTES; ESTABLISHING THE AGENCY'S ORGANIZATION; PROVIDING FOR THE AGENCY'S RULES AND PROCEDURES; ESTABLISHING THE AGENCY'S POWERS; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Community Redevelopment Act, Sections 163.330 through 163.450, Florida Statutes authorizes the City to exercise certain functions and powers related to redevelopment of slum and blighted areas; and

WHEREAS, pursuant to the Community Redevelopment Act, Section 163.355, the City Council, on June 13, 1995, adopted a resolution finding that a slum or blighted area exists within the City and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area as is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, pursuant to the Community Redevelopment Act, Section 163.356, the City Council on June 13, 1995, adopted a resolution finding that there is a need for a community redevelopment agency to function in the City to carry out the community redevelopment purposes of said Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, as follows:

Section 1. That the City of Live Oak Community Redevelopment Agency, hereinafter referred to as the Agency, is hereby established as a public body corporate and politic in accordance with the Community Redevelopment Act, Sections 163.330 through 163.450, Florida Statutes.

Section 2. The Agency shall consist of the five (5) members of the City Council and two (2) additional members to be appointed by the City Council.

Any person may be appointed as one (1) of the two (2) additional members 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 business entity so engaged, within the area of operation of the Agency, which shall be coterminous with the corporate limits of the City and is otherwise eligible for such appointment under the Community Redevelopment Act, Sections 163.330 through 163.450, Florida Statutes, however, provided that no member of the Agency shall be a paid employee of the City. The terms of office of the members of the City Council serving on the Agency shall run concurrent with their respective terms of office as members of the City Council.

The terms of office of the two (2) additional members shall be for four (4) years, provided, however, that of the two (2) members first appointed to the Agency at the effective date of this Ordinance one (1) shall be appointed for two (2) years and one (1) shall be appointed for four (4) years and that all appointments thereafter shall be for four (4) years. A vacancy occurring during a term of one (1) of the two (2) additional members shall be filled for the remainder of the unexpired term.

The members of the City Council shall constitute the head of a legal entity, separate, distinct and independent from the City Council.

The two (2) additional members appointed by the City Council shall be subject to all provisions of the Community Redevelopment Act, Sections 163.330 through 163.450, Florida Statutes relating to appointed members of a community redevelopment agency.

Members of the Agency shall receive no compensation for their services, but are entitled to the necessary expenses, including travel expenses, incurred in the discharge of their duties.

The City Council may remove a member appointed by the City Council for inefficiency, neglect of duty, or misconduct in office only after a hearing and only if he or she has been given a copy of the charges at least ten (10) days prior to such hearing and had an opportunity to be heard in person or by counsel.

The officers, members and employees of the Agency shall be subject to the code of ethics provisions and requirements of Part III of Chapter 112, Florida Statutes.

Section 3. The Mayor shall serve as Chairman of the Agency and the Vice-Mayor shall serve as Vice-Chairman of the Agency. The City Administrator or his or her designate shall serve as Secretary to the Agency.

Four (4) members of the Agency shall constitute a quorum. Action may be taken by the Agency upon the vote of a majority of the members present.

The Agency shall meet at the call of the Chairman or at the written request of four (4) or more members.

All meetings of the Agency shall be open to the public. A record of all its motions, recommendations and transactions shall be made, which record shall be a public record on file in the office of the City Administrator.

Unless otherwise provided by the Community Development Act, Sections 163.330 through 163.450, Florida Statutes or this Ordinance, Roberts Rules of Order shall be the governing procedures of the Agency.

Section 4. The Agency shall be vested with all of the powers and subject to all of the obligations and responsibilities as contained in the Community Redevelopment Act, Sections 163.330 through 163.450, Florida Statutes.

All employees of the City shall, upon request and within reasonable time, furnish to the Agency or its agents such available records or information as may be required in its work. The Agency, or its agents, may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized agents or employees of the City and shall have such other powers as are required for the performance of official functions in carrying out the purposes of the Agency.

Section 5. That if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not effect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared severable.

Section 6. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7. This Ordinance shall become effective immediately upon passage.

First reading on the 13th day of June 1995.


The second and final reading on the 11th day of June 1995.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Live Oak in regular session this 11th day of June 1995.
July

Attest:



William J. McCullers
City Clerk



A.P. Nott
Mayor

Approved As To Form:

Ernest A. Sellers
City Attorney

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