

Chapter 31

COMMUNITY REDEVELOPMENT

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ARTICLE I. COMMUNITY REDEVELOPMENT AGENCY

Sec. 31-1. Community redevelopment agency created.

Resolution 755, adopted on June 12, 2002, pursuant to F.S. §§163.356(1) and 163.357(1)(b), the community redevelopment agency is a public body, corporate and politic, and as a legal entity is separate, distinct, and independent from the city council.

(Ord. 836, §1, 6-26-02)

Sec. 31-2. Definitions.

The following terms, wherever used or referred to in this article, have the following meanings:

Act means the Community Redevelopment Act of 1969, as amended from time to time.

Agency or community redevelopment agency means the community redevelopment agency created and designated by the city pursuant to F.S. §163.357.

Blighted area means either:

- (1) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of the municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:
 - a. Predominance of defective or inadequate street layout;
 - b. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 - c. Unsanitary or unsafe conditions;
 - d. Deterioration of site or other improvements;
 - e. Tax or special assessment delinquency exceeding the fair market value of the land; and
 - f. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (2) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction;

Board means the governing board of the community redevelopment agency.

Bonds means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.

Commissioner means a member of the community redevelopment agency board.

Committee means the community redevelopment agency advisory committee created by section 31-5, City Code.

Community redevelopment or redevelopment means undertakings, activities, or projects of the city or community redevelopment agency in the community redevelopment area for the elimination and prevention of the development or spread of blight or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include redevelopment in a community redevelopment area or rehabilitation or conservation of the community redevelopment area in accordance with the community redevelopment plan and may include the preparation of such a plan.

Community redevelopment area means the community redevelopment area, the geographical boundaries of which are described in section 31-3, City Code.

Community redevelopment plan means F.S. §§163.360 and 163.362, plan, as it is amended from time to time, for the community redevelopment area, which plan is adopted in section 31-11, City Code.

Council or city council means the governing body or City Council of the City of Satellite Beach, Florida.

Debt service millage means any millage levied pursuant to Section 12 of Article VII of the State Constitution.

Increment revenue means the amount calculated pursuant to F.S. §163.387(1).

Real property means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto or used in connection therewith and every estate, interest, right, and use, legal or equitable, therein, including, but not limited to terms for years and liens by way of judgment, mortgage, or otherwise.

Related activities means:

- (1) Planning work for the preparation of a redevelopment plan or for the preparation or completion of a plan or program pursuant to F.S. §163.365;
- (2) The functions related to the acquisition and disposal of real property pursuant to F.S. §163.370(3); or
- (3) The development of affordable housing for residents of the area.

Trust fund means the fund established by section 59-1, City Code, pursuant to F.S. §163.387, as amended or superseded from time to time.

(Ord. 836, §1, 6-26-02)

Sec. 31-3. Jurisdictional area of the community redevelopment agency.

The jurisdictional boundaries of the community redevelopment agency are located wholly within the City of Satellite Beach and are legally described as follows:

LEGAL DESCRIPTION: Community Redevelopment District for the City of Satellite Beach (BY SURVEYOR)

A portion of land lying in Sections 1 and 2, Township 27 South, Range 37 East, and Sections 26, 34, 35 and 36, Township 26 South, Range 37 East, all lying in the City of Satellite Beach, Brevard County, Florida, being more particularly described as follows:

Beginning at the intersection of the South line of said Section 2 and the mean high water line of the Atlantic Ocean, said point being the POINT OF BEGINNING; thence run Westerly along the said South line to the Southerly extension of the East Right-of-Way line of Ocean Drive; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Palmetto Avenue; thence run Westerly along the said North Right-of-Way line to the East Right-of-Way line of Atlantic Drive; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Sunrise Avenue; thence run Westerly along the said North Right-of-Way line to the East Right-of-Way line of Palm Drive; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Desoto Parkway; thence run Westerly along the said North Right-of-Way line to the Southeast corner of Amherst Gardens Section Four, as recorded in Plat Book 24, Page 82, of the Public Records of Brevard County, Florida; thence run Northerly along the East line of said Amherst Gardens Section Four to the Northeast corner of said Amherst Gardens Section Four and the Southeast corner of Cresthaven Satellite Beach Unit 1, as recorded in Plat Book 16, Page 146, of the said Public Records of Brevard County; thence run Northerly along the East line of the said Cresthaven Satellite Beach Unit 1 to Northeast corner of Lot 1, Block A, of said Cresthaven Satellite Beach Unit 1; thence run Northwesterly to the Southeast corner of Lot 1, Block C, of said Cresthaven Satellite Beach Unit 1; thence run Northerly along the East line of said Lot 1, Block C to the Northeast corner of said Lot 1, Block C and the North line of said Cresthaven Satellite Beach Unit 1; thence run Westerly along the said North line to the Southeast corner of Lot 32 and the West line of Satellite Beach Estates, as recorded in Plat Book 16, Page 4, of the said Public Records of Brevard

County; thence run Northerly along said East line of Satellite Beach Estates to the Northeast corner of Lot 28 said Satellite Beach Estates and a point on the South line of Ocean Spray, as recorded in Plat Book 13, Page 64, of the said Public Records of Brevard County; thence run Easterly along the South line of said Ocean Spray to the Southeast corner of said Ocean Spray; thence run Northwesterly along the East line of said Ocean Spray to the Southeast corner of Lot 1 of said Ocean Spray; thence run Westerly along the North Right-of-Way line of Ocean Spray Avenue to the Southwest corner of lands described in O.R. Book 4107, Page 0958, of said Public Records of Brevard County; thence run Northerly along the West line of the said O.R. Book 4107, Page 0958 to the Northwest corner of said O.R. Book 4107, Page 0958 and the North line of said Ocean Spray; thence run Westerly along the North line of said Ocean Spray and the North line of Ocean Spray Estates, as recorded in Plat Book 14, Page 69, of said Public Records of Brevard County and its Westerly extension to the East Right-of-Way line of Temple Street; thence run Northerly along said East Right-of-Way line to the South Right-of-Way line of Cassia Boulevard; thence run Westerly along said South Right-of-Way line to the Northwest corner of Ocean Spray Estates Addition No. 1, as recorded in Plat Book 15, Page 33, of said Public Records of Brevard County; thence run Southerly along the West line of said Ocean Spray Estates Addition No. 1 to a point on the North line of Surfside Park, as recorded in Plat Book 25, Page 161, of said Public Records of Brevard County; thence run Westerly along the North line of said Surfside Park to the Northwest corner of said Surfside Park; thence run Northerly along the Northerly extension of the West line of said Surfside Park to the Southeast corner of lands described in O.R. Book 0808, Page 0470, of said Public Records of Brevard County; thence run Westerly along the South line of said O.R. Book 0808, Page 0470 and the South line of lands described in O.R. Book 0781, Page 0046, of said Public Records of Brevard County to the Southwest corner of said O.R. Book 0781, Page 0046; thence run Northerly along the West line of said O.R. Book 0781, Page 0046 to the South Right-of-Way line of Cassia Boulevard; thence run Westerly along said South Right-of-Way line and its Westerly extension to the Southwest corner of Lot 15, Replat of part of Michigan Beach Fifth Addition, as recorded in Plat Book 13, Page 36, of said Public Records of Brevard County; thence run Northerly along the East Right-of-Way line of the alley and Canal Street as shown on said Replat of part of Michigan Beach Fifth Addition and Satellite Beach Isles, as recorded in Plat Book 13, Page 118, of said Public Records of Brevard County and its Northerly extension to a point on the South line of Lot 23, The Fountains Unit One, as recorded in Plat Book 23, Page 103, of said Public Records of Brevard County; thence run Easterly along the South line of Lots 23 and 24 of said The Fountains Unit One to the West Right-of-Way line of South Patrick Drive; thence run Northerly along said West Right-of-Way line to the Northeast corner of The Fountains Unit III, as recorded in Plat Book 25, Page 19, of said Public Records of Brevard County; thence run Westerly along the North line of said The Fountains Unit III to the Southeast corner of The Fountains Unit Four, as recorded in Plat Book 25, Page 160, of said Public Records of Brevard County; thence run Northerly along the East line of said The Fountains Unit Four to the South Right-of-Way line of Grant Court; thence run Easterly along the said South Right-of-Way line to the intersection with the Southerly extension of the East Right-of-Way line of Matthews Street; thence run Northerly along said Southerly extension and said East Right-of-Way line of Matthews Street to the South Right-of-Way line of Jackson Court; thence run Northwesterly to the Southeast corner of Lot 1, Emerald Harbor, as recorded in Plat Book 22, Page 1, of said Public Records of Brevard County; thence run Northerly along the East line of said Emerald Harbor and the East line of Emerald Isles Phase Two, as recorded in Plat Book 25, Page 115, of said Public Records of Brevard County to the Northwest corner of the lands described in O.R. Book 1137, Page 0507, of said Public Records of Brevard County; thence run Easterly along the North line of said O.R. Book 1137, Page 0507 and its Easterly extension to the East Right-of-Way line of South Patrick Drive; thence run Northerly along said East Right-of-Way line to the North line of Section 35; thence run Easterly along said North line to the West line of lands described in O.R. Book 0576, Page 0587, of said Public Records of Brevard County and the East line of O.R. Book 0487, Page 0203, of said Public Records of Brevard County; thence run Southerly along the said East and West lines to the Northeast corner of the Sunset Village Townhomes, as recorded in Survey Book 5, Page 92, of said Public Records of Brevard County; thence run Westerly along the North line of said Sunset Village Townhomes to the Northwest corner of said Sunset Village Town homes; thence run Southerly along the West line of said Sunset Village Townhomes to the Southwest corner of said Sunset Village Town homes and a point on the North Right-of-Way line

of Jackson Avenue; thence run Southwesterly to the Northeast corner of Lot 10, Block 20, Eau Gallie Shores, as recorded in Plat Book 5, Page 20, of said Public Records of Brevard County; thence run Southerly along the East line of said Lot 10, Block 20 to the Southeast corner of said Lot 10, Block 20; thence run Westerly along the South line of Lots 8, 9 and 10, Block 20, of said Eau Gallie Shores to the Southwest corner of said Lot 8 and the Northeast corner of Lot 32, Block 20, of said Eau Gallie Shores; thence run Southerly along the East line of said Lot 32, Block 20 to the Southeast corner of said Lot 32, Block 20; thence run Southwesterly to the Northeast corner of Lot 6, Block 19, of said Eau Gallie Shores; thence run Southerly along the East line of Lot 6 and Lot 33, Block 19, of said Eau Gallie Shores to the Southeast corner of said Lot 33, Block 19; thence run Westerly along the North Right-of-Way line of Grant Avenue to the East Right-of-Way of South Patrick Drive; thence run Southerly along said East Right-of-Way line to the Southwest corner of lands described in O.R. Book 3760, Page 0001, of said Public Records of Brevard County; thence run Easterly and Southerly along the Southerly and Westerly lines of said O.R. Book 3760, Page 0001 and its Southerly extension to the South Right-of-Way line of Roosevelt Avenue; thence run Easterly along said South Right-of-Way line to the East line of the North 500' of the East 291' of the West 591' of the Southwest 1/4 of said Section 35 and tax parcel number 516; thence run Southerly along said East line to a point on the North line of Replat of Block's E and F Conner's Castle Dare Subdivision, as recorded in Plat Book 20, Page 1, of said Public Records of Brevard County; thence run Westerly along the said North line to the Northwest corner of Lot 8, Block E of said Replat of Block's E and F Conner's Castle Dare Subdivision; thence run Southerly along the West line of said Lot 8, Block E and its Southerly extension to the Northwest corner of Lot 8, Block F of said Replat of Block's E and F Conner's Castle Dare Subdivision; thence run Southerly along the West line of said Lot 8, Block F to a point on the South line of said Replat of Block's E and F Conner's Castle Dare Subdivision and the North line of 11th Addition To Michigan Beach Subdivision, as recorded in Plat Book 19, Page 23, of said Public Records of Brevard County; thence run Easterly along said North and South line to the Northeast corner of Lot 8, Block S, of said 11th Addition To Michigan Beach Subdivision; thence run Southerly along the East line of said Lot 8, Block S, its Southerly extension and the East line of Lot 9, Block P, of said 11th Addition To Michigan Beach Subdivision to the South line of said 11th Addition To Michigan Beach Subdivision and the North line of 8th Addition To Michigan Beach as recorded in Plat Book 16, Page 143, of said Public Records of Brevard County; thence run Westerly along said North and South line to the Northwest corner of the said Lot 7, Block P, of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block P, and its Southerly extension to the intersection of the South Right-of-Way line of Island Drive and the Northwest corner of Lot 28, Block R of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block R to the Southwest corner of Lot 26, Block R of said 8th Addition To Michigan Beach; thence run Easterly and Southerly along the Southerly and Westerly lines of said Lot 26, Block R to the Northwest corner of Lot 25, Block R, of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block R to the Southwest corner of Lot 24, Block R, of said 8th Addition To Michigan Beach; thence run Easterly along the South line of said Block R, to the Southeast corner of Lot 19, Block R of said 8th Addition To Michigan Beach; thence run Northerly along the said East line of said Block R, to the Northeast corner of Lot 17, Block R, of said 8th Addition To Michigan Beach; thence run Easterly along the South line of said Block R to the Southeast corner of Lot 1, Block R, of said 8th Addition To Michigan Beach and the Westerly Right-of-Way line of Thyme Street; thence run Southerly along said West Right-of-Way line to the Southeast corner of Lot 1, Block F, Third Addition To Michigan Beach, as recorded in Plat Book 12, Page 73, of said Public Records of Brevard County; thence run Easterly along the South line Block D, Second Addition To Michigan Beach, as recorded in Plat Book 12, Page 79, of said Public Records of Brevard County, its Easterly and Westerly extensions thereof and the South line of Block B, First Addition To Michigan Beach, as recorded in Plat Book 11, Page 55, of said Public Records of Brevard County, its Easterly and Westerly extensions thereof to the East Right-of-Way line of Temple Street; thence run Northerly along said East Right-of-Way line of Temple Street to the Northwest corner of Lot 102, Block 1, Plat Of Michigan Beach, as recorded in Plat Book 10, Page 43, of said Public Records of Brevard County; thence run Easterly along the North line of the Lots 102-114, Block 1, said Plat Of Michigan Beach to the Northeast corner of said Lot 114, Block 1, and the Southeast corner of Lot 89, Block 1, of said Plat Of Michigan Beach; thence run Northerly along the East line of

said Lot 89, Block 1, said Plat Of Michigan Beach to the Northeast corner of said Lot 89, Block 1; thence run Northwesterly to the Southeast corner of Lot 16, Block D, Replat Part Of Michigan Beach, as recorded in Plat Book 11, Page 9, of said Public Records of Brevard County; thence run Northerly along the East line of Lots 16 and 5, Block D, their Northerly extension, Lots 15 and 4, Block C, their Northerly extension and Lots 14 and 3, Block B to the South Right-of-Way line of Ellwood Avenue; thence run Northwesterly to the Southeast corner of Lot 1, 12th Addition To Michigan Beach, as recorded in Plat Book 20, Page 109, of said Public Records of Brevard County; thence run Northerly along the East line of said Lot 1 to the Northeast corner of said Lot 1 and the Easterly extension of the South line of Ninth Addition To Michigan Beach, as recorded in Plat Book 23, Page 119, of said Public Records of Brevard County; thence run Westerly along the said North and South lines to the Southeast corner of said Ninth Addition To Michigan Beach; thence run Northwesterly along the East line of said Ninth Addition To Michigan Beach to the North line of said Ninth Addition To Michigan Beach and the South line of Conner's Castle Dare Subdivision First Addition, as recorded in Plat Book 12, Page 62, of said Public Records of Brevard County; thence Westerly along said North and South lines to the Southwest corner of Lot 2, Block D, said Conner's Castle Dare Subdivision First Addition; thence run Northerly along the West line of said Lot 2, Block D, its Northerly extension and the West line of Lot 2, Block C, said Conner's Castle Dare Subdivision First Addition to the North line of said Conner's Castle Dare Subdivision First Addition; thence run Westerly along said North line and the North line of Conner's Castle Dare Subdivision, as recorded in Plat 12, Page 40, of said Public Records of Brevard County to the intersection with the East line of Flamingo Homes Section "A", as recorded in Plat Book 13, Page 68, of said Public Records of Brevard County; thence run Northerly along the East line of said Flamingo Homes Section "A" to the South Right-of-Way line Roosevelt Avenue; thence run Northwesterly to the intersection of the North Right-of-Way line of Roosevelt Avenue and the East Right-of-Way line of Magnolia Street; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Jackson Avenue; thence run Westerly along the said North Right-of-Way line to the Southwest corner of land described in O.R. Book 1325, Page 0440, of said Public Records of Brevard County and the East Right-of-Way line of Delaura Court; thence run Northerly along the said East Right-of-Way line and the West line of said O.R. Book 1325, Page 0440 to the Northwest corner of said O.R. Book 1325, Page 0440; thence run Westerly along the South line of lands described in O.R. Book 4140, Page 1516, of said Public Records of Brevard County to the Southwest corner of said O.R. Book 4140, Page 1516; thence run Northwesterly along the West line of said O.R. Book 4140, Page 1516 to the Southwest corner of lands described in O.R. Book 4030, Page 3316, of said Public Records of Brevard County; thence Northwesterly along the West line of said O.R. Book 4030, Page 3316 to the Northwest corner of said O.R. Book 4030, Page 3316; thence Northwesterly to the Southwest corner of lands described in O.R. Book 3308, Page 0294, of said Public Records of Brevard County; thence Northwesterly along the West line of said in O.R. Book 3308, Page 0294 to the Northwest corner of said in O.R. Book 3308, Page 0294 and the North line of said Section 35; thence run Easterly along the North line of said Section 35 to the West Right-of-Way line of State Road A-1-A; thence run Northwesterly along the said West Right-of-Way line to the intersection of the North line of the South 1/2 of government Lot 1, of said Section 26; thence run Easterly along the said North line to the mean high water line of the Atlantic Ocean; thence run Southeasterly along the said mean high water line of the Atlantic Ocean to the POINT OF BEGINNING.

Together with a 50-foot public road right-of-way (Jackson Avenue) from State Road A-1-A to South Patrick Drive.

(Ord. 836, §1, 6-26-02)

Sec. 31-4. Creation of community redevelopment agency board; composition; terms; appointment of chairperson and vice-chairperson.

(a) A community redevelopment agency board is hereby created to consist of five commissioners, who serve from time to time as the members of the city council.

(b) Commissioners shall serve for terms co-extensive with their tenure on the city council.

(c) The mayor shall serve as the chairperson of the board, and the vice-mayor shall serve as the vice-chairperson of the board.

(Ord. 836, §1, 6-26-02)

Sec. 31-5. Creation of community redevelopment agency advisory committee; composition; terms; chairperson and vice-chairperson.

(a) A community redevelopment agency advisory committee is hereby created and shall consist of not more than nine and not less than seven committee members. Members shall be appointed from time to time by the city council to serve as agency committee members. In addition, the city council may appoint two alternate members, designating them as such. Alternate members shall attend all committee meetings regardless of whether a quorum of regular members is seated. Alternate members may always participate in committee deliberations and debate, but they may make motions and vote only in the absence or voting disqualification of a regular member, or the vacancy in a regular member's seat. The committee may adopt a procedure providing that the two alternate members will rotate as voting members in the absence of a regular member.

(b) Appointees shall serve terms of two years each. Each committee member shall serve until his or her successor has been appointed and has qualified. All committee members must continuously satisfy the requirements for being a committee member. Alternate members shall serve two-year terms.

(c) In the event of the death, resignation, or removal from office of a committee member, any individual appointed to fill a vacancy shall fill the remainder of the term of the person whose action created the vacancy in office.

(d) Any person may be appointed to serve as a committee member; provided, that said person is a resident of the city, or is engaged in business within the community redevelopment area, and is otherwise eligible for such appointment. For the purposes of this provision, "engaged in business" 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.

(e) The city council shall appoint the initial chairperson and vice-chairperson to serve until January of 2004. In January 2004 and each January thereafter, the committee shall a chairperson and vice-chairperson from among its then-regular members. The term of the chairperson and vice-chairperson shall be for a period of one year, provided, however, that nothing shall prevent the committee from electing a chairperson or vice-chairperson to succeed himself. The chairperson and vice-chairperson of the committee must also be regular members at all times during their tenure.

(Ord. 836, §1, 6-26-02; Ord. 849, §1, 2-5-03; Ord. 849, §1, 2-5-03; Ord. 924, §§1, 2, 2-1-06)

Sec. 31-6. Powers of the city council.

(a) Pursuant to Brevard County Resolution No. 02-136, the following powers are vested in the city council with regard to the community redevelopment agency:

- (1) The power to rename or designate the name of the community redevelopment agency;
- (2) The power to conduct surveys or other boundary examinations to adjust or otherwise modify the boundaries of the community redevelopment district;
- (3) The power to organize and operate a community redevelopment agency as generally described and specified in either F.S. §§163.356 or 163.357;

- (4) The power to give public notice, required for the agency required by law;
- (5) The power to make a finding of necessity, as specified in F.S. §163.355;
- (6) The power (i) to determine an area to be slum or blighted, or a combination thereof; (ii) to designate an area as appropriate for community redevelopment; and (iii) to hold any public hearings required with respect thereto;
- (7) The power to grant final approval to a community redevelopment plan and modifications thereof;
- (8) The power to authorize the issuance of, and the power to issue, redevelopment revenue bonds, as provided by Chapter 163, Florida Statutes;
- (9) The power to approve the acquisition, demolition, removal, or disposal of property as provided in F.S. §163.370(3), and the power to assume the responsibility to bear any loss as provided therein;
- (10) The power to prepare a community redevelopment plan and modifications thereof, as provided in Chapter 163, Florida Statutes;
- (11) The power to prepare and approve neighborhood and community-wide plans (and modifications) thereof, as provided in F.S. §163.365;
- (12) The power to exercise eminent domain or otherwise dispose of property pursuant to F.S. §§163.375 and 163.380;
- (13) The power to create, operate, and maintain a redevelopment trust fund pursuant to F.S. §163.387, for the purposes set forth in said section;
- (14) The power to make and execute contracts and other instruments necessary or convenient to the exercise of the powers under Part III, Chapter 163, Florida Statutes;
- (15) The power to disseminate slum clearance and community redevelopment information;
- (16) The power to undertake and carry out community redevelopment and related activities within the community redevelopment area, which may include acquisition of a slum area or a blighted area or a portion thereof, demolition and removal of buildings and improvements, installation, construction, or reconstruction of public infrastructure and the carrying out of other community redevelopment objectives, as provided for in F.S. §163.370;
- (17) The power to dispose of any properties acquired in the community redevelopment area at their fair value for uses in accordance with the community redevelopment plan;
- (18) The power to provide for, or to arrange or contract and to agree to, any conditions that it deems reasonable and appropriate that are conditions of federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of the community redevelopment and related activities, and to fulfill such of the conditions as it deems reasonable and appropriate;
- (19) Within the community redevelopment area, the power:
 - a. To enter into buildings or property in the community redevelopment area to the extent authorized by law in order to make inspections, surveys, appraisals, soundings or test

- borings and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;
- b. To acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise any real property (or personal property for its administrative purposes) together with any improvements thereon;
 - c. To hold, improve, clear, or prepare for the development of any such property;
 - d. To mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property to the extent authorized by law;
 - e. To insure or provide for the insurance of any real or personal property or agency operations against any risks or hazards, including the power to pay premiums on any such insurance;
 - f. To enter into any contracts necessary to effectuate the purposes of Part III, Chapter 163, Florida Statutes; and
 - g. To solicit requests for proposals for redevelopment of parcels of real property contemplated by the community redevelopment plan to be acquired for redevelopment for purposes, and as a result of such request for proposals, to advertise for the disposition of such real property to private persons pursuant to F.S. §163.380, prior to acquisition of such real property by the community redevelopment agency;
- (20) The power to invest in any community redevelopment fund held in reserve for sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control and to redeem such bonds as may have been issued pursuant to F.S. §163.385, at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed for purchase being cancelled;
- (21) The power to borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the federal government or the state, county, or other public body or from any sources public or private, for the purposes of Part III, Chapter 163, Florida Statutes, and to give such security as may be required and to enter and carry out contracts or agreements in connection therewith, and to include in any contracts for financial assistance with the federal government for or with respect to community redevelopment and related activities such conditions and powers pursuant to federal law as the city deems reasonable and appropriate which are not inconsistent with the purposes of this Part III, Chapter 163, Florida Statutes;
- (22) To make or have made all surveys and plans within the city necessary to the carrying out of the purposes of this part, to contract with any person, public or private, in making and carrying out such plans, and to adopt or approve, modify, and amend such plans, which plans include those specified in F.S. §163.370(1)(h)1. thru 3.;
- (23) The power to develop, test, and report methods and techniques, and carry out demonstrations and other activities for the prevention and the elimination of slums and other blight, and developing and demonstrating new or improved means of providing housing for families and persons of low income;

- (24) The power to apply for, accept, and utilize grants or funds from the federal government for such purposes;
- (25) The power to prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, non-profit organizations, and others) displaced from the community redevelopment area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government;
- (26) The power to appropriate funds and make expenditures to zone or rezone any part of the municipality or make exceptions from building regulations, and to enter into agreements with a housing authority, which agreements may extend over a period, notwithstanding any provision or rule of law to the contrary, necessary to carry out the purposes of Part III, Chapter 163, Florida Statutes, with respect to any action to be taken by the city pursuant to any of the powers granted by Part III, Chapter 163, Florida Statutes;
- (27) The power to close, or vacate, plan, or replan streets, roads, sidewalks, ways, or other places and to plan or re-plan any part of the city;
- (28) The power to organize, coordinate and direct the administration of the provisions of Part III, Chapter 163, Florida Statutes, as they may apply to the city in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the city may be most effectively promoted and achieved and to establish such new office(s) of the city or to reorganize existing offices in order to carry out such purposes most effectively; and
- (29) The power to exercise all or any part or combination of the powers herein granted or to elect to have such powers exercised by the Community Redevelopment Agency.

(b) The community redevelopment agency may utilize the following powers provided that final approval and prior authorization by the city council is first obtained on a project by project, task-by-task basis:

- (1) The power to authorize the issuance of, and the power to issue, redevelopment revenue bonds, all as set forth in F.S. §163.385;
- (2) The power to approve the acquisition, demolition, removal, or disposal of property as provided in F.S. §163.370(3), and the power to assume the responsibility to bear loss as provided therein; and
- (3) The power to exercise eminent domain or otherwise dispose of property pursuant to F.S. §§163.375 and 163.380.

(c) Except as set forth in this sub-section, the city council hereby empowers the community redevelopment agency governing board to conduct any activities pursuant to Part III, Chapter 163, Florida Statutes, or as set forth in sub-section (a) hereof, which a community redevelopment agency would otherwise be empowered to exercise or conduct pursuant to said statutes or subsection (a), except as set forth in subsection (b) hereof. Said delegation of powers is limited to be conducted only within the community redevelopment area. *(Ord. 836, §1, 6-26-02)*

Sec. 31-7. Officers of community redevelopment agency; rules of procedure; sessions; meetings open to the public.

(a) The chairperson shall preside at all meetings of the community redevelopment agency. In the absence, incapacitation or disqualification of the chairperson, or upon the chairperson's refusal to act as directed

by the community redevelopment agency, the vice-chairperson shall preside at all meetings of the community redevelopment agency.

(b) The presence of three members shall constitute a quorum of the agency board for meeting purposes. Action may be taken by the agency upon a vote of a majority of the agency commissioners present.

(c) The board shall utilize The Scott, Foresman Roberts' Rules of Order Newly Revised (9th ed. 1990), as the official rules of procedure. The board is authorized to make such other rules as appropriate, which rules may supersede Roberts' Rules of Order Newly Revised.

(d) All meetings of the board and an agenda of said meeting shall be advertised at least three days prior to said meeting by posting a notice at city hall setting forth the time, place, and date of said meeting and an agenda of said meeting. The meeting notice should also specify that more than one member of the city council or community redevelopment advisory committee member may be in attendance at the meeting and may participate in discussions.

(e) Minutes shall be taken at all agency governing board, committee, sub-committee, and ad hoc committee meetings. Consistent with the Government-in-the-Sunshine Act, F.S. §286.011, all meetings of the board, agency committees, sub-committees, and ad hoc committees shall be open to the public.
(*Ord. 836, §1, 6-26-02; Ord. 849, §2, 2-5-03; Ord. 849, §2, 2-5-03*)

Sec. 31-8. Officers of community redevelopment agency advisory committee; rules of procedure; sessions.

(a) The chairperson of the advisory committee shall preside at all meetings of the community redevelopment agency advisory committee. In the absence, incapacitation or disqualification of the chairperson, or upon the chairperson's refusal to act as directed by the community redevelopment agency advisory committee, the vice-chairperson shall preside at all meetings of the community redevelopment agency advisory committee.

(b) The presence of a majority of the members shall constitute a quorum of the advisory committee for meeting purposes. Action may be taken by the committee upon a vote of a majority of the committee members present.

(c) The committee shall utilize The Scott, Foresman Roberts' Rules of Order Newly Revised (9th ed. 1990), as the official rules of procedure. The committee is authorized to make such other rules as appropriate, which rules may supersede Roberts' Rules of Order Newly Revised.

(d) All meetings of the board and an agenda of said meeting shall be advertised at least three days prior to said meeting by posting a notice at City Hall setting forth the time, place, and date of said meeting and an agenda of said meeting. The meeting notice should also specify that more than one member of the city council or the board may be in attendance at the meeting and may participate in discussions.
(*Ord. 836, §1, 6-26-02; Ord. 849, §3, 2-5-03; Ord. 849, §3, 2-5-03; Ord. 924, §3, 2-1-06*)

Sec. 31-9. Duration of agency.

Unless extended by resolution of the board of county commissioners amending Resolution 02-136 or unless sooner terminated by the City of Satellite Beach, the delegation of authority provided for in Brevard County Resolution 02-136 shall terminate on May 21, 2027 (25 years after the date of delegation of authority to create the community redevelopment agency by virtue of Brevard County Resolution 02-136). Thereupon, the community redevelopment agency shall cease to exist as a community redevelopment agency pursuant to Part III, Chapter 163, Florida Statutes.
(*Ord. 836, §1, 6-26-02*)

Sec. 31-10. Agency annual budget.

(a) Consistent with F.S. §163.387, the community redevelopment agency shall, each year, adopt a fiscal year budget.

(b) The community redevelopment agency shall not expend in any one community redevelopment agency fiscal year more than 25 percent of the tax increment revenues raised for that year pursuant to F.S. §163.387, on administrative expenses. For the purpose of this section, the term "administrative expenses" includes personnel costs (i.e. - salary and fringe benefits) of community redevelopment agency staff, office equipment and supplies, operating overhead (office space, electricity and utilities for office), postage, printing or copying charges, travel costs, seminar costs, and similar direct expenses of the community redevelopment agency. Allocations of costs in a community redevelopment agency construction or consultant contract for administrative costs of the contractor are not included within the 25 percent cap.

(Ord. 836, §1, 6-26-02)

Sec. 31-11. Community redevelopment plan approved.

The community redevelopment plan adopted by section 31-31 shall constitute the community redevelopment plan for the community redevelopment agency.

(Ord. 836, §1, 6-26-02)

Secs. 31-12 thru 31-30. Reserved.

ARTICLE II. COMMUNITY REDEVELOPMENT PLAN

Editor's Note: Ord. 836 did not specifically amend the Code and has been included as §31-31 at the editor's discretion. Exhibit A referred to in §31-31 is not included herein, but is on file at City Hall as an attachment to Ord. 836.

Sec. 31-31. Adopted.

(a) The community redevelopment plan attached hereto as Exhibit "A" is hereby adopted as the official community redevelopment plan for the community redevelopment agency.

(b) The city council, after a public hearing, has determined that the proposed community redevelopment plan for the community redevelopment area depicted in Exhibit "A" attached hereto meets the following requirements of F.S. §163.360(6):

- (1) The proposed plan does not contemplate the relocation of any families in that the implementation of the plan will not cause any families to be displaced from the community redevelopment area;
- (2) The proposed plan conforms to the general plan of the municipality as a whole;
- (3) The proposed plan will afford the maximum opportunity consistent with the sound needs of the municipality as a whole for rehabilitation or redevelopment of the community redevelopment area by private enterprise; and
- (4) The proposed plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.

(Ord. 836, §2, 6-26-02)