

**ORDINANCE NO. 849**

**AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH CITY CODE SECTION 31-5 (CREATION OF COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE; TERMS; CHAIRPERSON AND VICE CHAIRPERSON); AMENDING SATELLITE BEACH CITY CODE SECTION 31-8 (b) (OFFICERS OF COMMUNITY REDEVELOPMENT AGENCY; RULES OF PROCEDURE; SESSIONS; MEETINGS OPEN TO THE PUBLIC); AMENDING SATELLITE BEACH CITY CODE SECTION 31-9 (b) (OFFICERS OF COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE; RULES OF PROCEDURE; SESSIONS); PROVIDING AN EFFECTIVE DATE**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA as follows:**

**SECTION 1.** Section 31-5 is hereby amended to read as follows:

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 nine (9) committee members. Nine (9) persons 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 (2) 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. In the event that eight (8) regular members are present and voting and two (2) alternate members are present, the alternate member who may vote and make motions with regard to an agenda item shall be the alternate member who has served on the committee for the longest period of time. The committee may adopt a procedure providing that the two (2) alternate members will rotate as voting members in the absence of a regular member.
- (b) Five (5) of the initial committee members shall serve for two (2) years, and four (4) of the initial committee members shall serve for one (1) year. Except for the initial committee members, appointees shall serve terms of two (2) 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 (2) 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.

**SECTION 2** Section 31-8 (b) of the Satellite Beach City Code is hereby amended to read as follows:

- (b) The presence of three (3) 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.

**SECTION 3** Section 31-9 (b) of the Satellite Beach City Code is hereby amended to read as follows:

- (b) The presence of five (5) 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.

**SECTION 4 SEVERABILITY CLAUSE.** In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision, thereby causing said remainder to remain in full force and effect.

**SECTION 5 REPEAL OF INCONSISTENT PROVISIONS.** All ordinance or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6 EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its adoption.

**SECTION 7** This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 22<sup>nd</sup> day of January, 2003, and adopted on the second and final reading at a regular meeting of the City Council on the 5<sup>th</sup> day February, 2003.

  
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Bob Bolin, Mayor

ATTEST:

  
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Barbara Boyens, CMC, City Clerk