

ORDINANCE NO. 2005-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, CREATING A COMMUNITY REDEVELOPMENT AGENCY (CRA); PROVIDING FOR MEMBERSHIP AND CONFERRING THE POWERS OF THE CRA UPON THE CITY COMMISSION; PROVIDING FOR CRA DUTIES; PROVIDING FOR LIMITATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, THAT:

PART ONE. Based upon the findings and declarations of Resolution No. 2004-16, duly adopted by the City Commission on November 14, 2004, a CRA of the City of Clewiston, Florida, is hereby created and established with responsibility and duty to carry out redevelopment of the area located within the City as found and declared in Resolution No. 2004-16.

PART TWO. Pursuant to the authority in Section 163.357, Florida Statutes, the City Commission is hereby declared as the CRA established in Part One hereof, and all of the rights, powers, privileges, duties and immunities of a CRA vested in such an agency by Part III, Chapter 163, Florida Statutes are hereby vested in the City Commission.

PART THREE. The CRA shall exercise its powers and perform its duties in accordance with the provisions of Part III, Chapter 163, Florida Statutes.

PART FOUR. Article III of Chapter 2 entitled "Boards, Committees, Commissions" of the City Code of Ordinances is hereby amended to add a new Division 3, entitled Community Redevelopment Agency, as follows:

ARTICLE III. BOARDS, COMMITTEES, COMMISSIONS

DIVISION 3. COMMUNITY REDEVELOPMENT AGENCY

Sec. 2-81. Creation.

The Community Redevelopment Agency (CRA) is hereby created and established and shall be known as the City of Clewiston CRA, the purpose of which shall be to function in the area, as more fully delineated in Appendix "A", attached and made a part hereof, and to provide for the redevelopment, conservation, rehabilitation or combination thereof of such areas in the City of Clewiston.

Sec. 2-82. Membership.

The Clewiston CRA for the area within its jurisdiction, as said area may be amended from time to time, shall have a board of commissioners, which shall consist of the five members of the city commission. All of the rights, powers, privileges, duties and immunities of a CRA vested in such an agency by Part III, Chapter 163, Florida Statutes are hereby vested in the City Commission.

Sec. 2-83. CRA Duties:

(a) The CRA shall develop a community redevelopment plan as per F.S. §163.360.

(b) The CRA shall create and administer a Trust Fund in accordance with F.S. §163.387.

(1) The moneys to be allocated to and deposited into the fund shall be used to finance redevelopment within the community redevelopment area, and shall be appropriated by the redevelopment agency. The redevelopment agency shall utilize the funds and revenues paid into and earned by the fund for community redevelopment purposes as permitted by law.

(2) The fund shall exist for the duration of the community redevelopment undertaken by the redevelopment agency pursuant its community redevelopment plan, as approved by the city commission, and to the extent permitted by F.S. § 163.387. Moneys shall be held in the fund for the city and on behalf of the redevelopment agency, and disbursed from the funds as provided by F.S. § 163.387, this article, or the redevelopment agency.

Section 2-84. Limitations.

The Clewiston CRA shall be the sole Community Redevelopment Agency authorized to operate within the redevelopment area (Appendix "A"). The area of operation, jurisdiction and undertakings of the Agency shall not conflict with those of any other community redevelopment agencies, presently existing, or which may be established except as described above.

PART FIVE : SEVERABILITY. If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of these regulations.

PART SIX: EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

INTRODUCED AND READ by title only, the 24th day of January 2005.

PASSED AND ADOPTED after the public hearing this 21st day of February 2005.

CITY OF CLEWISTON, FLORIDA

ATTEST:

MALI CHAMNESS, MAYOR

MELANIE MCGAHEE, CITY CLERK

(SEAL)