

## EXHIBIT B: CITY ORDINANCES

### Chapter 11 - COMMUNITY DEVELOPMENT

FOOTNOTE(S):

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**Cross references** - Buildings and building regulations, Ch. 7; planning and development, Ch. 23; streets, sidewalks and other public places, Ch. 25; subdivisions, Ch. 26.

#### ARTICLE I. - IN GENERAL

**Secs. 11-1 - 11-25. - Reserved.**

#### ARTICLE II. - COMMUNITY REDEVELOPMENT

##### DIVISION 1. - GENERALLY

**Sec. 11-26. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Act* means the Community Redevelopment Act, F.S. § 163.330 et seq.

*Agency* means the Community Redevelopment Agency of the City of Palmetto.

*Area* means an area designated as a redevelopment area and as described and mapped on documents in the city clerk's office.

*Fund* means the community redevelopment trust fund.

*Plan* means the community redevelopment plan.

Cross reference— Definitions and rules of construction generally, § 1-2.

**Secs. 11-27 - 11-40. - Reserved.**

##### DIVISION 2. - COMMUNITY REDEVELOPMENT AGENCY

FOOTNOTE(S):

--- (2) ---

**Cross reference** - Administration, Ch. 2.

- **Sec. 11-41. - Created.**

***DIVISION 2. - COMMUNITY REDEVELOPMENT AGENCY***

FOOTNOTE(S):

--- (2) ---

**Cross reference**— Administration, Ch. 2. (Back)

**Sec. 11-41. - Created.**

Pursuant to F.S. § 163.356, there is hereby created a public body corporate and politic to be known as the community redevelopment agency.

(Ord. No. 259, § 1, 11-4-85; Ord. No. 09-985, § 1, 2-23-09)

**Sec. 11-42. - City commission as governing body of the community redevelopment agency.**

Pursuant to F.S. § 163.357, and Resolution 09-09, the city commission shall serve as the governing body of the community redevelopment agency. The mayor shall not be a voting member of the community redevelopment agency but shall preside over the meetings.

(Ord. No. 259, § 2, 11-4-85; Ord. No. 321, § 1, 6-15-87; Ord. No. 329, § 2, 12-7-87; Ord. No. 09-985, § 1, 2-23-09)

**Sec. 11-43. - Governance.**

The community development agency shall be governed by and shall act in conformity with the provisions of general law and this division, as either shall be amended from time to time. The community redevelopment agency may adopt rules and procedures as it may deem appropriate from time to time. The director of the community redevelopment agency shall coordinate with the mayor regarding the agenda for meetings of the community redevelopment agency. The city clerk shall serve as secretary to the community redevelopment agency and shall be responsible for keeping records of the board's actions, providing necessary background material, keeping a record of attendance, keeping a record of all official actions of the board, including the vote of the members on each questions requiring a vote, or if absent or abstaining from voting, indicating such fact.

**Sec. 11-44. - Jurisdiction.**

The area of operation of the community redevelopment agency shall be the redevelopment area as generally shown on the map depicted on Map 11-1. A detailed map shall be on file at City Hall and the Palmetto Community Redevelopment Agency office.

**Sec. 11-45. - Powers of community redevelopment agency.**

The community redevelopment agency shall have all of the powers enumerated to community redevelopment agencies under general law.

(Ord. No. 526, § 1, 11-21-94; Ord. No. 07-917, § 2, 2-26-07; Ord. No. 09-985, § 1, 2-23-09)

**Sec. 11-46. - Fiscal year.**

The fiscal year for the community redevelopment agency shall be from the first day of October through the last day of September, each year.

(Ord. No. 526, § 2, 11-21-94; Ord. No. 09-985, § 1, 2-23-09)

**Sec. 11-47. - Adoption of budget.**

On or before October 1, the community redevelopment agency shall adopt a line-item budget for the upcoming fiscal year.

(Ord. No. 526, § 3, 11-21-94; Ord. No. 09-985, § 1, 2-23-09)

**Sec. 11-48. - Revision of budget.**

The annual budget may be amended at any time by resolution of the community redevelopment agency board.

(Ord. No. 526, § 4, 11-21-94; Ord. No. 09-985, § 1, 2-23-09)

**Secs. 11-49—11-60. - Reserved.**

**Sec. 11-65. - Increment Revenues to be paid into fund annually.**

There shall be paid into the fund each year by each of the taxing authorities, as that term is defined in F.S. section 163.340, levying ad valorem taxes within the community redevelopment area, a sum equal to ninety-five (95) percent of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with section 11-67 and the act, based on the base tax year established in section 11-66. Such annual sum shall be referred to as the increment revenue.

***DIVISION 3. - COMMUNITY REDEVELOPMENT TRUST FUND***

FOOTNOTE(S):

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Cross reference— Finance, § 2-46 et seq.

**Sec. 11-61. - Created.**

There is hereby established, created and maintained in accordance with the provisions of the act, a community redevelopment trust fund for the community redevelopment area, which fund shall be utilized and expended for the purposes of and in accordance with the plan, including any amendments or modifications thereto approved by the city commission including any community redevelopment, as that term is defined in F.S § 163.340, under the plan.

**Sec. 11-62. - Trusteeship.**

The board of commissioners of the agency shall be the trustees of the fund and shall be responsible for the receipt, custody, disbursement, accountability, management, investments, and proper application of all moneys paid into the fund.

(Ord. No. 264, § 8, 5-19-86)

**Sec. 11-63. - Administration.**

The fund shall be established and maintained as a separate trust fund by the city pursuant to the act and this division, and other directives of the board of commissioners of the agency as may from time to time be adopted, whereby the fund may be promptly and effectively administered and utilized by the agency expeditiously and without undue delay for its statutory purpose, pursuant to the plan.

(Ord. No. 264, § 7, 5-19-86)

**Sec. 11-64. - Use of fund moneys.**

The moneys to be allocated to and deposited into the fund shall be used to finance community redevelopment within the area. Such moneys shall be appropriated by resolution of the agency. The agency shall utilize the funds and revenues paid into and earned by the fund for community redevelopment purposes as provided in the plan and as provided by law. The fund shall exist for the duration of the community redevelopment undertaken by the agency pursuant to the plan and to the extent permitted by the act. Moneys shall be held in the fund by the city for and on behalf of the agency, and disbursed from the fund as provided by the act, this article or resolution of the agency.

(Ord. No. 264, § 2, 5-19-86)

**Sec. 11-65. - Tax increment to be paid into fund annually.**

There shall be paid into the fund each year by each of the taxing authorities, as that term is defined in F.S. section 163.340, levying ad valorem taxes within the community redevelopment area, a sum equal to ninety-five (95) percent of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with section 11-67 and the act, based on the base tax year established in section 11-66. Such annual sum shall be referred to as the tax increment revenue.

(Ord. No. 264, § 3, 5-19-86)

**Sec. 11-66. - Base year value determination.**

The most recent approved tax roll prior to the effective date of Ordinance 264 from which this division is derived used in connection with the taxation of real property in the area shall be the interim ad valorem tax roll of the county, reflecting valuation of real property for purposes of ad valorem taxation as of January 1, 1985. This shall be called the "base year value". All deposits into the fund shall be in the amount of increment revenues calculated as provided in section 11-67 base upon increases in valuation of taxable real property from the base year value.

**Sec. 11-67. - Determination of-increment revenues to be paid into fund annually.**

The increment revenues shall be determined and appropriated annually by each taxing authority, and shall be an amount equal to ninety-five (95) percent of the difference between:

- (1) That amount of ad valorem taxes levied each year by all taxing authorities, exclusive of any amount of debt service millage, on taxable real property located within the geographic boundaries of the area; and
- (2) That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for all taxing authorities, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the area, on such other larger amount permitted by law, as shown upon the assessment roll used in connection with the taxation of such property by all taxing authorities, prior to the effective date of the ordinance from which this division derives.

**Sec. 11-68. - Appropriation obligation.**

All taxing authorities will annually appropriate to and cause to be deposited in the fund the tax increment revenue determined pursuant to the act and section 11-67 at the beginning of each fiscal year as provided in the act. The obligation of each taxing authority to annually appropriate the increment revenues for deposit in the fund shall commence immediately upon the effective date of the ordinance from which this division derives and continue until all loans, advances and indebtedness, if any and interest thereon, incurred by the agency as a result of community redevelopment in the area have been paid to the extent permitted by the act.

#### **DIVISION 4. - COMMUNITY REDEVELOPMENT ADVISORY BOARD**

##### **Sec. 11-81. - Establishment and composition.**

The community redevelopment advisory board is hereby established and shall consist of three (3) members to be appointed by the mayor and approved by a majority vote of the city commission. The terms of office shall be for four (4) years. Any vacancy occurring during the term of any member of the board shall be filled for the unexpired portion of the term. Any person may be appointed as a member of the board 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 other business entity so engaged, within the area of operation of the agency, which shall be coterminous with the area of operation of the municipality, and is otherwise eligible for such appointment under this part.

##### **Sec. 11-82. - Vacancies and removal of members.**

In case of vacancies occurring in membership, the city commission shall fill such vacancies within sixty (60) days. Any person appointed by the city commission to fill a vacancy shall serve for the unexpired term of the original appointment. Members of the community redevelopment advisory board may be removed by majority vote of the city commission, in the event that the city commission determines that such action is in the best interest of the city.

(Ord. No. 09-985, § 2, 2-23-09)

##### **Sec. 11-83. - Officers; rules of procedure; meetings; compensation.**

- (a) *Officers.* The community redevelopment advisory board shall elect a chair and a vice-chair from among its members. They shall serve for one-year terms.
- (b) *Rules of procedure.* The community redevelopment advisory board shall adopt such additional rules as are necessary to conduct its affairs and in keeping with the provisions of this article. The community redevelopment agency director shall be the secretary to the community redevelopment advisory board and shall be responsible for keeping the records of the board's actions, providing necessary background material, keeping a record of attendance, keeping a record of all official actions of the board, including the vote of the members on each question requiring a vote, or if absent or abstaining from voting, indicating such fact.
- (c) *Meetings.* The community redevelopment advisory board shall meet on an as-needed basis. The board shall not transact any business at any meeting unless a quorum of **two (2)** members is present and every official action taken and every decision rendered by the board shall be approved by a majority of the board members present. If necessary, the board may continue any matter before it.
- (d) *Compensation.* Members of the community redevelopment advisory board shall receive no compensation.

(Ord. No. 09-985, § 2, 2-23-09)

**Sec. 11-84. - Powers and duties.**

The community redevelopment advisory board shall serve in an advisory capacity to the community redevelopment agency with respect to the following matters to be considered by the community redevelopment agency:

- (1) Originate ideas and provide recommendations on feasible capital projects within the redevelopment area to the community redevelopment agency;
- (2) Discuss and offer proposed changes and amendments to various programs to the community redevelopment agency;
- (3) Review the budget of the agency and shall make recommendations as to prioritization and budgeting of agency projects and programs for the next fiscal year;
- (4) Review the five-year proposed CRA plan and provide advice and recommendations to the community redevelopment agency on the work program; and
- (5) To assist the community redevelopment agency as requested.

(Ord. No. 09-985, § 2, 2-23-09; Ord. No. 2011-19, § 1, 10-17-11)

**Sec. 2-2. - Appointed officers.**

The appointed officers, as provided for in section 3 of the Charter of the City shall be, and the general duties of such appointed officers are, as follows:

- (1) City clerk. The city clerk shall attend all meetings of the city commission and shall be responsible for preparing and maintaining full and correct minutes of the acts and doings of the city commission; to record, keep and maintain all ordinances passed by the commission; to keep proper books of account for the city and all agencies thereof; and to perform such other duties as the mayor or city commission may require.
- (2) Director of public works. The director of public works shall be responsible for the supervision, maintenance, repair, and construction of all public works and improvements within the city, except as provided by the mayor and city commission; and to perform such other duties as the mayor or city commission may require.
- (3) Chief of police. The chief of police shall be responsible for the operation and supervision of the police department, the police officers and other city employees working at the police department; keeping the peace; enforcement, within the boundaries of the city, of state and federal laws and ordinances of the city, except for those ordinances that provide for the enforcement thereof by another officer, agency or board of the city; and to perform such other duties as the mayor or city commission may require.
- (4) City attorney. The city attorney shall represent the city on all matters, be responsible for the preparation of all ordinances, review of contracts presented to and acted upon by the city commission and shall perform such other duties as may be required by the mayor or city commission. The city attorney may be an individual or a law firm.
- (5) Community redevelopment agency director (if a city employee). The community redevelopment agency director ("CRA director"), if a city employee, shall be an appointed officer, and shall attend

all CRA meetings and meetings of the community redevelopment advisory board. The CRA director shall be responsible for assisting the CRA in preparing, revising and implementing the CRA plan and related programs, and to perform such other duties as the mayor or city commission may require.

(Ord. No. 488, § 1, 4-19-93; Ord. No. 2010-11, § 2A., 8-16-10)



