

TAB 14

**CITY OF PALMETTO, FLORIDA
RESOLUTION 09-09**

A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA; DECLARING THE CITY COMMISSION TO BE THE COMMUNITY REDEVELOPMENT AGENCY; DIRECTING CITY STAFF TO DRAFT ORDINANCES AS APPROPRIATE TO EFFECT THE DESIRED CHANGE, AND TO CREATE AN ADVISORY BOARD TO BE KNOWN AS THE PALMETTO COMMUNITY REDEVELOPMENT ADVISORY BOARD; REPEALING ALL PRIOR RESOLUTIONS WHICH ARE IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.357, *Florida Statutes*, authorizes the governing body of a municipality to, by adoption of a resolution, declare itself to be the community redevelopment agency, in which case all of the rights, powers, duties, privileges, and immunities vested in the community redevelopment agency shall be vested in the governing body of the municipality, subject to all responsibilities and liabilities imposed or incurred; and

WHEREAS, upon the adoption of a resolution as described in Section 163.357, *Florida Statutes*, the members of the governing body shall be the members of the agency, but such members shall constitute the head of a legal entity, separate, distinct, and independent from the governing body of the municipality; and

WHEREAS, the City Commission for the City of Palmetto (“City Commission”) is authorized pursuant to Article I, Section 1, and Article II, Section 7, of Chapter 11059, Laws of Florida, as amended, to enact such resolutions, ordinances, and policies as it shall deem necessary to carry out municipal functions and services as set out in Chapter 166, Florida Statutes, and as otherwise provided by law; and

WHEREAS, the City Commission has determined that it is in the best interests of the City of Palmetto for the City Commission to declare itself to be the Community Redevelopment Agency for the City of Palmetto (“CRA”) and to create an advisory board to be known as the Palmetto Community Redevelopment Advisory Board to make recommendations to the CRA; and

WHEREAS, the City Commission desires to appoint the existing board members of the CRA to the Palmetto Community Redevelopment Advisory Board, if such members wish to serve on the Palmetto Community Redevelopment Advisory Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

SECTION 1. CITY COMMISSION TO BE COMMUNITY REDEVELOPMENT AGENCY. The City Commission for the City of Palmetto hereby declares itself to be the

Community Redevelopment Agency for the City of Palmetto, pursuant to Section 163.357, Florida Statutes.

SECTION 2. AUTHORIZATION TO CITY STAFF TO DRAFT ORDINANCES. The City Commission for the City of Palmetto hereby directs City staff and the City Attorney to draft ordinances, as appropriate, to effect the change described in Section 1, and to create an advisory board to be known as the Palmetto Community Redevelopment Advisory Board to make recommendations to the Palmetto Community Redevelopment Agency.

SECTION 3. RESOLUTIONS IN CONFLICT. This Resolution hereby supersedes and repeals all resolutions, or parts thereof, in conflict with this Resolution to the extent of such conflict.

SECTION 4. SEVERABILITY. It is the intent of this Resolution to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provision and portions of this Resolution shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective immediately, provided that Section 1 shall take effect upon adoption of the ordinance or ordinances described in Section 2 above.

PASSED AND DULY ADOPTED, in regular session, by the City Commission for the City of Palmetto, with a quorum present and voting, this 26th day of January, 2009.

CITY OF PALMETTO, FLORIDA, BY
AND THROUGH THE CITY COMMISSION
FOR THE CITY OF PALMETTO

By: _____
SHIRLEY GROOVER BRYANT, MAYOR

ATTEST: James R. Freeman
City Clerk

By: _____
City Clerk/Deputy Clerk