

TAB 9



City of Palmetto Agenda Item

Meeting Date

9/26/2011
10/17/11

Presenter: Mayor

Department:

Title: Ordinance 2011-19 Amending the Powers, Duties and Responsibilities of Community Redevelopment Advisory Board

ISSUE: On February 23, 2009, the City Commission adopted Ordinance 09-985 creating an advisory board to the CRA to be known as the Community Redevelopment Advisory Board. The Advisory Board was charged with making recommendations on all matters to be considered by the Community Redevelopment Agency (CRA), to the extent possible. The Advisory Board was also charged with preparing a draft budget for consideration by the CRA. After two and a half (2 1/2) years of operation, it appears to be an appropriate time to review the Advisory Board's functions, particularly in regard to role of the CRA Advisory Board as to the day to day operations of the CRA and individual requests. This is particularly in light of the CRA Board's having a more hands on approach in regard to those types of matters.

DISCUSSION: With the Advisory Board considering all matters to be considered by the CRA, the Advisory Board can become unnecessarily bogged down in discussing details on day to day operations and the application of policies to individual requests. These same details have often been reviewed and discussed in detail by the CRA. The proposed amendments would allow the Advisory Board to focus on broader policy issues. As drafted, the Advisory Board duties would be generally to:

1. Review and recommend five (5) year CRA Capital Improvement Program;
2. Offer proposed changes and amendments to the work program of the CRA;
3. Originate ideas and provide recommendations on feasible projects and programs;
4. Assist the CRA as requested; and
5. Review the CRA budget and make recommendations regarding program funding prioritization and comments related to the CRA projects and programs.

As drafted, the CRA Advisory Board will not review and make recommendations on the individual program applications, but will continue to make recommendations on program funding through the budget process and on the program requirements.

OCTOBER 17, 2011

Based on comments during the September 26, 2011 Workshop, Section 11-84 Powers and duties was amended to eliminate what was perceived as redundant language; the comprehensive scope of the duties of the CRA Advisory Board have not been substantively changed from the prior draft. Also, the redevelopment capital improvement program was named the CRA Capital Project Plan.

Budgeted Amount:	\$0.00	Budget Page No(s):		Available Amount:	\$0.00	Expenditure Amount:	\$0.00
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Additional Budgetary Information:

Funding Source(s):		Sufficient Funds Available:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amendment Required:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Source:	
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City Attorney Reviewed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Advisory Board Recommendation:	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	Consistent With:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Potential Motion/ Direction Requested: I move to schedule a public hearing on Ordinance 2011-19.

Staff Contact:

Jeff Burton, CRA Director/Mark P. Barnebey, City Attorney		
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Attachments:

Draft Ordinance 2011-19

**CITY OF PALMETTO
ORDINANCE NO. 2011-19**

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO AMEND THE POWERS, DUTIES AND RESPONSIBILITIES OF THE PALMETTO COMMUNITY REDEVELOPMENT ADVISORY BOARD; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, the City Commission created the Community Redevelopment Advisory Board (Advisory Board) in February, 2009, to advise the Community Redevelopment Agency (CRA) on various matters; and

WHEREAS, the City Commission desires to focus the activities on the policy issues related to the programs and projects of the CRA; and

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

Section 1. Amendment of Section 11-84, of the City of Palmetto Code of Ordinances. Section 11-84 of the City of Palmetto Code of Ordinances, is hereby

amended to read in its entirety as follows:

Section 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:

- a. Originate ideas and provide recommendations on feasible capital projects within the redevelopment area to the Community Redevelopment Agency;
- b. Discuss and offer proposed changes and amendments to various programs to the Community Redevelopment Agency;
- c. 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;
- d. Review the five (5) year proposed CRA Capital Project Plan and provide advice and recommendations to the Community Redevelopment Agency on the work program; and
- e. To assist the Community Redevelopment Agency as requested.

The Agency may take action on an item without the recommendation from the Community Redevelopment Advisory Board, if the Agency determines that such action is in the best interests of the City.

Section 2. Repeal of Ordinance. This Ordinance hereby repeals any and all provisions of ordinances in conflict herewith to the extent of such conflict.

Section 3. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 4. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor, or if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes of the City Commission.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 17th day of October, 2011.

First Reading: September 26, 2011

Publication: October 7, 2011

Second Reading and
Public Hearing: October 17, 2011

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

By: _____
SHIRLEY GROOVER BRYANT,
MAYOR

ATTEST: James R. Freeman
City Clerk

By: _____
City Clerk/Deputy Clerk