

ORDINANCE NO. H-239

AN ORDINANCE DETERMINING THAT THERE IS A NEED FOR A FORT PIERCE REDEVELOPMENT AGENCY AND ESTABLISHING THE FORT PIERCE REDEVELOPMENT AGENCY; RETAINING CERTAIN POWERS TO THE CITY IN CONNECTION WITH THAT AGENCY; AND DELEGATING CERTAIN POWERS IN ACCORDANCE WITH FLORIDA LAW AND THE STATE STATUTES, SPECIFICALLY CHAPTER 163, TO THE AGENCY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Pierce, Florida has adopted Resolution No. 82-25 finding that one or more slum or blighted areas exist in the City of Fort Pierce; and that the rehabilitation, conservation, redevelopment, or combination thereof, of such areas is necessary in the interests of the public health, safety, morals, or welfare of the residents of the City of Fort Pierce; and

WHEREAS, the City Commission finds there is a need for a Fort Pierce Redevelopment Agency to carry out the rehabilitation, conservation, and redevelopment of said blighted and slum areas; and

WHEREAS, the City of Fort Pierce will select five commissioners who are either residents of the City of Fort Pierce or are engaged in business within the area of the City designated for the operation of the Fort Pierce Redevelopment Agency, who will qualify under Florida Statute 163.356, to be the commissioners of the Agency; and

WHEREAS, the City Commission has determined that certain powers should be granted to the Fort Pierce Redevelopment Agency and the City Commission should retain certain powers in order to carry out the rehabilitation, conservation, and redevelopment of the designated Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. That the Fort Pierce Redevelopment Agency is hereby established for the purpose of carrying out redevelopment activities for the area defined as slum and blighted

in Resolution No. 82-25 and described as Appendix "A", and in any additional area as subsequently defined and approved by the City.

SECTION 2. That the Fort Pierce Redevelopment Agency is vested with the following powers authorized by Section 163.370, Florida Statutes;

1. To make and execute contracts and other instruments necessary or convenient to the exercise of its powers under the ordinance.
2. To disseminate redevelopment information.
3. To undertake and carry out community redevelopment projects and related activities within its area of operation, such projects to include:
 - A. Acquisition of a slum area or a blighted area or any portion thereof;
 - B. Demolition and removal of buildings and improvements;
 - C. Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the Community Redevelopment Plan.
 - D. Disposition of any property acquired in the Community Redevelopment Area at its fair value for uses in accordance with the Community Redevelopment Plan;
 - E. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the Community Redevelopment Plan;
 - F. Acquisition of real property in the Community Redevelopment Project area which, under the Community Redevelopment Plan, is to be repaired or rehabilitated for dwelling use or related

facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property;

G. Acquisition of any other real property in the Community Redevelopment Area when necessary to eliminate unhealthful, unsanitary or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare, or otherwise, to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities;

H. Acquisitions, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting principally of land in highways, railway tracks, bridge entrances, or other similar facilities which have a blighted influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income;

I. Construction of foundations and platforms necessary for the provisions of air rights sites of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income;

J. To recommend by four-fifths vote of the agency to the City Commission the condemnation of property under this ordinance;

4. To provide, or to arrange or contract for, the furnishings or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities or other facilities or in

connection with a Community Redevelopment Project; and to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertakings or carrying out of a Community Redevelopment Project and related activities, and to include in any contract let in connection with such a project and related activities, provisions to fulfill such of said conditions as it may deem reasonable and appropriate;

5. Within its area of operation;

A. To acquire by purchase, lease, option, gift, grant, bequest, devise, or otherwise except in eminent domain, any real property (or personal property for its administrative purposes) together with any improvements thereon;

B. To hold, improve, clear, or prepare for redevelopment any such property;

C. To mortgage, pledge, hypothecate, or otherwise encumber to dispose of any real property;

D. To insure or provide for the insurance of any real or personal property or operations of the agency or of the municipality against any risks or hazards, including the power to pay premiums on any such insurance;

E. To enter into any contracts necessary to effectuate the purpose of this part.

6. To invest any Community Redevelopment Funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or

securities in which savings banks may legally invest funds subject to their control; to redeem revenue bonds issued pursuant to this part at the redemption price established therein or to purchase any such bonds at less than redemption price, all such bonds so redeemed or purchased to be cancelled;

7. To borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the Federal Government, the State, County, or other public body, or from any sources, public or private, for the purposes of this part, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contracts for financial assistance with the Federal Government for or with respect to a Community Redevelopment Project and related activities such conditions imposed pursuant to federal laws as the municipality may deem reasonable and appropriate and which are not inconsistent with the purposes of this part;

8. Within its area of operation, to make or have made all surveys and plans necessary to the carrying out of the purposes of this part and to contract with any person, public or private, in making and carrying out such plans, which plans may include, but not be limited to:

A. Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;

B. Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for undertaking of Community Redevelopment Projects and related activities;

C. Plans for the enforcement of state and local laws, codes and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

9. To develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and developing and demonstrating new or improved means of providing housing for families and persons of low income;
10. To apply for, accept, and utilize grants of funds from the Federal Government for such purposes;
11. To prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, non-profit organizations and others) displaced from a Community Redevelopment Area, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government.
12. To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this part;
13. To close, vacate plan or replan streets, roads, sidewalks, or other places.
14. Within its area of operation, to organize, coordinate, and direct the administration of the provisions of this part, as they may apply to the City in order that the objective of remedying slum

and blighted areas and preventing the causes thereof within the City, and to establish such offices in order to carry out such purposes most effectively.

SECTION 3. The following powers shall continue to vest in the Fort Pierce City Commission:

1. The power to determine an area to be slum or blighted area, or combination thereof, to designate such area as appropriate for a Community Redevelopment Project, and to hold any public hearings required with respect thereto.
2. The power to grant final approval to Community Redevelopment Plans and Modifications thereof.
3. The power to authorize the issuance of revenue bonds as set fourth in Section 163.385.
4. The power to approve the acquisition, demolition, removal or disposal of property; and the power to approve the assumption of the responsibility to bear loss by the Agency.
5. The power of eminent domain; a four-fifths vote of the City Commission is required to condemn under this provision.
6. The power to approve the budget and any amendments thereto.
7. The power to allocate municipal funds from any source to fund the Agency or to be applied to any bonds or notes issued by the Agency.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That if any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 6. This ordinance shall take effect immediately upon its adoption.

APPENDIX "A"

DOWNTOWN REVITALIZATION CORE AREA BOUNDARIES

For the purpose of this study, the DRCA boundaries are as follows:

NORTH BOUNDARY-----Seaway Drive (State Road A-1-A)
from the western shore of Indian
River to the F.E.C.R.R. tracks.

WEST BOUNDARY-----The F.E.C.R.R. tracks from Seaway
Drive south to Moore's Creek, then
west to U.S. Highway #1, then south
to Avenue "A", then west to 7th
Street, then south to Atlantic
Avenue, then east to the F.E.C.R.R.
tracks, then south to Citrus Avenue.

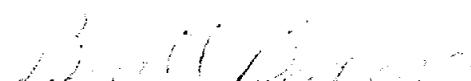
SOUTH BOUNDARY-----Citrus Avenue from the western shore
of Indian River to the F.E.C.R.R.
tracks.

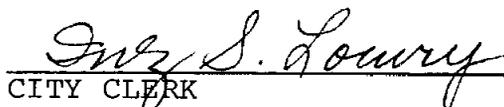
EAST BOUNDARY-----The western shoreline of Indian
River from Seaway Drive to Citrus
Avenue.

STATE OF FLORIDA)
ST. LUCIE COUNTY) ss.

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. H-239 was duly advertised by title only in the Fort Pierce News Tribune on the 5th day of November, 1982; was duly introduced, read and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on the 15th day of November, 1982; copy of said Ordinance was made available at the office of the City Clerk to the public upon request during the time between the first and second reading of the Ordinance; and was duly read and passed on second and final reading on the 6th day of December, 1982, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 8th day of December, 1982.


MAYOR COMMISSIONER


CITY CLERK

(CITY SEAL)