

ORDINANCE NO. 2006 - 007

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; CREATING A COMMUNITY REDEVELOPMENT AGENCY IN THE CITY OF OCOEE, FLORIDA; PROVIDING FOR THE COMPOSITION OF THE AGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 21, 2004, the City Commission of the City of Ocoee (the "City Commission") after considering a report of conditions in a certain area of the City of Ocoee (the "City") adopted a resolution finding that those conditions caused that area to be a "blighted area" (as that term is defined in Section 163.340(8), Florida Statutes (2003)), and further found that area was in need of redevelopment and that the creation of a community redevelopment agency pursuant to Part III, Chapter 163, Florida Statutes (the "Redevelopment Act") was appropriate and necessary; and

WHEREAS, the City is located in Orange County, which is a county that has adopted a home rule charter, and, therefore, the City cannot proceed with carrying out redevelopment in the "blighted area" unless and until Orange County has delegated redevelopment powers to the City pursuant to Section 163.410, Florida Statutes (2005); and

WHEREAS, the City submitted a request to Orange County that redevelopment powers be delegated to the City by Orange County; and

WHEREAS, on February 7, 2006, the City Commission approved an interlocal agreement with Orange County that provides for and sets forth the terms of a delegation of redevelopment powers by Orange County to the City; and

WHEREAS, on March 21, 2006, the Board of County Commissioners of Orange County approved a resolution delegating redevelopment powers to the City and the interlocal agreement with the City; and

WHEREAS, the interlocal agreement provides that the City may create a community redevelopment agency provided the composition of the agency's governing board consists of the five (5) members of the City Commission and two (2) individuals appointed by the City Commission, one of whom shall be nominated by Orange County.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

Section 1. Authority. The City Commission of the City of Ocoee has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes, and Part III of Chapter 163, Florida Statutes.

Section 2. Findings. The recitals set forth above are hereby adopted and incorporated into this Ordinance as findings of the City Commission.

Section 3. Creation of Community Redevelopment Agency. There is hereby created pursuant to the Redevelopment Act a community redevelopment agency to operate within the municipal boundaries of the City of Ocoee, Florida, which shall be known as the Ocoee Community Redevelopment Agency (the "CRA").

Section 4. Composition of Governing Board. As authorized by Section 163.357(1)(c), Florida Statutes (2005) and as provided the interlocal agreement with Orange County, the governing board of the CRA shall consist of the five members of the City Commission plus two individuals appointed by the City Commission. One of the appointed members shall be nominated by Orange County and appointed by the City Commission. The term of office of the appointed members shall be for four (4) years, except that the first person appointed shall initially serve a term of two (2) years.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

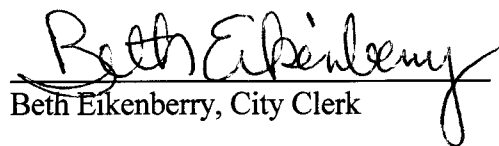
Section 6. Effective Date. This Ordinance shall become effective immediately upon passage and adoption.

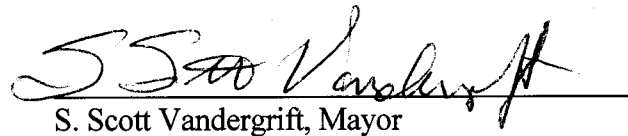
PASSED AND ADOPTED this 18th day of April, 2006.

APPROVED:

CITY OF OCOEE, FLORIDA

ATTEST:


Beth Eikenberry, City Clerk


S. Scott Vandergrift, Mayor

(SEAL)

**FOR USE AND RELIANCE ONLY BY
THE CITY OF OCOEE, FLORIDA;
APPROVED AS TO FORM AND
LEGALITY**

this 18 day of April, 2006.

FOLEY & LARDNER LLP{

By: Paul E. Rosenthal
City Attorney

**ADVERTISED April 7, 2006
READ FIRST TIME April 4, 2006
READ SECOND TIME AND ADOPTED
April 18, 2006
UNDER AGENDA ITEM NO. 11**