

ORDINANCE NO. 10-81

AN ORDINANCE OF THE CITY OF COCOA, PURSUANT TO FLORIDA STATUTES, SECTION 163.357, ESTABLISHING A COCOA REDEVELOPMENT AGENCY: CONFERRING CERTAIN POWERS UPON THE COCOA REDEVELOPMENT AGENCY AND RETAINING CERTAIN POWERS UNTO THE CITY COUNCIL, AND APPOINTING FIVE (5) COMMISSIONERS TO THE COCOA REDEVELOPMENT AGENCY

WHEREAS, the City Council of the City of Cocoa, Florida, has adopted a Resolution dated April 14, 1981, finding that one or more slum or blighted areas exist in the City of Cocoa; and that the rehabilitation, conservation, redevelopment, or a 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 Cocoa; and

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

WHEREAS, the Council has selected five (5) residents of the City who qualify under Florida Statutes, Section 163.356, to be the Commissioners of the agency; and

WHEREAS, the Council has determined that certain powers should be granted to the Cocoa Redevelopment Agency and the City Council 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 COUNCIL OF THE CITY OF COCOA, FLORIDA:

SECTION 1. That the Cocoa Redevelopment Agency is hereby established for the purpose of carrying out redevelopment activities for the area defined as the Redevelopment Area in the Resolution dated April 14, 1981, which area is described as:

South: A straight line extending along the southern boundary of the City of Cocoa between the East and West boundaries cited herein;

East: The center line of the channel of the Indian River between the South and North boundaries cited herein;

West: The eastern edge of the Florida East Coast right-of-way between the South and North boundaries cited herein;  
 North: A straight line extending along the northern edge of the right-of-way Mitchell Street between the East and West boundaries cited herein.

SECTION 2. That the following five (5) residents of Cocoa meet the qualifications described in Florida Statutes, Chapter 163.356, and are hereby appointed by the Cocoa City Council as Commissioners of the Redevelopment Agency.

<u>Person</u>	<u>Term</u>
A. Buddy Baker	Four (4) years
B. Alex Greenwood	Four (4) years
C. The Rev. W.O. Wells	Three (3) years
D. Yvonne Mosicki	Two (2) years
E. Myrtice Tharpe	One (1) year

SECTION 3. That the Cocoa Redevelopment Agency is vested with the following powers pursuant to Florida Statutes; Section 163.370.

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 development 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, lessen density, 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 blighting 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 provision 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;

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 county or 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 such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled;
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 contract 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 county or 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 with the consent of the City Council 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 the 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, nonprofit 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.
15. To acquire by eminent domain any real property together with any improvements thereon.

SECTION 4. The following powers shall continue to vest in the Council of the City of Cocoa:

1. The power to determine an area to be a 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 forth in Section 163.385.

4. The power to approve the acquisition, demolition, removal, or disposal of property as provided in Section 163.370 (4) and the power to assume the responsibility to bear loss as provided in Section 163.370 (4).

SECTION 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. 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.

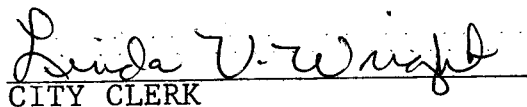
SECTION 7. This ordinance shall take effect immediately upon its adoption by the Council of the City of Cocoa, Florida.

SECTION 8. The method of publication of this ordinance shall be by posting a copy hereof in two public places within the City of Cocoa for a period of thirty (30) days.

Adopted by the Council of the City of Cocoa, Florida, in a regular meeting assembled on the fourteenth day of April, 1981.

  
MAYOR

ATTEST:

  
CITY CLERK