

**AN ORDINANCE OF THE TOWN OF DAVIE,
FLORIDA, CREATING A COMMUNITY
REDEVELOPMENT AGENCY PURSUANT TO THE
COMMUNITY REDEVELOPMENT ACT OF 1969 AS
AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Resolution R-88-55 of the Town Council of the Town of Davie, Florida declared that slum and blighted areas exist within the corporate limits of said Town; and

WHEREAS, in the above referenced Resolution the Town Council of the Town of Davie determined that a Community Redevelopment Agency is necessary to function within the corporate limits of that Town to carry out the Community Redevelopment purposes set forth in Florida Statute 163, the Community Redevelopment Act of 1969; and

WHEREAS, all powers arising through the aforementioned enactment were conferred by that enactment upon Broward County by virtue of its home rule charter; and

WHEREAS, Broward County is authorized to delegate the powers conferred by the aforesaid Act to municipalities within its boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

WHEREAS, in Resolution R 88-55, the Town of Davie, Florida, acting through its Town Council, indicated its desire to create and operate a Community Redevelopment Agency for the purpose of carrying out the redevelopment purposes of the Community Redevelopment Act, as amended; and

WHEREAS, on March 29, 1988 the Board of County Commissioners of Broward County, Florida, pursuant to the authority vested therein by Section 163.410 of the Florida Statutes (1987) conferred upon the Town Council of the Town of Davie, Florida, the powers to create and operate a Community Redevelopment Agency as set forth in the Community Redevelopment Act, and the authority to exercise all those powers conferred upon local government by said Act;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1: That Chapter 18 , Article II, of the Code of the Town of Davie, Florida, is hereby repealed in its entirety.

SECTION 2: That Chapter 18, Article II, of the Code of the Town of Davie, Florida be amended to read as follows:

Sec. 18-16. Authority for enactment.

This article is enacted pursuant to the Community Redevelopment Act of 1969, F.S., Ch. 163, Part III.

Sec. 18-17. Community Redevelopment Plans.

A community redevelopment master plan shall be developed and approved in accordance with the applicable provisions of Chapter 163, Florida Statutes.

Sec. 18-18. Boundaries of the Davie Community Redevelopment District.

The Davie Community Redevelopment District shall include all that portion of land lying within the area described on Exhibit "A", attached hereto and made a part of this ordinance.

Sec. 18-18. Davie Community Redevelopment agency created.

There is hereby created a public body corporate and politic to be known as the Davie Community Redevelopment Agency, hereinafter referred to as the "agency", or "DCRA".

Sec 18-19. Membership.

(a) The agency shall consist of seven (7) members appointed by the Town Council.

(b) Any persons may be appointed as members if they reside or are engaged in business, which shall mean owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the town.

Sec. 18-20. Terms.

Terms of office of the members shall be for four (4) years, except that three (3) of the members first appointed shall be designated to serve terms of one (1), two (2), and three (3) years, respectively, from the date of their appointments, and four (4) members shall be designated to serve for terms of four (4) years from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term. A certificate of the appointment or reappointment of any member shall be filed with the town clerk, and such certificate shall be conclusive evidence of the due and proper appointment of such members.

Sec. 18-21. Compensation.

A member shall receive no compensation for their services, but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of their duties.

Sec. 18-22. Quorum.

The powers of the Davie Community a Redevelopment Agency shall be exercised by the members thereof. A majority of the members shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by agency upon an affirmative vote of not less than three (3) members unless in any case the bylaws shall require a larger number.

Sec. 18-23 . Officers.

The members shall designate a chairman and a vice-chairman from among the members.

Sec. 18-24. Employment of staff.

The agency may employ a director, technical experts, and such other agents and employees, permanent and temporary, as it may require, and determine their qualifications, duties, and compensation. For such legal service as it may require, an agency shall employ or retain counsel and/or legal staff.

Sec. 18-25. Annual report.

The agency shall file with the town council and with the auditor general, on or before March 31 of each year, a report of its activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expense as of the end of such calendar year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the town and that the report is available for inspection during business hours in the office of the town clerk and in the office of the agency.

Sec. 18-26. Removal from office of member.

The council may remove a member for inefficiency, neglect of duty, or misconduct in office, only after a hearing and only if he has been given a copy of the charges at least ten (10) days prior to such hearing and has had an opportunity to be heard in person or by counsel.

Sec. 18-27. Agency authority and powers--Generally.

The agency shall have the power and authority to make and issue such regulations, bylaws and rules as it deems necessary to implement its powers and functions.

Sec. 18-28. Same--Specific powers.

The agency shall have the following powers, subject to the consent and approval of the council:

- (1) The agency shall have the power to recommend to the council to exercise the power of eminent domain as provided in F.S. 163.375;
- (2) The power to recommend to the council to dispose of any real property in a redevelopment area, as provided in F.S. 163.380;
- (3) The power to carry out and effectuate the following powers in addition to those herein granted:
 - a. The agency may make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part; to disseminate clearance and community redevelopment information; and to undertake and carry out community redevelopment projects and related activities within its areas of operation, such projects to include:
 1. Demolition and removal of buildings and improvements;
 2. To perform its duties with respect to specific program or projects by ad hoc "task force" committees under the direction of a duly appointed member or members of the authority, including such associate and staff members as may be required;
 3. Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the community redevelopment area at its fair value for uses in accordance with community redevelopment plan;
 4. Disposition of any property acquired in the community redevelopment area at its fair value, for uses in accordance with the community redevelopment plan;
 5. 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;
 6. Acquisition of real property in the community redevelopment 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;
 7. 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;
- b. To provide, or arrange or contract for, the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities for or in connection with a community development project; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; 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 undertaking 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;
- c. Within its area of operation:
1. To enter into any buildings or property in any community redevelopment area in order to make inspections, surveys, appraisals, soundings, or test borings and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;
 2. To acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise, any real property (or personal property for its administrative purposes), together with any improvements thereon;
 3. To hold, improve, clear, or prepare for redevelopment any such property;
 4. To mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property;
 5. To insure or provide for the insurance of any real or personal property or operations of the county against any risks or hazards, including the power to pay premiums on any such insurance;
 6. To enter into any contracts necessary to effectuate the purposes of this article;
- d. 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;
- e. Under the jurisdiction of the town, to borrow money and to apply for and accept advances, loans, grants,

contributions and any other form of financial assistance from the federal government or the state, county, or other public body, or from any sources, public or private, for the purposes of this article, 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, a community redevelopment project and related activities such conditions imposed pursuant to federal laws as the town may deem reasonable and appropriate and which are not inconsistent with the purpose of this article;

- f. Within its area of operation, to make or have made all surveys and plans necessary to the carrying out of the purposes of this article and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify and amend such plans, which plans may include, but not be limited to:
 - 1. Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
 - 2. 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;
 - 3. Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of community redevelopment projects and related activities;
- g. To apply for, accept and utilize grants of funds from the federal government for such purposes;
- h. To prepare plans for and assist in the relocation of person (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 person 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.

Sec. 18-29. Powers retained by council.

All other powers set forth and contemplated in F.S. Chapter 163 continue to vest in the Town Council.

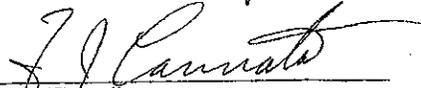
Secs. 18-30--18-55. Reserved.

SECTION 3: If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

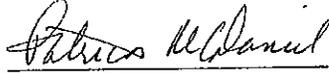
PASSED ON FIRST READING THIS 20th DAY OF April, 1988

PASSED ON SECOND READING THIS 4th DAY OF May, 1988



Mayor/Councilman

Attest:



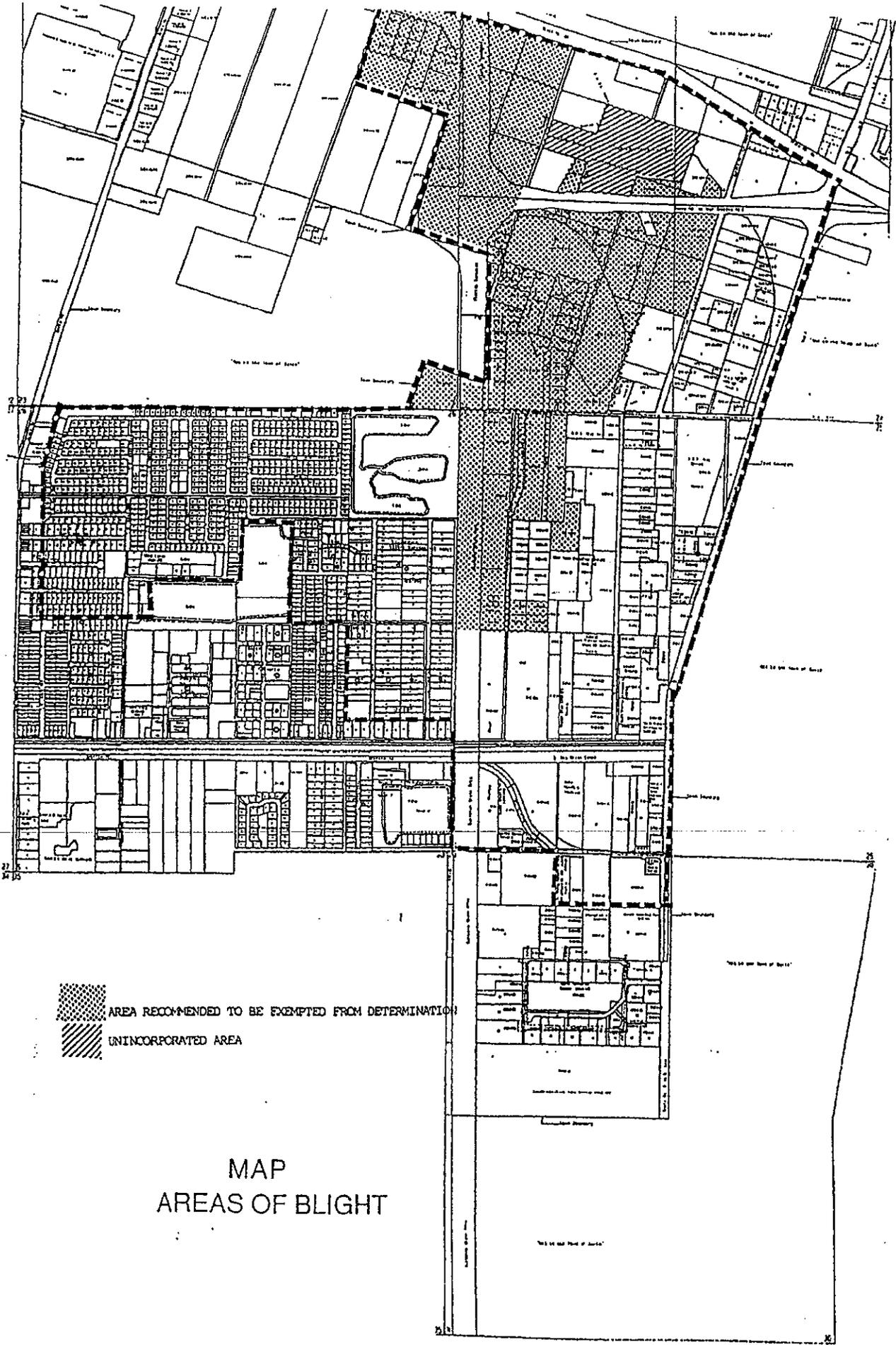
Town Clerk

APPROVED THIS 5th DAY OF May, 1988.

EXHIBT "A"
DESCRIPTION OF THE TOWN OF DAVIE
COMMUNITY REDEVELOPMENT DISTRICT

Beginning at the point of intersection of the westerly right-of-way of the Florida Turnpike and the southerly right-of-way of Orange Drive (SW 45 Street); thence westerly along the southerly right-of-way of Orange Drive (SW 45 Street) to a point of intersection with the southerly projection of the westerly right-of-way line of SW 63 Avenue; thence southerly along the southerly projection of the westerly right-of-way of SW 63 Avenue, also described as the easterly boundary of the recorded plat of Palm Garden Park Unit 2, to the south line of Section 26, Township 50 South, Range 41 East; thence westerly along the south line of Section 26, Township 50 South, Range 41 East, to the SW corner of said Section 27; thence continue westerly along the south line of Section 27, Township 50 South, Range 41 East, to a point of intersection with the southerly extension of the westerly boundary of Tract 52, thence northerly along the westerly boundary of Tract 52 for a distance of 900+- feet; thence westerly along a line parallel to the south line of Section 27, Township 50 South, Range 41 East, to a point of intersection with the westerly boundary of Tract 53; thence northerly along the westerly boundary of Tract 53 projected northerly to a point of intersection with the northerly right-of-way of Orange Drive (SW 45 Street); thence easterly along the northerly right-of-way of Orange Drive to a point of intersection with the westerly boundary of Tract 46; thence northerly along the westerly boundary of Tract 46 to a point of intersection with the southerly boundary of Tract 1, also described as the NW corner of Tract 46; thence westerly along the southerly boundary of Tract 1 to the SW corner of said Tract 1; thence northerly along the westerly boundaries of Tracts 1, 2, 3, and 4 to the NW corner of said Tract 4; thence easterly along the northerly line of Tract 4 extended to a point of intersection with the centerline of Davie Road (SW 64 Avenue) thence northerly and northeasterly along the centerline of Davie Road (SW 64 Avenue) to a point of intersection with the north line of Section 26, Township 50 South, Range 41 East; thence easterly along the north line of said Section 26 to a point of intersection with the westerly boundary of Lot 579 of the recorded plat of Playland Village Section 4; thence southwesterly along the westerly boundary of said Lot 579 to the southwest corner of said Lot 579; thence southeasterly along the southerly boundary of said Lot 579 to a point of intersection with the westerly right-of-way line of SW 63 Avenue; thence southwesterly along the westerly right-of-way line of SW 63 Avenue to the northeast corner of Lot 567 of Playland Village Section 4; thence northwesterly along the northerly boundary of said Lot 567 to the northwest corner of said Lot 567; thence southerly along the western boundaries of Lots 564 thru 567 of Playland Village Section 4 extended to a point of intersection with the southerly right-of-way line of SW 38 Court, this point also described as the northwest corner of Lot 1 of the recorded plat of Playland Village Section 1; thence continue southerly along the westerly boundary of Lots 1 thru 4 of Playland Village Section 1 to the southwest corner of Lot 5 of Playland Village Section 1, also described as the northerly boundary of Lot 8, Block 1, of the recorded plat of Everglades Park; thence easterly along the northerly boundary of said Lot 8 to the northeast corner of said Lot 8; thence southerly along the easterly boundary of said Lot 8 extended southerly to a point of intersection with the centerline of SW 39 Court; thence westerly along the centerline of SW 39 Court to a point of intersection with the easterly boundary of Lot 7, Block 2, of said Everglades Park extended northerly; thence southerly along the easterly boundary of said Lot 7, Block 2, to the southeast corner of said Lot 7, Block 2; thence westerly along the the southerly boundary of said Lot 7, Block 2, to the northeast corner of Lot 3 of the recorded plat of Strong Park; thence southerly along the easterly boundary of said Lot 3 extended to a point of intersection with the centerline of SW 41 Street; thence easterly along the centerline of SW 41 Street to a point of intersection

**FINDING OF NECESSITY RESOLUTION
OF EXPANSION AREA (APPROX. 20 ACRES)**



 AREA RECOMMENDED TO BE EXEMPTED FROM DETERMINATION
 UNINCORPORATED AREA

MAP
 AREAS OF BLIGHT