

ORDINANCE NO. 5510-93

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, RELATING TO THE DOWNTOWN DEVELOPMENT BOARD; AMENDING SECTIONS 2.141, 2.143, AND 2.147 THROUGH 2.150, CODE OF ORDINANCES; AMENDING DEFINITIONS; ESTABLISHING THAT THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CLEARWATER SHALL HAVE PRIMARY RESPONSIBILITY FOR PLANNING AND IMPLEMENTING DOWNTOWN REDEVELOPMENT; REQUIRING A MAJORITY VOTE OF THE BOARD MEMBERSHIP FOR ALL DOWNTOWN DEVELOPMENT BOARD ACTIONS; ESTABLISHING PUBLICATION OF NOTICE AS AN ALTERNATE METHOD FOR NOTIFICATION OF DOWNTOWN DEVELOPMENT BOARD MEETINGS; REDEFINING THE FUNCTIONS OF THE DOWNTOWN DEVELOPMENT BOARD; REMOVING THE AUTHORIZATION FOR THE RECEIPT OF REVENUES FROM PROPERTY AND FACILITIES AND THE ISSUANCE OF REVENUE CERTIFICATES; REPEALING SECTION 2.154, CODE OF ORDINANCES, RELATING TO THE ISSUANCE OF REVENUE CERTIFICATES; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. Section 2.141, Code of Ordinances, is amended to read:

Section 2.141. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings and construction ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

"CRA" means the Community Redevelopment Agency of the City of Clearwater, Florida, created pursuant to Resolution 81-67 and Ordinances 2576-81 and 2779-82, as the same may be amended from time to time.

"Downtown" and "downtown area" mean the area established by Section 2.144 and any areas added pursuant to such section, or a different area created by eliminating any portion of such area.

* * * * *

Section 2. Subsection (5) of Section 2.143, Code of Ordinances, is amended to read:

Section 2.143. Statement of Policy and Findings.

(5) Responsibility for the planning and implementation in the downtown area as described in the preceding subsection (4) rests primarily with the CRA. The City Commission declares that the powers of the Board created by this division are desired as an aid to the CRA to:

(a) ~~(1)~~ Guide and accomplish the coordinated, balanced and harmonious development of the downtown area in accordance with existing and future needs.

(b) ~~(2)~~ Promote the health, safety and general welfare of the area, and its inhabitants, visitors, property owners and workers;

(c) ~~(3)~~ Establish, maintain, and preserve aesthetic values and preserve and foster the development and display of attractiveness;

(d) ~~(4)~~ Prevent overcrowding and congestion;

(e) ~~(5)~~ Improve auto traffic and provide pedestrian safety; and

(f) ~~(6)~~ Provide a way of life which combines the conveniences and amenities of modern living with the traditions and pleasures of the past.

Section 3. Subsection (4) of Section 2.147, Code of Ordinances, is amended to read:

Section 2.147. Creation; members.

(4) To qualify for service on the board and to remain qualified for service on it, ~~a~~ the board member shall have his or her principal place of business ownership or employment in the downtown area or shall own ~~hold~~ property in the downtown area.

Section 4. Subsection (2) and (4) of Section 2.148, Code of Ordinances, are amended to read:

Section 2.148. Bylaws; quorum; officers; meetings.

(2) Four voting members of the board shall constitute a quorum for the transaction of business, ~~but fewer than a quorum may adjourn from time to time and may compel the attendance of absent members. No action shall be valid or binding unless adopted by the affirmative vote of the majority of all board members. All action shall be taken by vote of at least a majority of the board members.~~

(4) The board shall schedule regular meetings at least once a month and shall provide in its bylaws for holding special meetings. Regular meetings may be cancelled by the chairperson if there is nothing on the agenda, or there is otherwise no necessity to have a meeting. All freeholders in the downtown area shall be notified by mail or by public notice published in a newspaper of general circulation in the area of the time and place of all regular or special meetings and shall have the right to attend and voice opinions at such meetings.

Section 5. Section 2.149, Code of Ordinances, is amended to read:

Section 2.149. Functions.

(1) The board shall not provide city governmental services, but shall act as an aid to the City and the CRA ~~a catalyst~~ to see that such services are properly planned for ~~within~~ the downtown area and are provided in a proper and full manner within that area.

(2) The board shall assist the city and the CRA in preparing and maintaining on a current basis an analysis of the economic conditions and changes occurring in the downtown area, including the effect thereon of such factors as metropolitan growth, traffic congestion, lack of adequate parking and other access facilities, and structural obsolescence and deterioration.

(3) The board shall assist the city and the CRA in formulating and maintaining on a current basis both short and long range plans for improving the attractiveness and accessibility to the public of downtown facilities, promoting efficient use thereof, remedying the deterioration of downtown property values and developing the downtown area in general.

(4) The board shall advise the city and the trustees of the CRA on policies and procedures which will succeed in bringing more businesses and residents into the downtown district and thus improve its tax base and overall economic conditions. The board shall recommend to the city for its consideration and approval the actions deemed most suitable for implementing any downtown development plans, including removal, razing, repair, renovation, reconstruction, remodeling and improvement of existing structures, addition of new structures and facilities, relocation of those existing, and changes in facilities for getting thereto and therefrom.

(5) The board shall work with the CRA and the Greater Clearwater Chamber of Commerce to form a public-private partnership whose purpose is to improve the downtown tax base and overall economic conditions and to engage in activities including, but not limited to the following:

(a) Developing and implementing a revolving loan fund;

(b) Developing a relationship with the St. Petersburg/Clearwater Economic Development Council to secure industrial revenue bonds for qualifying companies;

(c) Developing and implementing a business relocation assistance program to enable smaller firms to relocate and improve their newly leased space;

(d) Developing a cooperative effort with the federal Small Business Administration to provide additional loan services;

(e) Interfacing with Job Service of Florida to encourage hiring of the unemployed;

(f) Developing and implementing a collaborative procedure to follow-up on inquiries obtaining from a new business recruiting program;

(g) Developing an incentive package geared to the needs of present businesses thinking of moving out of the area; and

(h) Seeking energy credits and discounts from utilities for businesses which increase employment levels or occupy vacant building space.

~~The board shall participate actively in the implementation and execution of downtown development plans, including the establishment, acquisition, construction, ownership, financing, leasing, licensing, operation and management of publicly owned or leased facilities deemed feasible and beneficial in effecting implementation for public purposes, but this subsection shall not give the board any power or control over any city property unless and until assigned to it by the city commission under the provision of subsection (6) of this section.~~

(6) The board shall recommend policies and procedures which will lead to tax revenue growth through the enhancement of existing businesses (retention) and relocation of new businesses (recruitment). Such recommendations might include but are not limited to issues such as:

(a) Zoning and land use code adjustments;

(b) Variances and the way they are granted or refused;

(c) Beautification and standards for building and lot maintenance;

(d) Assistance in qualifying for and obtaining state and federal monies;

and

(e) Identifying legitimate needs of present or prospective businesses in the district which can be addressed by either the public or private sector. Such needs might include: parking, signage and other aspects of traffic flow and traffic enforcement, police or other aspects of public safety, individual need for room or working capital for expansion purposes or other aspects of business enterprise.

(7) The board shall plan, fund and implement marketing activities to the limit of its available financial resources in support of the City's downtown development plan. Such activities might include but are not limited to:

(a) Assisting in the periodic updating of a space inventory for the downtown district;

(b) Survey research of downtown freeholders and businesses to determine needs and attitudes, to monitor progress, to evaluate success or failure of initiatives;

(c) Sponsoring community events to encourage public attendance at such events and support of downtown merchants;

(d) Preparing and distributing public relations pieces such as, but not limited to, brochures and videos;

(e) Cooperating with the Chamber of Commerce, the Convention and Visitors Bureau, and all others interested in promoting the district as a tourist destination; and

(f) Planning and conducting tours of historic sites in the district.

(8) (6) The board may shall carry on such additional lawful projects and undertakings related to the downtown area as the city commission or the trustees of the CRA may request assign to the board with its consent.

Section 6. Section 2.150, Code of Ordinances, is amended as follows:

Section 2.150. Powers.

In the performance of the functions vested in or assigned to the board under section 2.149, the board is hereby granted the power to:

(1) Enter into contracts and agreements to accomplish the functions set forth in section 2.149, and sue and be sued as a body corporate;

(2) Have and use a corporate seal;

(3) Accept grants and donations of any type of property, labor, or other thing of value from any public or private source;

(4) Receive the proceeds of the tax imposed by this division;

~~(5) Receive the revenues from any property or facility owned, leased, licensed, or operated by it or under its control, subject to the limitations imposed upon it by trusts or other agreements validly entered into by it;~~

(5) (6) Have exclusive control of funds legally available to it, subject to limitations imposed upon it by law or by any agreement validly entered into by it;

(6) (7) Cooperate and enter into agreements with other governmental agencies or other public bodies, except that nothing in this division shall be construed as authorization to initiate a federally subsidized urban renewal program and any such urban renewal program is hereby specifically prohibited;

~~(8) Issue and sell revenue certificates as provided in this division or in any other manner permitted by law and not inconsistent with the provisions of this division, and take all steps necessary for efficient preparation and marketing of the certificates at public or private sale at the best price obtainable, including the entry into agreements with corporate trustees, underwriters and the holders of the certificates, and the employment and payment~~

~~as a necessary expense of issuance for the service of consultants on valuations, costs and feasibility of undertaking, revenues to be anticipated and other financial matters, architecture, engineering, legal matters, accounting matters, and any other fields in which expert advice may be needed to effectuate advantageous issuance and marketing.~~

Section 7. Section 2.154, Code of Ordinances, is hereby repealed.

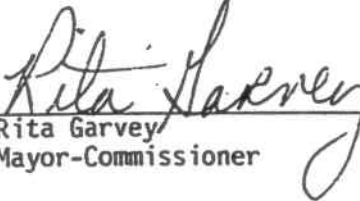
Section 8. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING AS AMENDED

December 2, 1993


PASSED ON SECOND AND FINAL READING
AND ADOPTED AS AMENDED

December 16, 1993



Rita Garvey
Mayor-Commissioner

Attest:



Cynthia E. Goudeau
City Clerk

Approved as to form and correctness:



M. A. Galbraith, Jr.
City Attorney