

ORDINANCE NO. 98- 50

AN ORDINANCE OF POLK COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT OF THE ELOISE COMMUNITY; CREATING A COMMUNITY REDEVELOPMENT AGENCY, PURSUANT TO SECTION 163.356, FLORIDA STATUTES; DESIGNATING THE AGENCY AS A PUBLIC INSTRUMENTALITY; AUTHORIZING THE AGENCY TO EXERCISE POWERS WITHIN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING A BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR REMOVAL OF AN APPOINTED COMMISSIONER; PROVIDING FOR THE TERM OF OFFICE FOR APPOINTED COMMISSIONERS; APPOINTING A CHAIR AND VICE CHAIR OF THE BOARD OF COMMISSIONERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Polk County, Florida, has adopted a resolution finding the existence of certain slum or blight areas within the Eloise community which is located in the unincorporated area of Polk County, and determining that the rehabilitation, conservation, redevelopment, or a combination thereof, of the Eloise community by a redevelopment agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of Polk County; and

WHEREAS, property owners in the Eloise community requested assistance from the Board of County Commissioners in revitalizing and redeveloping the Eloise community; and

WHEREAS, the redevelopment of the Eloise community is part of the Eloise Neighborhood Revitalization/Redevelopment Plan formulated by the Housing and Neighborhood Development Division of Polk County; and

WHEREAS, the County desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Eloise community; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a Community Redevelopment Agency be created.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF POLK COUNTY, FLORIDA:

SECTION ONE. Creation of Community Redevelopment Agency: A Community Redevelopment Agency is created by this Ordinance pursuant to Section 163.356, Florida Statutes, to be known as the Eloise Community Redevelopment Agency, which shall be a public body corporate and politic and constitutes a public instrumentality.

SECTION TWO. Designation of Agency as a Public Instrumentality: The Eloise Community Redevelopment Agency shall be constituted as a public instrumentality, and shall perform the powers conferred by this Ordinance and by Chapter 163, Florida Statutes as an essential public function which is necessary to effectuate and carry out the purposes of community redevelopment within the boundaries of the Eloise Community Redevelopment Area.

SECTION THREE. Authorization of Power: The powers of the Eloise Community Redevelopment Agency shall be exercised by the commissioners thereof. A majority of the commissioners constitutes 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 the agency by a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number.

SECTION FOUR. Appointment of Board of Commissioners: The Board of County Commissioners shall appoint a Board of Commissioners of the Eloise Community Redevelopment Agency which shall consist of seven members, each of whom either resides or is engaged in business within the area of operation of the Eloise Community Redevelopment Agency. Engaged in business means 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 area

of operation of the agency. Each County Commissioner shall appoint at least one member to the Board of Commissioners of the agency.

SECTION FIVE. Removal of An Appointed Commissioner: Members may be removed for cause after a public hearing pursuant to Section 163.356(4), Florida Statutes.

SECTION SIX. Term of Office for Appointed Commissioners. The term of office of the commissioners shall be for 4 years, except that three members first appointed shall be designated to serve of 1, 2, and 3 years, respectively, from the date of their appointments, and all other members shall be designated to serve for terms of 4 years from the date of their appointments. Thereafter, all members shall serve terms of four years. A vacancy occurring during the term shall be filled for the unexpired term.

SECTION SEVEN. Appointment of Chair and Vice Chair: The Board of County Commissioners shall designate a chair and vice chair from among the appointed commissioners.

SECTION EIGHT. Severability: If any section, 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 portions of this ordinance.

SECTION NINE. Effective Date: This Ordinance shall become effective upon filing a certified copy with the Secretary of State.

STATE OF FLORIDA,)
)
COUNTY OF POLK.)

I, Richard M. Weiss, Clerk of the Board of County Commissioners of Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 98-50, Ordinance of Polk County, Florida, Relating to Community Redevelopment of the Eloise Community; Creating a Community Redevelopment Agency, Pursuant to Section 163.356, Florida Statutes, which was adopted by the said Board in regular session on Tuesday, September 29, 1998.

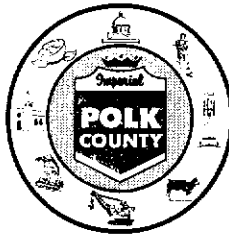
WITNESS my hand and official seal on this 1st day of October, 19 98.

Richard M. Weiss
Clerk

(SEAL)

By: Martha H. Crews
Deputy Clerk

Clerk and Auditor
Board of County Commissioners
P. O. Box 988
Bartow, Florida 33831



Richard M. Weiss
CLERK OF THE CIRCUIT COURT AND COUNTY COURT

October 1, 1998

Mrs. Liz Cloud, Chief
Bureau of Administrative Code
Florida Department of State
401 South Monroe Street
Tallahassee, Florida 32399-0250

Dear Mrs. Cloud:

Enclosed is (are) certified copy(ies) of the following ordinance(s)
adopted by the Polk County Board of County Commissioners in regular session
on September 29, 1998 :

Ordinance No. 98-49 - Ordinance amending Polk County Driveway Ordinance No.
86-40, as amended, the Polk County Driveway Regulations, by Amending Article VI

Ordinance No. 98-50 - Ordinance of Polk County, Florida, Relating to Community
Redevelopment of the Eloise Community; Creating a Community Redevelopment
Agency, Pursuant to Section 163.356, Florida Statutes

Please give the Clerk official notification when the ordinance(s)
has (have) been filed in your office.

With kind regards, we are

Yours very truly,

Richard M. Weiss
Clerk and Auditor

Martha H. Crews
By
Martha H. Crews
Deputy Clerk

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Enclosure

The Mission of the Office of the Clerk of the Circuit Court is to function as a team dedicated to our customers by preparing and maintaining accurate records, furnishing assistance in an understanding and compassionate manner, and providing services with competence, professionalism, and courtesy in compliance with laws, rules, and regulations.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham

Secretary of State

DIVISION OF ELECTIONS

October 5, 1998

Honorable Richard M. Weiss
Clerk to Board of County Commissioners
Polk County
Post Office Box 988
Bartow, Florida 33831

CLERK & AUDITOR

OCT 08 1998

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Dear Mr. Weiss:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated October 1, 1998 and certified copy each of Polk County Ordinance Nos. 98-49 and 98-50 which were filed in this office on October 5, 1998.

Sincerely,

Liz Cloud, Chief

Bureau of Administrative Code

LC/mw

BUREAU OF ADMINISTRATIVE CODE

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