

ORDINANCE NO. 2011-20

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE V, LEGISLATIVE, CHAPTER 52, BOARDS, SUBCHAPTER 'ECONOMIC DEVELOPMENT TASK FORCE', BY REVISING THE COMPOSITION OF THE BOARD; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 52, Subchapter 'Economic Development Task Force', is hereby revised and shall henceforth read as follows:

"ECONOMIC DEVELOPMENT TASK FORCE

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Section 52.207 COMPOSITION; TERMS; VACANCIES.

(A) The Task Force shall consist of eleven (11) members who shall be appointed by the City Council as follows.

(1) Four (4) members shall be representatives of the ten (10) largest non-governmental employers within the City of Palm Bay as listed in the City's Comprehensive Annual Financial Report.

(a) Each organization with a seat on the Task Force may select an alternate to attend meetings in the absence of its designated member. The alternate shall carry the same powers as vested in the designated member.

(2) Four (4) members shall be representatives of the ten (10) largest commercial or industrial land owners within the City of Palm Bay as listed in the City's Comprehensive Annual Financial Report.

(a) Each organization with a seat on the Task Force may select an alternate to attend meetings in the absence of its designated member. The alternate shall carry the same powers as vested in the designated member.

(3) Three (3) members of the Task Force shall be representatives of small businesses as appointed at-large by the City Council.

(a) Small business eligibility shall be based on either the average number of employees for the preceding twelve (12) months or on the volume of sales averaged over a three (3) year period. In order to qualify as a small business, said business must fall within one (1) of the following categories:

1. Manufacturing: Maximum number of employees may not exceed 500;
2. Wholesaling: Maximum number of employees may not exceed 100;
3. Services: Annual receipts may not exceed \$2.5 million;
4. Retailing: Annual receipts may not exceed \$5 million;
5. General and Heavy Construction: General construction annual receipts may not exceed \$17 million;
6. Special Trade Construction: Annual receipts may not exceed \$7 million; or
7. Agriculture: Annual receipts may not exceed \$9 million.

(b) The small business must be in operation for a minimum of two (2) years before the date the City Council appoints said business to the Task Force.

(B) Each member of the Task Force shall be appointed for a term of four (4) years.

(1) During the initial composition of the Task Force, so as to provide for future staggered terms, two (2) members representing the largest non-governmental employers in the City, two (2) members representing the largest commercial or industrial landowners in the City, and two (2) members representing small businesses shall be appointed for initial two (2) year terms.

(C) The terms of the Task Force members shall be effective January 1st of the initial year of the terms and shall expire December 31st of the final year of the terms.

(D) Vacancies for unexpired terms shall be filled in the manner in which original appointments are required to be made. Appointments to fill any vacancy on the Task Force shall be for the remainder of the unexpired term.

(E) The City Council shall appoint one (1) member of Council to serve as a non-voting liaison to the Economic Development Task Force.

Section 52.208 MISSIONS AND TASKS.

(A) The mission of the Task Force is to encourage the creation, expansion and retention of the manufacturing, retail, commercial base of Palm Bay by accomplishing the following tasks:

* * *

(11) Review and make recommendations on the economic development goals contained in the City's Strategic Plan/Vision document.

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Section 52.209 RULES OF PROCEDURE.

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(F) Agendas and minutes. The Task Force shall submit to the City Council, within an appropriate time frame, an agenda of the upcoming meeting and the minutes of the previous meeting. The Task Force shall submit other reports from time to time as directed by the City Council.

(G) The Task Force shall make quarterly reports to the City Council to indicate its progress, to make suggestions and recommendations, and to discuss future meetings.”

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions

of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting No. 2011-04, held on February 3, 2011; and read in title only and duly passed and enacted at Meeting No. 2011-07, held on February 17, 2011.

John J. Mazziotti, MAYOR

ATTEST:

Alice Passmore, CITY CLERK

Reviewed by CAO: _____