

**CITY OF FLORIDA CITY
COMMUNITY REDEVELOPMENT AGENCY
BY-LAWS**

ARTICLE I – THE AGENCY

1.1 NAME: The name of the agency shall be the City of Florida City Community Redevelopment Agency hereinafter referred to as “the Agency.”

ARTICLE II – PURPOSES

2.1 RESPONSIBILITY: The Agency has the responsibility of carrying out the purposes set forth in Chapter 163, Part III, *Florida Statutes*, as amended from time to time.

ARTICLE III – COMPOSITION OF THE AGENCY

3.1 MEMBERS: The members of the Agency shall be composed of the Mayor, four Members of the City Commission, and two representatives from the residential and business communities within the City. The representatives of the business and residential communities shall own businesses or property within the City, but residing within the City is not a requirement. The Miami-Dade Board of County Commissioners may appoint its elected member who represents the Community Redevelopment Area as an additional member of the Agency.

3.2 COMPENSATION: The members of the Agency shall serve without compensation but shall be entitled to the necessary expenses, including traveling expenses incurred in the discharge of their duties.

ARTICLE IV – OFFICERS OF THE AGENCY

4.1 CHAIR AND VICE-CHAIR: The Mayor and Vice Mayor of the City Council shall serve as the chairperson and vice chairperson respectively of the Agency.

- 4.2 TERMS OF OFFICE: All elected Agency board members shall serve concurrent terms to the elected office they hold as the Mayor or member Florida City Commission. Appointed members of the Agency shall serve for terms concurrent with the Mayor.
- 4.3 VACANCY ON THE AGENCY BOARD: Should a member of the Agency no longer be a qualifying individual under Chapter 163, *Florida Statutes* or the interlocal agreement, the member shall automatically be removed as a Board member of the Agency. If the vacancy results from the member not being reappointed to his or her seat or for some other reason, the City Commission shall appoint a new member who shall be substituted for, and take the place of, the vacating member.
- 4.4 CHAIRPERSON: The Chairperson shall preside at all meetings of the Agency.
- 4.5 VICE CHAIRPERSON: The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, and in case of resignation or death of the Chairperson, the Vice Chairperson shall perform such duties of Chairperson until such time as the City Commission shall appoint a new Chairperson.
- 4.6 SECRETARY: The City of Florida City City Clerk shall be responsible for making the necessary arrangements to assure that the agendas are prepared, required public notices are made timely, minutes are recorded for all meetings of the Agency and other such suitable records of the official business of the Agency are maintained as the Board members and State Statutes may require.
- 4.7 TREASURER: The Florida City Finance Director shall be responsible to keep the financial records of the Agency and administer the Agency's budget, keep a full and accurate account of receipts and disbursements, shall have custody of all Agency funds, shall assist the Agency in the preparation of a proposed budget, render such periodic budget reports as required, and prepare and file all financial reports and statements necessary to be made and filed by the Agency.

- 4.8 EXECUTIVE DIRECTOR: The Executive Director shall be the chief executive officer of the Agency and shall serve at the pleasure of the Chairman and the Board and shall be responsible for carrying out the policies established by the Board. The Executive Director shall be responsible for the day to day operations of the Agency and shall report to the Chairman on a regular basis. The Executive Director is responsible to prepare the Agency's annual budget and the Annual Report, and conveying them through the Agency, City, and County approval processes.
- 4.9 GENERAL COUNSEL: The Agency Board may appoint an attorney to serve at its pleasure as General Counsel and handle the Agency's legal matters. The General Counsel shall be in the active practice of law in the State of Florida.
- 4.10 EMPLOYEES, AGENTS AND CONSULTANTS: The CRA may hire, retain, and engage such employees, agents, consultants, experts, attorneys and specialists as it deems necessary.

ARTICLE V: MEETINGS

- 5.1 NOTICE: Regular meetings: The Agency shall conduct periodic meetings when required and shall notice the City Clerk as to the date, time and place of all regular Agency meetings. The City Clerk shall periodically post a notice of all Agency meetings at the City Hall and on the City website. To the extent possible, regular meetings shall be conducted at City Hall immediately prior to meetings of the City Commission. The Chairman may specify other locations for Agency meetings in a notice of a meeting.
- 5.2 NOTICE: Special Meetings: Special meetings may be held upon the call of the Chairperson or the Executive Director for the purpose of transacting any business designated in the written notice of the special meeting. Notice of special meetings shall be in writing specifying subject or subjects of the meeting and posted at City Hall and on the City website, and sent to the individual Agency members no later than 3 days prior to the scheduling of the meeting. Except as provided by Section

286.011, Florida Statutes, nothing in this paragraph shall prohibit the holding of a special meeting provided a quorum is present and members of the Board constituting a quorum at the meeting execute a waiver of the special notice required herein.

ARTICLE 6: CONDUCT OF MEETINGS:

- 6.1 OPEN MEETINGS: All Agency meetings will be open to the public and members of the press, unless expressly exempt by applicable law.
- 6.2 DECORUM: Roberts Rules of Order shall be used as a guideline at all meetings.
- 6.3 SUNSHINE LAW: All meetings shall comply with Section 286.011, Florida Statutes (the "Sunshine Law").
- 6.4 ORDER OF BUSINESS: At the regular meetings of the Agency, the following shall be the order of business:
1. Call to Order
 2. Roll Call
 3. Approval of Minutes
 4. Consent Agenda
 5. Old Business
 6. New Business
 7. Public Comments
 8. Business From the Executive Director
 9. Adjournment
- 6.5 AGENDA: There shall be an official agenda for every meeting of the Agency.
- 6.6 QUORUM AND VOTING REQUIREMENTS: The powers of the Agency shall be vested in the members thereof in office from time to time. A majority of the members shall constitute a quorum of the Agency and the affirmative vote of a majority of the members present shall be necessary for any action taken by the

Agency. The voting on all questions coming before the Agency shall be by roll call or by voice vote, and the yeas and the nays shall be entered upon the minutes of such meetings. The presence or absence of a member appointed by the Miami-Dade Board of County Commissions shall not count toward a quorum.

Any member of the Agency who has a conflict of interest on a particular matter shall declare the conflict and abstain from the discussion and vote on that matter.

Any member of the Agency who has a conflict of interest on a particular matter shall, by these rules, be deemed absent for the purposes of constituting a quorum, voting, or for any other purpose as related to the particular matter.

6.7 PUBLIC COMMENTS: Each person, other than staff members, who desires to address the Agency, shall give the following information for the minutes:

1. Name;
2. Address;
3. Representation, if applicable;
4. Whether or not he or she is being compensated by the person(s) for whom he or she speaks; and whether he or she, or any member of his or her immediate family has a personal financial interest in the pending matter.

ARTICLE VII: OPERATION OF THE AGENCY

7.1 FISCAL YEAR: The fiscal year of the Agency shall conform to that of the City of Florida City.

7.2 MAINTENANCE OF FUNDS: All funds of the Agency shall be received, held, and secured like other public funds by the appropriate fiscal officers of the City of Florida City. Tax-increment financing (TIF) revenue shall be maintained under a separate trust fund account. Agency non-TIF revenue shall be held in a separate account.

Surplus funds shall be invested in accordance with the requirements of Florida Statutes.

- 7.3 ANNUAL AUDIT: An external audit by an independent certified public accountant shall be conducted on an annual basis, with reports filed in accordance with State Auditor General's guidelines, Chapter 163, F.S., and with the Interlocal Agreement. The audit may be part of the City of Florida City's annual audit.
- 7.4 ANNUAL REPORT: The Agency shall file with the City Clerk and with the County 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 expenses 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 City a notice to the effect that such report has been filed with the City Clerk and that the report is available for inspection during business hours in the Office of the City Clerk.

ARTICLE VIII: AMENDMENTS

- 8.1 NOTICE REQUIREMENTS: The By-Laws of the Agency shall be amended only with the approval of at least a majority of the members of the Agency present at a regular meeting; no such amendment shall be adopted unless at least seven days written notice of the amendments and the meeting date have been previously given to all members of the Agency and to the general public, but if all members of the Agency are present at a meeting at which it is desired to amend the By-Laws, such notice of the proposed amendments shall not be required.
- 8.2 PROPOSING AMENDMENTS: Any Agency member may propose an amendment to the By-laws at any time. If the proposed amendment is initially presented to the other members and to the public at a public meeting, the amendment shall be tabled, transcribed, and presented at the next regular Agency meeting for approval.

ARTICLE IX: CONFLICTS OF INTEREST

- 9.1 The members, officers, commissioners, employees of the Agency, and Department Heads of the City shall be subject to the provisions and requirements of Part III of Chapter 112, Florida Statutes.
- 9.2 If any such member, officer, commissioner, employee, or City Department Head, upon date of adoption of these By-laws, owns or controls, or owned or controlled within the preceding two years, any interest, direct or indirect, in any property which he or she knows is located within the Community Redevelopment Area, he or she shall disclose this fact in the manner provided in Part III of Chapter 112. Any disclosure required to be made under these By-laws shall be made prior to taking any official action.
- 9.3 Upon election or appointment as a member of the Agency, that member shall at the first meeting of the Agency disclose if he or she owns or controls, or owned or controlled within the preceding 2 years, any interest, direct or indirect, in any property which he or she knows is included in the Community Redevelopment Area. This disclosure shall be done in the manner provided in Part III of Chapter 112.
- 9.4 If any such member, officer, commissioner, employee, or City Department Head, after the adoption of these By-laws, buys or obtains control of any interest, direct or indirect, in any property which he or she knows is located within the Community Redevelopment Area, he or she shall disclose this fact in the manner provided in Part III of Chapter 112. Any disclosure required to be made under these By-laws shall be made prior to taking any official action.
- 9.5 Without regard to any other provision in these BY-laws, city or county code, or Florida Statutes, any assistance provided by the CRA to a business, property owner, tenant, or other party of interest shall be brought to the members of the Agency at a public meeting for their approval when that assistance will be or could be perceived as being a conflict of interest under these BY-laws, city or county code, or Florida Statutes. This requirement should be liberally construed so as to provide for full disclosure of any Agency assistance to any member, officer,

commissioner, management level employee of the City, or employee of the Agency, or to members of their family. For these purposes, "family" should be liberally construed to include blood relatives, in-laws, or family by adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2010.

OTIS T WALLACE, CHAIRMAN

ATTEST:

JENNIFER A. EVELYN, CITY CLERK

Approved as to form and legal sufficiency:

REGINE MONESTIME, CITY ATTORNEY

Motion to adopt by _____ seconded by _____

FINAL VOTE AT ADOPTION

Chairman Otis T. Wallace	_____
Vice Chairman Eugene D. Berry	_____
Board Member Sharon Butler	_____
Board Member Daurell Dorsett	_____
Board Member R. S. Shiver	_____