

# COMMUNITY REDEVELOPMENT AGENCY BY-LAWS

## ARTICLE I

### General Provisions

1. The Community Redevelopment Agency of the City of Cape Coral, Florida (hereafter "CRA") may, as deemed necessary, adopt and operate under rules of procedure, provided that such rules are not contrary to the spirit and intent of Part III of Chapter 163 of the Florida Statutes, the Community Redevelopment Act of 1969.
2. The provisions of these By-Laws shall prevail in all geographical areas of the City of Cape Coral that have been placed under the jurisdiction of the CRA pursuant to Part III of Chapter 163 of the Florida Statutes.
3. The principal office of the CRA shall be the Office of the City Clerk of the City of Cape Coral, Florida. All books and records of the CRA shall be open to the public for inspection in accordance with the laws of the State of Florida.
4. In accordance with Section 163.356, Florida Statutes, the City Council has appointed a board of commissioners as the governing board of the CRA. Reference to the members of the CRA as a whole shall be "Board of Commissioners", "Commissioners", or "CRA". An individual member of the CRA shall be referred to as a "Commissioner".
5. The Board of Commissioners may create necessary committees, from time to time, as shall be necessary to carry out the functions, purposes and objectives of the Community Redevelopment Agency.

## ARTICLE II

### Meetings

1. Regular Meeting. The CRA shall hold a minimum of six (6) regular meetings per calendar year on a day and time to be designated by the CRA, such meetings to be held in the Chester Street Resource Center, located at 4816 Chester Street, unless a different place is specified by the CRA at least ten (10) days prior to a meeting.
2. Special Meetings. In addition to regularly scheduled meetings, special meetings of the CRA may be called for by call of the Chair of the CRA, or by call of any four (4) members. Notice of special meetings shall be sent to CRA members no less than twenty-four (24) hours prior to such meeting unless a waiver is signed by a majority of the CRA. The notice of such meeting shall specify its purpose.
3. Open Meetings. In accordance with the laws of the State of Florida, all business of the CRA shall be conducted at public meetings. No member of the CRA shall conduct or discuss

business of the CRA with another member at any formal or informal meeting except upon reasonable notice, considering the circumstances, to the public of such meeting.

4. Quorum. A majority of the members of the CRA shall constitute a quorum. When a quorum is present, the CRA may act by a vote of a majority of the Commissioners present, unless otherwise provided by law, or these By-Laws.
5. Adjourned Meetings. If any meeting cannot be organized because a quorum is not present, the members who are present may adjourn the meeting to a time certain, and notice of the new meeting time shall be given to each CRA member, unless waived.
6. Annual Organizational Meetings. The first regularly scheduled meeting in November of each year shall be the annual organizational meeting of the CRA. Pursuant to the provisions of Part III of Chapter 163 Florida Statutes, the Board shall recommend to City Council a Chair and Vice Chair to be appointed by the City Council of the City of Cape Coral.

### ARTICLE III

#### Members

1. The Board of Commissioners of the Community Redevelopment Agency shall consist of not fewer than five nor more than nine commissioners appointed by the City Council of the City of Cape Coral.
2. The members of the Board of Commissioners of the CRA shall serve without compensation but shall be entitled to the actual and necessary expenses, including traveling expenses incurred in the discharge of their duties.

### ARTICLE IV

#### Officer's Terms and Duties

1. Term. In accordance with Section 163.356(3)(c), the City Council of the City of Cape Coral shall designate a Chair and Vice Chair from among the Commissioners. The CRA may recommend to City Council a Chair and Vice Chair from among the Commissioners. The term of the Chair and Vice-Chair shall be one year.
2. Chair. The Chair shall preside at all meetings, shall execute all instruments in the name of the CRA, and shall perform all other duties as may be required by the CRA.
3. Vice-Chair. The Vice-Chair shall, in the absence, disqualification, or disability of the Chair, or at the Chair's discretion, exercise all of the functions of the Chair.
4. Secretary. The Secretary shall be the City Clerk of the City of Cape Coral, or a secretary in the City Clerk's office designated by the City Clerk. The Secretary shall be the custodian of all books and records of the CRA and shall keep the minutes of all meetings, shall send out all notices of meetings, and shall perform such other duties as may be designated by the CRA.

5. Treasurer. The Treasurer shall be the Director of Financial Services of the City of Cape Coral or the Director's designee. The Treasurer shall keep the financial records of the CRA's operating budget, shall keep full and accurate accounts of receipts and disbursements of the CRA, shall have custody of all operating funds of the CRA, shall render quarterly budget reports to the CRA, or more often if requested, shall assist the CRA in the preparation of a proposed budget, shall make and file all financial reports and statements necessary to be made and filed by the CRA and file such reports and statements with the Secretary of the CRA, and shall perform such other duties as may be required by the Board from time to time.

## ARTICLE V

### Employees

1. Executive Director. Subject to the prior approval of the City Council, the CRA may employ an Executive Director to administer its business and operations. With the consent of City Council, the City Manager may serve as the Executive Director should the CRA so desire. The Executive Director shall be the chief executive officer of the CRA. The Executive Director shall be responsible for carrying out the policies established by the CRA and shall have general supervision over, and be responsible for, the performance of the day-to-day operations of the CRA.
2. Employees. The staff support of the CRA may be provided, as needed, by the departments of the City of Cape Coral, and with the consent of City Council, boards, and agencies of the City of Cape Coral. The Executive Director may hire and set compensation for, necessary employees of the CRA, including contract employees, except as otherwise provided herein.
3. Other Personnel. The CRA may hire, retain, and engage such other consultants, professionals, experts, attorneys, and specialists as it deems necessary.

## ARTICLE VI

### Fiscal Management

1. Fiscal Year. The fiscal year of the CRA shall begin on October 1 of each year and shall end on September 30 of each year.
2. Budget. Prior to July 30 of each year, the CRA shall approve a recommended budget for the succeeding fiscal year and forward it to the City Council for adoption. City Council has the power to add, delete, amend, or modify the recommended budget so long as such action does not prevent the CRA from timely payment of any bonded indebtedness or contractual obligations lawfully incurred by the CRA.
3. Accounting Practices. In accordance with the laws of the State of Florida, the CRA shall comply with all regulations of the State Department of Banking and Finance regarding uniform accounting practices and procedures for units of local government.

4. Annual Report. The CRA shall file with the City 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 expenses as of the end of such calendar year. At the time of filing the report, the CRA shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the City Council and that the report is available for inspection during business hours in the Office of the City Clerk of the City of Cape Coral.
5. Audit. Within six months after the end of each fiscal year, the CRA shall cause to be prepared an audit of the accounts and records of the CRA in accordance with the rules of the State Department of Banking and Finance. Such audit shall be completed by an independent certified public accountant. Such audit may be accomplished in conjunction with the City of Cape Coral's annual audit, by the same certified public accountant. The audit report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the trust fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which increment revenues are pledged and the remaining amount of such indebtedness. The CRA shall provide, by registered mail, a copy of the audit report to each taxing authority contributing to the trust fund.
6. Cash Balance. Any cash balance in the trust fund shall be invested in accordance with the requirement of Florida Statutes.
7. Expenditures.
  - (a) No funds of the CRA shall be expended other than in accordance with the adopted CRA budget, any agreements for services that have been entered into between the City of Cape Coral, Florida, and the CRA, and the Community Redevelopment Act of 1969 as amended.
  - (b) All such expenditures shall be made only upon authorization by the Board or the Executive Director, when within the Executive Director's authority. An itemized expense set forth in the annual budget of the Agency shall be deemed to have been authorized by the Board.
  - (c) The Executive Director or the Executive Director's Designee shall have the authority to approve and execute all procurement-related purchase orders, contracts, contract amendments, contract renewals, and emergency purchases in the amount of \$5,000 or less. The Executive Director shall have the authority to execute all procurement-related purchase orders, contracts, contract amendments, contract renewals, and emergency purchases in excess of \$5,000 after approval by the CRA Board.
  - (d) The City of Cape Coral's purchasing and finance procedures may be utilized by the CRA as guidelines. The CRA Board shall be substituted in all respects for the City Council and the Executive Director of the CRA shall be substituted in all respects for the City Manager when said procedures are used by the CRA.

**ARTICLE VII**

**Amendments**


These By-Laws may be amended at any regular or special meeting by an affirmative vote of three members of the CRA Commissioners present at such meeting.

**ARTICLE VIII**

**Execution of Documents**

All documents executed by the CRA shall be executed by the Chair or Vice-Chair, with an attestation by the Secretary of the CRA.

  
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Stacy Lomonaco, CRA Chair

  
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Rebecca VanDeutekom, City Clerk  
Secretary to the CRA

6/11/2018  
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Dated