

CITY OF PUNTA GORDA

RESOLUTION NO. 2207-00

A RESOLUTION OF THE CITY OF PUNTA GORDA
COMMUNITY REDEVELOPMENT AGENCY APPROVING
AMENDED BYLAWS GOVERNING ITS FUNCTIONS
AND PROCEDURES

WHEREAS, the City Council of the City of Punta Gorda, Florida, did create the Community Redevelopment Agency by Resolution No. 954-89 and provided to the members thereof the authority to adopt amended bylaws governing its functions and procedures; and

WHEREAS, as a matter of policy because of potential conflicts that could foreseeably arise, said bylaws are being amended to provide that upon appointment to the Community Redevelopment Agency, the appointee shall resign from all other advisory boards of the City of Punta Gorda or Community Redevelopment Agency;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PUNTA GORDA COMMUNITY REDEVELOPMENT AGENCY, THAT:


1. The City of Punta Gorda Community Redevelopment Agency hereby establishes as its policy, as set forth in Section II.B. of the amended bylaws attached hereto, that upon appointment to the Community Redevelopment Agency, the appointee shall resign from all other advisory boards of the City or Community Redevelopment Agency.

2. The amended bylaws governing the function and procedures of the City of Punta Gorda Community Redevelopment Agency attached hereto, are hereby approved.


ADOPTED in regular session of the City of Punta Gorda Community Redevelopment Agency, this 6th day of September, 2000.


ROBERT H. SHEDD, Chairman

ATTEST:


SUE SELNER, Secretary

APPROVED AS TO FORM:


ROBERT H. BERTSSON, CRA Attorey

9/6/00
Dated

PUNTA GORDA COMMUNITY REDEVELOPMENT AGENCY
OPERATIONAL BY-LAWS

I. CREATION AND GENERAL PROVISIONS

- A. Name: The name of the agency shall be the Punta Gorda Community Redevelopment Agency and hereafter referred to as the "Redevelopment Agency". (Ref. Resolution 954-89, Section 1).
- B. Office Location: The principle office of the Redevelopment Agency shall be maintained at the Punta Gorda City Hall, 326 West Marion Avenue, Punta Gorda, Florida.
- C. Public Record: All documents, records and meeting minutes of the Redevelopment Agency shall be maintained in the office of the City Clerk of the City of Punta Gorda at the office address listed above, and shall be open to the public for inspection in accordance with laws of the State of Florida.
- D. Purpose: The purpose of the Redevelopment Agency shall be to take such actions necessary to rehabilitate, conserve, or redevelop, or any combination thereof, redevelopment area as described in exhibit "A" of Resolution 952-89 of the City of Punta Gorda, Florida.
(Ref. Resolution 955-89)

II. MEMBERSHIP AND OFFICES

- A. Number of Members: The Redevelopment Agency shall consist of no more than seven (7) voting members, five (5) of which shall be made up of the current members of the Punta Gorda City Council, plus two (2) members recommended by the Charlotte County Commission to be approved by City Council. All such members shall serve without compensation, but may be reimbursed for any travel, mileage or per diem costs incurred while carrying out the duties and responsibilities of a Redevelopment Agency member.
(Ref. Resolution 955-89, Section 2).
- B. Terms and Service: The five (5) members of the Redevelopment Agency serving as City Council members shall have terms of service running concurrent with their terms on City Council. The two (2) county representatives shall serve terms of four (4) years, except that one (1) of the original representatives shall serve for two (2) years commencing on January 1, 1990. Upon appointment, the member shall resign from all other advisory boards of the City or Redevelopment Agency.

- C. Chairman and Vice Chairman: The offices of the Redevelopment Agency shall be Chairman and Vice Chairman, who shall be the Mayor and Vice Mayor of the City of Punta Gorda respectively. The Chairman shall preside at all meetings of the Redevelopment Agency, shall execute all instruments in the name of the Redevelopment Agency, shall appoint such committee's from time to time as may be deemed appropriate, and shall perform all other duties as may be required. The Vice Chairman shall, in the absence, disqualification, or disability of the Chairman, or at the Chairman's direction, exercise all the functions of the Chairman's office.
- D. Executive Director and Staff: The Executive Director of the Redevelopment Agency shall be the City Manager of the City of Punta Gorda, Florida. Additional staff support will be provided by the city as necessary under the City Manager's direction.
- E. Legal Counsel: The City Attorney of the City of Punta Gorda, Florida, shall serve as legal counsel for the Redevelopment Agency.
- F. Recording Secretary: The City Clerk of the City of Punta Gorda shall serve as the recording secretary of the Redevelopment Agency, and shall record all actions of the agency.

III. MEETINGS

- A. Regular Meetings: The Redevelopment Agency shall meet during the {first} regularly scheduled {monthly} meeting of the Punta Gorda City Council which currently is held on the first Wednesday of each month beginning at 9:00 A.M. in City Council Chambers, 326 West Marion Avenue, Punta Gorda, Florida.
- B. Special Meetings: In addition to regularly-scheduled meetings, special meetings of the Redevelopment Agency may be called for any purpose or purposes, at any place, at any time by call of the Chairman, Executive Director or any three other members. Notice of special meetings shall be given as soon as possible to the Redevelopment Agency members, and reasonable public notice, consistent with the circumstances, shall be given.
- C. Public Meetings: In accordance with the laws of the State of Florida, all business of the Redevelopment Agency shall be conducted at public meetings. No member of the Redevelopment Agency shall conduct or discuss business of the agency with any other member of the agency except upon reasonable notice to the public of such meetings.

- D. Quorum: A majority of the members of the Redevelopment Agency shall constitute a quorum.
- E. Adjourned Meetings: If any meeting cannot be organized because a quorum is not present, the members who are present may adjourn to a certain time. Notice of such adjourned meeting shall be given to each Redevelopment Agency member as soon as possible, and reasonable public notice, considering the circumstances, shall be given.

IV. MEETING PROCEDURES AND AGENDA

- A. Agenda: The Executive Director shall cause a meeting agenda and any necessary staff reports to be prepared and distributed to the members of the Redevelopment Agency prior to any regularly scheduled meetings. The Chairman may, for reasons stated to all in attendance at the meeting, vary from the order of the agenda. Items may be added to or removed from the agenda by an affirmative vote of a majority of the members present.
- B. Procedure: The Chairman shall call each agenda item and briefly describe, or ask a member of the city staff to describe the item before the Redevelopment Agency. If the item under discussion was submitted by some outside person or agency, the applicant or agent for the applicant will be given an opportunity to present his or her position.
- C. Motions: If appropriate, following the completion of discussion on a particular item, a motion with a second may be entertained by the Chairman which will describe what the action shall be or expenditure of redevelopment trust funds being recommended. Reasons for the motion, and any special concerns about the item being discussed, shall be included in the record of the meeting. The Chairman shall not make or second motions, but shall vote on all motions properly seconded and deemed in order.
- D. Robert's Rules: The rules contained in the edition of Robert's Rules of Order shall govern the C.R.A. in all cases to which they are not inconsistent with these by-laws and any special rules of order the C.R.A. may adopt.

V. DUTIES AND RESPONSIBILITIES

- A. Plan Implementation: The Redevelopment Agency shall be responsible for implementing the policies, projects, and programs contained in the Punta Gorda Downtown Redevelopment Plan.
- B. Specific Powers: The Redevelopment Agency shall possess all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Community Redevelopment Act of 1969 and the Punta Gorda Downtown Redevelopment Plan. The agency's primary function is to obtain, analyze, and forward all information and recommendations to the City Council for final action. Specifically, the Redevelopment Agency shall have responsibility for the following duties:
1. Determination of an area as being a slum or blight for community redevelopment activities.
 2. Approval of the community redevelopment plan and the modifications;
 3. Assumption of debt;
 4. Issuance of revenue bonds;
 5. Acquisition, disposal and redevelopment of property in a slum or blighted area;
 6. Demolition and removal of buildings and improvements;
 7. Installation of streets, utilities, parks, playgrounds and other improvements necessary for redevelopment plans.
 8. Development and disposition of all property in the designation area;
 9. Carrying out programs of voluntary and/or compulsory repair and rehabilitation of buildings and other improvements.
 10. Acquisition of property for repair or rehabilitation of homes and living units;
 11. Elimination of any unhealthy, unsanitary or unsafe conditions via use of police powers or eminent domain;

12. Acquisition of air rights in the redevelopment area and the construction of platforms for the development of residential or commercial uses;
 13. Enter into a contract with any firm to carry out the actions contained in this list;
 14. Gain entrance into any building or property in order to inspect, survey, appraise, etc. the property; and
 15. Execution of all other duties as defined in Section 163.370 of the Florida Statutes.
- C. Annual Project Status Report: The Redevelopment Agency shall cause to be published on or before July 15th of each year an annual project status report highlighting the revitalization activities carried out in the redevelopment district during the previous calendar year.

VI. FISCAL MANAGEMENT

- A. Fiscal Year: The fiscal year of the Redevelopment Agency shall begin on October 1 of each year.
- B. Budget: The Redevelopment Agency shall prepare, prior to July 1 of each year, a recommended budget for forwarding to the City Council of the City of Punta Gorda. After approval by the City Council, the City Finance Officer shall appropriate to the Redevelopment Agency Accounts from the Redevelopment Trust Fund such funds as may be budgeted for the ensuing fiscal year.
- C. Accounting Practices: The Redevelopment Agency shall comply with all regulations of the State Department of Banking and Finance regarding uniform accounting practices and procedures for units of local government.
- D. Annual Report: The Redevelopment Agency shall file with the City Council and with the Auditor General, on or before the second Tuesday in April 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 cooperating expense as of the end of such calendar year. At the time of filing of the report with the City Council, the Executive Director shall see that the report is available for public inspection during normal business hours at the office of the City Clerk and in the office of the Redevelopment Agency. (Ref. Chapter 163.356(3)(c). Florida Statutes).

- E. Audit: Within six (6) months after the end of each fiscal year, a post audit of the accounts and records of the Redevelopment Agency in accordance with the rules of the State Department of Banking and Finance shall be prepared. Such post audit may be accomplished in conjunction with the City of Punta Gorda's annual post audit, by the same certified public accountant.
- F. Surplus Funds: Surplus funds in the Redevelopment Trust Fund shall be invested by the City Finance Officer in accordance with the requirements of State Law and the procedures of the City of Punta Gorda.
- G. Expenditures: No funds of the Redevelopment Agency shall be expended except in accordance with an annual budget which has been approved by the City Council, and with the Community Redevelopment Act of 1969 as amended.

VII. VOTING REQUIREMENTS CONFLICT OF INTEREST

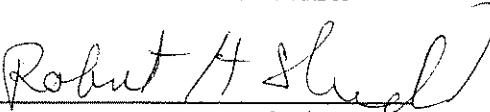
- A. Voting: No member of the Redevelopment Agency who is present At any meeting may abstain from voting in regard to any decision, recommendation, and a vote shall be recorded or counted for each member present except when, with respect to any such member, there is, or appears to be a possible conflict of interest.
- B. Conflict of Interest: Where there is or there appears to be a conflict of interest, the member shall so state for the record and vacate his or her chair. A member so vacating his or her chair shall leave the room, and should not participate in the hearing or discussion and shall not vote on the issue.

VIII. AMENDMENTS:

These by-laws may be amended from time to time by resolution of Redevelopment Agency. Any changes to the location of stated offices, regular meeting dates, etc., which are made as a result of the actions of the Punta Gorda City Council taken after the adoption of these by-laws shall be recognized and followed by the Redevelopment Agency.

COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF PUNTA GORDA

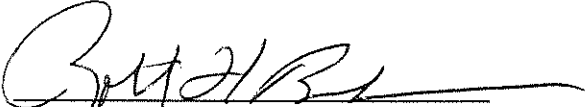
BY:


ROBERT H. SHEDD, Chairman

ATTEST:


SUE SELNER, Secretary

APPROVED AS TO FORM:


ROBERT H. BERTSSON, CRA Attorney

9/6/00
Date