

BY-LAWS
OF
FORT LAUDERDALE
COMMUNITY REDEVELOPMENT AGENCY

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BY-LAWS
OF
FORT LAUDERDALE
COMMUNITY REDEVELOPMENT AGENCY

(A Community Redevelopment Agency Created
Pursuant to Chapter 163, Part III, Florida Statutes)

These By-Laws of the ~~City of~~ Fort Lauderdale Community Redevelopment Agency address the administration and management of the Agency. If a conflict arises between these By-Laws and any provision of Chapter 163, Part III, Florida Statutes, then the statute shall prevail.

ARTICLE 1

GENERAL

1.1 Establishment and Name. Pursuant to Chapter 163, Part III, Florida Statutes, the City Commission of the City of Fort Lauderdale, Florida, as the City's governing body (the "City") established a community redevelopment agency known as Fort Lauderdale Community Redevelopment Agency (the "CRA").

1.2 Purpose and Objectives. The purpose of the CRA is to formulate a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slum and blighted areas within the City-. The Fort Lauderdale Community Redevelopment Agency is the governing body for the three community redevelopment areas within the City of Fort Lauderdale.

~~1.3~~

1.3 Seal. The CRA shall have a seal which shall be circular in form and shall bear the name of the CRA. The Secretary shall be the custodian of the Seal.

1.4 Members and Terms. In accordance with Section 163.357(1), Florida Statutes, the City Commission has designated itself as the governing board of the CRA. Reference to the members of the CRA as a whole shall be "Board of Commissioners"; ~~or~~ "Commissioners" ~~or~~ "CRA". An individual member of the CRA shall be referred to as a "Commissioner."

1.5 Compensation. The Commissioners shall serve without compensation from the CRA, but shall be entitled to reimbursement for their ~~actual~~

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~~and~~ necessary expenses incurred in the discharge of their duties for the CRA ~~in accordance with~~ Requests for reimbursement shall be subject to the requirements of Section 112.061, Florida Statutes, as may be amended.

ARTICLE 2

OFFICERS AND EMPLOYEES

2.1 Officers. The officers of the CRA shall be a Chair and a Vice-Chair.

2.2 Chair. The Mayor shall serve as Chair of the CRA. The Chair shall preside at all meetings of the CRA and shall execute instruments in the name of the CRA as may be required. ~~appoint such committees from time to time as may be deemed appropriate, and shall have general supervision, direction and control over the business and operations of the CRA.~~

2.3 Vice-Chair. The Vice-Mayor shall serve as the Vice-Chair of the CRA. The Vice-Chair shall, in the absence, disqualification, resignation or death or disability of the Chair, or at the Chair's direction, exercise the functions of the Chair.

2.4 Executive Director. The City Manager shall serve as the ~~CRA~~ Executive Director of the CRA to administer its business and operations.

2.4.1. General. The Executive Director shall be the chief executive officer of the CRA.

2.4.2. Responsibility. 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.~~ The Executive Director shall hire and set compensation for the CRA Area Managers, and the CRA Area Managers shall hire and set compensation for all other, necessary employees of the CRA, including contract employees, in accordance with the CRA's personnel policies, except as otherwise provided for herein. ~~The Executive Director shall be responsible for preparing an annual agency budget for the CRA's approval, and shall be otherwise responsible for the CRA's fiscal operations.~~

2.4.3. Property Negotiations. ~~The~~ Under the direction of the Executive Director, the CRA Area Managers may shall evaluate and negotiate for the CRA to acquire appropriate parcels of

property in accordance with approved CRA redevelopment plans, as amended, applicable law, policies and procedures as adopted by the Board of Commissioners and as authorized and directed by the Board of Commissioners.

2.5 City Clerk as Secretary. The City Clerk shall serve as the Secretary of the CRA and as such shall prepare CRA agendas, be the custodian of the official seal and all books and records of the CRA, keep the minutes and a recording of all votes of all CRA meetings, send out all notices of meetings and shall perform such other duties as may be designated by the CRA Board of Commissioners. The Secretary shall keep the seal in safe custody and have the power to affix the CRA's official seal to and attest to the execution of all contracts and instruments ~~to be~~ executed by the CRA. The Secretary may delegate such duties to one or more individuals as a designee of the Secretary.

2.6 Area Managers. The Executive Director shall be responsible for ~~hiring up to one (1) Area Manager for each separate community redevelopment area. Each CRA Area Manager shall have general supervision over the activities and employees for such the respective area and be responsible for the performance of the day-to-day operations of the area and budget preparation for the Area.~~

2.7 CRA Finance Director Treasurer. The City's Finance Director ~~Treasurer~~ shall serve as be the CRA Finance Director. ~~The CRA Finance Director shall treasurer to~~ keep the financial records of the CRA and administer the CRA's budget; and shall keep full and accurate accounts of receipts and disbursements of the CRA; shall have custody of all funds of the CRA and shall render such periodic budget reports as requested by the CRA; 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.

2.8 General Counsel. The City Attorney shall serve as the CRA's General Counsel ~~and handle the CRA's legal matters.~~

2.9 Employees, Agents and Consultants.

a. The CRA may hire, retain, and engage such employees, agents, consultants, experts, attorneys and specialists as it deems necessary. In the absence of the CRA's own personnel policies, the CRA shall follow the City's policies governing non-classified personnel. ~~adopts the City's policies governing personnel.~~

b. The ~~CRA~~ Executive Director, or the CRA Executive Director's designee, is empowered to execute employment contracts with such persons employed by the CRA within the pay ranges and benefits approved by the CRA Board of Commissioners. ~~The duration of such employment contracts shall not exceed two (2) years.~~ The ~~Executive Director of the CRA Area Managers~~ shall submit to the

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~~Board-CRA~~ a CRA personnel pay and benefit schedule providing pay ranges and benefits for persons employed by the CRA. Unless otherwise approved by the Board, employees of the CRA are entitled to the same vacation benefits, sick leave benefits, longevity pay benefits, and severance pay as accrue to city employees in similar or equivalent classifications. Nothing herein shall prohibit the CRA from using City employees to provide services to the CRA subject to City approval.

2.10. ~~CRA-Auditor.~~ The City Auditor shall serve as the CRA Auditor and shall follow governmental auditing standards, and shall review and make recommendations regarding business practices, procedures, internal controls, and procurement practices which are used, employed and promulgated by the CRA. The CRA Auditor shall also be responsible for the performance of such other duties assigned by the Board of Commissioners.CRA Board.

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ARTICLE 3

MEETINGS

3.1 Regular Meetings. The CRA shall hold a regular meeting at least four times each fiscal year on a day, and at a time and place to be designated from time to time by the CRA.

3.2 Special Meetings. The Chair~~man~~, the Executive Director or any other two (2) Commissioners of the CRA may require the calling of a special meeting at a reasonable time and place by requesting the ~~Executive Director~~ Secretary of the CRA to arrange for and give notice of such special meeting.

3.3 Emergency Meetings. Emergency meetings of the CRA may be called at any time and place by the Chair~~man~~ or by a majority of the Commissioners or by the Executive Director by providing personal, ~~or~~ telephonic or electronic notice to Commissioners, specifying the time and place of the emergency meeting and the business to be transacted. No other business shall be considered at such meeting. Notice of an emergency meeting may be waived in the same manner as notice of a special or regular meeting.

3.4 Notice of Meetings. The ~~CRA-Secretary shall of the CRA send Executive Director will mail or deliver written-written~~ notice of each regular or special meetings to Commissioners at least three (3) days prior to such meeting. ~~Written notice of any special meeting shall be mailed or delivered at least two (2) days prior to such meeting unless notice of the meeting is waived in writing by all Commissioners before, at or after the meeting.~~ The notice of any special meeting shall set forth the purpose of the special meeting and no other business shall be conducted at that meeting unless a waiver of notice is obtained from all Commissioners. Notice of all ~~special and regular~~ meetings shall be provided to the public, appropriate City officials and the news media. ~~Notice of emergency~~

~~meetings shall be provided to the public, appropriate City officials and the news media as is reasonable under the circumstances.~~

3.5 Quorum and Voting. A majority of the Commissioners shall constitute a quorum for the purpose of conducting business. 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. If any meeting cannot be conducted because a quorum is not present, the Commissioners who are present may adjourn the meeting to a time certain, and notice of such adjourned meeting shall be given to each Commissioner, unless waived.

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3.6 Recessed and Continued Meetings. Where a meeting having been set and noticed under the provisions of these By-Laws and during the course of said meeting is recessed to a future time and place certain, there shall be no requirements for giving of notice of the time and place of continuation of said meeting other than the announcement thereof at said meeting, unless otherwise provided by law.

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3.7 Rules of Order. All meetings shall be conducted in accordance with the procedures approved and utilized by the City Commission of the City of Fort Lauderdale, provided, however, in the absence of any applicable procedure of the City Commission, then the most recent Edition of Robert's Rules of Order, Revised, shall apply.

ARTICLE 4

CONTRACTS

4.1 Execution of Instruments. Legal instruments of the CRA shall be executed by the Chair and the Executive Director, attested to by the Secretary ~~of the CRA~~ and the form of any such instrument shall be previously approved by the ~~CRA General Counsel~~ Attorney or ~~Assistant CRA General Counsel~~ Attorney the General Counsel's designee provided; however, that where by Motion or Resolution of the Board of Commisisoners, the execution of instruments is delegated to another person, such instrument may be executed in the manner provided by such resolution. In the absence of the Chair, such instruments may be executed by the Vice-Chair.

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4.2 Real Property Acquisition and Disposition. The acquisition, conveyance and leasing of real property by the CRA shall be done in accordance with Chapter 163, Part III, Florida Statutes, as amended and revised, and CRA policies and procedures as adopted by the Board of Commissioners. In the event of a conflict, Chapter 163, Part III, Florida Statutes shall control.

4.3 Purchasing Procedures. ~~Except for employment contracts and as may be required by law or when required by the Board of Commissioners of the CRA, the Executive Director or his designee(s) may procure goods or services up to Twenty Five Thousand Dollars per purchase or contractual agreement. In the absence of CRA pProcurement pPolicies, The the CRA shall follow adopts the purchasing procedures of the City, as may be amended or revised.~~

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ARTICLE 5

FISCAL MATTERS

5.1 Fiscal Year. The fiscal year of the CRA shall begin on October 1 and end on September 30 of each year.

5.2 Budget. The ~~Area Managers~~Executive Director shall prepare an annual budget and work program for ~~the CRA's~~ approval by the Board of Commissioners for each fiscal year, and such other budgets as the Board of Commissioners may determine. The CRA shall not expend any funds other than those in the budget or otherwise authorized by the ~~CRA b~~Board of Commissioners, provided that the Board of Commissioners shall have the power to amend its budget as may from time to time be necessary.

5.3 Accounting Practices. The CRA shall follow governmental auditing standards and comply with applicable laws and regulations Florida law as promulgated by the State of Florida ~~and all regulations by the State of Florida of the State Department of Banking and Finance~~ regarding uniform accounting practices and procedures for units of local government.

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5.4 Annual Audit. The Executive Director shall arrange for an independent financial audit of the Redevelopment Trust Fund each fiscal year and a report of such audit by an independent certified public accountant in accordance with the provisions of Section 163.387(8), Florida Statutes, as may be amended. The CRA shall provide a copy of such report to each taxing authority contributing to the Redevelopment Trust Fund. ~~The auditors shall be selected by the CRA board.~~ The ~~aA~~ auditor of the CRA may be the same auditor doing the annual audit of the City.

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5.5 Annual Report. The CRA shall file with the City and with the ~~Auditor General~~ Auditor General of the State of Florida, on or before March 31 of each year, a report of its activities for the preceding fiscal year in accordance with the provisions of Section 163.356(3)(c), Florida Statutes, as may be amended. At the time of filing this report, the CRA 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 and that the report is available for inspection during business hours in the office of the Clerk of the City and in the CRA's office.

5.6 Bonding of Officers and Employees. The CRA may require that any or all Commissioners and employees be required to post bond for faithful performance of duty. The CRA may pay bonding costs for all such bonds it requires. The Executive Director shall be bonded in an amount not less than the amount the Executive Director is authorized to procure goods or services.

5.7 Maintenance and Disbursement of Funds. All funds of the CRA shall be used only for purposes permitted by applicable law. Funds shall be distributed only at the direction or with the approval of the CRA Board of Commissioners pursuant to an adopted budget and with appropriate requisitions approved in writing signed by the Executive Director or the Executive Director's designee. ~~Notwithstanding the foregoing, except for employee compensation no single obligation requiring a disbursement in excess of \$25,000 shall be made unless specifically approved by the CRA board.~~

5.8 ~~Supervision of Accounts. The CRA Executive Director Finance Director, subject to the direction of the CRA, shall have control and be responsible for the internal supervision and control of the accounts of the CRA.~~

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ARTICLE 6

COMMITTEES

6.1 Power to Create. The Board of Commissioners ~~CRA~~ may create ~~necessary~~ committees, from time to time, as shall be necessary to carry out the functions, purposes and objectives of the CRA.

ARTICLE 7

AMENDMENTS

7.1 The By-Laws of the CRA may be amended at any regular or special meeting by a majority vote of the Commissioners. No such amendment shall be adopted unless at least two (2) days' written notice thereof has been previously given to the Commissioners.

ARTICLE 8

INDEMNIFICATION AND INSURANCE

8.1 Indemnification of ~~the CRA, its Officers, Members, Commissioners and Employees.~~ Subject to the limitations contained in Section

~~768.28, Florida Statutes (2015), as may be amended or revised, the CRA may reimburse and indemnify its Commissioners and employees from and against actions at law to recover damages in tort for money damages for injury or loss of property, personal injury, or death caused by the negligent or wrongful act or omission of any such employees while acting within the scope of the employee's office or employment under circumstances in which the CRA, if a private person, would be liable to the claimant, in accordance with the general laws of the State of Florida. Nothing herein shall constitute a waiver of sovereign immunity beyond that permitted by Florida law. Any of the CRA, its officers, commissioners or other employees may be indemnified or reimbursed by the CRA for reasonable expenses (including, but not limited to, attorney's fees, judgments and payments in settlement) actually incurred in connection with any action, suit or proceeding, civil or criminal, actual or threatened, to which he or they shall be made a party by reason of his being or having been, or by reason of any actual or alleged acts performed or omitted to be performed in connection with his being or having been a CRA member, officer or employee of the CRA; provided, however, that no person shall be so indemnified or reimbursed in relation to any matter in such action, suit or proceeding as to which he shall finally be adjudged to have been guilty of or liable for gross negligence or willful misconduct or criminal acts in the performance of his duties to the CRA; and provided further, that no person shall be so indemnified or reimbursed in relation to any matters in such action, suit or proceeding which has been made the subject of a compromise settlement except with the approval of a court of competent jurisdiction, or the CRA acting by vote of members not parties to the same or substantially the same action, suit or proceeding, constituting a majority of the remaining Commissioners. The foregoing right of indemnification or reimbursement shall not be exclusive of other rights to which such person, his heirs, executors or administrators may be entitled as a matter of law.~~

8.2 Insurance. The CRA may purchase insurance for the purpose of indemnifying its ~~members, officers~~ Commissioners and ~~other~~ employees to the extent that such indemnification is allowed in Section 8.1 herein. The CRA may purchase other insurance, including liability and hazard insurance as it deems necessary and appropriate.

Adopted on May 1, 1990 by the Board of Commissioners of the Fort Lauderdale Central Beach Community Redevelopment Agency as amended by the Board of Commissioners of the Fort Lauderdale Community Redevelopment Agency on July 5, 1995, May 16, 2000, ~~and~~ December 16, 2003 and on March 1, 2016.

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