



AGENDA

COMMUNITY REDEVELOPMENT AGENCY

November 5, 2019

3:00 PM

4816 Chester Street

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.
We will direct all comments to the issues. We will avoid personal attacks.

1. MEETING CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ADOPTION OF AGENDA

5. APPROVAL OF MINUTES

A. October 2, 2019 Regular Meeting

6. PUBLIC INPUT

7. ORDER OF UNFINISHED BUSINESS

A. Deregulation of Parking Requirements in South Cape

8. ORDER OF NEW BUSINESS

A. Approve Annual Purchase and Repair of Holiday Decorations

B. Board Appointments for Cape Coral Community Redevelopment Agency's 2020 Chair and Vice Chair

C. Approval of the Cape Coral Community Redevelopment Agency's 2020 Meeting Schedule

9. REPORTS

10. COMMENTS

11. TIME AND PLACE OF NEXT MEETING

A. Tuesday, February 4, 2020 at 3:00 PM at 4816 Chester Street

12. MOTION TO ADJOURN

| | |
|---------------|---------------------|
| Item Number: | 5.A. |
| Meeting Date: | 11/5/2019 |
| Item Type: | APPROVAL OF MINUTES |

AGENDA REQUEST FORM



TITLE:

October 2, 2019 Regular Meeting

SUMMARY:

**MINUTES OF THE REGULAR MEETING OF THE
CAPE CORAL COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY, OCTOBER 2, 2019**

ADDITIONAL INFORMATION:

Action Required:

Motion to Approve

ATTACHMENTS:

| Description | Type |
|--|-----------------|
| ▢ Minutes of October 2, 2019 CRA Regular Meeting | Backup Material |

**MINUTES OF THE REGULAR MEETING OF THE
CAPE CORAL COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY, OCTOBER 2, 2019**

4816 Chester Street

3:00 PM

Meeting called to order by Chair Lomonaco at 3:00 p.m.

Roll Call: Chair Lomonaco, Commissioners Biondi, Gebhard, Keim, and St. Peter were present.

ADOPTION OF AGENDA

Commissioner St. Peter moved, seconded by Commissioner Biondi to adopt the agenda as presented.

Voice Poll: All "ayes". 5-0 Motion carried.

APPROVAL OF MINUTES

September 3, 2019 Regular Meeting

Commissioner Keim moved, seconded by Commissioner Gebhard to approve the minutes of the September 3, 2019 Regular Meeting as presented.

Voice Poll: All "ayes". 5-0 Motion carried.

PUBLIC INPUT

None

ORDER OF UNFINISHED BUSINESS

None

ORDER OF NEW BUSINESS

Noise Ordinance Presentation

Police Chief Newlan stated the current noise ordinance it was a challenge to verify the decibel level to address noise issues. There were changes to the proposed ordinance, decibel levels were slightly adjusted for to the change of location. It was made more practical and useful for property owners and enforcement purposes. It increased ability for judicial success of civil judgment against offender. He discussed decibel limits, hours in effect, and residences within the boundaries. He compared the decibel limits in other cities.

Also discussed this ordinance does not impact special events.

Presentation

Economic Development Manager Noguera reviewed the presentation of a proposal to establish a no parking requirement in South Cape. It will spur the creation of a vibrant and walkable district. It would encourage new and expanding business opportunities in South Cape. The proposed change would incentivize a more robust and pedestrian friendly environment for businesses and incentivize new construction from office to mixed-use and multi-family development.

Planner Woellner gave examples of parking deregulations in municipalities in Florida and throughout the United States.

Economic Development Manager Noguera stated the next steps were to obtain a recommendation from the CRA Board.

Executive Director Szerlag stated this item would be placed on a future COW meeting in January 2020 and the CRA Board was invited to attend.

Discussion held on the Planning and Zoning meeting held today.

Councilmember Gunter stated we must look at what worked historically downtown, and we must look at what we need to do.

Commissioner Biondi stated the areas which had parking regulation, had parking lots. There was a need for parking garage and the need for retail stores in South Cape.

Planning Manager Pedersen stated South Cape already had reduced parking standards which sunset in 2024. He stated existing businesses would be able to expand without adding parking if these deregulations were in place.

CRA Attorney Menendez stated the intention was to reduce the parking requirements for all businesses.

Commissioner Gebhard stated if people wanted to go to an event, parking would not deter them. They may have to alter their plans by taking Uber, a bike or walk. The optics of a full parking lot looked much better than an empty parking lot He wondered if businesses with SRX licenses would be affected by deregulated parking.

Discussion held on the City owned parking lots and the status of a parking lot study.

Commissioner Keim moved, seconded by Commissioner Biondi to recommend waiting for additional information before making a determination and not vote on this issue today.

Commissioner polled as follows: Lomonaco, Biondi, Gebhard, Keim, and St. Peter voted "Aye." 5-0 Motion carried.

Discussion held and direction given to place on the November Regular Meeting agenda.

Commissioner Biondi left at 4:00 PM

Approval to furnish, install, and maintain outdoor tree lighting on SE 47th Terrace between Del Prado Boulevard and Coronado Parkway

Public Works Director Clinghan stated the CRA approved in their budget the installation of tree lights on SE 47th Terrace and introduced Alex Rizo.

Alex Rizo, President Illuminance Holiday Lighting reviewed the three options presented in the PowerPoint:

Minimal Level - All trees on SE 47th Terrace will be wrapped with warm white Christmas lights but there was no monumental display and no illuminated spheres included. The cost for installation was \$86,544.20. The maintenance service was \$10,080 per year and the cost of service for three years was \$30,240.00. The total package cost was \$116,784.20.

Mid-Level - All trees on SE 47th Terrace would be wrapped with warm white Christmas lights. The oak trees and Crape Myrtle trees would have 6" Illuminated spheres matching Cape Coral Parkway. This did not include a monumental display. The cost for installation was \$88,962.20. The maintenance service was \$10,080 per year and the cost of service for three years was \$30,240.00. The total package cost was \$119,202.20.

Theme Park Level - All trees on SE 47th Terrace will be wrapped with warm white Christmas lights, the oak trees and Crepe Myrtle trees will have 6" illuminated spheres matching Cape Coral Parkway. Also includes installation of South Cape monument at the main traffic circle (SE 47th Terrace & Vincennes Boulevard). The monument could feature 'South Cape' and would be double-sided. Unique Rabbit Studios could produce the monument. The cost for installation was \$107,117.28. The maintenance service was \$10,080 per year and the cost of service for three years was \$30,240.00. The total package cost \$137,357.28. The maintenance fee remained the same for all three levels.

Commissioner Gebhard asked if there was consideration for installing an art related element in the traffic circle.

Discussion held on crown lighting every palm tree at no additional cost and the timeline for completion was 15 to 30 days.

Commissioner Keim moved, seconded by Commissioner St. Peter for approval to furnish, install, and maintain outdoor tree lighting as represented by the Mid-Level Option which includes installation cost of \$88,962.20 and a three year annual maintenance cost of \$30,240.00 (\$10,080 per year maintenance cost x 3) in an amount not to exceed \$119,202.20 and authorize for the Executive Director or designee to execute the contract, amendments, and other related documents.

Commissioner polled as follows: Lomonaco, Gebhard, Keim, and St. Peter voted "Aye." 4-0 Motion carried.

Public Works Director Clinghan asked the Board for clarity on what they would like to see as the decorative centerpiece in the traffic circle.

Executive Director Szerlag stated the theme park enhancement needed to be defined. He suggested determining the amount to be spent in order to give staff an idea of what to research.

Discussion held and consent to spend up to \$50,000 for a public art display.

Executive Director Szerlag stated instead of obtaining an RFI, staff would look for ideas within budget and come back to the Board.

REPORTS – STAFF

CRA Coordinator Hall – No comment

Executive Director Szerlag – Madison Square Development would be an agenda item on the City Council agenda on Monday, October 7, 2019.

COMMENTS - BOARD

Commissioner Keim - Thanked the Board for changing the date of today's meeting.

Chair Lomonaco – Asked if the trees would be pruned prior to the installation of the lighting.

Commissioner St. Peter – No comment

Commissioner Gebhard - No comment

TIME AND PLACE OF NEXT MEETING

The next regular meeting was scheduled for Tuesday, November 5, 2019, at 3:00 p.m. at 4816 Chester Street.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 4:35 p.m.

Submitted by,

John Szerlag
CRA Executive Director

| | |
|---------------|------------------------------|
| Item Number: | 7.A. |
| Meeting Date: | 11/5/2019 |
| Item Type: | ORDER OF UNFINISHED BUSINESS |

AGENDA REQUEST FORM



**Community Redevelopment
Agency**

TITLE:

Deregulation of Parking Requirements in South Cape

SUMMARY:

1. At the October 1, 2019 the CRA Board directed staff to place this topic on the November agenda for discussion.
2. The change is proposed in an effort to stimulate private development and attraction of commercial establishments such as restaurants, retailers and office uses, the City of Cape Coral and the Community Redevelopment Agency (CRA) are considering a "No Parking Requirement" for the following activities in the South Cape/CRA area:
 - New Mixed-Use, Residential, Office Developments on 3 or less acres
 - New restaurants, office and retail uses
3. Benefits from eliminating or reducing parking requirements to help create a more vibrant downtown include:
 - Increasing pedestrian traffic
 - Excess parking can be used for more productive uses by developers and property owners
 - Increase value of existing parking and funding future multi-story parking structures

ADDITIONAL INFORMATION:

| | |
|--------------------------|------------------|
| Item Number: 8.A. | |
| Meeting | 11/5/2019 |
| Date: | |
| Item Type: | BUSINESS |

AGENDA REQUEST FORM



Community Redevelopment Agency

TITLE:

Approve Annual Purchase and Repair of Holiday Decorations

SUMMARY:

1. The agency budgets \$15,000 each fiscal year for the purchase of new holiday decorations and or the repair of decorations.
2. If approved, staff will work with the vendor to have repairs completed and decorations up before the Holiday Festival of Lights.

ADDITIONAL INFORMATION:

Action Requested:

Motion to approve the purchase of holiday decorations and authorize the repairs from Uncle Al's in an amount not to exceed \$14,920 and authorization for the Executive Director or designee to execute the contract/purchase order.

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| <input type="checkbox"/> Procurement Review Notes Including Vendor Quotes | Backup Material |

CITY OF CAPE CORAL
FINANCIAL SERVICES DEPARTMENT

TO: Wanda Roop, Procurement Manager
FROM: Bob Kelley, Procurement Specialist *BR*
DATE: October 30, 2019
SUBJECT: Review of Quotes –CRA Holiday Lighting

I have reviewed the quotes obtained from Public Works for the decorations, garland and repairs to existing decorations that the CRA will purchase. I was unable to match most of the items directly and my conclusions are based on items of a similar nature that I was able to find on the internet.

The items that Public Works provided quotes for and my review of them is as follows:

- 1) Illuminated decorations attached to light pole
 - a. Loop Trees – I was able to find several companies offering this and the pricing provided is competitive.
 - b. Dolphin with Santa Hat – I could not find any items that matched this. However, I did find free standing lighted displays of a similar size. The pricing was double that quoted by Uncle Al's. I also found items of a similar size but different motifs such as bells, balls, Santa. The pricing for these items was similar to Uncle Al's.
 - c. Gator with a Santa Hat – same situation as the Dolphin with a Santa Hat
 - d. Palm Tree with Ornament – I did find some pricing for items that were close to this item and Uncle Al's is competitive.
- 2) Garland
Public Works provided multiple quotes for this item. The pricing is competitive to what I found.
- 3) Repairs to existing decorations
There are no other firms that I could identify to do these repairs. However, the prices appear reasonable and is within the threshold requiring only one quote.

The pricing that Public Works obtained is acceptable and competitive given the nature of the items being purchased. Additionally, Uncle Al's is a local vendor who the City has a history with and purchasing from the internet could result in products whose quality is less than acceptable.

Public Works is recommending that the illuminated decorations, garland and repairs to existing decorations be purchased from Uncle Al's. Procurement is in agreement with this recommendation.

2019 CRA HOLIDAY DECORATIONS

| qty | description | unit price | line total |
|----------|--|------------|--------------|
| 5 | Loop trees, illuminated with C-7 LED's | 380 | 1,900.00 |
| | | | |
| 6 | Dolphin w/Santa hat, Illuminated with C-7 LED's | 395 | 2,370.00 |
| | | | |
| 6 | Gator w/Santa hat, Illuminated with C-7 LED's | 415 | 2,490.00 |
| | | | |
| 4 | Palm tree w/ornament, illuminated with C-7 LED's | 470 | 1,880.00 |
| | | | |
| 44 | Garland 18' x 14" illuminated with 100 LED's | 95 | 4,180.00 |
| | | | |
| 2 | 3D reindeer, strip old lights, treat rust, repaint & light w/C-7 LED | 450 | 900.00 |
| | | | |
| 1 | 3D sleigh, Strip old lights, Treat rust, repaint light w/C-7 LED | 1,200.00 | 1,200.00 |
| Subtotal | | | \$ 14,920.00 |

All Items to be purchased from Uncle Al's

| | |
|--------------------------|------------------|
| Item Number: 8.B. | |
| Meeting | 11/5/2019 |
| Date: | |
| Item Type: | BUSINESS |

AGENDA REQUEST FORM



Community Redevelopment Agency

TITLE:

Board Appointments for Cape Coral Community Redevelopment Agency's 2020 Chair and Vice Chair

SUMMARY:

1. In accordance with Agency's By-Laws, during the first regularly scheduled meeting in November the Board of Commissioners shall recommend to City Council a Chair and Vice Chair to be appointed by the City Council.
2. The appointment will be considered during City Council's Regular Meeting on November 18, 2019. Your recommendation will be sent to Council and included in their Council packet.
3. Provided for your information is a copy of the Agency's By-Laws.

ADDITIONAL INFORMATION:

ACTION(S) REQUESTED:

A motion recommending a Chair and Vice Chair for City Council's appointment.

ATTACHMENTS:

| Description | Type |
|--------------------|-----------------|
| ▢ CRA By-Laws | Backup Material |

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.


Stacy Lomonaco, CRA Chair


Rebecca VanDeutekom, City Clerk
Secretary to the CRA

6/11/2018
Dated _____

| | |
|--------------------------|------------------|
| Item Number: 8.C. | |
| Meeting | 11/5/2019 |
| Date: | |
| Item Type: | BUSINESS |

AGENDA REQUEST FORM



Community Redevelopment Agency

TITLE:

Approval of the Cape Coral Community Redevelopment Agency's 2020 Meeting Schedule

SUMMARY:

1. In November during the Agency's organizational meeting, the Board typically sets the meeting schedule for the upcoming year.
2. The Agency's By-Laws state the CRA shall hold a minimum of six (6) regular meetings per calendar year.

ADDITIONAL INFORMATION:

Requested Action:

A motion to approve the 2020 CRA Meeting Schedule as presented.

ATTACHMENTS:

| Description | Type |
|-----------------------------|-----------------|
| ☐ CRA 2020 Meeting Schedule | Backup Material |
| ☐ CRA By-Laws | Backup Material |

| |
|---|
| <p>CAPE CORAL COMMUNITY REDEVELOPMENT AGENCY</p> <p>2020 MEETING SCHEDULE</p> |
|---|

Tuesday, February 4, 2020

Tuesday, March 3, 2020

Tuesday, April 7, 2020

Tuesday, May 5, 2020

Tuesday, June 2, 2020

Tuesday, August 4, 2020

Tuesday, September 1, 2020

Tuesday, October 6, 2020

Tuesday, November 3, 2020

The CRA shall hold a minimum of six (6) regular meetings per calendar year.

Meetings are scheduled on the FIRST Tuesday of the month at 3:00 p.m.
unless there is no business to conduct.

Location: 4816 Chester Street in South Cape

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.


Stacy Lomonaco, CRA Chair


Rebecca VanDeutekom, City Clerk
Secretary to the CRA

6/11/2018
Dated _____