

**RESOLUTION CRA18-01**

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF ALACHUA, FLORIDA AMENDING THE CRA RULES OF PROCEDURE BY ADOPTING A FISCAL POLICY FOR THE CRA; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**R E C I T A L S**

**WHEREAS**, Section 2-853 of the Alachua Code of Ordinances requires the Community Redevelopment Agency to formulate its own Rules of Procedure;

**WHEREAS**, on April 24th, 2017 the CRA adopted Resolution CRA17-03 establishing CRA Rules of Procedure; and

**WHEREAS**, the City of Alachua Community Redevelopment Agency wishes to amend the CRA Rules of Procedure.

**NOW, THEREFORE, BE IT RESOLVED THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF ALACHUA, FLORIDA AS FOLLOWS:**

- 1. Recitals:** The above recitals are true and correct and are incorporated into this resolution
- 2. Amended:** The Rules of Procedure, as set forth in Exhibit A, are hereby amended by adding Rule 29. FISCAL POLICY which will read “The CRA shall follow the policy and regulations set forth in Fiscal Policies for the City of Alachua. In doing so, the E.D. shall act as the City Manager and shall adjust the regulations as needed to comport with its use by the CRA.”
- 3. Severability:** It is the declared intent of the Community Redevelopment Agency of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this resolution or in Exhibit A attached hereto is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining

provisions of this resolution, and the remainder of this resolution after the exclusion of such part or parts shall be deemed to be valid.

- 4. Repealing Clause:** All resolutions or parts thereof which are in conflict with this resolution are hereby repealed.
- 5. Effective Date:** That this resolution shall become effective immediately upon adoption.

**DULY ADOPTED** in regular session, this 13<sup>th</sup> day of November, 2017.

**THE COMMUNITY  
REDEVELOPMENT AGENCY  
OF ALACHUA, FLORIDA**

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**Gib Coerper, CRA Chair**

**ATTEST:**

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**Traci L. Gresham, CRA Executive Director**

# **CITY OF ALACHUA COMMUNITY REDEVELOPMENT AGENCY RULES OF PROCEDURE**

## **PREFACE**

These Rules of Procedure are adopted by the Community Redevelopment Agency to guide the Community Redevelopment Agency (CRA). They are designed to provide the structure needed to conduct CRA Area business while also maintaining the flexibility needed to efficiently and effectively carry out the public business as circumstances may dictate.

## **RULE 1. RULES OF CIVILITY**

The Community Redevelopment Agency encourages citizen participation in the democratic process and recognizes and protects the right of freedom of speech afforded to all. As the CRA conducts the business of the Area, the Rules of Civility shall apply to the CRA Members, CRA staff, City staff, and members of the public. Persons shall speak only when recognized by the Chair and, at that time, refrain from engaging in personal attacks and derogatory or offensive language. Comments from citizens being made at a time other than during the period titled, "Citizen Comments" should be focused on the issue at hand. Outbursts will not be tolerated and those who do not conduct themselves in a respectful and lawful manner shall be subject to removal. It shall be the responsibility of each individual to demonstrate civility.

## **RULE 2. CRA MEETINGS**

All meetings of the City of Alachua CRA thereof, shall be open to the public in accordance with the Florida Government in the Sunshine Law, Section 286.011, Florida Statute.

- (a) The exception shall be those meetings statutorily exempt, such as litigation meetings pursuant to Section 286.011(8) Florida Statute. The CRA shall follow all statutory requirements for exempt meetings.
- (b) Because of the need to comply with seating capacity requirements of the fire code, there may be occasions when entrance by the public to CRA meeting shall be limited.
- (c) Regular meetings of the CRA will be conducted in a public building. If possible, special and emergency meetings will also be conducted in public buildings.
- (d) For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in the meeting rooms. Other signs, placards, or banners shall not disrupt meetings or interfere with others' visual rights.

## **RULE 3. REGULAR CRA MEETINGS**

All regular meetings of the CRA will be conducted at 5:00 P.M. in the James A. Lewis Commission Chambers - City of Alachua, City Hall, 15100 NW 142<sup>nd</sup> Ter., Alachua, Florida; unless noticed otherwise. Regular CRA meetings are scheduled quarterly on the second Monday of the last month of the quarter. The City CRA shall establish and notice, annually a schedule of regular meetings that are to be held throughout the subsequent fiscal year, reserving the authority to adjust meeting dates from time to time.

Prior notice of any change shall be provided to the public.

The Executive Director of the CRA (E.D.) and the CRA Chair may cancel a meeting due to lack of items for consideration or due to an emergency. Prior notice of such change shall be provided.

#### **RULE 4. SPECIAL CRA MEETINGS**

A special meeting may be called by the Chair, the E.D. or by a majority vote of the Agency at a regular CRA meeting, as follows:

- (a) The call for a special meeting will be in writing and should contain time, place and business to be conducted. The notice of special meeting shall be located at a designated area at City Hall. An agenda outlining the business to be conducted will be available prior to the meeting. No business other than that listed on the agenda shall be conducted during the meeting. Special meetings shall be held upon at least six (6) hours of public notice.
- (b) Each CRA Member will be given written notice served personally or left at his/her usual place of business and/or residence or by electronic means, including but not limited to e-mail. If this means of contact is not achieved, notice will be provided orally, either in person or by telephone contact.
- (c) Special meetings may be scheduled in addition to the regular CRA meetings.
- (d) There will not be a separate agenda item titled "Comments from Citizens on Subject of Choice"; citizens will be allowed to comment on items listed on the agenda.
- (e) If there is no longer a need for a special meeting, it will be noticed and cancelled.

#### **RULE 5. EMERGENCY CRA MEETINGS**

An emergency meeting may be called orally or in writing by the Chair or the E.D.

- (a) The call for an emergency meeting, if in writing, will contain the time, place, and business to be conducted. An agenda outlining the business to be conducted will be available prior to or at the meeting. No other business than that listed on the agenda shall be conducted at the meeting. Emergency meetings may be held, when practicable, upon the most reasonable notice allowable under the circumstances.
- (b) Each Member, the E.D., and CRA Attorney, and the Alachua Police Department shall be given the most reasonable notice allowable under the circumstances. Such notice can be provided orally, in person or by telephone contact or by electronic means, including, but not limited to, e-mail. If this means of contact is not achieved, a copy of the call for the emergency meeting, if in writing, may be delivered (which may be by digital means) to the person's residence, place of employment, or other location; whichever site is most likely to ensure the person's receipt of the notice.
- (c) The most reasonable notice allowable under the circumstances of the emergency meeting will be provided to the public
- (d) Emergency meetings may be scheduled on days or evenings in addition to the regular scheduled quarterly meeting.

- (e) There will not be a separate agenda item titled "Citizen Comments". Citizens will be allowed to comment on items listed on the agenda. If there is no longer a need for an emergency meeting, it shall be noticed and cancelled.

#### **RULE 6. CRA WORKSHOPS**

- (a) The CRA may conduct workshops which shall be conducted in the James A. Lewis Commission Chambers, unless noticed otherwise, and are scheduled as needed. The CRA may initiate workshops that are public meetings to improve communication, to gain information and to create a stronger working relationship among the Agency Members. Public attendance and participation is encouraged. No formal action shall occur at workshops.
- (b) A workshop may be called orally or in writing by the Chair, the E.D., or by majority vote at a regular Agency meeting.

#### **RULE 7. QUORUM**

A quorum for the transaction of business by the CRA consists of a minimum of three (3) Members. This includes the Chair. Once a quorum has been established, a majority of Members, including the Chair, if present at the meeting shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority (4/5ths) of the CRA is required for approval.

#### **RULE 8. OFFICE OF THE VICE-CHAIR**

In case of the absence or temporary disability of the Chair, the Vice-Chair serves as Chair during the absence. In case of the absence or temporary disability of the Chair and the Vice-Chair, an Acting Chair, elected from Members of the CRA, serves during the continuance of the absences or disabilities.

#### **RULE 9. CRA CHAIR**

The Chair will be responsible for enforcing the Rules of Procedure and conducting meetings in a manner which preserves order and decorum, prevents attacks on personalities or the impugning of Members' motives, and confine discussion or comments to the question under discussion. The Chair shall endeavor to conduct the meetings in a fashion that draws a balance between the informality and congeniality possible in a small community while also maintaining the decorum and formality necessary to transact business in an orderly fashion as follows:

- (a) Open the meeting at the appointed time and call the meeting to order, having ascertained that a quorum is present;
- (b) Announce the business to come before the Agency, in accordance with the prescribed order of business;
- (c) Recognize all Members who seek the floor under correct procedure. All questions and comments are to be directed through the Chair and she/he declares all votes;
- (d) Preserve order and call to order any Member of the CRA who violates any of these procedures; and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal;
- (e) Expedite business in every way compatible with the rights of Members;

(f) Based upon these Rules & Procedures, the gavel will be relinquished in the following order:

1. Vice-Chair;
2. Other Member based upon seniority of tenure;
3. E.D.;

Once a motion has been made and second received, the Chair shall hear comments from the other Members of the CRA. Following the comments from other Members of the CRA, the Chair shall be permitted to provide her/his input on the motion.

(g) Make sure that the public is given a reasonable opportunity to be heard on a proposition before the CRA as provided for under Florida Statute 286.0114. Each Individual shall be allotted three (3) minutes to address the CRA. If groups or factions of a group wish to have their opinion on a proposition to be expressed to the CRA by a representative, a paper containing the names of the individuals, groups or factions, the name of the representative and the proposition they wish the representative to address shall be provided to the Secretary prior to the beginning of the meeting. When the proposition is opened up for public comment, the representative shall advise the CRA of the names of the groups or factions whose opinions are being expressed by the representative. The representative shall be allotted fifteen (15) minutes for the presentation, unless otherwise provided for by law or regulation. The Community Redevelopment Agency does not require an individual to provide advanced notification orally or in writing in order to express a desire to address a proposition before the CRA, including, but not limited to, voicing their support, opposition or neutrality on a proposition. Nothing in this paragraph shall preclude the CRA from maintaining orderly conduct and proper decorum in a public meeting.

(h) The reasonable opportunity to be heard on a proposition before the CRA does not apply to:

- i. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the CRA to act;
- ii. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- iii. A meeting that is exempt from the public by Florida Statute 286.011; or
- iv. A meeting during which the CRA is acting in a quasi-judicial capacity. However, this paragraph does not affect the right of a person to be heard as otherwise provided by law.

(i) Declare the meeting adjourned when the CRA so votes, or at any time in the event of an emergency affecting the safety of those present.

## **RULE 10. RULES OF ORDER**

Robert's Rules of Order, newly revised, so long as they do not conflict with ordinances, resolutions and statutes, these rules or the City of Alachua Charter, may be used as a guide in conducting CRA meetings.

## **RULE 11. SECRETARY OF THE CRA; PARLIAMENTARIAN; MINUTES**

The E.D., or the delegated Secretary, serves as parliamentarian, and advises the Chair as to correct Rules of Procedure or questions of specific rule application. The parliamentarian calls to the attention of the

Chair any error in the proceedings that may affect the substantive rights of any Member, or may otherwise do harm.

- (a) The Secretary or designee shall be responsible for recording all CRA meetings and workshops and shall make correct minutes of the proceedings of each CRA meeting and workshop. The Secretary shall submit minutes of meetings for approval as timely as possible.
- (b) The Secretary will place the minutes on the agenda for approval by the CRA. Such minutes stand confirmed at the regular CRA meeting without a reading in open meeting, unless some error is shown. In such event, an appropriate correction is made. A copy of the minutes shall be available for review in the CRA Coordinator Office and on the CRA website.

## **RULE 12. APPROVAL OF AGENCY MINUTES**

When CRA minutes have been furnished to each Member prior to the meeting they may be approved without reading unless reading is requested by a majority of the Members.

## **RULE 13. APPEARANCE BEFORE THE CRA**

The CRA recognizes the importance of protecting the right of its citizens and taxpayers to express their opinions on the operation of the Area and encourage citizen participation in the local government process. The CRA also recognizes the necessity for conducting orderly and efficient meetings in order to complete Area business in a timely and proper manner.

- (a) No individual shall speak until duly recognized by the Chair, and she/he shall immediately cease speaking and relinquish the podium when requested by the Chair.

After being recognized, the person should:

- 1. step up to the speaker's podium and give her/his name;
  - 2. state the topic or position (for/against) of the item under discussion;
  - 3. unless further time is granted by the Chair, limit the address to three minutes; and
  - 4. address all remarks and questions to the CRA as a body, and not a Member thereof, except through the Chair.
- (b) The CRA Members may discuss a matter, assign it to the Advisory Board, refer it to the E.D. for review and comment, question the speaker and/or take other appropriate action.
- (c) Speakers should make comments concise and to the point, and present any data or evidence they wish the CRA to consider. No person may speak more than once on the same subject unless granted permission by the Chair.
- (d) No person other than a Member of the CRA, and the person having the floor, may be permitted to enter into any discussion, either directly or through a Member of the CRA, without permission of the Chair. No question may be asked except through the Chair.
- (e) It shall be prohibited for any person to disturb or interrupt any meeting of the City CRA or otherwise fail to comport with the Rules and Procedure herein. The use of obscene or profane language, physical violence or the threat thereof, or other loud and boisterous behavior which the Chair or CRA shall determine is intended as a disruption of the meeting and a failure to

comply with any lawful decision or order of the Chair or of the CRA, shall constitute a disturbance and that person is declared out-of-order, she/he should immediately relinquish the podium. If the person does not do so, she/he is subject to removal from the Commission Chambers or other meeting room and may be arrested by the Alachua Police Department, subject to Section 810.08(1), F.S.

- (f) The Chair is authorized to establish speaker time limits and otherwise control presentations to avoid repetition.

#### **RULE 14. PURCHASING POLICY**

The CRA shall follow the policy and regulations set forth in Purchasing and Sales Policy and Regulations for the City of Alachua in doing so, the E.D. shall act as the City Manager and shall adjust the regulations as needed to comport with its use by the CRA.

#### **RULE 15. SERGEANT-AT-ARMS**

The E.D., or designee, shall be sergeant-at-arms of the CRA meetings. The E.D. shall carry out all orders and instructions given by the Chair and CRA for the purpose of maintaining order and decorum at the meeting.

#### **RULE 16. REQUIRED ATTENDANCE OF OFFICIALS**

In addition to CRA Members, City Officials whose regular attendance shall be required at meetings of the CRA are the: E.D., City Attorney, or their designees.

#### **RULE 17. SEATING ARRANGEMENT**

Members shall occupy the same seats on the dais as he or she sits in at City Commission meetings.

#### **RULE 18. PREPARATION OF AGENDA**

The Secretary shall prepare an agenda for each regular meeting of the Agency. The Secretary shall arrange a list of such matters according to the order of business and furnish a copy to each Member. The CRA Chair, or any Member may place an item on the agenda. The E.D. or the Attorney may also place an item on the agenda. Items to be presented to the Agency at the regular meeting shall be delivered to the Secretary using a deadline provided by the Secretary. The CRA may utilize a consent agenda for matters appropriate to be placed on it.

#### **RULE 19. AGENDA MATERIAL**

A copy of the agenda and supporting materials will be prepared for Members, the public and media at least seven days prior to the regular CRA meeting. These materials will be maintained on the website for at least one year.

#### **RULE 20. ORDER AND CRA BUSINESS OF MEETING PROCEDURE**

The business of all regular meetings of the CRA should be transacted as follows - provided, however that the Chair may, by simple majority vote or consensus of the CRA, re-arrange items on the agenda to more expeditiously conduct the business before the CRA:



(a) Call to Order

(b) Approval of the Regular and Consent Agendas (if any)

Except for items advertised for public hearings, items may be added to, or removed from, the agenda. Agenda items may be reordered. A motion to approve the agenda will have the following effects:

- i. Approves any amendments to the Regular and Consent Agenda;
- ii. Adopts the Regular Agenda; and
- iii. Approves all items on the Consent Agenda.

Prior to the vote on the motion to adopt the Agenda, any Member may request an item be withdrawn from the Consent Agenda. If any matter is withdrawn by any Member of the CRA, the Chair shall place the item at an appropriate place on the agenda for the current or a future meeting.

(c) Agenda Items

(d) Reports from Advisory Board

(e) Member Comments

(f) Public Comments

(g) Adjournment

No meeting shall be permitted to continue beyond 6:00 P.M. If the CRA business is not completed by this time it shall be continuing to the next regular meeting on a special meeting shall be set for specific item as determined by the chair, E.D., or Board

## **RULE 21. VOTING**

The votes during all CRA meetings should be transacted as follows:

Voting on resolutions shall be by roll call on final action and shall be declared by the Chair and recorded in the minutes.

Every Member, including the CRA Chair, who was in the Commission Chambers when the question was called, must vote, unless the Member has publicly stated that he/she is abstaining from voting due to a conflict of interest, pursuant to Section 112.3143 or Section 286.011, Florida Statutes. If any Member declines to vote "aye" or "nay" by voice, their vote shall be counted as an "aye" vote.

The passage of any motion, policy or resolution shall require the affirmative vote of at least a majority of the Membership of the CRA who are present and eligible to vote. In case of a tie in votes on any proposal, the proposal shall be considered lost.

Any Member shall have the right to express dissent from or protests against any ordinance, resolution or policy of the CRA, and to have the reason therefore entered in the minutes.

## **RULE 22. RULES OF DISCUSSION**

Any Member desiring to speak should address the Chair and upon said recognition by the Chair, should be confined to the question under discussion.

- (a) A Member, once recognized, should not be interrupted when speaking unless to call said Member to order. The Member should then cease speaking until the question of order is determined, without discussion, by the Chair. If in order, said Member will be at liberty to proceed.
- (b) The Member making the motion should be entitled to the floor first for discussion.
- (c) If the Chair wishes to put forth or second a motion, she/he shall relinquish the position of Chair to the Vice-CRA Chair or a Member (if the Vice- CRA Chair is absent) as provided for in Rule 9 until the main motion, on which she/he spoke, has been disposed of.
- (d) The following motions are not debatable:
  - i. to adjourn;
  - ii. to lay on the table;
  - iii. to take from the table;
  - iv. to call the question.

### **RULE 23. CONFLICT OF INTEREST AS SPECIFIED IN 112.3143 OR SECTION 286.011, FLORIDA STATUTES**

No Member shall vote in her/his official capacity on a matter which would inure to his/her special private gain or loss, or which the Member knows would inure to the special private gain or loss of any principal by whom he/she is retained, of the parent organization or subsidiary of a corporate principal by which he or she is retained, or a relative or of a business associate. The Member in conflict shall remove him/herself from the room until the action is completed. Within fifteen (15) days following that CRA meeting, she/he shall file with the E.D. a Form 8B which describes the nature of her/his interest in the matter. The Form 8B shall be received by the E.D. and incorporated into the minutes of the meeting.

### **RULE 24. RESOLUTIONS**

Generally, an enacted resolution is an internal legislative act that is a formal statement of policy concerning matters of special or temporary character. CRA action shall be taken by resolution when required by law, and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. A resolution may be put to its final passage on the same day on which it was introduced.

### **RULE 25. MOTIONS**

An enacted motion is a form of action taken by the CRA to direct that a specific action be taken on behalf of the Area. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before discussion.

### **RULE 26. RECONSIDERATION**

A motion to reconsider shall be allowed at any time during a meeting, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject at the same meeting. A motion to reconsider may be made:

- (a) At the same meeting during which an action was taken, provided that the motion to reconsider is made by a Member of the prevailing side on the original motion.
- (b) At a subsequent meeting by any Member.

Upon passage of a motion to reconsider, no substantive action on the matter may be taken at that meeting so that the public may be on notice of the matter to be reconsidered. The subject matter shall be scheduled at the next regular CRA meeting for any action the CRA deems advisable.

#### **RULE 27. RESCINDING ACTION PREVIOUSLY TAKEN**

CRA action may be rescinded by a four-fifths (4/5) vote. The motion may be made by any Member after a motion to reconsider has been adopted by a majority vote.

#### **RULE 28. ADOPTION, ALTERATION OR TEMPORARY WAIVER OF THESE RULES**

These rules shall be adopted or amended by resolution and brought back as a resolution. These rules may be temporarily waived by a 2/3rds vote of the Members present.

#### **RULE 29. FISCAL POLICY**

The CRA shall follow the policy and regulations set forth in Fiscal Policies for the City of Alachua. In doing so, the E.D. shall act as the City Manager and shall adjust the regulations as needed to comport with its use by the CRA.