

**RESOLUTION NO. R-XX-2024**

**RESOLUTION REGARDING THE ADOPTION OF BY-LAWS FOR THE GREEN COVE SPRINGS COMMUNITY REDEVELOPMENT AGENCY; FINDING OF CONFORMANCE WITH FLORIDA STATUTES AND SETTING AN EFFECTIVE DATE**

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**WHEREAS**, the Florida Legislature duly enacted Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act") establishing the conditions and procedures for the establishment of community redevelopment areas and agencies; and

**WHEREAS**, a community redevelopment plan as contemplated by Part III, Chapter 163, Florida Statutes, has been prepared which addresses the redevelopment needs in a certain area of the City; and

**WHEREAS**, on April 19, 2022, the City adopted Resolution No. R-03-2022 by which the City (1) ascertained, determined and declared a Finding of Necessity as required by law and determined that the Redevelopment Area (as defined therein) constituted a "blighted area" as defined in Section 163.340(8), Florida Statutes; (2) expressed the need for the creation of a community redevelopment agency to carry out the community redevelopment activities contemplated by Chapter 163, Part III, Florida Statutes; and (3) sought approval from Clay County that the Redevelopment Area meets the criteria described in Section 163.340(8) and 163.355, Florida Statutes and requested delegation of authority to create a community redevelopment agency, adopt a community redevelopment plan and establish a redevelopment trust fund; and

**WHEREAS**, on May 26, 2022, the City submitted the Finding of Necessity to Create a Redevelopment Agency to the County for review and approval and requested delegation of authority as stated therein; and

**WHEREAS**, on August 9, 2022, the County found and determined that the establishment of a community redevelopment agency and the establishment of the Redevelopment Area would serve a public purpose and would be consistent with the goals, objectives and policies of the Clay County Comprehensive Plan, and would otherwise be consistent with the controlling provisions of State law. Pursuant to Section 163.410, Florida Statutes, the County adopted Resolution No. 2021-2022-56 which delegated to the City the

limited power to the create a community redevelopment agency and to prepare and adopt a redevelopment plan to be reviewed and approved by the City and the County; and

**WHEREAS**, on November 29, 2022, the City Planning and Zoning Commission, as the Local Planning Agency, unanimously approved a redevelopment plan; and

**WHEREAS**, on December 13, 2022, the City established the Green Cove Springs Community Redevelopment Agency (“Agency”) pursuant to Ordinance O-24-2022; and

**WHEREAS**, on January 12, 2023, the Agency approved a revised redevelopment plan dated January 11, 2023, as described in Exhibit A attached hereto (the “Redevelopment Plan”) and recommended the Redevelopment Plan be approved by the City Council; and

**WHEREAS**, on April 4, 2023, the City adopted Resolution No. R-03-2023, approving the Redevelopment Plan which inadvertently deleted certain findings of conformance as required by Section 163.360(7), Florida Statutes; and

**WHEREAS**, on April 4, 2023, the City Council voted to approve an interlocal agreement with Clay County which was subsequently revised substantially; and

**WHEREAS**, Clay County approved the Redevelopment Plan on April 25, 2023, and an Interlocal Agreement dated January 11, 2023, as described in Exhibit B attached hereto (the “Interlocal Agreement”) by and among the City, County and Agency, pursuant to Resolution 2022/2023-39; and

**WHEREAS**, the City finds that the rehabilitation, conservation, or redevelopment, or a combination thereof, within the Redevelopment Area as described in the Redevelopment Plan is necessary and in the interest of the public health, safety, morals, or welfare of the residents of the City; and

**WHEREAS**, the City further finds that the Interlocal Agreement by and among the County, City and Agency furthers the goals and objectives of and is consistent with the Community Redevelopment Act and the Redevelopment Plan; and

**WHEREAS**, at a duly noticed public hearing, the City Council adopted a revised Community Redevelopment Plan pursuant to City and County revisions on May 16, 2023.

**WHEREAS**, at the regularly scheduled Community Redevelopment Agency (CRA) meeting on January 25, 2024, the CRA adopted the revised Community Redevelopment Plan.

**WHEREAS**, on June 23, 2023, Staff presented draft examples of proposed by-laws to the CRA Board for review and discussion, with the intent to bring the final bylaws to the Board for approval at the upcoming CRA meeting.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF GREEN COVE SPRINGS, FLORIDA:**

**Section 1.** The foregoing recitals are incorporated as part of this Resolution by reference.

**Section 2. Finding of Conformance with Florida Statutes.**

Based upon the evidence, data, analysis and facts presented to it, the CRA hereby determines and declares that the CRA Bylaws conforms to the Part III, Chapter 163, Florida Statutes.

**Section 3. Effective Date.**

This Resolution shall be effective immediately.

**PASSED AND ADOPTED BY THE GREEN COVE SPRINGS COMMUNITY  
REDEVELOPMENT AGENCY OF THE CITY OF GREEN COVE SPRINGS,  
FLORIDA, THIS \_\_\_\_\_DAY OF \_\_\_\_\_, 2024.**

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Roy M. Timberlake, Jr. Chair

ATTEST:

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Lyndie Knowles, CRA Clerk

Approved as to form:

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L.J. Arnold, City Attorney

## EXHIBIT A:

### COMMUNITY REDEVELOPMENT AGENCY BY-LAWS

#### ARTICLE 1

##### General Provisions

1. The Green Cove Springs Community Redevelopment Agency (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 Green Cove Springs 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 Green Cove Springs, 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 "CRA Board".
5. The CRA 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 11

##### Meetings

1. Regular Meeting. The CRA shall hold a minimum of four (4) regular meetings per calendar year on a day and time to be designated by the CRA, such meetings to be held in the City of Green Cove Springs City Hall Council Chambers, located at 321 Walnut 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, Of 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 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 January 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 Green Cove Springs.

### ARTICLE III

#### Members

1. The Board of Commissioners of the Community Redevelopment Agency shall consist of not fewer than five commissioners with two members each appointed by the City of Green Cove Springs City Council and the Clay County Commission. The fifth member shall be appointed by the other four members of the Community Redevelopment Agency.
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. The CRA Commissioners 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 Development Services Representative for the City of Green Cove Springs. 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.

## ARTICLE V

### Employees

1. Executive Director. Subject to the Prior approval of the City Council and County Commission, the CRA may employ an Executive Director to administer its business and operations. With the consent of the City Council and County Commission, 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 Green Cove Springs, and with the consent of City Council, boards, and agencies of the City of Green Cove Springs.
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.
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 Green Cove Springs.

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 Green Cove Springs '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 Green Cove Springs, 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. An itemized expense set forth in the annual budget of the Agency shall be deemed to have been authorized by the Board.
  - (c) The Green Cove Springs City Manager or their 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 \$25,000 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 \$25,000 after approval by the CRA Board.
  - (d) The City of Green Cove Springs '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 when said procedures are used by the CRA.

## ARTICLE VIII

### 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 IX

### Execution of Documents

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

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the Secretary of the CRA.

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Roy M. Timberlake, Jr., CRA Chair

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Lyndie Knowles,  
Secretary to the CRA

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Dated