

RULES OF THE PALMETTO COMMUNITY REDEVELOPMENT AGENCY

September 12, 2016

The Palmetto Community Redevelopment Agency Board (Board) has adopted these rules (Rules) to govern its meetings, hearings and its workshops and the operations of the CRA.

Section 1. APPLICABILITY.

The Rules shall govern the meetings, hearings, and workshops of the Board and operations of the Palmetto Community Redevelopment Agency (CRA).

Section 2. OFFICIAL BOARD ACTION.

2.1 MATTERS FOR BOARD CONSIDERATION. Any matters that relate to the Board's duties, authority or powers under Chapter 163, Florida Statutes, or other applicable law or which relate to the Board's property or legal or financial interests, or the public health, safety, welfare, or morals of CRA may be brought before the Board for appropriate consideration or action.

2.2 DELEGATION OF AUTHORITY. The CRA acts through the Board and the authorized actions of its employees, agents, and legal representatives. To the extent permitted by law, the Board may delegate its authority to perform action on behalf of the CRA Board. In delegating authority, the CRA Board shall provide sufficient guidelines and expression of its objections to enable efficient performance of the matter for which the authority has been delegated.

2.3 DESIGNEES. Wherever a matter within these Rules, the Florida Statutes, City Ordinance or other regulations delegates authority or responsibility to the Mayor, City Clerk, the Attorney, or the CRA Director, such authority or responsibility is understood to extend to his or her respective designee.

Section 3. BOARD OFFICERS AND ATTORNEY.

3.1 OFFICERS. The Mayor of the City shall serve as Presiding Officer of the Board, but shall not be a member of the Board. The Presiding Officer shall have the right to participate in any discussion of the Board. The Presiding Officer shall hold all authority provided to the Mayor of the City under the City of Palmetto Charter and shall have authority to execute documents on behalf of the CRA authorized by the CRA Board. The Presiding Officer shall not be a member of the CRA, and not have the authority to make or second a motion or vote on any motion, resolutions, orders and contracts on behalf of the CRA as authorized by the CRA. The Vice Mayor of the City shall serve as Presiding Officer of the CRA in the absence of the Mayor.

3.2 ASSIGNMENT OF DUTIES. The Presiding Officer shall have the authority to request honorary and administrative duties to other members of the Board.

3.3 QUORUM AND OFFICERS. A quorum exists when a majority of the Board is present. Unless otherwise provided by law, a majority vote, where a quorum is present, constitutes action of the Board. In the absence of the Mayor and Vice Mayor at the time scheduled for the opening of a public meeting or workshop, the first Board Member who notifies the City Clerk of the Board Member's intention to preside over the meeting shall have all of the duties and authority of the Presiding Officer until the arrival of Presiding Officer. In the absence of a required quorum, those Board Members assembled, including a single Board Member, if only one is present, may take measures to obtain a quorum, fix the time to which to adjourn or take a recess, and open and continue a public hearing on any scheduled matter to a time and date certain, but shall take no testimony and conduct no other business. Nothing in this section shall limit any procedure, rules, statutes, or other lawful authority governing the conduct of business in the event of a disaster or emergency.

3.4 ATTORNEY. The City Attorney shall serve as Attorney to the CRA.

Section 4. MEETINGS.

4.1 TYPES OF PUBLIC MEETINGS. The Board shall have the authority to hold the types of meetings set forth below.

4.1.1 Regular Meetings. The Board may establish and announce a meeting schedule. The schedule may be updated to include regular and special meetings, including meetings primarily focused on items considered under or specifically related to the City's Comprehensive Plan or Land Development Code which may also be designated as Land Use Meetings. All regular meetings shall ordinarily commence at 7:00 p.m., or as soon thereafter as same may be heard, in the City Commission Chambers on the first Monday of each month. Any scheduled regular meeting may be held, rescheduled, canceled, or held in a different location by direction of the Presiding Officer or the CRA director or pursuant to a motion adopted at a meeting by the Presiding Officer, CRA Director or a majority of the Board Members present.

4.1.2 Special Meetings. A special meeting of the Board may be called by the Presiding Officer or by a majority of the Board Members present at a meeting of the Board. Whenever a special meeting is called outside of a regular or special board meeting, written or electronic notice shall be given by the City Clerk to the Presiding Officer, Board Members, the Attorney, the CRA Director, and any persons entitled, as a matter of law, to written or electronic notice, and the press, stating the date, hour and place of the meeting and the purpose(s) for which the meeting is called. The Clerk shall attempt to get written or electronic confirmation of the receipt of the notice by the Presiding Officer, Board members, the City Attorney and CRA Director. At least twenty-four (24) hours must elapse between the time the meeting is noticed and the time the meeting is to be held.

4.1.3 Emergency Meetings. An emergency meeting may be called by the Presiding Officer, CRA Director or a member of the Board. An emergency meeting may be called only when the person calling the meeting believes that a situation exists that may involve serious consequences and

that requires immediate consideration or action by the Board. Whenever such emergency meeting is called, the City Clerk or, if he or she is unavailable, the person calling the meeting, shall make a diligent and good faith attempt to notify the Presiding Officer, each Board Member, the City Attorney, the CRA Director, any person entitled to notice as a matter of law, and the press stating the date, hour, and place of the meeting, the nature of the emergency, and the purpose(s) for which the meeting is being called. The notice shall be in writing if possible. No other business shall be transacted at the meeting, and the minutes of each emergency meeting shall include the nature of the emergency and the record of notice.

4.1.4 Workshops. The Board may hold workshops also known as work sessions from time to time for consideration of matters that are not ready for Board action. No formal action may be taken at workshops.

4.2 PUBLIC NOTICE. The City Clerk shall provide public notice of all meetings and workshops/work sessions in accordance with law.

Section 5.0 PRIVATE SESSIONS.

5.1 LITIGATION MEETINGS. The City Attorney and other attorneys representing the CRA may meet in private session with the Presiding Officer and the Board to discuss pending litigation to which the CRA is a party before a court or administrative agency so long as such meetings are noticed, held and reported, and the records thereof preserved and made available to the public upon conclusion of the litigation in compliance with Section 286.011(8), Florida Statutes (2008).

Section 6.0 CONDUCT OF MEETINGS.

6.1 STAFF. Generally, the CRA Director and the Director's staff shall serve as staff to the CRA and the Presiding Officer. The City Clerk shall attend and prepare minutes of the CRA meetings.

6.2 VOTING. Unless otherwise provided by law, when the Board has finished discussion and is ready to vote a question, the Presiding Officer shall call for the vote. Each Board Member shall vote "aye" or "nay" or abstain from voting when legally required to do. If the Board member abstains, the Board member shall file the appropriate form with the City Clerk as required by law. Immediately prior to, or after the vote, the Presiding Officer may allow any Board Member to give a brief statement to explain his or her vote, which shall not be used to further argue in favor of or against the motion. The vote upon any question shall be by voice vote unless any Board Member requests that a roll call vote or show of hands be taken; provided, that when necessary for the purpose of accurately ascertaining the outcome of a vote or for compliance with legal requirements, the Presiding Officer or City Clerk may require a roll call vote or show of hands.

6.3 PREPARATION OR MODIFICATION OF MOTIONS. Prior to a vote on any matter, Board Member may request that staff prepare or modify the motion during a recess called for that purpose. Alternatively, if advisable in the Board's discretion, staff may be instructed to prepare wording to be brought back to the Board later for motion and vote at that meeting or a subsequent

meeting of the Board. The CRA Attorney or the CRA Director may request that a motion and vote be delayed to allow preparation or revision of a motion, as provided hereunder.

6.4 TIE VOTES. When the vote of the Board is equally divided, the status quo ante shall be maintained. In such an event, a person who sought a change in status quo shall be considered to have had the request denied and shall have available the same remedies or rights of review that one would have had if the request had been denied by a majority vote of the Board, unless, at the same meeting, the Board votes to approve the requested action with conditions or stipulations attached, or to table, defer, or continue the matter in an attempt to obtain action by a majority vote.

6.5 ROUTINE RECONSIDERATION. When a question has been decided by the Board, a Board Member voting on the prevailing side may move for reconsideration of the question at the same meeting, the next regular or special meeting of the Board. If the question was decided by a tie vote, any Board Member may move for reconsideration of the question at the same meeting or at the next regular or special meeting of the Board or at the next meeting of the Board where a full Board is present.

6.6 CORRECTIONS OF CLERICAL ERRORS. Any Board Member may move at any time for correction of clerical or typographical errors inadvertently included in any matter previously passed by the Board.

6.7 EFFECT OF APPROVALS AND DENIALS OF MOTIONS. When a matter is brought forward to a vote based on a motion to approve it or approve it with modifications, and such motion fails, the status quo ante shall be maintained and the matter shall be considered to have been denied. A denial shall not preclude a subsequent motion to approve with different modifications at the same meeting. When a matter is brought to a vote based upon a motion to deny it, and said motions fails, the matter shall not be considered granted and shall be treated as if no action has been taken on the matter. Such a vote shall not preclude a subsequent motion at the same meeting to approve or approve with modifications.

Section 7. CONFLICTS; USE OF OTHER RULES.

7.1 CONFLICT WITH LAWS. In any instance where the procedure established by these rules violates or is in conflict with federal or state law, city ordinance, or final and binding order of a court or administrative agency, or rights thereunder, the procedures established hereunder shall be inoperative to the extent of such conflict. If any portion hereof is finally held by a court of competent jurisdiction to be invalid, such portion shall be deemed severable from the remainder and, to the extent possible the remainder shall be operative without the invalid portion

7.2 ROBERT'S RULES OR ORDER. In all cases not covered by this resolution, Robert's Rules of Order, tenth edition, shall be used as a general guide and may be followed by the Presiding Officer, unless the Board by majority vote decides otherwise.

Section 8. PUBLICATION.

Upon adoption of the Rules and any amendment hereof, the CRA Director shall cause same to be published in a form suitable for distribution to the public, including posting on the CRA website. Copies shall be provided by the Presiding Officer, City Clerk and CRA Director to the CRA Board and all persons who request them. Copies shall be available for review by the public at all meetings of the CRA Board.

Section 9. REPEAL OF PRIOR RULES

These Rules repeal, replace and supersede any prior rules of procedure or bylaws enacted by the CRA, including those adopted in 2009.

Approved by majority vote of the CRA Board, with a quorum present this 12th day of September, 2016.

Palmetto Community Redevelopment Agency

By: Shirley Groover Bryant
Shirley Groover Bryant, as Presiding Officer