

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Clemons offered the following:

Substitute Amendment for Amendment (923887) (with title amendment)

Remove lines 57-175 and insert:

Section 1. Subsections (1), (2), and (3) of section 163.356, Florida Statutes, are amended to read:

163.356 Creation of community redevelopment agency.-

(1) Upon a finding of necessity as set forth in s. 163.355, and upon a further finding that there is a need for a community redevelopment agency to function in the county or municipality to carry out the community redevelopment purposes of this part, any county or municipality may, by resolution,

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

14 petition the Legislature to create a public body corporate and
15 politic to be known as a "community redevelopment agency." A
16 ~~charter county having a population less than or equal to 1.6~~
17 ~~million may create, by a vote of at least a majority plus one of~~
18 ~~the entire governing body of the charter county, more than one~~
19 ~~community redevelopment agency.~~ Each such agency shall be
20 constituted as a public instrumentality, and the exercise by a
21 community redevelopment agency of the powers conferred by this
22 part shall be deemed and held to be the performance of an
23 essential public function. Community redevelopment agencies of a
24 county have the power to function within the corporate limits of
25 a municipality only as, if, and when the governing body of the
26 municipality has by resolution concurred in the community
27 redevelopment plan or plans proposed by the governing body of
28 the county.

29 (2) (a) As of the creation date of a community
30 redevelopment agency, the governing ~~When the governing body~~
31 ~~adopts a resolution declaring the need for a community~~
32 ~~redevelopment agency, that~~ body shall, by ordinance, appoint a
33 board of commissioners of the community redevelopment agency,
34 which shall consist of not fewer than five or more than nine
35 commissioners. The terms of office of the commissioners shall be
36 for 4 years, except that three of the members first appointed
37 shall be designated to serve terms of 1, 2, and 3 years,
38 respectively, from the date of their appointments, and all other

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

39 members shall be designated to serve for terms of 4 years from
40 the date of their appointments. A vacancy occurring during a
41 term shall be filled for the unexpired term. As provided in an
42 interlocal agreement between the governing body that created the
43 agency and one or more taxing authorities, one or more members
44 of the board of commissioners of the agency may be
45 representatives of a taxing authority, including members of that
46 taxing authority's governing body, whose membership on the board
47 of commissioners of the agency would be considered an additional
48 duty of office as a member of the taxing authority governing
49 body.

50 (b) Before a community redevelopment agency adopts an
51 annual budget pursuant to subsection (6), the community
52 redevelopment agency must ensure that each taxing authority that
53 provides at least a 20 percent tax contribution to a community
54 redevelopment agency has representation on the board of
55 commissioners of the community redevelopment agency unless the
56 taxing authority chooses not to serve on the board of
57 commissioners of the community redevelopment agency. The
58 representation must be proportional to the percent of the tax
59 increment that the taxing authority contributes to the community
60 redevelopment agency. However, a municipality with a population
61 of 15,000 or fewer is not required to appoint a representative
62 from a taxing authority.

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

63 (3) (a) A commissioner shall receive no compensation for
64 services, but is entitled to the necessary expenses, including
65 travel expenses, incurred in the discharge of duties. Each
66 commissioner shall hold office until his or her successor has
67 been appointed and has qualified. A certificate of the
68 appointment or reappointment of any commissioner shall be filed
69 with the clerk of the county or municipality, and such
70 certificate is conclusive evidence of the due and proper
71 appointment of such commissioner.

72 (b) The powers of a community redevelopment agency shall
73 be exercised by the commissioners thereof. A majority of the
74 commissioners constitutes a quorum for the purpose of conducting
75 business and exercising the powers of the agency and for all
76 other purposes. Action may be taken by the agency upon a vote of
77 a majority of the commissioners present, unless in any case the
78 bylaws require a larger number. Any person may be appointed as
79 commissioner if he or she resides or is engaged in business,
80 which means owning a business, practicing a profession, or
81 performing a service for compensation, or serving as an officer
82 or director of a corporation or other business entity so
83 engaged, within the area of operation of the agency, which shall
84 be coterminous with the area of operation of the county or
85 municipality, and is otherwise eligible for such appointment
86 under this part.

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

87 (c) The governing body of the county or municipality shall
88 designate a chair and vice chair from among the commissioners.
89 An agency may employ an executive director, technical experts,
90 and such other agents and employees, permanent and temporary, as
91 it requires, and determine their qualifications, duties, and
92 compensation. For such legal service as it requires, an agency
93 may employ or retain its own counsel and legal staff.

94 (d) An agency authorized to transact business and exercise
95 powers under this part shall file with the governing body the
96 report required pursuant to s. 163.371(1), ~~on or before March 31~~
97 ~~of each year, a report of its activities for the preceding~~
98 ~~fiscal year, which report shall include a complete financial~~
99 ~~statement setting forth its assets, liabilities, income, and~~
100 ~~operating expenses as of the end of such fiscal year. At the~~
101 ~~time of filing the report, the agency shall publish in a~~
102 ~~newspaper of general circulation in the community a notice to~~
103 ~~the effect that such report has been filed with the county or~~
104 ~~municipality and that the report is available for inspection~~
105 ~~during business hours in the office of the clerk of the city or~~
106 ~~county commission and in the office of the agency.~~

107 (e)~~(d)~~ At any time after the creation of a community
108 redevelopment agency, the governing body of the county or
109 municipality may appropriate to the agency such amounts as the
110 governing body deems necessary for the administrative expenses

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

111 and overhead of the agency, including the development and
112 implementation of community policing innovations.

113 Section 2. Subsection (1) of section 163.367, Florida
114 Statutes, is amended to read:

115 163.367 Public officials, commissioners, and employees
116 subject to code of ethics.—

117 (1) (a) The officers, commissioners, and employees of a
118 community redevelopment agency created by, or designated
119 pursuant to, s. 163.356 or s. 163.357 are ~~shall be~~ subject to
120 the provisions and requirements of part III of chapter 112.

121 (b) Commissioners of a community redevelopment agency must
122 comply with the ethics training requirements in s. 112.3142.

123 Section 3. Subsection (5) is added to section 163.370,
124 Florida Statutes, to read:

125 163.370 Powers; counties and municipalities; community
126 redevelopment agencies.—

127 (5) A community redevelopment agency shall procure all
128 commodities and services under the same purchasing processes and
129 requirements that apply to the county or municipality that
130 created the agency.

131 Section 4. Section 163.371, Florida Statutes, is created
132 to read:

133 163.371 Reporting requirements.—

134 (1) Beginning March 31, 2018, and no later than March 31
135 of each year thereafter, a community redevelopment agency shall

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

136 file an annual report with the county or municipality that
137 created the agency and post the report on the agency's website.
138 At the time the report is filed and posted on the website, the
139 agency shall also publish in a newspaper of general circulation
140 in the community a notice to the effect that such report has
141 been filed with the county or municipality and that the report
142 is available for inspection during business hours in the office
143 of the clerk of the city or county commission and in the office
144 of the agency or on the website of the agency. The report must
145 include the following information:

146 (a) The most recent audit report for the redevelopment
147 agency prepared pursuant to s. 163.387(8).

148 (b) The performance data for each plan authorized,
149 administered, or overseen by the community redevelopment agency
150 as of December 31 of the year being reported, including the:

151 1. Total number of projects started, total number of
152 projects completed, and estimated project cost for each project.

153 2. Total expenditures from the redevelopment trust fund.

154 3. Assessed real property values of property located
155 within the boundaries of the community redevelopment agency as
156 of the day the agency was created.

157 4. Total assessed real property values of property within
158 the boundaries of the community redevelopment agency as of
159 January 1 of the year being reported.

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

160 5. Earliest data available as of the date the agency was
161 created, providing total commercial property vacancy rates
162 within the community redevelopment agency.

163 6. Total commercial property vacancy rates within the
164 boundaries of the community redevelopment agency.

165 7. Assessed real property values for redeveloped
166 properties within the boundaries of the community redevelopment
167 agency as of January 1 of the year being reported.

168 8. Earliest data available as of the day the agency was
169 created, providing total housing vacancy rates within the
170 boundaries of the community redevelopment agency.

171 9. Total housing vacancy rates within the boundaries of
172 the community redevelopment agency.

173 10. Total number of code enforcement violations within the
174 boundaries of the community redevelopment agency.

175 11. Total amount expended for affordable housing for low
176 and middle income residents, if the community redevelopment
177 agency has affordable housing as part of its community
178 redevelopment plan.

179 12. Name of the sponsor or donor and total amount
180 sponsored or donated for sponsorships and donations that were
181 made to the community redevelopment agency.

182 13. Ratio of redevelopment funds to private funds expended
183 within the boundaries of the community redevelopment agency.

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

184 (2) By January 1, 2018, each community redevelopment
 185 agency shall post on its website digital maps that depict the
 186 geographic boundaries and total acreage of the community
 187 redevelopment agency. If any change is made to the boundaries or
 188 total acreage, the agency shall post updated map files on its
 189 website within 60 days after the date such change takes effect.

190 Section 5. Section 163.3755, Florida Statutes, is created
 191 to read:

192 163.3755 Termination of community redevelopment agencies;
 193 prohibition on future creation.-

194 (1) Unless the governing body of the county or
 195 municipality that created the community redevelopment agency
 196 approves its continued existence by a super majority (majority
 197 plus one) vote of the governing body members, which vote shall
 198 not be taken before December 1, 2017, a community redevelopment
 199 agency in existence on October 1, 2017, shall terminate on the
 200 expiration date provided in the community redevelopment agency's
 201 charter on October 1, 2017, or on September 30, 2037, whichever
 202 is earlier.

203
 204 -----
 205 **T I T L E A M E N D M E N T**

206 Remove line 3 and insert:
 207 amending s. 163.356, F.S.; revising method for creating a
 208 community redevelopment agency; revising method for appointing

972241

Approved For Filing: 4/21/2017 6:56:57 PM

Amendment No.

209 | board of commissioners; requiring taxing authorities to be
210 | represented on a community redevelopment agency under certain
211 | circumstances; providing reporting

972241

Approved For Filing: 4/21/2017 6:56:57 PM