

RESOLUTION NO. R-CRA-2020-

A RESOLUTION OF THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY ("CRA"), REPEALING RESOLUTION NO. R-CRA-2011-40 AND ESTABLISHING THE RULES OF ORDER AND RULES OF CONDUCT AND PROCEDURE FOR THE GOVERNING OF CRA MEETINGS.

WHEREAS, Section 37.31 of the Hollywood Code of Ordinances established the creation and organization of the Community Redevelopment Agency ("CRA") pursuant to Chapter 163, Florida Statutes; and

WHEREAS, on September 7, 2011, the CRA Board adopted Rules of Order and Rules of Conduct and Procedure to govern its meetings; and

WHEREAS, on August 26, 2020, the City Commission amended its Rules of Procedure for the Governing of City Commission Meetings; and

WHEREAS, the CRA wishes to adopt Rules of Order and Rules of Conduct and Procedure to govern its meetings consistent with the City Commission Rules.

NOW, THEREFORE, BE IT RESOLVED BY THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it repeals Resolution No. R-CRA-2011-40, and the procedure for conducting CRA meetings shall be as follows:

RULES OF PROCEDURE FOR THE GOVERNING
OF CRA MEETINGS

Meeting Times.

Regular CRA meetings are scheduled to be held on the first and third Wednesday of each month other than August, beginning at 9:00 A.M.

Agenda for the CRA Board.

The Executive Director of the CRA or designee shall direct the CRA Board Secretary to prepare an agenda for each meeting of the CRA Board ("Board"). To the greatest extent possible, the agenda, with accompanying backup materials, shall be available for distribution on the Friday prior to the meeting.

Items shall be placed on the agenda by the Executive Director, the CRA's General Counsel, or at the request of any three members of the Board. Agenda items shall be submitted to the City Clerk 14 days prior to the CRA meeting, except in unusual circumstances, and shall be limited to matters that are within the jurisdiction of the CRA. Any item brought forward on the dais during a CRA meeting requesting staff or the CRA's General Counsel to perform research, investigate an issue, or to bring an item back to the Board for consideration on a future agenda shall require consensus of at least three members of the Board.

The Executive Director shall organize the agenda in an orderly way to minimize delays on public hearing items. When deemed appropriate by the Executive Director or requested by a member of the Board, agenda items may be set to be heard at a "time certain" (i.e., not earlier than that time). The setting of multiple "time certain" items at the same time shall be kept to a minimum. The Executive Director shall place as many items as possible and appropriate on the consent agenda. Board members shall attempt to have any questions regarding consent agenda items resolved prior to the CRA meeting. Additional items, not part of the agenda published by the City Clerk, shall require a five-sevenths (5/7ths) vote of the Board in order for the additional item to be approved, provided that any such item that would otherwise require a unanimous vote shall still require a unanimous vote.

Printed material shall not be distributed directly to the Board at the meeting by citizens or employees. If it is necessary to distribute any additional printed documents to the Board on the day of the Board meeting, 15 copies of the printed material shall be delivered to the Board Secretary, for distribution to the CRA Board, Executive Director of the CRA, General Counsel and the Board Secretary.

A copy of the agenda shall be made available to the public. Designated CRA and/or City personnel shall deliver agendas to target points throughout the City when they are printed. An Information Rack containing copies of the agenda for the public shall be placed inside the City Clerk's Office.

A copy of the agenda shall be shown on the local cable television and appear on the City's Internet home page as soon as it is printed.

The follow-up report to Board agenda items shall continue in its current format, and staff shall continue to provide solutions to the issues. The follow-up report shall be available in the CRA Office.

Participation by Member of Board who is Absent Because of Illness

If a quorum of the Board is physically present at a meeting, a member of the Board who is absent from the meeting because of illness will be allowed to participate and vote by telephone.

Proclamations, Awards and Presentations.

Proclamations, awards and presentations will be made during the regular Board meetings at a time certain designated by the Executive Director of the CRA. Unless the Chair permits otherwise following request of the Executive Director of the CRA, each proclamation, award and presentation shall be limited to no more than 15 minutes.

Disclosure of Real Estate Interests and Business Relationships.

It is the intent of this section to impose disclosure requirements in addition to those imposed by state law.

In addition to any other disclosure requirements set forth herein, a Board member shall orally disclose, prior to an agenda item being considered, any written or oral communications he/she has had with any interested party, lobbyist, agent or representative, relating to the agenda item being considered. Said communications shall exclude communications with the CRA General Counsel, Executive Director of the CRA or any CRA and/or City staff.

When an agenda item involves the use or development of land, each member of the Board, the Executive Director of the CRA, the General Counsel, the director and assistant director(s) of each City department and City office shall disclose orally, at the time the Board begins to discuss the item, or in writing to the Board Secretary prior to the publication of the agenda, any significant interest (as defined below) that such CRA official or employee or any relative (as defined below) of such CRA official or employee has in land located within 300 feet of the land that is the subject of the item.

When an agenda item involves an invitation for bids, request for proposals, request for qualifications, request for letters of interest, or other competitive solicitation, each member of the Board, the Executive Director, the General Counsel, and the director and assistant director(s) of each City department and City office shall disclose orally, at the time the Board begins to discuss the item, or in writing to the City Clerk prior to publication of the agenda, any client or business relationship that such CRA official or employee or any relative (as defined below) of such CRA official or employee has with any business entity that has submitted a response to the competitive solicitation.

As used in this section, "significant interest" means ownership of more than five percent of the value of the land. As used in this section, "relative" means father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

Public Comment Before the Board.

Meetings of the Board are open to the public. State law requires the Board to give members of the public a reasonable opportunity to be heard on most items that come before the Board. Public comments on other items are at the discretion of the Board. Before the Board has discussed an item that will be subject to public comment, whether required by state law or allowed at the discretion of the Board, the Board Chair shall inquire as to whether there are any comment cards from citizens who wish to speak on the matter. Comments shall be limited to a three minute time period. With the consensus of

the Board, the time period may be reduced to two minutes if more than 10 citizens wish to speak on an item. No citizen's time shall be transferable to any other person. Once the public comment period on the issue is closed and the Board begins its discussion, no further public comment shall be heard.

Notices shall be prominently posted in the City Clerk's office, clearly defining the procedures to be followed by citizens who wish to speak on agenda items.

Citizen input at all public meetings shall deal with administrative issues, and harassing, obscene, untruthful, slanderous comments regarding personnel and elected officials shall not be tolerated. Speakers shall refrain from soliciting for politically funded events or campaign related issues at all public comments.

Persons who wish to speak before the Board on any item that calls for public comment shall, on the day of the Board meeting, complete a comment card with his/her name, address, and phone number, a description of the item he/she wishes to speak on and whether he/she speaks for or against the issue. Comment cards will be issued by the Board Secretary or designee, directly to the person presenting the comments. Only one comment card will be issued to a person per agenda item. Comment cards must be received by the Board Secretary within the first five minutes after the public comment on an agenda item has been opened or prior to the close of public comment, whichever comes first. Any person turning in a card after that time will not be permitted to speak on that item. When called by the Board Chair to address the Board, the speaker shall step up to the speaker's podium and shall give the following information in an audible tone of voice for the minutes:

- (a) name;
- (b) address;
- (c) his/her status as a paid lobbyist or as a representative of another for compensation, if he/she speaks in that capacity;
- (d) whether speaking for or against the issue, and if requested by any Board member, may be required to state:
 - (i) whether he/she speaks for themselves, a group of persons, or a third party; if the person says that he/she represents an organization, whether the view expressed by the speaker represents an established policy of the organization approved by the board or governing council;
 - (ii) whether he/she is being compensated by the person or persons for whom he/she speaks; and
 - (iii) whether he/she or any member of his/her immediate family has a personal financial interest in the pending matter, other than set forth in (ii).

Public Hearing Period.

Public hearings that are scheduled for a specific time on the agenda will be heard at that time or as soon thereafter as possible. The public hearing will be noticed according to state statutes and City Codes. Citizens will be limited to a three minute time period to speak during the public hearing portion of the meeting. With the consensus of the Board, the time period may be reduced to two minutes if more than 10 citizens wish to speak on an item. No citizen's time shall be transferable to any other person. Once the public hearing period on the issue is closed and the Board begins its discussion, no further public comment shall be heard.

Notices shall be prominently posted in the City Clerk's office, clearly defining the procedures to be followed by the citizens who wish to speak on public hearing agenda items.

Citizen input at all public hearing meetings shall deal with administrative issues, and harassing, obscene, untruthful, slanderous comments regarding personnel and elected officials shall not be tolerated. Speakers shall refrain from soliciting for politically funded events or campaign related issues at all public meetings.

Persons who wish to speak at the public hearing shall, on the day of the Board meeting, complete a comment card with his/her name, address and phone number, a description of the item on which he/she wishes to speak and whether he/she speaks for or against the issue. Comment cards will be issued by the Board Secretary or designee, directly to the person presenting the comments. Only one comment card will be issued to a person per agenda item. Comment cards must be received by the Board's Secretary within the first five minutes after the start of the public hearing on an agenda item. Any person turning in a card after that time will not be permitted to speak on that item. When called by the Board Chair to address the Board, the speaker shall step up to the speaker's podium and shall give the following information in an audible tone of voice for the minutes:

- (a) name;
- (b) address;
- (c) his/her status as a paid lobbyist or as a representative of another for compensation, if he/she speaks in that capacity;
- (d) whether speaking for or against the issue, and if requested by any Board member, may be required to state:
 - (i) whether he/she speaks for himself/herself, a group of persons, or a third party; if the person says that he/she represents an organization, whether the view expressed by the speaker represents an established policy of the organization approved by the board or governing council;
 - (ii) whether he/she is being compensated by the person or persons for whom he/she speaks; and

(iii) whether he/she or any member of his/her immediate family has a personal financial interest in the pending matter, other than as set forth in (ii).

Board Comment Period.

The agenda for each Regular Meeting shall include an item designated as "Comments by the CRA Board, General Counsel & Executive Director of the CRA." The comments during this portion of the meeting shall be limited to five minutes per Board Chair/Board member.

Citizens' Comment Period.

(a) A period of 30 minutes for Citizens' Comments shall be designated on the agenda for the Regular Meeting that is held on the third Wednesday of each month (except August) for citizens to speak. There shall be no duplication of issues that were heard as specifically agendaed items. A three minute time limit shall be enforced and the buzzer shall sound when speakers exceed the time allotted.

(b) The Board Chair/Board members, Executive Director, and General Counsel shall, if deemed necessary, respond to the speakers during the 30 minute time period, or such period as may be necessary to accommodate staff responses, or the Board Chair/Board Members may designate the Executive Director or staff to handle the matter. The response time will be in addition to the time allotted for Citizens' Comments.

(c) The Citizens' Comments portion of the meeting shall be held in the Commission Chambers at 9:00 A.M. (or as soon thereafter as practical). Speakers shall be allowed to register in person only.

(d) Comment cards for Citizens' Comments shall be secured from the Board Secretary. The cards shall be given to the Board Chair in the order that they are registered with the Board Secretary. The total number of speakers shall not exceed ten people. If more than ten cards are received, the Board shall limit the amount of time per speaker. No citizen's time shall be transferable to any other person.

(e) Notices shall be prominently posted in the City Clerk's Office, clearly defining the procedures to be followed by the citizens who wish to speak on regular agenda items and during Citizens' Comments.

(f) Citizen input during Citizens' Comments and all public meetings shall deal with administrative issues; harassing, obscene, untruthful, slanderous comments regarding personnel and elected officials shall not be tolerated. Speakers shall refrain from soliciting for politically funded events or campaign related issues during Citizens' Comments and at all public meetings.

(g) Citizens shall be encouraged to participate in alternative methods of communicating with the Board and administrative staff to address their needs, such as meetings with individual Board members.

Decorum.

In case of any disturbance, disorderly conduct or failure to comply with the rules of the Board, the Executive Director or the Board Chair shall have the power to require the Commission Chambers or meeting room to be cleared or to order from the room any member of the audience. In addition, any Board member, the Executive Director or the CRA General Counsel may request the Board Chair to enforce these rules of procedure.

At the meeting, the Police Chief or designee in attendance will be designated Sergeant at Arms. When necessary, the Sergeant at Arms shall restore order to the meeting.

Persons attending meetings will remain seated at all times unless called upon to speak, and will not call out comments during the meeting or make inappropriate hand or facial gestures. In addition, every person will turn off or place on silent mode his/her cell phone upon entering the room during the meeting.

Procedures for Discussion of Agenda Items.

(a) As to CRA Board Chair: Upon relinquishing the chair, the Board Chair or such other member of the Board as may be presiding, may move or second subject only to such limitations of discussion as imposed by these rules upon all members until the issue is resolved or until reassuming the chair, whichever occurs later.

(b) Obtaining the Floor: Every Board member desiring to speak for any purpose shall address the presiding officer and upon recognition, shall confine comments to the question under discussion. Board members shall avoid personal attack and the use of offensive, derogatory language while discussing any matter.

(c) Interruption: A Board member, once recognized, shall not be interrupted when speaking unless it is to be called to order or as herein otherwise provided. If a Board member while speaking is called to order, the Board member shall cease speaking until the question of order is determined by the presiding officer, and if in order, the Board member shall be permitted to proceed. Any Board member may appeal to the Board from the decision of the Board Chair upon a question of order, whereupon without debate the Board Chair shall submit to the Board the question, "Shall the decision of the chair be sustained?", and the Board shall decide by a majority vote.

(d) Reconsideration: An action of the Board may be reconsidered only at the same meeting at which the action was taken or at the next Regular meeting thereafter. A motion to reconsider may be made only by a member who voted on the prevailing side of the question and must be concurred by a majority of those present at the meeting. A Board member who was absent at the time the vote was taken shall be deemed to be on the prevailing side. A motion to reconsider shall not be considered unless at least the same number of members are present as participated in the original vote under consideration. Adoption of a motion to reconsider shall rescind the action reconsidered.

(e) **Prohibition of Participation in a Matter while Abstaining:** No Chair/Board member shall participate in any matter from which he or she abstains from voting. For purposes of this paragraph, "participate" means attempt to influence the decision by oral or written communication, whether made by the abstaining Chair/Board member or at his or her direction. Nothing contained herein shall be construed to prohibit an abstaining Chair/Board member from attempting to influence the decision as a private citizen by oral or written communication. In addition, nothing contained herein shall prohibit the presiding officer (whether the Board Chair, or in the Board Chair's absence, the Vice-Chair, or in the absence of both the Board Chair and Vice Chair, any other Board member) from presiding over the meeting during consideration of an item by the Board.

Parliamentary Procedure.

The rules of parliamentary procedure contained in the latest edition of Robert's Rules of Order shall govern the Board, provided they are not inconsistent with this Resolution, the Charter, or the ordinances of the City of Hollywood.

Failure to Comply with Board Rules.

No action of the Board shall be deemed invalid because of a failure to comply with any of the rules contained herein.

Adoption, Alteration or Suspension of Rules.

Rules may be adopted, altered, waived, or rescinded by a majority vote of the members of the Board, provided that the rule that limits comments during the Board Comment Period of each Regular CRA meeting to five minutes per Board Chair/Board member may be waived by a vote of three members of the Board. Any of the rules so adopted, altered or amended may be suspended by a majority vote of the members of the Board.

Application of Rules.

These rules shall apply to all matters that come before the Board, except as may be specifically provided by other resolutions, such as resolutions establishing rules of order and/or rules of conduct and procedure for quasi-judicial proceedings.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2020.

ATTEST:

HOLLYWOOD, FLORIDA COMMUNITY
REDEVELOPMENT AGENCY

PHYLLIS LEWIS, BOARD SECRETARY

JOSH LEVY, CHAIR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the Hollywood, Florida Community
Redevelopment Agency only.

DOUGLAS R. GONZALES
GENERAL COUNSEL