

CRAs: Communities Working Together



Agenda

- Open Government Laws
- Public Meeting Protocols & Best Practices
- Ethics
- What are CRAs?
- How can you be an effective leader?
- What are the “Rules of Engagement”?
- What are the Best Practices?
- What is Legal?

Open Meetings

- Sunshine Law
- Notices
- Protocol
- Civility
- Citizen Participation
- Best Practices

Open Records

- Public Access
- Home computer communications
- Dealing with media requests
- Does it have to be in writing?
- Do we have to charge for it?
- Best Practices

Ethics

- Conflicts of interest
- Voting conflicts
- Doing business in the area
- Doing business with the agency

Ten Reasons to 'Re'develop

- Removal of Slum & Blight
- Clean and Safe Places
- Economic Development
- Business Retention/Recruitment
- Crime Prevention
- Affordable Housing
- Historic Preservation
- Parks and Recreation
- Streetscape Improvements
- Sustainable Reuse and Urban Infill

What is Redevelopment?

Relative to your CRA, any activity authorized under Ch 163, Part III, Florida Statutes. Revolves around a publicly customized plan, funded by the increase in assessed values over time, called increment.

Redevelopment ABCs

- **A** wise investment, especially in tough economic times, in the future of an area
- **B**reathes new life into areas in need revitalization
- **C**onsistency and predictability for private sector
- **D**esigned, created and funded locally
- **E**very \$ of public leverages for \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$ private
- **F**ully transparent public process to develop a common vision for sustainable viability

Powers of a CRA

(highly recommended reading)

- 163.358 Exercise of powers in carrying out community redevelopment and related activities.
- 163.370 Powers; counties and municipalities; community redevelopment agencies.
- 163.410 Exercise of powers in counties with home rule charters.
- 163.415 Exercise of powers in counties without home rule charters.
- 163.400 Cooperation by public bodies.

Review: How is a CRA Created?

All Local

- Notices and Public Meetings
- Finding of Necessity and “blight by statute, not Mr. Webster”
- Establish Board
- Create Trust Fund
- Adopt Redevelopment Plan
- No state approval required, but plenty of reporting

What is a CRA?

Agency or Area...Yes

- Board Members appointed by local government
- Dependent Special District
- Elected and or appointed people
- May have multiple CRA districts
- Law generally says only one CRA Board

CRA Facts

- Over 200 CRAs in the state, mostly cities
- All are dependent special districts created by city or county (www.floridaspecialdistricts.org)
- CRAs in Florida have terms from 7-30 years, avg. 20
- Increment trust fund contribution calculations vary: some based on “preliminary” rolls, some “final” roll
- Charter counties “delegate” authority to city CRAs
- Non charter counties can challenge the creation of city CRA by statutory process
- The fiscal year of all CRAs is October 1 – September 30

CRA Facts Too

- School boards, water management districts, and most other special districts do not pay into CRA trust funds
- CRAs (but not cities or counties) can give public dollars to private – their mission and process is a public benefit per the courts and legislature.
- Chapter 163 Part III was first passed in 1969. At that time, there were 15 legislatively created Downtown Development Authorities, which collected ad valorem for redevelopment.
- It wasn't until State v. Miami Beach Redevelopment Agency was decided in 1980, that CRAs proliferated. Strand v. Escambia County in 2007 affirmed the Miami Beach case.

The Redevelopment Plan is the Blueprint

- A publically drafted master plan for redevelopment
- Addresses unique customized needs
- Sets goals, specifies priorities , identifies projects
- Project revenues and expenses – 5 year
- Roadmap for private sector
- Living document can be amended without limit

What is Increment Financing?

- Ad valorem property values frozen (base year) for area
- Yearly increase in property values applied to millage is “increment”
- 95% of amount is sent to CRA trust fund
- County and city write check annually
- CRA adopts budget based on amounts plus donations, loans, bonds, interest

How Can the Funds be Spent?

- Administrative and overhead to carry out adopted plan
- Reimbursement for start up costs
- Planning, surveys, and financial analysis
- Acquisition of real property in the redevelopment area
- Clearance and preparation of sites in redevelopment area
- Affordable housing within the area
- Community policing innovations
- Cost of issuance, sale, redemption, retirement, or purchase of revenue bonds
- Repayment of loans, advances, bonds, bond anticipation notes, and other debt
- ANYTHING IN THE PLAN allowed by statute to correct conditions in finding of necessity, and in area

Inter local Agreements

- Alternative provisions to the statute may be mutually agreed to by the taxing authorities.
- Also, 163.387 (3)(b) states:
Alternate provisions contained in an inter local agreement between a taxing authority and the governing body....may supersede the provisions of this section with respect to that taxing authority.
The community redevelopment agency may be an additional party to any such agreement.

Generally Not CRA Legal (check with your attorney)

Trust fund money for any project, program, donation, sponsorship, grant that is not expended in the area and is not clearly in the redevelopment plan.

*Exceptions by interlocal agreement ***

Also not CRA Legal

- Construction or expansion of administrative buildings for public bodies or police and fire buildings, unless each taxing authority agrees to such method of financing for the construction or expansion, or unless the construction or expansion is contemplated as part of a community policing innovation.
- Projects under any previously existing CIP or non CRA funding plan until they are off that list for three years
- General government operating expenses unrelated to planning and carrying out the community redevelopment plan

*Exceptions by inter local agreement ***

What Redevelopment is Not

- Anything spent outside the plan or the area
- Eminent domain for redevelopment purposes
- General government line items
- Grants or donations to non-profits or events that have nothing to do with the redevelopment plan
- Salaries for city or county staff that do not work on CRA activities
- Maintenance normally done by city or county
- Comprehensive planning, zoning or land use regulation

Things to Know About Your CRA

- What is the history of your CRA?
- What has been accomplished?
- What are the current projects?
- How much money is in the trust fund?
- How much does the county v. city contribute?
- How much longer has the CRA to operate?
- Review the plan, yes the whole thing, keep a copy
- When was the last time the plan was amended?
- What programs does the CRA offer?

Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time.

-- Winston Churchill

Redevelopment - a Contact Sport

- Chapter 163, Part III encourages government to invest public funds with private enterprise to ultimately bring an area back to life
- Diverse groups have differing ideas on how to use the money
- Locally generated funds, by cities and counties, can be a political football
- People do not understand the 'who, what, when, where and how' of the process
- Lack of leadership, vision and buy-in can lead to mission drift

‘What is the sound bite?’

As with most municipal issues, our message is complex and could lead to misunderstandings by citizens who don't hear the rest of the story. Try saying : “for a limited period of time, CRAs eradicate slum and blight, to sustain an improved quality of life...all ships rise w the tide; the plan is developed by the community and is tailored to their needs and desires; for our community's future”....and the word TAX is in the glossary of terms!

Successful CRAs

- Vision
- Leadership
- Plan the work, then work the plan
- A passion for partnerships
- Guts, sticking with it, wisdom, patience
- Community support and trust

How to be a CRA 'Leader'

- Do your homework (call the FRA)
- Adopt a shared vision and work for it
- Explain 'Who, What, When, Where and How' as many times as necessary
- Seek out comment from citizens, businesses
- Work for consensus, not credit
- Do cost benefit analysis at each phase
- Get out of the way – steer don't row

To Vision or Not to Vision . . .

- No one right way to build consensus
- You can over think it
- Is it time to get the community involved?
- Is it time to move charge forward regardless?
- Identify easy-to-understand measurement for progress and success
- Continuously build support for the program

Good Ideas

- Be realistic about what can be accomplished, but...
- . . . be bold in setting goals
- Promote projects and success stories
- Create themes, campaigns, events, buzz
- Network, Network, Network
- Create Successful Partnerships
- Review Land Use & Zoning

Best Practices

- Establish goals, tasks, track progress
- Analyze and study the market
- Do your research
- Understand the private sector/profit motive
- Monitor contracts with public eye
- Over communicate on expectations
- Use your legal counsel - pay now or pay more later

Best Practices

- Always separate CRA v. Commission meetings
- Mission, goals, objectives – keep them up front
- Adopt by-laws?
- Public notice requirements same as local govt.
- Complete all appropriate reports
- Joint procedures for CRA and city, eg. personnel
- Separate insurance (errors/omissions, liability)
- Annual strategic planning workshop (two hours)
- Let the Budget tell the story

The Budget

- Administration
 - Staff
 - Consultants
- District Capital Improvements
- Community Policing/Other Initiatives
- Business/Economic Development
- Marketing
 - Advertising/Public Relations
 - Special Events – Whole Budget

The Municipal Cycle

- October – False Start
- November/December – Where is Everyone?
- January – Angst!!!!
- February through June – The Real Deal
- July/August – At Last I Can Get Something Done
- September - Budget
- Start All Over Again . . .

Amending a Plan

- Update plan every 5 yrs / re-set goals
- Must be consistent with the Comprehensive Plan (but not a required element)
- Process similar to creation of CRA
- Proposed by the CRA Board, sent to local planning agency, to governing body, notices, public hearing, governing body, then charter county approves
- Options
 - Expand or contract boundaries
 - Extend term of CRA
 - General updates, additions, edits

FRA Can Help

- Legislative
- Technical Assistance
- Legal Opinions
- Web, Face book, Twitter, YouTube
- Professional Development and Training
- Brownfields and Grant Funding
- Certification Program
- News Clips

The Future . . .

- Inter local agreements will be used more to outline who pays for what, when, how and why
- Cooperative instead of competitive approach to governing
- Dialogue, not monologue
- Strong legislative defense - any changes to the redevelopment act should empower, not limit.

Resources

Florida Chapter of the American Planning Association
www.floridaplanning.org

Florida Brownfields Association www.fba.org

Florida League of Cities www.flcities.com

Florida Association of Counties www.flcounties.com

Urban Land Institute www.uli.org

International Council of Shopping Centers
www.icsc.org

Florida Redevelopment Association

850.701.3608

www.redevelopment.net

Carol Westmoreland, Executive Director

cwestmoreland@flcities.com

Jan Piland, Executive Assistant

jpiland@flcities.com