

Select Chapter 189, Florida Statutes, Requirements Summarized for Community Redevelopment Agencies



Division of Community Development, Special District Accountability Program March 2020

The following Uniform Special District Accountability Act (Chapter 189, Florida Statutes) requirements are summarized for the Community Redevelopment Agency (CRA), which is a dependent special district within the meaning of this law. For detailed information, visit the Florida Special District Handbook Online at www.FloridaJobs.org/SpecialDistrictHandbook. In addition, each CRA should consult with its legal counsel to address any questions or concerns related to specific statutory requirements, including additional requirements in other laws, such as the Community Redevelopment Act of 1969 (Chapter 163, Part III, Florida Statutes) and the Administrative Procedures Act (Chapter 120, Florida Statutes).

Select Filing Requirements

File with the Florida Department of Economic Opportunity, Special District Accountability Program

1. **State Fee (\$175):** Due annually (approximately December 1), or as invoiced if newly created.
2. **Annual Invoice/Update Form:** Reviewed, corrected and updated as necessary, signed, dated and returned along with the state fee (approximately December 1).
3. **Registered Agent's Name and Changes:** Each newly created CRA must file within 30 days after its first governing body meeting and file updates immediately upon making the change.
4. **Registered Office Information and Changes (address, telephone and fax numbers and email address):** Each newly created CRA must file within 30 days after its first governing body meeting and file updates immediately upon making the change.
5. **Creation Document and Amendments:** File within 30 days after the effective date.
6. **Boundary Map and Amendments:** File within 30 days after the effective date.
7. **Official Website Address:** Each newly created CRA must file by the end of the first full fiscal year after creation. All others should have filed by October 1, 2015.
8. **Written Status Statement:** Each newly created CRA must provide a written statement referencing the status of the CRA as dependent and the specific reason(s) it is dependent based on the definition of a dependent special district in section 189.012(2), Florida Statutes.
9. **Written Notice When Required:** If a CRA receives notice that the CRA is listed on a state agency's noncompliance status report, the CRA must respond appropriately to avoid further state action, including circuit court enforcement and a declaration of inactive status.

File with the Florida Auditor General

1. **Financial Audit Report (if required):** Effective October 1, 2019, each CRA with revenues or a total of expenditures and expenses exceeding \$100,000 must provide for and file a separate financial audit.
2. **Response to requests for additional information:** Respond as appropriate to avoid further state action.

File with the State Board of Administration, Division of Bond Finance

1. **Advance Written Notice of a Bond Sale:** File before issuing general obligation or revenue bonds.
2. **Bond Information Form (BF2003):** File within 120 days after the delivery of the bond issue.
3. **Bond Disclosure Form (Competitive Sale, BF2004-A):** File within 120 days after delivery of the bonds.
4. **Bond Disclosure Form (Negotiated Sale, BF 2004-B):** File within 120 days after delivery of the bonds.
5. **Final Official Statement:** If published regarding an issue for which a filing is required, this statement must also be filed.

File with the Local Governing Authority or Authorities (County and/or Municipality)

1. **Budget or Tax Levy:** File as requested.
2. **Revenue, Expenditures/Expenses and Debt Data:** File as requested for purposes of the Annual Financial Report.
3. **Financial Audit Report (if required):** The appropriate county or municipality must file the CRA's financial audit report with the Florida Department of Financial Services.
4. **Registered Agent's Name and Changes**
5. **Registered Office and Changes**
6. **Schedule of Regular Meetings**

Select General Requirements

Schedule of Regular Meetings Requirements

- Quarterly, semiannually or annually prepare a schedule of regular meetings that includes the date, time and location of each meeting.
- File the schedule with the local governing authority or authorities.
- Publish the schedule in the legal notices and classified advertisements section of a newspaper that:
 - Is of general or paid circulation in the county or counties in which the CRA is located;
 - Is a community newspaper of general interest and readership, as opposed to limited subject matter; and

- Is published at least five days a week unless the only newspaper in the county is published fewer than five days a week.
- Post the schedule on the CRA's official website.
- Post the following on the CRA's official website at least seven days before each meeting or workshop and keep the materials available for at least one year:
 - The agenda of the event; and
 - Any meeting materials that are available in electronic format, excluding confidential and exempt information.

General Budget Requirements

- Adopt a budget by resolution each fiscal year.
- The total amount available from taxation and other sources, including balances brought forward from prior fiscal years, must equal the total of appropriations for expenditures and reserves.
- At a minimum, the adopted budget must show for each fund, as required by law and sound financial practices, budgeted revenues and expenditures by organizational unit that are at least at the level of detail required for the Annual Financial Report.
- The adopted budget must regulate expenditures.
- Do not expend or contract for expenditures except pursuant to the adopted budget.
- The proposed budget must be:
 - Contained within the general budget of the county or municipality to which it is dependent unless the county or municipality agrees that the CRA may have its own separate budget;
 - Clearly stated as the budget of the CRA; and
 - Provided to the county or municipality when they request it.

Budget Amendment Requirements

A CRA may amend its budget any time within a fiscal year or within 60 days following the end of its fiscal year as follows:

- The CRA's governing body may increase or decrease appropriations for expenditures within a fund if the total appropriations of the fund do not increase.
 - Method: Motion recorded in the minutes.
- The designated budget officer may authorize certain amendments if the total appropriations of the fund do not increase:
 - Method: Procedures established by the CRA's governing body.
- Other amendments not specifically authorized above:
 - Methods:
 - Adopted by a resolution of the CRA's governing body;
 - Posted on the CRA's official website within five days after adoption; and
 - Maintained on the website for at least two years.

Official Website Requirements

1. General Information:

- a. The CRA's full legal name (as cited in the creation document);
- b. A public purpose statement;
- c. A written description of the CRA's boundaries or service area. Posting a map may also be useful;
- d. The services provided;
- e. The CRA's executed creation document, as amended;
- f. The statute(s) under which the CRA operates;
- g. Date established (effective date of creation document); and
- h. Establishing entity (e.g., county, municipality).

2. General Contact Information:

- a. Mailing address;
- b. Email address;
- c. Telephone number;
- d. Web address; and
- e. Registered agent and registered office (as on file with the Special District Accountability Program).

3. Each Governing Body Member's Contact Information:

- a. Name;
- b. Official address;
- c. Official email address; and
- d. If applicable, the term and appointing authority (e.g., county, municipality).

4. Revenue Information:

- a. A listing of all taxes, fees, assessments or charges imposed and collected;
- b. The rates or amounts for the current fiscal year; and
- c. The statutory authority for the levy of the tax, fee, assessment or charge.

5. General Financial Information:

- a. The fiscal year period (probably October 1 through September 30);
- b. A link to the Florida Department of Financial Services - Local Government Financial Reporting webpage (<https://apps.fldfs.com/LocalGov/Reports/>) to view the CRA's Annual Financial Report; and
- c. The final, complete audit report for the most recently completed fiscal year and audit reports required by law or authorized by the CRA's governing body.

6. Budget Information:

- a. Tentative Budget (if applicable): Post at least two days before the budget hearing held pursuant to section 200.065, Florida Statutes (Method of Fixing Millage), or other law, to consider such budget and keep it on the website for at least 45 days;
- b. Final Adopted Budget: Post within 30 days after adoption and keep it on the website for at least two years; and
- c. Budget Amendment (when a resolution is required to adopt such an amendment): Post within five days after adoption and keep it on the website for at least two years.

7. Meeting Information:

- a. Regular Public Meeting Schedule;
- b. Meeting / Workshop Agendas: Post at least seven days before the event and maintain on the website for at least one year; and

- c. Meeting Materials (when available in an electronic format): Post at least seven days before the event and maintain on the website for at least one year.

8. Ethics Information:

- a. Code of Ethics, if adopted; and
- b. A link to generally applicable ethics provisions (e.g., Florida Commission on Ethics - Ethics Laws webpage at <http://www.ethics.state.fl.us/Research/EthicsLaws.aspx>).

Additional Information

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www.FloridaJobs.org/SpecialDistricts
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