

RESOLUTION NO. 2016-03

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (THE "AGENCY") APPROVING THE ADOPTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH (THE "CITY") AND THE AGENCY THAT PROVIDES FOR THE PAYMENT BY THE CITY TO THE AGENCY OF CERTAIN FUNDS FOR IMPROVEMENTS TO THE CITY OF RIVIERA BEACH MUNICIPAL MARINA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and Agency entered into a Marina Uplands Ground Lease as of July 2, 2014, allowing the Agency to lease certain property defined therein at the City's Marina (hereinafter "City Marina Upland Property"); and

WHEREAS, the redevelopment of the City Marina Upland Property as provided in the Redevelopment Plan serves a public purpose and is in the best interests of all of the parties hereto and the respective residents and citizens thereof; and

WHEREAS, as part of the budget process, the Agency, the Utility District and the City agreed to work cooperatively with each other to provide for financing, construction and operation and maintenance of any Public Improvements made to the City Marina Upland Property; and

WHEREAS, the CRA has requested that the City provide certain financial reimbursements due to the Agency's investment of Public Improvements at the City Marina Upland Property, which improvements will inure to the benefit of the Utility District and City; and

WHEREAS, the City has agreed to provide such financial reimbursements over a period of time; and

WHEREAS, the City finds that it is in the best interest of the City, the CRA and the citizens of Riviera Beach to make the financial rebate to the CRA for its investments in Public Improvements to aide the Agency in ongoing and future development of the Marina Upland Property ; and

WHEREAS, the City and the CRA agree to enter into this Interlocal Agreement to memorialize such agreement.

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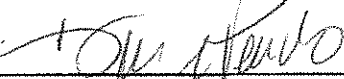
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

SECTION 1. The Agency approves the form of the Interlocal Agreement attached hereto as Exhibit "A" and approves the execution and delivery of the Interlocal Agreement in substantially the form approved subject to such changes as may be approved by the Chairperson subject to advice of counsel, with the execution of the Interlocal Agreement by the Chairperson conclusive evidence of the approval of such changes..

SECTION 2. The resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 24th day of January 2016.

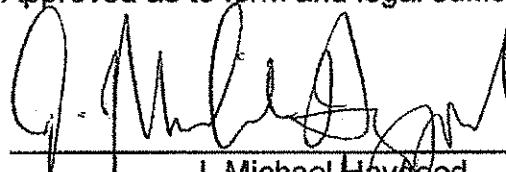
RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By: 
Name: Dawn Pardo
Title: Chairperson

ATTEST:


Executive Director

Approved as to form and legal sufficiency



J. Michael Haygood
Date 2/19/16

General Counsel to CRA

MOTION BY:

B. Guyton

SECONDED BY:

C. Thomas

D. PARDO
T. DAVIS
C. THOMAS
B. GUYTON
K. MILLER-ANDERSON

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PUBLIC IMPROVEMENT REIMBURSEMENTS
INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is made this 16th day of March, 2016, by and between the City of Riviera Beach, Florida, a municipal corporation existing under the laws of the state of Florida (the "City"), and the Riviera Beach Community Redevelopment Agency, a public body corporate and politic (the "CRA").

WITNESSETH:

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969," authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the need and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined to enter into interlocal agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, Section 163.400, Florida Statutes, authorizes any public body, for the purposes of aiding in the carrying out of community redevelopment, to contribute funds to a municipality; and

WHEREAS, the City Council of the City of Riviera Beach has adopted a community redevelopment plan pursuant to the Community Redevelopment Act (the "Plan"); and

WHEREAS, the City and CRA entered into a Marina Uplands Ground Lease as of July 2, 2014, allowing the CRA to lease certain property defined therein at the City's Marina, ("City Marina Upland Property"); and

WHEREAS, the redevelopment of the City Marina Upland Property as provided in the Plan serves a public purpose and is in the best interests of all of the parties hereto and the respective residents and citizens thereof; and

WHEREAS, as part of the budget process, the CRA, the Utility District and the City agreed to work cooperatively with each other to provide for financing, construction and operation and maintenance of any public improvements made to the City Marina Upland Property; and

WHEREAS, the CRA has requested that the City provide certain financial reimbursements due to the CRA's investment of Public Improvements at the City Marina Upland Property, which improvements will inure to the benefit of the Utility District and City; and

WHEREAS, the City has agreed to provide such financial reimbursements over a period of time from ad valorem taxes; and

WHEREAS, the City finds that it is in the best interest of the City, the CRA and the citizens of Riviera Beach to make the financial reimbursement to the CRA for its investments in Public Improvements to aid the CRA in the development of the Marina Upland Property; and

WHEREAS, the City and the CRA agree to enter into this Interlocal Agreement to memorialize such agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

Section 1. The City hereby agrees to provide the CRA an amount equal to \$500,000 every year, the CRA's investment of Public Improvements at the City Marina Upland Property. The first payment shall be for fiscal year 2015-16, and shall be paid upon invoice but no later than April 30, 2016. The second payment shall be for fiscal year 2016-17, and shall be paid upon invoice but no later than January 1st of every year after the CRA submits an invoice for payment.

Section 2. Such moneys shall be budgeted and appropriated annually in the City's budget for the period beginning October 1st and ending September 30th (the "Fiscal Year") for the term of this Agreement.

Section 3. The CRA shall continue to pay all obligations owed to the City per the authorizing resolutions or agreements.

Section 4. This Agreement shall continue until the earlier of July 1, 2034 or the dissolution of the CRA.

Section 5. If the City determines not to budget and appropriate such funds in the City's annual budget, the City shall notify the CRA in writing not later than August 1st of its determination.

Section 6. If the CRA or the City desires to modify this Agreement, either may do so only with the written consent of the other party.

Section 7. This Agreement constitutes the entire agreement between the parties and no change will be valid unless made by supplemental written agreement duly authorized and executed by the parties.

Section 8. This Agreement shall inure to the benefit of and be binding upon the parties' respective successors and assigns.

Section 9. If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, then, to the extent that the invalidity or unenforceability does not impair the application of this Agreement as intended by the parties, the remaining provisions of this Agreement or the application of this Agreement to other situations, shall continue in full force and effect.

[Signatures on following page]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives on the date first above written.

ATTEST:

By: 

RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By: 

Dawn Pardo, Chair

Approved as to form:

By: 

J. Michael Haygood, Esq.

ATTEST:

By: 

Claudene L. Anthony, CMC
City Clerk

CITY OF RIVIERA BEACH, FLORIDA

By: 

Thomas A. Masters, Mayor

Approved as to form and legal sufficiency

By: 

Pamala H. Ryan, B.C.S.
City Attorney

RESOLUTION NO. 52-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE REIMBURSEMENT OF \$500,000 FOR CERTAIN FUNDS EXPENDED BY THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR IMPROVEMENTS TO THE MARINA UPLANDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and Agency entered into a Marina Uplands Ground Lease as of July 2, 2014, allowing the Agency to lease certain property defined therein at the City's Marina (hereinafter "City Marina Upland Property"); and

WHEREAS, the redevelopment of the City Marina Upland Property as provided in the Redevelopment Plan serves a public purpose and is in the best interests of all of the parties hereto and the respective residents and citizens thereof; and

WHEREAS, as part of the budget process, the City, the Agency and the Utility District agreed to work cooperatively with each other to provide for financing, construction and operation and maintenance of any Public Improvements made to the City Marina Upland Property; and

WHEREAS, the CRA has requested that the City provide certain financial reimbursements due to the Agency's investment of Public Improvements at the City Marina Upland Property, which improvements will inure to the benefit of the Utility District and City; and

WHEREAS, the City has agreed to provide such financial reimbursements over a period of time from ad valorem taxes; and

WHEREAS, the City finds that it is in the best interest of the City, the CRA and the citizens of Riviera Beach to make the financial reimbursement to the CRA for its investments in public improvements to aid the Agency in ongoing and future development of the Marina Upland Property; and

WHEREAS, the City and the CRA agree to enter into the attached Interlocal Agreement to memorialize such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. The Public Improvements Interlocal Agreement is hereby approved, and the Mayor and City Clerk are authorized to execute the Interlocal Agreement on behalf of the City.

SECTION 2. That this resolution shall become effective upon its passage and approval by City Council.


PASSED and APPROVED this 16TH day of MARCH, 2016.

APPROVED:

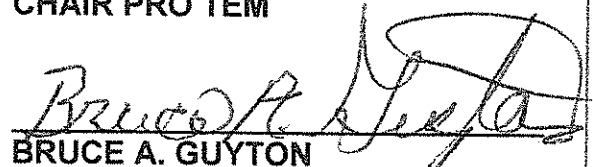

THOMAS A. MASTERS
MAYOR


DAWN S. PARDO
CHAIRPERSON


ATTEST:

 FOR
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK


TERENCE D. DAVIS
CHAIR PRO TEM


BRUCE A. GUYTON
COUNCILPERSON


KaSHAMBA L. MILLER-ANDERSON
COUNCILPERSON


CEDRICK A. THOMAS
COUNCILPERSON

MOTIONED BY: C. THOMAS

SECONDED BY: B. GUYTON

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

Date: 3/16/16