

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR THE REDEVELOPMENT OF BROOKS SUBDIVISION AS AFFORDABLE HOUSING, WHICH INCLUDES THE ASSIGNMENT OF THE CITY'S MORTGAGE ENCUMBERING BROOKS SUBDIVISION; AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT IN THE AMOUNT OF UP TO \$10,000 TO PALM BEACH COUNTY CONSISTENT WITH THE INTERLOCAL AGREEMENT; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments 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 that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

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

WHEREAS, the City and Palm Beach County have a common goal of providing affordable housing opportunities to low and moderate income persons in Palm Beach County; and

WHEREAS, a 22 lot parcel of vacant land, currently known as "Brooks Subdivision", hereinafter referred to as the "Subdivision", provides an opportunity to develop affordable housing on the site; and

WHEREAS, the County currently owns 18 of the parcels within the Subdivision, and intends to acquire the remaining 4 parcels which are encumbered by a Mortgage and Municipal Liens, payable to the City and a Declaration of Restrictive Covenant that runs with the land, whose modification and/or extinguishment is controlled by the City; and

WHEREAS, the parties wish to cooperate to ensure clear title to the property to the County to allow for the County's development of the Subdivision with affordable housing; and

WHEREAS, pursuant to the terms of the Interlocal Agreement, the City shall assign its Mortgage to the County in order for the County to obtain clear title to the remaining 4 parcels; and

WHEREAS, the City shall provide up to \$10,000 towards a settlement if the County contributes \$120,000 to such settlement for the County to obtain clear title to the remaining 4 parcels; and

WHEREAS, once the County obtains clear title to the remaining 4 parcels, the City will provide a release of all remaining City encumbrances on the Subdivision including the existing Declaration of Restrictive Covenant; and

WHEREAS, the County shall exercise good faith effort to foreclose the Mortgage and obtain clear title to the remaining 4 parcels including providing up to \$120,000 towards a settlement to obtain clear title to the remaining 4 parcels; and

WHEREAS, the County shall provide the City with the opportunity to comment on the overall design and implementation of affordable housing at the Subdivision; and

WHEREAS, the County shall coordinate efforts with one or more non-profit agencies within the City to perform activities for purposes of informing the Riviera Beach community of the home ownership opportunities as well as potential opportunities to participate in the construction and development processes relating to the Subdivision; and

WHEREAS, the County shall also encumber the Subdivision with a restrictive covenant to ensure that the homes will remain in affordable housing consistent with the terms of the funding source used to provide a down payment assistance for a period of thirty (30) years; and,

WHEREAS, the City finds the Interlocal Agreement is in the best interest of the City and serves a valid public purpose.

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

SECTION 1. The City Council approves the Interlocal Agreement with Palm Beach County including the assignment of the City's Mortgage in order for Palm Beach County to obtain clear title to the remaining 4 parcels in the Subdivision.

SECTION 2. The Mayor and City Clerk are authorized to execute the Interlocal Agreement, the Assignment of the Mortgage and, upon Palm Beach County obtaining clear title to the remaining 4 parcels in the Subdivision, a release of all remaining City encumbrances.

SECTION 3. That the Finance Director is authorized to make payment of up to \$10,000 on behalf of the City towards a settlement for Palm Beach County to obtain clear title to the remaining 4 parcels in the Subdivision.

SECTION 4. This Resolution shall take effect upon its passage and approval by the City Council.

PASSED and APPROVED this _____ day of June, 2020.

APPROVED:

RONNIE L. FELDER
MAYOR

JULIA A. BOTEL, Ed. D
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

DOUGLAS A. LAWSON,
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

SHIRLEY D. LANIER
COUNCILPERSON

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY _____

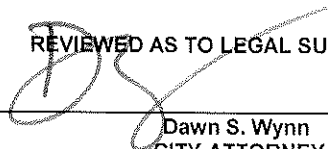
K. MILLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____

REVIEWED AS TO LEGAL SUFFICIENCY



Dawn S. Wynn
CITY ATTORNEY

DATE: 6/10/2020