

RESOLUTION NO: 2024-06

A RESOLUTION OF THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY ADOPTING AMENDMENT NUMBER ONE TO RESOLUTION 2023-03; PROVIDING FOR AN EFFECTIVE DATE

WITNESSETH:

WHEREAS, on August 22, 2023, the Delray Beach Community Redevelopment Agency Board of Commissioners (“Board”) adopted Resolution 2023-03 which created the Redevelopment Advisory Committee (“RAC”) and

WHEREAS, the Board desires to amend Resolution 2023-03 to modify the eligibility requirements for RAC members, amend the terms and increase the number of members which Resolution is attached hereto as **Exhibit “A”**, and incorporated herein by reference (“RAC Resolution”)

WHEREAS, the Delray Beach Community Redevelopment Agency Board of Commissioners finds that the RAC Resolution Amendment No. 1 is in the public’s interest and it is necessary to implement its goals and objectives.

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

1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.
2. The RAC Amendment No. 1 which is attached hereto as **Exhibit “B”**, and incorporated herein by reference is hereby adopted.

3. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

5. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY this ____ day of _____ 2024.

DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY

BY: _____
TOM CARNEY, CHAIR

ATTEST:

RENÉE A. JADUSINGH, ESQ., EXECUTIVE DIRECTOR

I HEREBY CERTIFY THAT I HAVE
APPROVED THIS RESOLUTION
AS TO FORM:

Legal Advisor

EXHIBIT "A"

Resolution 2023-03

EXHIBIT "B"

(Italics indicates new text and strikethrough indicates deletion)

Article 2. Appointment.

- 2.1 **RAC Creation.** The RAC is hereby created.
- 2.2 **RAC Appointment.** The RAC shall consist of *up to eight (8)* ~~five (5)~~ members, who shall be appointed by the CRA Board and shall serve at the pleasure of the CRA Board without compensation. Each member of the CRA Board shall appoint one (I) member of the RAC based on their City of Delray Beach Commission seat number starting with seat one.
- 2.3 **Property Ownership Requirement.** Appointed members of the RAC shall *have legal or equitable title to own* property *as defined below*, in the Delray Beach Community Redevelopment Agency District ("CRA District") at the time of appointment.
1. If the appointed member owns residential property within the CRA District, it must be the appointed member's homestead.
 2. If the appointed member owns commercial property within the CRA District, it must be the appointed member's primary place of business.
 3. *If the appointed member has equitable title by lease, the lease shall be residential rental property within the CRA District and the appointed member shall have lived in leased property within the CRA district for the prior five (5) years before appointment and shall have written lease agreements for the five (5) years prior to appointment.*
 4. *Equitable title to property, for purposes of this Resolution, shall only be defined as follows*
 - A. *homesteaded property owned in a trust in which the appointed member is the sole beneficiary and resides in the property, or*
 - B. *homesteaded property owned by a legal spouse of the appointed member in which the appointed member resides or*
 - C. *residential property in the CRA district leased to the appointed member under written lease agreements for the five years prior to appointment.*
 - D. *If the appointed member owns property by equitable title, they shall provide legal record of such equitable title prior to their appointment. Legal record of equitable title for legal spouses shall consist of a marriage certificate, legal record of equitable title for property owned in trust shall consist of the trust agreement and legal record of equitable title for leased residential property shall consist of written lease agreements for the five years prior to appointment.*

- 2.4 CRA District Eight Subareas Limitation. There shall be no more than one (1) appointed member of the RAC representing one of the eight (8) subareas within the CRA District at a given time.
- 2.5 Other Advisory Board or Committee Membership Limitation. No member of the RAC may concurrently serve on any other advisory board or committee.
- 2.6 Member Profession Limitation. There shall be no more than one (I) appointed member of the RAC engaged in the same profession at a given time.
- 2.7 Member Age Eligibility. There shall be no members of the RAC under the age of eighteen (18) years old at the time of appointment.

Article 3. Term.

- 3.1 Term. The term of the members of the RAC shall be for one (1) *one* ~~two~~-year term.
- ~~3.2 Term Limits. No member shall be appointed for more than two (2) terms.~~
- ~~3.3. Reappointment. Upon completion of the maximum allowable two year term of membership, no RAC member shall be eligible for reappointment to the RAC for a period of two (2) years.~~
- 3.4. Vacancy Procedure. Three (3) months before the expiration of a RAC member's term *or upon the removal of an appointed member*, the CRA Executive Director shall post, for sixty (60) days, an announcement and the RAC appointment application form on the CRA website of the upcoming vacancy for the RAC.