

RESOLUTION NO. 43-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DECLARING THE CITY COMMISSION TO BE THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DELRAY BEACH, FLORIDA; REPEALING ALL PRIOR RESOLUTIONS WHICH ARE IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Commission of the City of Delray Beach, Florida, by Ordinance No. 46-85, adopted June 18, 1985, (now codified in the Land Development Regulations of the Code of Ordinances of the City of Delray Beach, as Article 8.1) did create a Community Redevelopment Agency ("CRA") as provided in Florida Statutes Section 163.356; and

WHEREAS, on December 23, 1986, the Board of County Commissioners of Palm Beach County, Florida, passed and adopted Resolution No. R-86-2003 delegating the exercise of the powers conferred upon the County by Chapter 163, Part 3, Florida Statutes, within the boundaries of the City of Delray Beach to the governing body of the City of Delray Beach completely and without limitation; and

WHEREAS, pursuant to Section 163.357 *Florida Statutes*, the governing body of a municipality may, at any time, by adoption of a resolution, declare itself to be the Community Redevelopment Agency conferring upon it all the rights, powers, duties, privileges and amenities of the Community Redevelopment Agency; and

WHEREAS, upon adoption of such Resolution, the members of the governing body shall be members of the Community Redevelopment Agency; however, such members shall constitute the head of a legal entity separate, distinct and independent of the governing body of the municipality; and

WHEREAS, the City Commission of the City of Delray Beach has determined that it is in the best interest of the City of Delray Beach for the City Commission, as the governing body, to declare itself to be the Community Redevelopment Agency for the City of Delray Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The City Commission of the City of Delray Beach does hereby declare itself to be the Community Redevelopment Agency for the City of Delray Beach pursuant to the provisions of Section 163.357, *Florida Statutes*.

Section 2. The City Commission of the City of Delray Beach does hereby reserve the right, pursuant to Section 163.357 *Florida Statutes*, to appoint two (2) additional members to act as members of the Community Redevelopment Agency. Pursuant to statute, the first person appointed shall initially serve a term of two (2) years and the second person shall serve a period of four (4) years. Thereafter all terms shall be for four (4) years.

Section 3. The City Commissions of the City of Delray Beach reserves the right to create advisory boards for the Community Redevelopment Agency.

Section 4. This Resolution hereby supersedes and repeals all resolutions, or parts thereof, in conflict with this Resolution to the extent of such conflict.

Section 5. It is the intent of this Resolution to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provisions and portions of this Resolution shall remain in full force and effect.

Section 6. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 16th day of May, 2017.

Cary Glickstein, Mayor

ATTEST:

Kimberly Wynn, Acting City Clerk