



Cover Memorandum/Staff Report

File #: 18-1152 CRA

Agenda Date: 9/1/2022

Item #: 9B.

TO: CRA Board of Commissioners
FROM: Kim Phan, Legal Advisor
THROUGH: Renée A. Jadusingh, Executive Director
DATE: September 1, 2022

RESOLUTION 2022-08 FOR THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY TO REQUEST THE CITY OF DELRAY BEACH TO APPROVE THE EXTENSION OF THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY'S TERMINATION DATE FROM SEPTEMBER 30, 2039 TO SEPTEMBER 16, 2044.

Recommended Action:

Approve resolution 2022-08 for the Delray Beach Community Redevelopment Agency ("CRA") to request the City of Delray Beach ("City") to approve the extension of the CRA's termination date from September 30, 2039 to September 16, 2044.

Background:

The City established the CRA on June 18, 1985 with the adoption of Ordinance 46-85. The CRA Community Redevelopment Plan ("Redevelopment Plan") was prepared in accordance with the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes. The Redevelopment Plan was most recently amended in 2014. The Redevelopment Plan sets forth the termination date or sunset date for the CRA to be September 16, 2044 and states that:

"All redevelopment financed by tax increment revenues shall be completed no later than thirty (30) years following the adoption of this amendment to the plan. This Plan was adopted by City Ordinance on September 16, 2014."

Redevelopment Plan, Part I, Section V, p. 3.

However, in 2019, the Florida Legislature enacted section 163.3755, Florida Statutes which mandated the following:

A community redevelopment agency in existence on October 1, 2019, shall terminate on the expiration date provided in the agency's charter on October 1, 2019, or on September 30, 2039, whichever is earlier, *unless the governing body of the county or municipality that created the community redevelopment agency approves its continued existence by a majority vote of the members of the governing body.*

§163.3755(1), Fla. Stat. (Emphasis added). As a result, the CRA is currently set to terminate or sunset on September 30, 2039. Pursuant to section 163.3755(1), the City, which is the CRA's governing body, may approve by a majority vote to extend the termination date of the CRA.

At this time, Staff is requesting the Board to approve Resolution 2022-08 for the CRA to request the City to approve the extension of the CRA's the termination or sunset date from September 30, 2039 to September 16, 2044 as intended pursuant to the Redevelopment Plan.

Attachments: Exhibit A - Resolution 2022-08

CRA Attorney Review:

The CRA Attorney has prepared the attached Resolution 2022-08.

Funding Source/Financial Impact:

N/A

**Overall need within the Community Redevelopment Area from Delray Beach CRA
Redevelopment Plan:**

Removal of Slum And Blight

Land Use

Economic Development

Affordable Housing

Downtown Housing

Infrastructure

Recreation and Cultural Facilities