

Resolution No. 110-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE TREASURE COAST REGIONAL PLANNING COUNCIL FOR PLANNING SERVICES FOR A FIXED FEE; AUTHORIZING THE EXECUTION OF THE INTERLOCAL AGREEMENT AND DIRECTING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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 therein 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, the City of Delray Beach is authorized to enter into agreements to provide services, programming and deliverable in accordance with its Charter; and

WHEREAS, the City and Council desire to enter into an agreement for the provision of planning services to facilitate expansion of City’s Central Business District (CBD) zoning designation boundary in conformance with a modified Comprehensive Plan designation along SE 5th Avenue and SE 6th Avenue from SE 4th Street to SE 10th Street; and

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

Section 1. That the foregoing recitations are hereby affirmed and ratified.

Section 2. That the City Commission of the City of Delray Beach (the “City”) has reviewed and hereby approves this Interlocal Agreement between the City and the Treasure Coast Regional Planning Council (the “Council”), a copy of which is attached to this Resolution as Exhibit A.

Section 3. The City Commission authorizes the Mayor to execute the Interlocal Agreement on behalf of the City, along with any amendments and/or renewals thereto, and directs the City Manager to take any other actions necessary to effectuate this agreement, as provided for in the Interlocal Agreement at Section 10.

Section 4. Directing the City Clerk to provide this Resolution along with a copy of the executed Interlocal Agreement to Michael J. Busha, Executive Director of the Treasure Coast Regional Planning Council, and to then ensure that a certified copy of the Interlocal Agreement executed by both parties is filed for record with the Clerk of the Circuit Court of Palm Beach County, Florida.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on this 6th day of September, 2018.

ATTEST:

Shelly Petrolia, Mayor

Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

R. Max Lohman, City Attorney