



Legislation Text

File #: 20-13, Version: 1

CITY COUNCIL AGENDA ITEM

Memo Date: December 27, 2019
Agenda Date: January 8, 2020
Prepared By: Anthony A. Garganese, City Attorney
Through:
Requested Action:

Approve on First Reading Ordinance related to the Diamond Square Community Redevelopment Agency for purposes of implementing the interlocal agreement between the City, Agency and Brevard County

BACKGROUND:

In 2019, the City of Cocoa, Diamond Square Community Redevelopment Agency and Brevard County entered into Interlocal Agreement amending several operational aspects of the Agency. A copy of the Interlocal Agreement is attached and was recorded in the Brevard County Official Record Book 8617, Page 1078 ("Interlocal Agreement").

The proposed Ordinance is intended to modify the Agency's enabling ordinance currently codified in Chapter 8 of the City Code consistent with the terms and conditions of the Interlocal Agreement. Specifically, a modification to the City Code is required to address new Agency requirements and restrictions including: (1) Limits on the Agency's borrowing authority; (2) an extension of the Agency's termination date to September 30, 2032; (3) Additional limitations on administrative expenses related to County TIF; (4) additional contractual annual audit requirements; (5) approval of an updated Redevelopment Plan; (5) a \$150,000 annual cap on County's TIF unless otherwise approved by the County to fund a specific Agency project identified in the Redevelopment Plan; and (6) reconstituting the existing Agency Board.

Regarding the reconstitution of the Agency board, the Ordinance, consistent with the Interlocal Agreement, will re-establish a seven (7) member board of commissioners. Six of the commissioners will be appointed by the City Council, with initially staggered terms of 1, 2, 3 and 4 year terms. The seventh member of the Agency's board shall be the District County Commissioner whose district includes the Agency's redevelopment area unless the County Commission appoints a qualified designee to serve on the Agency Board. In effect, the current Agency board member's terms will be deemed terminated and a new Agency board will be installed per the Interlocal Agreement.

Upon adoption of the Ordinance, the City Council will be required to make six new appointments to the Agency's board with staggered terms. To assist the Council with this endeavor, a Worksheet is attached to this Agenda Item. It is anticipated that the City Council will make the appointments at the City Council's January 22, 2020 meeting or soon thereafter.

STRATEGIC PLAN CONNECTION:

BUDGETARY IMPACT:

The Ordinance does impose budgetary restrictions on the Diamond Square Community Development Agency consistent with the terms and conditions of the Interlocal Agreement.

PREVIOUS ACTION:

The City Council established the Diamond Square Community Redevelopment Agency in 1998.

The City Council approved the Interlocal Agreement on September 25, 2019.

RECOMMENDED MOTION:

Approve Ordinance on First Reading.