



## Legislation Text

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### CITY COUNCIL AGENDA ITEM

Memo Date: January 16, 2020  
Agenda Date: January 30, 2020  
Prepared By: Carie Shealy, City Clerk  
Through: Tammy Gemmati, Administrative Services Director  
Requested Action:  
Reconstituting the Diamond Square Community Redevelopment Agency by making six (6) appointments to the Agency Board. Appoint the Chairperson and Vice-Chairperson for the Agency.

#### **BACKGROUND:**

In 2019, the City of Cocoa, Diamond Square Community Redevelopment Agency and Brevard County entered into an Interlocal Agreement, which amended several operational aspects of the Agency. One of the amendments to the Interlocal Agreement was that of reconstituting the existing Agency Board with a newly appointed Agency Board. To reconstitute the Agency Board, the City Council must make six (6) appointments to the Agency Board, which in effect will replace the current members and/or revise terms of existing Agency members if an existing member is reappointed to serve on the reconstituted Agency Board. However, the Council is aware that during the Interlocal Agreement negotiation process, there was some sentiment by the County that new members may be appointed by the City Council at the time the Agency Board was reconstituted.

Specifically related to the appointment process, Ordinance No. 02-2020, outlines the creation of the Community Redevelopment Agency board as noted below:

#### ***Sec. 8-53. - Creation of Community Redevelopment Agency board; composition; terms; appointment of chairperson and vice-chairperson.***

*(a) Pursuant to Section 163.356(2), Florida Statutes and the County CRA Interlocal Agreement 2019, the Agency board of commissioners is hereby reconstituted effective [January 30, 2020] as follows:*

*(1) The Agency board shall consist of seven (7) commissioners. Six (6) commissioners shall be appointed by the City Council and one (1) shall be a Brevard County Board of County Commissioner in whose District the Agency is located, or that County Commissioner's designee approved by the County Board who meets the qualifications of Section 163.356(3)(b), Florida Statutes. The District County Commissioner's duties on the Agency board shall be considered additional duties of the office of County Commissioner.*

*(2) The term of office of an Agency Commissioner shall be four (4) years. No Agency Commissioner appointed by the City Council or the County Board shall serve more than two (2) consecutive terms, but may be considered for reappointment followed by at least one year off of the Agency board. Upon*

*reappointment, said individual will again be subject to the two (2) consecutive term limit. However, notwithstanding the term limit restriction set forth herein, a District County Commissioner's term serving on the Agency board shall continue and run concurrently with his or her term on the County Board without regard to the term limits imposed by this subsection. Each Agency commissioner shall serve until his or her successor has been appointed and has qualified.*

*(3) Three (3) Agency commissioners shall be appointed by the City Council to initially serve terms of 1, 2 and 3 years respectively from the date of their initial appointments. Upon expiration of the initial term, the subsequent terms for these three Agency commissioners shall be four (4) years each.*

*(4) Three (3) Agency commissioners shall be appointed by the City Council to initially serve four (4) year terms from the date of their initial appointment. Upon expiration of the initial term, the subsequent terms for these three Agency commissioners shall be four (4) years each.*

*(5) One (1) Agency commissioner shall be the District County Commissioner or his or her designee appointed by the County Board. If the County Board is required to make an initial appointment, the term of the initial appointment shall be a term of four (4) years from the date of their initial appointment unless the County Board determines that the District County Commissioner shall resume serving on the Agency board.*

*(e) Annually, on or about June of each year, or as otherwise determined by the city council, the city council shall have the right to name the chairperson and vice-chairperson of the Agency board, who must also be commissioners of said board at all times during their tenure as chairperson or vice-chairperson. Once appointed, the chairperson and vice-chairperson shall continue to serve in that capacity until their respective term is terminated or as otherwise determined by the City Council.*

To guide the City Council in the appointment process, a Worksheet is attached to this agenda item. The Worksheet refers to Council Seat Appointee, the Appointment Date and what the initial term of office would be.

It should be pointed out, that three applications for membership on the Diamond Square CRA were received in the City Clerk's office. They all currently meet the qualifications for serving on a City board and are attached to this agenda item for review.

A current Diamond Square CRA Roster is also attached for consideration in making the appointments necessary to reconstitute the Agency Board.

It is important that the appointments be made as soon as possible so the Agency may continue to conduct business without interruption. The next scheduled Diamond Square CRA meeting is February 3, 2020.

Please note Community Services Deputy Director Charlene Neuterman had polled members at the last Diamond Square CRA meeting and they all indicated would like to be considered for appointment. This was inadvertently not included in the agenda item for the Regular City Council Meeting of January 22, 2020.

Following the Regular City Council Meeting held on January 22, 2020, the Assistant City Clerk contacted all Diamond Square CRA board members and all confirmed they wished to be considered

for appointment. ALL board members indicated they would like to be considered for a four-year term.

Additionally, the Assistant City Clerk called all members and new applicants on January 28, 2020 and noticed them an agenda item on appointing the board members at the Special City Council Meeting on January 30, 2020.

**STRATEGIC PLAN CONNECTION:**

NA

**BUDGETARY IMPACT:**

NA

**PREVIOUS ACTION:**

City Council appoints and reappoints to City Boards as vacancies arise or expirations occur. At the January 22, 2020 Council meeting, Council approved the Ordinance 02-2020 amending the creation of the Diamond Square Redevelopment Agency member selection and term limit.

**RECOMMENDED MOTION:**

Reconstituting the Diamond Square Community Redevelopment Agency by making six (6) appointments to the Agency Board. Appoint the Chairperson and Vice-Chairperson for the Agency.