

RIVIERA BEACH CITY COUNCIL
AGENDA ITEM SUMMARY

MEETING DATE: June 20, 2012

AGENDA ITEM SUMMARY NO.: K12-062-1

- AWARDS / PRESENTATIONS / PETITIONS
- CONSENT
- PUBLIC HEARING
 - ORDINANCE ON SECOND READING
 - ORDINANCE ON FIRST HEARING

- REGULAR
- RESOLUTION
- DISCUSSION & DELIBERATION
- BOARD APPOINTMENT
- WORKSHOP

SUBJECT: The City Council of the City of Riviera Beach to authorize the write-off of a receivable in the amount of \$823,633.00 representing the estimated rebate of funds for professional services provided by the City of Riviera Beach to the Riviera Beach Community Redevelopment Agency (CRA) for the period October 1, 2010 to September 30, 2011.

RECOMMENDATION / MOTION: City staff is recommending that the City Council write-off a receivable in the amount of \$823,633.00 for professional services provided by the City to the CRA for the period October 1, 2010 to September 30, 2011.

DEPARTMENTAL APPROVAL REVIEW & DATE

●Deputy City Manager	Library -	N/A
●City Attorney <i>PHR 6/12/12</i>	Marina -	N/A
●City Clerk <i>CA</i>	Police-	N/A
Community Development - N/A	Public Works -	N/A
●Finance <i>KA 6/11/12</i>	Purchasing -	N/A
Fire - N/A	Recreation & Parks -	N/A
Human Resources - N/A	Utility District -	N/A

APPROVED BY CITY MANAGER: *Ruth C. Jones*

DATE: 6-13-12

Originating Dept. Finance Department <i>KA</i>	Costs: No increase to budget Current FY: 2011/2012 Funding Source: <input type="checkbox"/> Capital Improvement <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Other- Budget Account Number:	City Council Actions: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied _____ <input type="checkbox"/> Tabled to _____ <input type="checkbox"/> Referred to Staff _____
User Dept. All		
Advertised: Date: Paper: <input checked="" type="checkbox"/> Not Required Affected Parties <input type="checkbox"/> Notified <input checked="" type="checkbox"/> Not Required		Attachments: 1. Resolution 2. CRA/City Intergovernmental Agreement

SUMMARY/BACKGROUND:

The City budgeted revenues in the amount of \$823,633.00 representing the estimated rebate of funds for professional services to be provided by the City of Riviera Beach to the CRA during the period of October 1, 2010 to September 30, 2011. Such amount was approved in the City's General Fund Operating Budget for FY 2010/2011 and duly adopted by the City's Ordinance No. 3081 on September 23, 2011.

The City and the CRA have mutually agreed that the amount of \$823,633.00 should be used to fund the improvement costs and cash match requirements stipulated by various grants associated with the Marina District Project. As a result

Item No. 17

of this agreement, the City Council and the CRA's Board of Commissioners entered an Interlocal Agreement approved through City Resolution No. 43-12 on April 4, 2012 where both parties agreed that the CRA will use \$253,219.00 of the total amount of \$823,633.00 originally designated as rebate to the City for professional services for FY 2010/2011, as a cash match requirement for a Marina grant. The CRA intends to allocate the remaining amount of \$570,414.00 towards other improvement costs associated with the Marina District Project.

Given that the CRA will not be making payment to the City in the amount of \$823,633.00 for the rebate of funds for professional services for the period October 1, 2010 to September 30, 2011, the City now seeks approval from the City Council to write-off the City's receivable of \$823,633.00. This write-off will reduce the City's General Fund's fund balance ending September 30, 2012 by \$823,633.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE WRITE-OFF OF A RECEIVABLE IN THE AMOUNT OF \$823,633 REPRESENTING THE REBATE OF FUNDS FOR PROFESSIONAL SERVICES PROVIDED BY THE CITY OF RIVIERA BEACH TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR SERVICES PROVIDED BY THE CITY FOR THE PERIOD OCTOBER 1, 2010 TO SEPTEMBER 30, 2011; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City budgeted revenues in the amount of \$823,633 representing the estimated rebate of funds for professional services to be provided by the City of Riviera Beach to the CRA during the period of October 1, 2010 to September 30, 2011. Such amount was approved in the City's General Fund Operating Budget for FY 2010/2011 and duly adopted by the City's Ordinance No. 3081 on September 23, 2011.

WHEREAS, the City and the CRA have mutually agreed that the amount of \$823,633 should be used to fund the improvement costs and cash match requirements stipulated by various grants associated with the Marina District Project.

WHEREAS, the City Council and the CRA's Board of Commissioners entered an Interlocal Agreement approved through City Resolution No. 43-12 on April 4, 2012 where both parties agreed that the CRA will use \$253,219 of the total amount of \$823,633 originally designated as rebate to the City for professional services for FY 2010/2011, as a cash match requirement of a grant for the Marina District Project.

WHEREAS, the CRA intends to allocate the remaining amount of \$570,414 towards other improvement costs associated with the Marina District Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. The City Council authorizes the write-off of a receivable in the amount of \$823,633 representing the rebate of funds for professional services provided by the City to the CRA for services provided by the City during the period October 1, 2010 to September 30, 2011.

SECTION 2. This Resolution shall take effect upon its passage and approval by the City Council.

PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

RESOLUTION NO. _____

PAGE 2 _____

APPROVED:

THOMAS A. MASTERS
MAYOR

BILLIE E. BROOKS
CHAIRPERSON

ATTEST:

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

DAWN S. PARDO
CHAIR PRO TEM

CEDRICK A. THOMAS
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

B. BROOKS _____

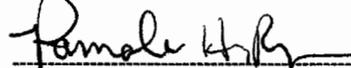
J. DAVIS _____

C. THOMAS _____

D. PARDO _____

S. LOWE _____

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 6/13/12



RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

BANK OF AMERICA FINANCIAL CENTRE
2001 BROADWAY SUITE 300
RIVIERA BEACH FLORIDA 33404
PHONE: 561-844-3408
FAX: 561-881-8043
WEBSITE: www.rbcra.org

MEMORANDUM

TO: Honorable Chair and Members, CRA Board of Commissioners
City of Riviera Beach, Florida

FROM:  Tony T. Brown
Executive Director, CRA

DATE: February 15, 2012

CC: Ruth Jones, City Manager
Karen Hoskins, Interim Finance Director
Michael Haygood, Interim CRA Attorney
Pamala Ryan, City Attorney

SUBJECT: Intergovernmental Agreement between the City of Riviera Beach and the Riviera Beach Community Redevelopment Agency

The RBCRA continues to aggressively pursue opportunities to leverage our resources. The RBCRA has identified an opportunity to secure grant funds from the Economic Development Administrations under the category of Public Works and Economic Development Facilities for the redevelopment of the Marina. Because it is a grant it is a very competitive process. The agency is seeking a \$2,000,000 grant which must be matched by \$2,000,000. The RBCRA staff is collaborating with the City and coordinating its efforts closely with the City's consultant. The grant will go towards the completion of phase II of the marina which is projected to be a \$7,000,000 project. The grant will be submitted for the June grant round with EDA. However, the grant must go through a State review prior to submittal. The RBCRA is committing to the required \$2,000,000 match as follows:

Amount	Source
\$1 million	BB& T Loan Proceeds
\$746,781	Reallocation of Reserves originally designated for City Services FY 2010
\$253,219	Reallocation of Reserves originally designated for City Services FY 2011-2012
\$2,000,000	Total

The intergovernmental agreement and resolution is to provide documentation to the EDA that the partnership has committed the required match.

RESOLUTION NO. 2012-__

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (THE AGENCY) APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE AGENCY AND THE CITY OF RIVIERA BEACH COMMITTING MATCHING FUNDS FOR AN ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR THE MARINA DISTRICT PROJECT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined 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, Section 163.400, Florida Statutes, authorizes any public body, for the purposes of aiding in the carrying out of community redevelopment, contribute funds to a municipality; and

WHEREAS, the adopted Community Redevelopment Plan provides for improvements to the Marina District; and

WHEREAS, , the Agency, in cooperation with the City of Riviera Beach desires to commit matching funds for a U.S. Economic Development Administration Grant for the Marina District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

SECTION 1. The Community Redevelopment Agency hereby approves the attached Interlocal Agreement.

SECTION 2. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 14th day of March 2012

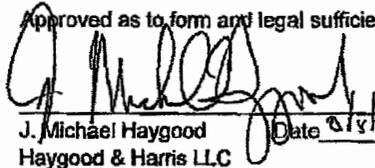
[Signatures on next page]

RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By: _____
Judy L. Davis, Chairperson

ATTEST:

Tony Brown, Executive Director

Approved as to form and legal sufficiency


J. Michael Haygood Date 8/8/12
Haygood & Harris LLC
General Counsel to CRA

MOTION BY: _____
SECONDED BY: _____

D. PARDO _____
J. DAVIS _____
B. BROOKS _____
C. THOMAS _____
S. LOWE _____

INTERLOCAL AGREEMENT BETWEEN
THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY
AND
THE CITY OF RIVIERA BEACH
COMMITTING MATCHING FUNDS FOR
AN ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR THE
MARINA DISTRICT PROJECT

This Interlocal Agreement is entered into this ___ of _____, 2012, by and between Riviera Beach Community Redevelopment Agency, a body corporate ad politic created pursuant to Part III, Chapter 163, Florida Statutes (herein referred to as "Agency") and the City of Riviera Beach, a Florida municipal corporation (herein referred to as the "City"), each constituting a public agency as defined in Part I, Chapter 163, Florida Statutes.

WITNESSETH

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 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, Section 163.400, Florida Statutes, authorizes any public body, for the purposes of aiding in the carrying out of community redevelopment, contribute funds to a municipality; and

Whereas, the City Council of the City of Riviera Beach has found and declared an area of the City of Riviera Beach in compliance with Redevelopment Area requirements, the area hereinafter referred to as the "CRA"; and

Whereas, the City Council of the City of Riviera Beach has adopted a community redevelopment plan pursuant to the Community Redevelopment Act (the "Plan"); and

Whereas, the Plan provide for a long term redevelopment strategy for the Redevelopment Area; and

WHEREAS, the City, the Agency, Viking Yachts; and Rybovich are all working to bring to fruition the Marina District Plan to create 860 jobs from a \$167 million dollar investment and;

WHEREAS, the renovation of the Riviera Beach Marina with the completion of phase II is the cornerstone on which the Marina District Plan will rest and;

WHEREAS, the Agency is preparing a grant submittal to the U.S. Commerce Department's Economic Development Administration (EDA)for \$2 million dollars to which requires a 50/50 match; and

WHEREAS, the Agency is committing \$1,000,000 from it's BB& T loan funds towards the match; and

WHEREAS, the Agency agrees to commit \$746,781 from the reallocation of City Services FY 2010 towards the match; and

WHEREAS, the Agency agrees to commit \$253,219 from the reallocation of City Services payment FY 2011-2012 for the remaining match requirements.

Now, Therefore, in consideration of the mutual covenants, promises and representations herein, the parties agree as follows:

Section 1. Purpose

A. The purpose of this Agreement is to agree to commit the required funding to match up to a \$2 million dollar grant from EDA for construction of Phase II of the Riviera Beach Marina.

Section 2. General Terms and Conditions

A. The Agency has provided the resources to identify and write the grant consistent with the Marina renovations and the Marine District Plan.