

RESOLUTION NO. 2026-

A RESOLUTION MODIFYING THE DELEGATION OF COMMUNITY REDEVELOPMENT AGENCY POWERS TO THE CITY OF MELBOURNE BY BREVARD COUNTY IN RESOLUTION 2000-249, AS AMENDED BY RESOLUTION 2021-83 TO CONFORM TO THE REVISED AND RESTATED INTERLOCAL AGREEMENT DATED DECEMBER 16, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body of Brevard County (hereafter referred to as "the County"), the electors of which adopted a home rule charter in November 8, 1994, which became effective January 1, 1995; and

WHEREAS, Section 163.410, Florida Statutes, provides that in any county which adopted a home rule charter, the community redevelopment powers conferred by Part III of Chapter 163, Florida Statutes, shall be exercised exclusively by the governing body of such county; and

WHEREAS, the County has, by Resolution 2000-249, pursuant to Section 163.410, Florida Statutes, delegated authority to the City of Melbourne (hereinafter the "City") to create a community redevelopment agency referred to as the Olde Eau Gallie Riverfront Community Redevelopment Agency (hereinafter "the Agency"); and

WHEREAS, the County provided for a conditional delegation of powers to the City, reserving the right to either revoke the delegation of authority to the City or to designate itself as the redevelopment agency at any time that the Board deems that it is necessary for the protection of the health, safety, welfare or fiscal interests of the public or the redevelopment area; and

WHEREAS, the County and the City previously entered into an interlocal agreement dated May 4, 2021 (hereinafter the "2021 Interlocal Agreement") governing what powers and projects the Agency will have through its sunset date; and

WHEREAS, in conformance with the 2021 Interlocal Agreement, the County adopted Resolution 2021-083, amending Resolution 2000-249, modifying the delegation of community redevelopment agency powers from the County to the City and Agency; and

WHEREAS, the County, City and Agency adopted the Revised and Restated Interlocal Agreement between the City, the Agency and the County, recorded in Official Records Book 10513, Page 2967 (hereinafter "2025 Interlocal Agreement") to replace the 2021 Interlocal Agreement to allow, in part, for the City and Agency to construct and finance a parking garage through a public-private partnership, amending requirements for parking charges and public

parking within the garage, amending the Agency's sunset date to no later than September 30, 2033, and any other provisions stated therein; and

WHEREAS, the County finds that it is necessary to modify Resolution 2000-249, as amended by 2021-083, to amend the County's delegation of authority to the City and Agency to conform with the 2025 Interlocal Agreement pursuant to 163.358, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA:

1. The foregoing recitals are true and correct and are incorporated by reference in this Resolution as findings.
2. This Resolution amends County's previous delegation of community redevelopment powers, including the authority to modify the redevelopment plan, previously delegated to the City through Brevard County Resolution 2000-249, as amended by Brevard County Resolution 2021-083 and the 2021 Interlocal Agreement, which are herein incorporated by reference to conform to the Revised and Restated Interlocal Agreement between the City of Melbourne, Olde Eau Gallie Riverfront Community Redevelopment Agency and Brevard County, recorded in Official Records Book 10513, Page 2967 ("2025 Interlocal Agreement") which is herein incorporated by reference.
3. The County hereby delegates the community redevelopment powers pursuant to 163.358 Florida Statutes, as specified and limited in the 2025 Interlocal Agreement. The terms of the 2025 Interlocal Agreement shall replace and amend all provisions or delegations of authority of any previously adopted resolutions related to the County's delegation of these powers to the City and the Agency.
4. The terms of the 2025 Interlocal Agreement shall control the delegation of authority granted under this Resolution. All resolutions or parts thereof that may be determined to be in conflict with this Resolution and the 2025 Interlocal Agreement are repealed. All other terms not in conflict with this Resolution and the 2025 Interlocal Agreement shall remain in full force and effect.
5. The County retains all authorities not specifically delegated to the City and Agency in this Resolution.
6. If any section, subsection, sentence, clause, phrase, or portion of this Resolution or previously adopted related resolutions are for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

7. This Resolution shall take effect on the date of adoption.

DONE AND ADOPTED, this 7th day of April 2026 in Regular Session by the Board of County Commissioners, Brevard County, Florida.

Thad Altman, Chairman
(as approved by the Board on April 7, 2026)

ATTEST:

Rachel Sadoff, Clerk