



**BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**

**M E M O R A N D U M**

**TO:** Honorable Rebeca Sosa, Chairwoman  
and Members, Board of County Commissioners

**FROM:** Charles Anderson  
Commission Auditor

A handwritten signature in black ink, appearing to read "Charles Anderson", is written over the printed name.

**DATE:** September 27, 2013

**SUBJECT: Review of Fiscal Year 2012-13 Budgets for Community  
Redevelopment Agencies**

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Attached is OCA's review for the October 1, 2013 BCC agenda of the Fiscal Year 2012-13 budgets for the following:

- Agenda Item 8G1 – Southeast Overtown/Park West Community Redevelopment Agency
- Agenda Item 8G2 – Omni Community Redevelopment Agency
- Agenda Item 8G3 – Midtown Miami Community Redevelopment Agency

Although the resolutions for the above three (3) agenda items present more than one budget year for approval, our review focused on the fiscal year 2012-13 budget since the expenditure descriptions were similar throughout the years. We reviewed applicable Florida State Statutes, and Miami-Dade Ordinances and Resolutions.

Special thanks to the County Attorney's Office and the Office of Management and Budget for their cooperation and input throughout the review. As always, if you have any questions or concerns, feel free to contact me at (305) 375-2524.

Attachments

c: Honorable Carlos Gimenez, Mayor  
R.A. Cuevas, County Attorney  
Edward Marquez, Deputy Mayor, Office of the Mayor  
Jennifer Moon, Director, Office of Management & Budget  
Christopher Agrippa, Division Chief, Clerk of the Board

**SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY 12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<b>ADMINISTRATIVE EXPENSES</b>			
<b>Employee Salary and Fringe Benefit</b>  Includes \$1,006,858 in employee salaries and fringes (12 employees)	\$1,352,329	Expense allowable under Florida Statute Section 163.387(6) "Moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan..., including, but not limited to: (a) Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency".	Florida Statute Section 163.387(6)(a)
<b>Total Administrative Expenses</b>	<b>\$1,352,329</b>	The Mayor's memorandum states "Total administrative expenditures represent approximately four percent of total budgeted expenditures which is less than 20% allowed in the Interlocal Agreement".	Mayor's memorandum dated October 1, 2013 p.3
<b>OPERATING EXPENSES</b>			
<b>Building and Construction Activities</b> <ul style="list-style-type: none"> <li>• \$9,000,000 Affordable Workforce Housing-Town Park Village;</li> <li>• \$4,079,474 Gibson Park Construction;</li> <li>• \$11,708 Office Relocation Expenses;</li> <li>• \$1,113,494 Greenway Project;</li> <li>• \$500,000 Poinciana Village Rehabilitation;</li> <li>• \$27,784 Overtown 3<sup>rd</sup> Avenue Business Corridor Streetscape;</li> <li>• \$1,864,776 Community Center Buildout;</li> <li>• \$1,500,000 Overtown Shopping Center;</li> <li>• \$165,692 Collected DRI fees</li> </ul>	\$18,278,940	Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (d) To provide, or to arrange contract for, furnishing or repairs by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities or other facilities for or in connection with a community redevelopment; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements...".	Florida Statute Section 163.370(2),(d)

**SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY 12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<ul style="list-style-type: none"> <li>pending budget allocation;</li> <li>• \$16,012 St. Johns Apartments Interior Rehabilitation</li> </ul>			
<p><b>Grants and Aid</b></p> <ul style="list-style-type: none"> <li>• \$2,000,000 Camillus House;</li> <li>• \$518,883 Mt. Zion Development;</li> <li>• \$362,782 Overtime Police Visibility Pilot Program;</li> <li>• \$673,969 Arts Fair and Community Events;</li> <li>• \$202,855 Overtown Enhancement Team;</li> <li>• \$1,876,000 Building Rehabilitation and Certification;</li> <li>• \$303,899 Downtown Master Plan (DMP) Wrap Around Program;</li> <li>• \$461,701 Hospitality Institute with Miami-Dade College;</li> <li>• \$626,699 Job Creation Programs;</li> <li>• \$155,000 9<sup>th</sup> Street Parking Lot Development;</li> <li>• \$75,000 Zamar Laundromat;</li> <li>• \$250,000 Dunns Hotel and Restaurant;</li> <li>• \$211,084 University of Miami Economic Incentive Program;</li> <li>• \$261,479 Black Archives;</li> <li>• \$137,317 New Area Square Retail Business</li> <li>• \$70,000 NANA Business Resource Center</li> </ul>	<p>\$8,186,669</p>	<p>Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (l) To appropriate such funds and make such expenditures as necessary to carry out the purposes of this part;...notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part".</p> <p>Expense allowable under Florida Statute Section 163.387(6)(h). "Moneys in the redevelopment trust fund maybe be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan..., including, but not limited to: The development of community policing innovations".</p> <p>Expense allowable under Florida Statute Section 163.370 (2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (o) To develop and implement community policing innovations."</p>	<p>Florida Statute Section 163.370 (2)(l)</p> <p>Florida Statute Section 163.387(6)(h)</p> <p>Florida Statute Section 163.370(2)(o)</p>

**SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY 12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<p><b>Debt Service Payment</b></p> <ul style="list-style-type: none"> <li>• \$440,059 Debt service payments to the City of Miami for construction of Gibson Park;</li> <li>• \$5,006,269 In reserve for future debt service payments with the issuance of \$60 million bond (approved by BCC June 2013).</li> </ul>	<p>\$5,446,328</p>	<p>Expense allowable under Florida Statute Section 163.387(6) (e) "Moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan ..., including, but not limited to: (e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness."</p> <p>Resolution 915-06 Exhibit B/Section 2 states "The City, the CRAs and the County agree that the CRAs shall: (i) use the Trust Revenues for debt service on, and other obligations related to, all Outstanding Obligations existing on the date of this Agreement and any future refunding or refinancing of such Outstanding Obligations under the applicable authorizing resolutions only after all other tax increment revenue under the applicable authorizing resolutions have been exhausted for such purpose."</p> <p>Amended Interlocal Agreement (2004) states "The SEOPW CRA may elect to issue bonds and/or incur indebtedness required to finance its contribution to the SEOPW CRA Developments, provided however, in no event shall any bonds issued and/or indebtedness incurred mature later than March 31, 2030".</p>	<p>Florida Statute Section 163.387(6)(e)</p> <p>Resolution 915-06 Exhibit B, Page 10</p> <p>Amended Interlocal Agreement (January 14, 2010) Page 3, Item No.3</p>

**SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY 12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<p><b>Contractual Services</b></p> <ul style="list-style-type: none"> <li>• \$12,023 Southeast Overtown/Park West Development of Regional Impact Master Development Order;</li> <li>• \$196,079 Miami World Center DRI;</li> <li>• \$350,832 Legal Services;</li> <li>• \$258,431 Available for Other Contractual Services;</li> <li>• \$31,610 Landscape Maintenance (CRA owned vacant lots);</li> <li>• \$109,664 Demolition;</li> <li>• \$47,988 Streetlight maintenance;</li> <li>• \$119,124 Lobbying;</li> <li>• \$33,000 Auditing;</li> <li>• \$30,000 Marketing Consultant;</li> <li>• \$29,267 Lyric Theater Plaza</li> </ul>	\$1,218,018	<p>Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (e) Within the community redevelopment area: (6) To enter into any contracts necessary to effectuate the purposes of this part."</p> <p>Expense allowable under Florida Statute Section 163.387(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (l) To appropriate such funds and make such expenditures as necessary to carry out the purposes of this part;...notwithstanding any provision or rule of law to the contrary, respecting action to be granted by such county or municipality pursuant to any of the powers granted by this part."</p> <p>Expense allowable under Florida Statute Section 163.387(8) "Each community redevelopment agency shall provide for an audit of the trust fund each fiscal year and a report of such audit to be prepared by an independent certified public accountant or firm."</p>	<p>Florida Statute Section 163.370(2)(e)(6)</p> <p>Florida Statute Section 163.370(2)(l)</p> <p>Florida Statute Section 163.387(8)</p>
<p><b>Land</b></p> <ul style="list-style-type: none"> <li>• Purchase of property</li> <li>• Real Estate Acquisition (available)</li> </ul>	\$711,500	<p>Expenses allowable under Florida Statute Section 163.387(6)(c) states "Moneys in the development trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan for the following purposes, including, but not limited to: (c) The acquisition of real property in the development area."</p> <p>The County and the City agree as follows: <u>Land Disposition:</u> The City shall prepare the land disposition guidelines and procedures which shall be approved by the Miami City Commission and the Board of County Commissioners.</p>	<p>Florida Statute Section 163.387(6)(c)</p> <p>Interlocal Cooperation Agreement April 19, 1983 Section II(A)(1) City Responsibilities Page 3 and 4</p>

**SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY 12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<b>Sub-Total Operating Expenses</b>	<b>\$33,841,455</b>		
<b>Budget Reserve</b>	<b>\$250,000</b>	Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (l) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this part;...notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part".	Florida Statute 163.370 (2)(l)
<b>TOTAL CRA EXPENSES (including budget reserves)</b>	<b>\$35,443,784</b>		

(\*) Source(s): Agenda item documents consisting of CRA Budget Report, and City of Miami CRA Resolution: CRA-R-12-0015

(\*\*) Interlocal Cooperation Agreement between Miami-Dade County and the City of Miami for the Southeast Overtown/Park West Community Redevelopment Project (1983, 2007), R-467-83, and R-1372-07.

**Note:** Budget approved by Agency on February 23, 2013, and City of Miami on March 28, 2013

**Note:** County agreed to waive the 1.5% administrative fee chargeable to the CRA's thru R-1372-07

**TIMELINE**

01/20/1981: Resolution declaring the downtown of the City of Miami to be a slum and/or blighted area (R-39-81).

12/07/1982: Resolution 1677-82 approves deletion of Southeast Overtown/Park West area from Central Miami Urban Renewal area and approves Southeast Overtown /Park West Community Redevelopment Plan.

04/19/1983: Resolution approving an Interlocal Cooperation Agreement with the City of Miami for the Southeast Overtown/Park West Community Redevelopment Project. (R-467-83)

01/22/1985: Resolution Approving Amendment No. 1 to the Interlocal Cooperation Agreement with the City of Miami for the Southeast Overtown/Park West Community Redevelopment Project (R-96-85).

12/18/2007: Interlocal Agreement among Miami-Dade County, City of Miami, OMNI CRA and SEOPW CRA (R-1372-07)

07/21/2009: The Board approved amendments to the Agency's Finding of Necessity and Plan **to expand the Area** and **extend the life of the Agency** through March 31, 2030.

01/22/2010: Amendment to Interlocal Cooperation Agreement from 1983.

06/18/2013: \$60 million bond approved by Miami-Dade County Board.

**OMNI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

<b>Expenditure Description(*)</b>	<b>Budget FY12-13</b>	<b>Reference to CRA Plan, Interlocal Cooperation Agreement, Miami-Dade County Resolutions and/or Florida Statute (**)</b>	<b>Source</b>
<b>Administrative Expenses</b>			
<b>Administrative Expenses</b> Includes \$373,625 for three (3) employees salary and fringe benefits	\$610,509	Expense allowable under Florida Statute Section 163.387(6) "Moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan for the following purposes, including, but not limited to: (a) Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency."	Florida Statute Section 163.387(6)(a)
<b>Total Administrative Expenses</b>	<b>\$610,509</b>	First Amendment to Interlocal states: "Such administrative expenses payable out of the Fund shall be capped at an amount not to exceed twenty percent (20%) of the annual budget approved by the County."  The Mayor's memorandum states: "Total Administrative expenditures represent less than two percent of total budgeted expenditures, which is within the 20 percent allowed in the Interlocal Agreement."	First Amendment to Interlocal Article III(A)  Mayor's memorandum dated October 1, 2013 p.2
<b>Operating Expenses</b>			
<b>Building and Construction</b>	\$15,799,170	Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (d) To provide, or to arrange contract for, furnishing or repairs by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with a community redevelopment; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements ..."	Florida Statute Section 163.370(2)(d)
<ul style="list-style-type: none"> <li>• \$1,847,451 Fire Station No. 2 (Historic site)</li> <li>• \$215,535 OMNI Waterline Improvement Project</li> <li>• \$4,259,982 Corridor Streetscape Project (14<sup>th</sup> Street)</li> <li>• \$2,287,246 Bayshore Drive Project</li> <li>• \$334,337 North Bayshore Drive Improvements</li> <li>• \$1,121,268 Media and Entertainment Complex</li> </ul>		Per Amended CRA Plan, Capital Improvement Costs and Priorities: "Summarizes the projected capital improvement costs or the projects and strategies identified in the Plan Update."	2010 Amended CRA Plan p. 103 Capital Improvement Costs and Priorities

**OMNI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreement, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<ul style="list-style-type: none"> <li>• \$733,351 Reimbursement to the City of Miami for Museum Park design</li> <li>• \$5,000,000 Museum Park Project</li> </ul>		Per Amended CRA Plan, Projects and Strategies: "CRA's support of the Museum Park Project to include up to Museum Park should be \$73 million (which includes design, environmental remediation and construction), plus a \$2 million annual contribution to the park's capital expenditure fund."	2010 Amended CRA Plan p. 54 Projects and Strategies
<p><b>Grants and Aid</b></p> <p>Includes grants to not-for-profits for construction and building recertification, arts and culture, environmental remediation, quality of life grants and Museum Park Baywalk matching funds.</p> <ul style="list-style-type: none"> <li>• \$107,896 Trinity Church</li> <li>• \$30,787 Matching Grant – Miami Woman's Club Baywalk project</li> <li>• \$1,143,000 Matching Grant – Museum Park Baywalk</li> <li>• \$1,001,652 Environmental Remediation Bicentennial Park</li> <li>• \$160,000 Tunnel Facility Fee</li> <li>• \$43,165 FY2010 Art Basel</li> <li>• \$80,000 Dog Run for Margaret Pace park</li> <li>• \$72,752 FY2010 Downtown Master Plan (DMP) Wrap Around Program</li> <li>• \$354,559 Overtime Police Visibility Program</li> </ul>	\$2,993,811	<p>Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (l) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this part; ... notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part."</p> <p>Expense allowable under Florida Statute Section 163.387 (6) (h) "Moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan for the following purposes, including, but not limited to: (h) The development of community policing innovations."</p> <p>Expense allowable under Florida Statute Section 163.370 (2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (o) To develop and implement community policing innovations."</p> <p>Per OMB, the Tunnel Facility Fee is not a grant, rather it is the OMNI CRA funding debt related to the Letter of Credit for the Port Tunnel.</p> <ul style="list-style-type: none"> <li>• Per Amended CRA Plan, Projects and Strategies: "... the Omni CRA has agreed to contribute approximately \$88 million, to be paid in annual installments commencing upon the substantial completion of the Port Tunnel Project. The CRA's support of the Port Tunnel Project shall include direct support, indirect support, in-kind</li> </ul>	<p>Florida Statute Section 163.370(2)(l)</p> <p>Florida Statute Section 163.387(6)(h)</p> <p>Florida Statute Section 163.370(2)(o)</p> <p>2010 Amended CRA Plan p. 87 Projects and Strategies</p>

**OMNI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreement, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
		<p>support, or such activities as may be deemed by the CRA Board of Commissioners to advance this Project.”</p> <ul style="list-style-type: none"> <li>Per First Amendment to Interlocal: “... the County, the City and the CRA acknowledge their interest and the benefits of further extending the life and expanding the boundaries of the Omni district to, among other things, include infrastructure, the Port Tunnel and Museum Park projects.”</li> </ul>	First Amendment to Interlocal
<p><b>Debt Service Payments</b> Contribution used by the County to pay debt service for Adrienne Arsht Center for the Performing Arts</p>	\$3,359,535	<p>Expense allowable under Florida Statute Section 163.387(6) (e) “Moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan for the following purposes, including, but not limited to: (e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.”</p> <p>The Mayor’s memorandum states: “This amount is set at 35 percent of total TIF revenues generated pursuant to an interlocal agreement between the County and City.”</p> <p>First Amendment to Interlocal states: "In furtherance of such expeditious utilization of funds for the County’s payment of debt service on the Performing Arts Center Bonds and/or Loans, the CRA shall remit to the County ... (b) commencing March 31, 2013 and every March 31 thereafter until March 31, 2027, an amount equal to the greater of \$1.43 million or thirty-five percent (35%) of the Increment Revenue from the Omni Community Redevelopment Area ...”</p>	<p>Florida Statute Section 163.387(6)(e)</p> <p>Mayor’s memorandum dated October 1, 2013 p.3</p> <p>First Amendment to Interlocal Article III(A)</p>

**OMNI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreement, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<b>Port Tunnel Loan Payment</b>	\$5,801,792	<p>Expense allowable under Florida Statute Section 163.387(6) (e) "Moneys in the redevelopment trust fund may be expended from time to time for undertakings of a community redevelopment agency as described in the community redevelopment plan for the following purposes, including, but not limited to: (e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness."</p> <p>Per Amended CRA Plan, Projects and Strategies: "... the Omni CRA has agreed to contribute approximately \$88 million, to be paid in annual installments commencing upon the substantial completion of the Port Tunnel Project. The CRA's support of the Port Tunnel Project shall include direct support, indirect support, in-kind support, or such activities as may be deemed by the CRA Board of Commissioners to advance this Project."</p> <p>Per First Amendment to Interlocal: "... the County, the City and the CRA acknowledge their interest and the benefits of further extending the life and expanding the boundaries of the Omni district to, among other things, include infrastructure, the Port Tunnel and Museum Park projects; ..."</p>	<p>Florida Statute Section 163.387(6)(e)</p> <p>2010 Amended CRA Plan p. 87 Projects and Strategies</p> <p>First Amendment to Interlocal</p>
<p><b>Contractual Services</b></p> <ul style="list-style-type: none"> <li>• \$70,787 Legal Services</li> <li>• \$15,000 Accounting and Audit</li> <li>• \$140,645 Professional Services</li> <li>• \$44,846 Other Contractual Services</li> </ul>	\$271,278	<p>Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (l) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this part; ... notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part."</p> <p>Expense allowable under Florida Statute Section 163.387(8) "Each community redevelopment agency shall provide for an audit of the trust fund each fiscal year and a report of such audit to be prepared by an independent certified public accountant or firm."</p>	<p>Florida Statute Section 163.370(2)(l)</p> <p>Florida Statute Section 163.387(8)</p>

**OMNI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreement, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
		Per Ordinance 87-47, Section 6: "Review of financial records; right of audit. The financial records for the Redevelopment Trust Fund shall be available for County inspection and the County reserves the right of audit."	Ordinance 87-47 Section 6
<b>Sub-Total Operating Expenses</b>	<b>\$28,225,586</b>		
<b>Reserve</b>	\$97,761	Expense allowable under Florida Statute Section 163.370(2) "Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted: (l) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this part; ... notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part."	Florida Statute Section 163.370(2)(l)
<b>TOTAL CRA EXPENSES</b>	<b>\$28,933,856</b>		

(\*) Source – Agenda item consisting of Mayor’s memorandum and CRA FY12-13 Budget Report

(\*\*) Resolution No. R-1372-07 - Interlocal Cooperation Agreement between Metropolitan Dade County, the City of Miami, and the Community Redevelopment Agency for Omni District; Ordinance 87-47 – Omni Tax Increment Financing District; Amended CRA Plan

Note:

- Per the First Amendment to Interlocal: "... the County, the City and the CRA agree that the First Amendment to the Omni Community Redevelopment Plan, as supplemented by Addendum II, was approved by the Board on April 8, 1977; therefore, the term of the Omni District shall expire on September 30, 2027; ..."
- Per the First Amendment to Interlocal III.D: "The County agrees to waive the 1.5% administrative fee chargeable to the Omni District."
- Per the Mayor’s memorandum dated October 1, 2013: "Of the \$28,933,856 budget, \$19,335,856 or approximately sixty seven percent is from carryover funding."

**MIDTOWN MIAMI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
<b>Administrative Expenses</b>			
<p><b>Administrative Expense</b> Includes \$23,714 Agency Administrative Expenses and \$4,500 Auditing Services</p>	\$28,214	<p>“The Redevelopment Plan has established its primary redevelopment goal, which is limited to payment of the debt service on Bonds issued by the Midtown Miami Community Development District, (the District) and any administrative costs incurred in the creation and functioning of the Agency.”</p> <p>The Interlocal states: “The Board hereby delegates to the City Commission, acting either directly or through the Agency, the sole right and responsibility to exercise only the following delineated redevelopment powers: (6) The power to appropriate such funds and make such expenditures solely to fulfill the obligation to pay debt service on the Bonds pursuant to the interlocal agreement with the CDD, which is attached as Exhibit 1 of the Plan, including payments to a debt service reserve for such Bonds, if necessary, and to pay administrative expenses subject to the limitations provided in Section II.B.”</p> <p>The Interlocal states: “The Board hereby delegates to the City Commission, acting either directly or through the Agency, the sole right and responsibility to exercise only the following delineated redevelopment powers: (1) The power to make and execute contracts and other instruments necessary, or convenient, to the exercise of its powers, pursuant to the Act.”</p> <p>Expense allowable under Florida Statute Section 163.387(8): “Each community redevelopment agency shall provide for an audit of the trust fund each fiscal year and a report of such audit to be prepared by an independent certified public accountant or firm.”</p>	<p>County Manager Memorandum Dated June 7, 2005</p> <p>Interlocal HW p.22 Article I.A.(6)</p> <p>Interlocal HW p.21 Article I.A.(1)</p> <p>Florida Statute Section 163.387(8)</p>
<b>Total Administrative Expenses</b>	<b>\$28,214</b>	The Interlocal states: "No more than one percent (1%) of the annual budgeted expenditures of the Agency shall be used for administrative expenses allowable under Section 163.387(6)(a) and (b) Florida Statutes."	Interlocal HW p.22 Article II.B.

**MIDTOWN MIAMI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
		<p>The Second Amendment to Interlocal Agreement states: “The Agency shall be annually compensated for all administrative services rendered by the Agency, subject to the availability of revenue in the Redevelopment Trust fund. Such administrative expenses payable out of the Redevelopment Trust Fund shall be capped at an amount not to exceed one percent (1%) of the TIR Surplus.”</p> <p>The Mayor’s memorandum states: “These expenses represent one percent of total tax increment revenues in accordance with the Second Amendment to the Interlocal Agreement for the Midtown Miami Project.”</p>	<p>Second Amendment to Interlocal Agreement HW p.11 Section 2 (3.3.1)</p> <p>Mayor’s memorandum dated October 1, 2013 p.2</p>
<b>Operating Expenses</b>			
<p><b>Other Current Charges and Obligation</b> Transfer to the District to pay for annual debt service payments on the 2004A series bonds issued for the parking garage structure in the Midtown Miami development</p>	\$2,793,222	<p>“The Redevelopment Plan has established its primary redevelopment goal, which is limited to payment of the debt service on Bonds issued by the Midtown Miami Community Development District, (the District) and any administrative costs incurred in the creation and functioning of the Agency.”</p> <p>The Interlocal states: “The Board hereby delegates to the City Commission, acting either directly or through the Agency, the sole right and responsibility to exercise only the following delineated redevelopment powers: (6) The power to appropriate such funds and make such expenditures solely to fulfill the obligation to pay debt service on the Bonds pursuant to the interlocal agreement with the CDD, which is attached as Exhibit 1 of the Plan, including payments to a debt service reserve for such Bonds ...”</p> <p>The Second Amendment to Interlocal Agreement states: “The Agency shall pay Tax Increment Revenues actually received to the District from the Redevelopment Trust Fund annually in an amount, subject to the final valuation adjustment from the prior fiscal years, not to exceed the Annual</p>	<p>County Manager Memorandum Dated June 7, 2005</p> <p>Interlocal HW p.22 Article I.A.(6)</p> <p>Second Amendment to Interlocal Agreement HW p.10 Section 2 (3.3.1)</p>

**MIDTOWN MIAMI COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET  
FY 2012-13**

Expenditure Description(*)	Budget FY12-13	Reference to CRA Plan, Interlocal Cooperation Agreements, Miami-Dade County Resolutions and/or Florida Statute (**)	Source
		Debt Service on the Bonds... and any Debt Service Shortfall... until the Bonds are no longer outstanding and any Debt Service Shortfall is paid in full."	
<b>Total Operating Expenses</b>	<b>\$2,793,222</b>		
<b>TOTAL CRA EXPENSES</b>	<b>\$2,821,436</b>		

(\*) Source – Agenda item consisting of Mayor’s memorandum and CRA FY12-13 Budget Report

(\*\*) An Interlocal Agreement by and among Miami-Dade County, the City of Miami, the Midtown Community Development District (District) and the Agency was approved by the Board on June 7, 2005. The Second Amendment to the Interlocal Agreement was approved by the Board on July 17, 2008.

Sunset Notes:

The Interlocal Article II.B. states: “The City, the Agency, and the County hereby expressly agree that the Plan contemplates that the life of the Agency shall be only for so long as the Bonds are outstanding, but in no event longer than 30 years.”

As indicated on the June 30, 2005 First Amendment to the Interlocal Section 4(b) “debt service on the Parking Garage Bonds in each such year for the remaining term of the Parking Garage Bonds, but in no event beyond May 1, 2037.”

As indicated on the July 7, 2008 Second Amendment to the Interlocal, May 1, 2037 is the last scheduled debt service payment.

The County’s 1.5% administrative fee is not charged to the Midtown Miami CRA. Office of Management and Budget stated: “The only CRAs that do not pay the 1.5% administrative fee are the City of Miami CRAs.”