Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2008

Agenda Item No. 14(A)(1)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Approval of a Request for Application for an Administrative Boundary Change to the Miami Dade County Enterprise Zone

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Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached Resolution authorizing the advertisement of a Request for Application (RFA) process to solicit proposals for an administrative boundary change to the Miami Dade County Enterprise Zone (Enterprise Zone) Program. OCED is recommending a RFA process to assess all proposals and determine which projects or areas should be included in a boundary change request to the State of Florida (State). Any future boundary changes will come back to the BCC for final approval before their submission to the State.

It is important to note that the State's Enterprise Zone Program is a separate program from the federal Empowerment Zone program.

Scope

The proposed modification is expected to have a countywide impact as applications can be submitted for any area within the County that meet the eligibility requirements of Florida Statutes 290.0058, which governs enterprise zones.

Financial Impact/Funding Source

Approval of this Resolution which authorizes the issuance of an RFA does not create a fiscal impact to the County. However, enterprise zone areas are eligible for various State and County incentives, which promote investment in distressed areas. Once staff presents its final recommendation to the Board for final consideration of administrative boundary changes, a fiscal impact will be provided.

Track Record/Monitor

Miami Dade County has participated in the Enterprise Zone Program for 21 years, providing tax credits and refunds to businesses. The Office of Community and Economic Development (OCED) is the local enterprise zone coordinating agency, managing the program for the entire County. The Office of Tourism, Trade and Economic Development (OTTED) in the office of the governor administers the program for the state.

Background

The enterprise zone is a geographical area within Miami Dade County measuring 51.5 square miles of three non-contiguous sections, designated under the Florida Enterprise Zone Act to receive State and County business incentives (see attached map).

The Enterprise Zone Program is a joint State and County business assistance program that provides incentives to: 1) stimulate economic growth in distressed areas, 2) stimulate economic development through private investment, and 3) create jobs within the enterprise zone boundaries. The Enterprise Zone Program has been an integral part of the County's economic development strategy and is one of the major business inducement incentives marketed by the Beacon Council.

In November 2005, through Resolution R-1305-05, the County reauthorized its Enterprise Zone Program for another ten years. The State approved the County's application, pursuant to the Florida Enterprise Zone Act of 2005, with an effective date of January 1, 2006.

The Florida Enterprise Zone Act of 2005 governs how each municipality within the state was to reauthorize their respective programs. In addition, it also gave local municipalities the ability to administratively amend their own boundaries.

Under the new program, and as described in Florida Statute 290.0055, the governing body of the jurisdiction which authorized the application for an enterprise zone may apply to the office for a change in boundary once every three years, which in this case is Miami-Dade County. Staff is recommending for the BCC to authorize this RFA process to assess all proposals submitted that would promote investment, affordable housing, and increase the number of jobs in distressed areas. If included, these areas or projects promoting such benefits would in return receive incentives through their inclusion in the enterprise zone. However, this change cannot increase the overall size of the County's enterprise zone. Therefore, any modification done administratively requires an area "swap". Suggested areas for a swap are lakes, airport runways and any other areas deemed non developable. Proposed modifications must meet the eligibility criteria of the Florida Statutes 290.0058 and 290.0065 (see attached RFA).

The current composition of the enterprise zone includes parts of various municipalities of Miami Dade County. Applications to modify the boundaries of the enterprise zone areas within municipalities must be submitted to the County through the municipality having jurisdiction over the subject area. The municipality receiving applications for a boundary modification within their municipalities of the enterprise zone will complete a preliminary analysis of the proposed modification prior to determine if the area is included in the enterprise zone and to determine if meets the eligibility requirement. They will attach a cover letter indicating their support and forward the application to the County.

As with all previous modifications to the County's enterprise zone, the County's Planning and Zoning Department will analyze the census data of the area to be added to confirm compliance with Florida Statutes 290.0058. The analysis will include a demographic assessment of the area to be added, which maintains the required income mix of more than 50 percent of the census block groups with poverty rates higher than 30 percent. In addition, Planning and Zoning will confirm that areas suggested for a swap are in fact un-developable and eligible to be swapped .

The City's resolution of support will be required prior to the County's submission to the State. Applications to modify the unincorporated areas of the enterprise zone are to be submitted directly to the County for consideration.

Project Time Line

The successful applicant(s) will have their project site included in the enterprise zone if it meets the eligibility criteria. OCED will work in conjunction with participating municipalities and with the Miami Dade Department of Planning and Zoning who will determine what areas are eligible for addition and which areas are deemed non developable and therefore available to be swapped.

The time line for the selection of project site is as follows:

January 16, 2008	RFA before EDHS committee for approval to advertise
February 13, 2008	RFA before BCC for approval to advertise
February 19, 2008	Applications available
February 25-28, 2008	Pre application submittal workshop
March 17, 2008	Applications due
March 19-April 16, 2008	Planning and Zoning review of all eligible areas
April 2008	EDHS Committee action and public input

** Note: Project timeline can change based on legislative actions by the BCC.*

Ranking Criteria

All proposals must describe the proposed development in detail and describe how the project will benefit the Enterprise Zone Program and its residents, and how its incentives will benefit the project. All applications will be reviewed according to the following criteria a) developments that will impact affordable housing b) developments that have all funding in place, c) proposed capital investment to the area and projected tax revenue, and d) proposed jobs to be created. The intent is to promote investment, affordable housing and create jobs in these economically distressed areas quickly. In no event will the new amended enterprise zone boundary exceed 51.5 square miles.

Application Fee

A non refundable $250.00 application fee will be charged to all applicants and is due with each application. The fee will be used to cover Planning and Zoning's costs for analyzing the proposed areas and the proposed areas to be swapped.

Contribution to the Affordable Housing Trust Fund

All projects must impact affordable housing by one of the following 1) at least 5 percent of total units (no less than 5 units) must be set aside for affordable housing or 2) the developer can make an investment into the Miami Dade County Affordable Housing Trust fund. A minimum contribution of 10 percent of the savings resulting from the enterprise zone tax incentives is recommended to be made to the Trust fund to promote affordable housing.

Attachments

Cynthia W. Curry
Senior Advisor to the County Manager

MIAMI-DADE COUNTY
REQUEST FOR APPLICATION
FOR
MIAMI-DADE COUNTY ENTERPRISE ZONE BOUNDARY MODIFICATION

INTRODUCTION

Miami-Dade County, through the Office of Community and Economic Development (OCED), is soliciting applications for the modification of Enterprise Zone #1301, as the local Enterprise Zone Coordinating Agency of the State of Florida, as authorized by the 2005 Florida Enterprise Zone Act.

Under the provisions of the Florida Enterprise Zone Act of 2005, Miami-Dade County can apply once in a three-year period for a change in the boundary. This change cannot increase the current size of the Enterprise Zone. Any modification requires an area swap. Proposed modifications must meet the eligibility criteria of the Florida Statutes 290.0058 and 290.0065. This RFA will enable Miami-Dade County to file an application with the Office of Tourism, Trade and Economic for one single boundary change to the Enterprise Zone. No further administrative boundary modifications may be considered for at least three (3) years after this modification.

Due to the current composition of the Enterprise Zone area which includes parts of various municipalities (i.e., Hialeah, Miami, Opa-Locka, etc.) of Miami-Dade County, applications to modify the boundaries of the Enterprise Zone in areas inside the municipalities (cities) in the Enterprise Zone must be submitted to the County through the city government having jurisdiction over the subject area of the modification.

The cities receiving applications for a boundary modification within their sections of the Enterprise Zone will complete a preliminary analysis (to ensure eligibility of the boundary modification) of the proposed modifications prior to submitting the application to the County. The City's resolution of support will be required prior to the County submitting its application to the State.

Applications to modify the unincorporated County sections of the Enterprise Zone are submitted directly to the County for consideration.

Required information
Instructions and Submission Guidelines

Required Information

Proposers/Applicants who obtain copies of this Application from sources other than the Miami Dade County Office of Community and Economic Development risk the potential of not receiving addenda, since their names will not be included on the Applicant list for this solicitation. Such proposers are solely responsible for those risks. The applicant should verify with the designate officer identified herein prior to submitting a proposal that all addenda have been received.

General Section

- All applicants must submit an **Application Cover Letter** as the first page of the application. This letter must include the legal name of the developer/business, EIN (employer identification number), organization type, address, contact person, name, title, phone number and e-mail address. **Also included must be the project title and a description of the project and how it will benefit residents of the Enterprise Zone.**

- All applicants must submit one (1) original and two (2) copies of the application in a 3 ring binder. Applications must be in separate binders. Do not submit more than one application per binder. **ALL Originals and copies of applications must have all required documents. Please do not exclude any documents from any copy.**

- Applications not submitted in a three (3) ring binder will not be accepted. No pages are to be stapled or clipped.

- A non-refundable $250 application fee for each application is required to cover the cost of analyzing the proposal. Applications submitted through municipalities to the County must also pay the application fee to the County.

- Applications submitted after the deadline will not be accepted.

- **Applications to modify the boundaries of Enterprise Zone areas within municipalities must be submitted to the county through the municipality having jurisdiction over the subject area. Applications not submitted by the municipalities where the project is located will not be accepted.**

- Faxed or electronic applications will not be accepted.
- Proposals must comply with requirements of this RFA and with the Florida Statute 290.0058. Proposals that are incomplete, lack required documents or have deficiencies and errors will be rejected.
- No changes or additions to the proposals will be accepted once the application has been submitted.
- Applications will not be accepted anywhere else other than as noted below.
- The Board of County Commissioners reserves the right to waive any informality in, or to reject, any and all such applications.
- Miami Dade County will not approve an entity with outstanding disallowed costs, defaulted loans, debarment actions or any other legal encumbrances regardless of the merits of the submitted proposal.
- Questions on this application must be submitted in writing to Miami Dade County Office of Community and Economic Development no later than March 17, 2008, attention:

Tangie White Jackson
OCED
Community and Economic Development Division
701 N.W. 1st Court, 14th Floor
Miami, FL 33136

Responses will be posted on the web site www.miamidade.gov/ced

Applications should be labeled as directed below:

Mr. Harvey Ruvin
Clerk of the Board of County Commissioners
17th Floor, Miami-Dade Center
111 N.W. First Street
Miami, Florida 33128

Attention: José Cintrón, Director
Office of Community and Economic Development
Re: Enterprise Zone Boundary Modification Application

Applications will only be accepted at the Clerk's Office no later than March 17, 2008 and no later than 4:00 p.m.

SCHEDULE

- Applications will be available on Tuesday, February 19, 2008 and will be posted on our website at www.miamidade.gov/ced

- A pre application submittal workshop will be held on February 25, 2008 at 10:00 am at the Office of Community and Economic development located at the Overtown Transit Village 1, 701 N.W. 1st Court, 14th floor, (786) 469-2100.

- The application submission deadline is March 17, 2008, 4:00 pm. Applications must be delivered to the Clerk of the Board of county commissioners on the 17th floor, Stephen P. Clark Center, 111 N.W. 1st Street, Miami, Florida.

Required Information must be submitted and tabbed with the numbers below:

1) Area Description of the Boundary Modification, including census block groups.

2) Preliminary Analysis of Census data of the area to be added in compliance with Florida Statutes 290.0058. This analysis should also include a demographic assessment of the area to be added, maintaining the required income mix of more than 50% of the Census Block Groups with poverty rates higher than 30%.

3) Description of the area to be swapped out of the Enterprise Zone, including County Commission District where located, current use of the area and an inventory of businesses and industries in the area. (Tab 3)

4) The purpose of the boundary modification requested must be detailed. As required by Florida Statute 290.0055, administrative boundary modifications must state with particularity the reasons for the modification.

   Commercial, industrial and residential projects planned or in the development phase benefiting from Enterprise Zone incentives after the modification is approved must be detailed and disclosed in the application.

   The following information is required and must be behind tab # 4, a). track record of business/developer b) project budget c) expected amount of investment and projected tax revenue d) proof of financing in place d) proof of site control, e)

timetable for project completion f) timetable for the production of affordable housing and/or for the creation of jobs (minimum 5 full permanent jobs) with the title of jobs to be created.

5) Ranking Criteria. All proposals must describe the proposed development in detail and describe how the project will benefit the Enterprise Zone program and its residents and how the incentives offered will benefit the project. **All applications will be reviewed according to the following criteria a) developments that will impact affordable housing b) developments that have all funding in place c) proposed capital investment to the area and the projected tax revenue d) proposed number of jobs to be created.**

All housing projects must impact affordable housing in the following manner: 1) at least 5 percent of total units (no less than 5 units) must be set aside for affordable housing 2) or the developer can make an investment into the Miami Dade County Affordable Housing Trust fund. A minimum contribution of 10 percent of the savings resulting from the enterprise zone tax incentives is recommended to be made to the Trust fund to promote affordable housing.

All proposals must indicate the amount of tax savings expected if the proposed modification is approved and the proposed number of units to be set aside for affordable housing or the amount expected to be contributed to the Trust. (tab #5)

6) Certification. An authorized representative from the business/developer must sign as to the accuracy and completeness of the proposal.

7) Municipal support is required for boundary modification affecting Enterprise Zone areas within a city. A city resolution is required prior to the County submitting an application to the State of Florida. (tab #7)

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: January 22, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 14(A)(1)

Please note any items checked.

✓ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 14(A)(1)
01-22-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING A REQUEST FOR APPLICATION (RFA) SOLICITING PROPOSALS FOR AN ADMINISTRATIVE BOUNDARY CHANGE TO THE ENTERPRISE ZONE OF MIAMI-DADE COUNTY

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the issuance of a Request For Application (RFA) in substantially the form attached hereto to solicit proposals for an administrative boundary change to the Miami-Dade County Enterprise Zone.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairman

Jose "Pepe" Diaz
Carlos A. Gimenez
Joe A. Martinez
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency._____

Shannon D. Summerset