MEMORANDUM

Agenda Item No. 11(A)(17)

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	January 21, 2010
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution urging the Florida Legislature to pass SB 126, HB 381 or similar legislation amending the Community Redevelopment Act to modify the criteria for the creation of a Community Redevelopment Agency to include land previously used as a military facility

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss.

for

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 21, 2010

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

SUBJECT: Agenda Item No. 11(A)(17)

Please note any items checked.

_____ **"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**

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

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(17)
1-21-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 126, HB 381 OR SIMILAR LEGISLATION AMENDING THE COMMUNITY REDEVELOPMENT ACT TO MODIFY THE CRITERIA FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY TO INCLUDE LAND PREVIOUSLY USED AS A MILITARY FACILITY

WHEREAS, community redevelopment agency's (CRAs) are funded primarily through tax increment financing (TIF); and

WHEREAS, as property values in a redevelopment area rise, increment tax revenues are generated; and

WHEREAS, these increment revenues are placed in a CRA trust fund and used to support redevelopment plans in the area; and

WHEREAS, CRAs have proven to be an effective tool to stimulate economic development and there are currently more than 170 CRAs in Florida; and

WHEREAS, land previously used as a military facility may not meet the definition of slum and blight necessary for designation as a CRA, but in many cases may share the same challenges to development that slum and blighted areas have; and

WHEREAS, according to the Association of Defense Communities, redevelopment of land previously used as a military facility may present a number of challenges including:

1. Maintaining the facility's infrastructure, which may be extensive, but in some cases can be older, requiring extensive maintenance at relatively high cost;

2. Remediation of environmental contamination, which may have been generated over decades of use;

3. The continued presence of nearby federal facilities such as military facilities, federal prisons, and other federal facilities, which may present challenges to redevelopment plans;

4. The sale of surplus property by the federal government to the private sector, which may result in land banking and future speculation that may hinder more immediate redevelopment plans;

Statement of Michael A. Houlemard, Jr., President, Association of Defense Communities, to the House Committee on Armed Services, Subcommittee on Military Readiness, December 12, 2007; see also Turning Bases Into Great Places: New Life for Closed Military Facilities; United States Department of Environmental Protection, January, 2006; and

WHEREAS, allowing land previously used as a military facility to form the basis for a CRA can provide an additional tool and catalyst for economic development; and

WHEREAS, bills were filed to address this issue for the 2009 regular session, SB 110 by Senator Larcenia Bullard (D – Miami) and HB 859 by Representative Audrey Gibson (D – Jacksonville), and language addressing this issue also was amended onto SB 2148 by Senator Mike Bennett (R – Bradenton); and

WHEREAS, the Senate passed SB 110 by a unanimous vote of 39-0, but the session ended before the House could take up SB 110, resulting in SB 110 dying in messages, while HB 859 and SB 2148 died in House and Senate committees, respectively; and

WHEREAS, bills have been filed for consideration during the 2010 regular session allowing land previously used as a military facility to form the basis for a CRA, SB 126 by Senator Bullard and HB 381 by Representative Dwight Bullard (D – Miami),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to pass SB 126, HB 381 or similar legislation amending the Community Redevelopment Act to modify the criteria for the creation of a CRA to include land previously used as a military facility.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, and Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2010 state legislative package.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. It 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2010. 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. JMM

Jess M. McCarty