

MEMORANDUM

Agenda Item No. 11(A)(23)

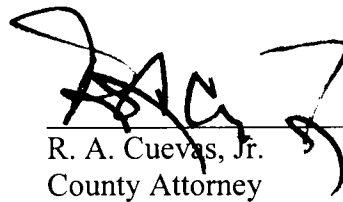
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2011

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

SUBJECT: Resolution urging to pass
legislation providing local
governments with greater
oversight and control of
community redevelopment
agencies

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
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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)(23)
2-1-11

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS LEGISLATION PROVIDING LOCAL GOVERNMENTS
WITH GREATER OVERSIGHT AND CONTROL OF
COMMUNITY REDEVELOPMENT AGENCIES

WHEREAS, Part III, Ch. 163 of the Florida Statutes (the “Act”) enables local governments to establish community redevelopment agencies (“CRAs”) in areas determined to be slum and blight upon a “finding of necessity” and a further finding of a need for a CRA to carry out community redevelopment in a specific geographic area; and

WHEREAS, the Act provides for the creation of a redevelopment trust fund (the “Trust Fund”) for each CRA, wherein 50 percent to 95 percent of the tax increment funds (“TIF”), defined generally as incremental increases in tax revenues from taxable real property in the CRA area which is captured after the base tax year, are to be used to fund redevelopment as authorized by an approved Redevelopment Plan; and

WHEREAS, to date, there are twelve (12) active CRAS in Miami-Dade County, of which nine (9) operate within municipalities and three (3) operate within the Unincorporated Municipal Service Area (“UMSA”); and

WHEREAS, upon approval of each UMSA CRA’s redevelopment plan, the Board created a Trust Fund by ordinance for each UMSA CRA, to among other things, annually appropriate an amount equal to 50 percent to 95 percent of the County’s TIF and from which UMSA CRA redevelopment activities may be funded; and

WHEREAS, while the County CRAs provide an effective method of funding the redevelopment of a specific geographic area within the County, they also serve to redirect significant funds from the County that could possibly be used for other County purposes; and

WHEREAS, despite the fact that, once a local government, such as the County, creates a Trust Fund for a CRA, it is required to continue contributing TIF to the Trust Fund for so long as each County CRA has outstanding debt; and

WHEREAS, state law currently provides local governments with very limited oversight or control over CRAs; and

WHEREAS, local governments should have greater control over the activities and life span of CRAs, particularly given that the CRAs exist and operate within their boundaries and a significant portion of local government revenues are used to fund them; and

WHEREAS, without effective control and oversight of CRAs, CRAs run the risk of not only operating inefficiently, but also outliving their usefulness while still receiving scarce public funds,

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 legislation providing local governments with greater oversight and control over CRAs, including, but not limited to, the authority to approve CRA budgets, retain surplus TIF funds at the end of each CRA's fiscal year and terminate CRAs.

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

Section 3. Directs the County's state lobbyists to advocate against passage of the legislation identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 and 2012 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of February, 2011. 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.



Martin W. Sybblis