



**MEMORANDUM**

Agenda Item No. 8(H)(2)

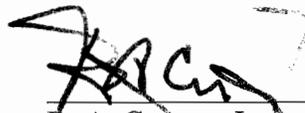
**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 15, 2011

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

**SUBJECT:** Resolution approving a memorandum of understanding between Miami-Dade County and West Perrine Community Redevelopment Agency in substantially the form attached hereto, whereby West Perrine Community Redevelopment Agency grants to the County \$250,000 over two years for improvements to Ben Shavis Park, requiring County match of \$50,000; and authorizing County Mayor to execute same and exercise any and all rights conferred therein

The accompanying resolution was prepared by the Park, Recreation and Open Spaces Department placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



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R. A. Cuevas, Jr.  
County Attorney

RAC/cp

# Memorandum



**Date:** November 15, 2011

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

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Authorizing the Approval of a Memorandum of Understanding Between Miami-Dade County and The West Perrine Community Redevelopment Agency for Improvements to Ben Shavis Park

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution approving a Memorandum of Understanding (MOU), (Attachment A) between Miami-Dade County and the West Perrine Community Redevelopment Agency (WPCRA), and authorizing its execution by the Mayor or his designee.

## **Scope**

This resolution provides for funding of various park improvements to Ben Shavis Park (Park) located at 10395 S.W. 179 Street Miami, Florida. The Park is in County Commission District 9.

## **Fiscal Impact/Funding Source**

The WPCRA will provide the Miami-Dade Park and Recreation Department (MDPR) a total of \$250,000 in fiscal years 2010-11 and 2011-12. Of that amount, \$150,000 is budgeted and will be paid from fiscal year 2010-11 funds, and \$100,000 will be budgeted and paid in fiscal year 2011-12. The WPCRA's contribution will be matched with \$50,000 of Quality Neighborhood Improvement Program (QNIP) funds from the County in fiscal year 2011-12, budgeted in index codes CPE365936254 and CPE366936255. The WPCRA's revenue source is generated through the incremental growth in ad valorem revenues beyond an established year, Tax Increment Financing (TIF), as defined in Section 163.387 of Florida State Statutes. The annual fiscal impact to operations and maintenance for the Park improvements is approximately \$10,000, from MDPR's index code PREBSP458001.

## **Track Record/Monitor**

This resolution approves the MOU with the WPCRA. MDPR and the Office of Management and Budget staff will monitor the MOU.

## **Background**

The WPCRA approved the MOU under resolution CRA-3-11 at its June 7, 2011 meeting (Attachment B). On June 5, 2007, the Board enacted Ordinance 07-79 (Attachment C) that created the WPCRA Trust Fund. The MOU provides for the funding of improvements to the Park. The planned improvements will address the appearance, functionality and security of the Park. As specified in the MOU, the WPCRA will fund the walkway, security lighting, and landscaping improvements from fiscal year 2010-11 funds, not to exceed \$150,000 that is currently budgeted. In fiscal year 2011-12, the WPCRA would help to fund the installation of a new playground (\$100,000), with a County match from Commission District 9 QNIP (\$50,000).

Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
Page 2

Approval of the MOU allows the WPCRA to provide relief to the presence of unsanitary, unsafe conditions identified in the Finding of Necessity of the Area; conditions which create a negative image for the community and make it difficult to attract investment. Additionally, these improvements will greatly benefit the surrounding area providing a safe, clean place where the community can congregate.



Lisa Martinez  
Senior Advisor

Attachments



# MEMORANDUM

(Revised)

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

DATE: November 15, 2011

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

SUBJECT: Agenda Item No. 8(H) (2)

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

Agenda Item No. 8(H)(2)

Veto \_\_\_\_\_

11-15-11

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY IN SUBSTANTIALLY THE FORM ATTACHED HERETO, WHEREBY WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY GRANTS TO THE COUNTY \$250,000 OVER TWO YEARS FOR IMPROVEMENTS TO BEN SHAVIS PARK, REQUIRING COUNTY MATCH OF \$50,000; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

**WHEREAS**, the West Perrine Community Redevelopment Agency approved the Memorandum of Understanding under Resolution CRA-3-11 at its June 7, 2011 meeting; and

**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 finds it is in the best interest of Miami-Dade County to approve the execution of a Memorandum of Understanding between Miami-Dade County and the West Perrine Community Redevelopment Agency in substantially the form attached hereto as Attachment A, whereby the West Perrine Community Redevelopment Agency grants to the County \$250,000 over two years for improvements to Ben Shavis Park, and requiring a County match of \$50,000; and authorizing the County Mayor or the County Mayor's designee to execute same and exercise any and all rights conferred therein.

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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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of November, 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.



Monica Rizo

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
MIAMI-DADE COUNTY  
AND  
WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY**

**THIS MEMORANDUM OF UNDERSTANDING (“MOU”)** is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2011, by and between the **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida (the “County”) and the **WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic (“WPCRA”).

**RECITALS**

1. The WPCRA is chartered with rehabilitation, conservation, and redevelopment within the geographic area generally described as being bounded on the North by SW 168<sup>th</sup> Street, bounded on the East and Southeast by State Road 5 (US-1), and bounded on the West and Southwest by State Road 821 (The Homestead Extension of Florida's Turnpike).

2. Ben Shavis Park, located at 10395 SW 179<sup>th</sup> Street, is a County property managed as a passive park, providing recreational space to the local community. To enhance the level of service within the WPCRA and improve the community's quality of life and image, the WPCRA has requested the County undertake the rehabilitation of Ben Shavis Park to address safety and maintenance concerns.

3. The County has agreed to implement the requested rehabilitation pursuant to and in accordance with the terms and provisions of this MOU which represents the mutual understanding of the parties. This rehabilitation will be funded by the WPCRA and conducted by the County.

**NOW, THEREFORE**, in respect of the mutual promises contained herein, the County and the WPCRA agree as follows:

**1. PURPOSE**

This MOU provides for various park improvements (as defined in Section 2 below) at the Ben Shavis Park, located at 10395 S.W. 179th Street, Miami, Florida. The design, procurement and construction of these improvements will be conducted by the County. Funding for said park improvements will be provided by the WPCRA.

**2. PARK IMPROVEMENTS**

The County shall complete park improvements as funding becomes available over the term of this MOU. The original program of improvements is expected to be conducted in two phases:

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**2.1. Fiscal Year 2010/11:** Address basic Park appearance, functionality and security by improving walkways, security lighting, and landscaping, as funding allows (improvements are shown in order of priority). These improvements will be completed with an allocation of \$150,000 in WPCRA funding.

**2.2. Fiscal Year 2011/12:** Further improve the level of service of the Park with the installation of a new playground. This improvement will be completed with \$50,000 of Quality Neighborhood Improvement Program (QNIP) funds and that level of funding that may be allocated during the development of the WPCRA budget estimated at \$100,000.

**2.3 Plans, Specifications and Bid Documents:** The County will administer the project from bid notification to contract completion and be responsible for technical specifications. Additionally, the County will conduct meetings for contractors who are interested in submitting bids for this project. The County will review all renovations, design documents, and construction contract documents related to this project to ensure the equitability and acceptance of the project as it relates to guidelines and for compliance of time requirements. All construction permits for the improvements and/or renovations will be obtained by the County. Any construction sign erected at the project site shall include Miami-Dade County Park and Recreation's project number, information, and funding sources. The County will provide a construction manager and/or inspector to oversee installation and/or renovations, and ensure that the new playground, walkway, security lighting, and landscaping is performed in accordance with the County specifications and standards. It is understood that the entire project will be managed with the County's best interest in mind at all times. The County will take responsibility for all neighborhood concerns regarding the site during its use of the property for construction.

**2.4. Schedule of Implementation:** The implementation of the park improvements shall be completed as follows:

- Improvements including walkways, landscaping and security lighting shall be completed within twelve (12) month of the execution of this MOU.
- Playground installation shall be completed within five (5) months of the beginning of the fiscal period in which the funding is allocated.

**2.5. Soft Cost and Administrative Cost Limitation:** The County shall not expend more than 17% of the funding provided by the WPCRA for in-house design services, administration, project management (not related to construction supervision), indirect costs (accounting/purchasing/personnel, etc.), imposed fees (e.g. permit processing fees) and those costs not related to construction material, labor, equipment, or construction sub-contractors (collective known as soft costs).

**2.6 Force Majeure:** In the event of an unanticipated or uncontrollable act of nature, such as floods, hurricanes, fires, etc., or of people, such as riots, strikes, and wars, the Service provided by the County for the WPCRA may not be performed. In such an

event, the County will make a good faith attempt to complete the park improvements as soon as practicable.

### 3. FUNDING

**3.1 West Perrine Community Redevelopment Agency:** The WPCRA will reimburse the County for the direct cost of all park improvements conducted, including all personnel costs associated with design, procurement and construction management, not to exceed the amount in the WPCRA budget allocated for the particular project, except for that amount addressed in Section 3.2 below. Specifically, for Fiscal Year 2010/11, WPCRA has budgeted \$150,000 for projects, and those funds shall be reserved for the reimbursement of expenses incurred by the County in developing walkways, landscaping and security lighting. For Fiscal Year 2011/12, WPCRA shall budget \$50,000 - 100,000 for Ben Shavis Park, as funding permits. Those funds shall be reserved for the reimbursement of expenses incurred by the County in installing a new playground, as the level of funding allows.

The WPCRA participation in this MOU is contingent upon receiving adequate funding and WPCRA budget approval by the Board of County Commissioners. The WPCRA understands that the process of reviewing and approving the budget will entail mutual cooperation from the County and WPCRA and that any delay in the review process may be delayed when the Board of County Commissioners considers the WPCRA budget. Therefore, the parties agree that if the Board of County Commissioners does not approve the WPCRA budget as a matter of their sovereign power and legislative authority, the failure to approve such budget should not be deemed a breach of this MOU or any other agreement between the parties, and the County shall not be liable to the WPCRA for such failure to approve the WPCRA budget.

Further, should funding be inadequate for the park improvements, the WPCRA may terminate this MOU upon thirty (30) days notice, or may reduce the scope of the Park Improvements outlined herein. In that event, the County may likewise terminate this MOU or provide reduced services. In the event this MOU is terminated as set forth in the preceding two sentences, the WPCRA will be responsible for unpaid services provided by the County up to the date of termination.

**3.2 Miami-Dade County:** The County shall bear a portion of costs of the park improvements with \$50,000 of Quality Neighborhood Improvement Program (QNIP) funds allocated for local park improvements. Should that funding not be secured, the WPCRA may terminate this MOU upon thirty (30) days notice, or may reduce the scope of the Park Improvements outlined herein (i.e. playground or other, lower-priority, improvements). In that event, the County may likewise terminate this MOU or provide reduced services. In the event this MOU is terminated as set forth in the preceding two sentences, the WPCRA will be responsible for unpaid services provided by the County up to the date of termination.

#### 4. LIABILITY

The County does hereby agree to indemnify and hold harmless the WPCRA to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby the County shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgments or portions thereof which, when totaled with all other occurrence, exceed the sum of \$200,000, from any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of the County. However, nothing herein shall be deemed to indemnify WPCRA from any liability or claim arising out of the negligent performance or failure of performance of the entity or any unrelated third party.

WPCRA does hereby agree to indemnify and hold harmless the County to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby WPCRA shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgments or portions thereof which, when totaled with all other occurrence, exceed the sum of \$200,000, from any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of WPCRA. However, nothing herein shall be deemed to indemnify the County from any liability or claim arising out of the negligent performance or failure of performance of the County or any unrelated third party.

#### 5. EFFECTIVE AND TERMINATION DATE

This MOU becomes effective upon the signature by both parties, and will remain in force until September 30, 2012, unless the term is terminated as provided herein. The MOU may be terminated by either party, with or without cause, by providing written notice to the other party in accordance with Section 6.7 below. In case of termination, the WPCRA agrees to reimburse the County only for unpaid Services performed prior to the date of termination.

#### 6. MISCELLANEOUS

**6.1. Headings; Recitals.** The headings of the sections of this MOU are for convenience only and do not affect meanings of any provisions hereof. The recitals set forth above are true and correct and incorporated herein by this reference.

**6.2. Amendment.** The terms, covenants, conditions and provisions of this MOU cannot be altered, changed, modified or added to, except in writing signed by the County and the WPCRA and approved by the WPCRA Board.

**6.3. Third Party Beneficiaries.** Neither of the parties intends to directly nor substantially benefit any third party by this MOU. Therefore, the parties agree that there are no third party beneficiaries to this MOU and that no third party shall be entitled to assert a claim against either of them based upon this MOU.

**6.4. Waiver.** No express or implied consent or waiver by a party to or of any breach or default by the other party in the performance by such other party of its obligations under this MOU will be deemed or construed to be a consent or waiver to or of any other breach or default in the performance by such other party of the same or any other obligations of such other party hereunder. Failure by a party to complain of any act or failure to act of the other party or to declare the other party in default, irrespective of how long such failure continues will not constitute a waiver by such party of its rights hereunder. The giving of consent by a party in any one instance will not limit or waive the necessity to obtain such party's consent in any future instance.

**6.5. Independent Contractor.** In performing its obligations hereunder, the County shall be deemed an independent contractor and not an agent or employee of the WPCRA.

**6.6. Assignment.** Neither this MOU, nor any interest herein, shall be assigned, transferred by the County without the prior written consent of the WPCRA.

**6.7. Notice.** Whenever any party desires or is required by this MOU to give notice to the other party, it must be in writing and given by hand, sent by certified mail, with return receipt requested, or sent by a recognized overnight courier (e.g., Federal Express) addressed to the party for whom it is intended, at the address specified for notice by the parties from time to time. Notice may also be given by electronic means (e.g., facsimile or email) provided such is followed up with a hard copy by one of the methods in the previous sentence.

**6.8. Inspector General.** Both the WPCRA and the County understand that the Inspector General provision of Section 2-1076 of the code shall apply to matters arising out of this MOU.

**6.9. Entire Agreement.** No statements, representations, warranties, either written or oral, from whatever source arising, except as expressly stated in this MOU, shall have any legal validity between the parties or be binding upon any of them. The parties acknowledge that this MOU contains the entire understanding and agreement of the parties with respect to the subject matter hereof.

IN WITNESS WHEREOF, the subscribing officials are authorized to acknowledge and execute this MOU.

By: \_\_\_\_\_  
(Signature of Authorized Representative)

By: \_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

Witnesses:

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

ATTEST:  
HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CARLOS A. GIMENEZ  
MAYOR



# Miami-Dade Legislative Item File Number: 111216

Printable PDF Format

**File Number:** 111216

**File Type:** Resolution **Status:** Adopted

**Version:** 0

**Reference:** CRA-3-11 **Control:** Board of County Commissioners

**File Name:** WEST PERRINE COMMUNITY REDEVELOPMENT **Introduced:** 5/31/2011

**Requester:** Office of Strategic Business Management

**Final Action:** 6/7/2011

**Agenda Date:** **Agenda Item Number:**

**Notes:** special item no. 2 **Title:** RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE MEMORANDUM OF UNDERSTANDING IN SUBSTANTIALLY THE FORM ATTACHED BY AND BETWEEN MIAMI-DADE COUNTY AND THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY

**Indexes:** NONE **Sponsors:** NONE

**Sunset Provision:** No

**Effective Date:**

**Expiration Date:**

**Registered Lobbyist:** None Listed

## Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	6/7/2011	Special Item No. 2	Adopted				P
County Attorney	5/31/2011		Assigned	Martin W. Sybblis	5/31/2011		
County Manager	5/31/2011		Assigned	County Attorney	6/7/2011		
<b>REPORT:</b>		OSBM--WEST PERRINE CRA--					
County Manager	5/31/2011		Assigned	Jennifer Glazer-Moon			

**WEST PERRINE COMMUNITY  
REDEVELOPMENT AGENCY**

**Tuesday, June 7, 2011**

**As Advertised, Commission Chambers**

**111 NW 1 STREET  
MIAMI, FLORIDA 33128**

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**County Commission Rules**

**Rule 6.05 DECORUM**

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission, shall be barred from further audience before the commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. No signs or placards shall be allowed in the commission chambers. Persons exiting the commission chamber shall do so quietly.

The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the chambers to answer incoming cell phone calls. County employees may not use cell phone cameras or take digital pictures from their positions on the dais.

Miami-Dade County provides equal access and equal opportunity and does not discriminate on the basis of disability in its programs or services. If you need a sign language interpreter or materials in accessible format for this event, please contact the Miami-Dade County Agenda Coordinator's Office at 305-375-2035 or [agendco@miamidade.gov](mailto:agendco@miamidade.gov) at least five days in advance.

**Rule 5.06(h) PRIME SPONSORSHIP AND CO-SPONSORSHIP**

When a resolution or ordinance is placed on the agenda at the request of a commissioner, the commissioner who requested the preparation of the item shall be designated as the prime sponsor. Any other commissioner who wishes to sponsor the resolution or ordinance shall be designated as a co-sponsor.

Pursuant to Rule 5.06(h), where a commissioner is listed as a sponsor, the first named commissioner is the prime sponsor and all other named commissioners are co-sponsors.

**1A ROLL CALL**

**2 SPECIAL ITEMS**

15

**Special Item No. 1**

110723

**Resolution**

RESOLUTION OF BOARD OF WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY APPROVING A COMMERCIAL REHABILITATION GRANT PROGRAM AND A RESIDENTIAL REHABILITATION GRANT PROGRAM TO BE IMPLEMENTED WITHIN THE BOUNDARIES OF THE WEST PERRINE COMMUNITY REDEVELOPMENT AREA (Office of Strategic Business Management)

**Special Item No. 2**

111216

**Resolution**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE MEMORANDUM OF UNDERSTANDING IN SUBSTANTIALLY THE FORM ATTACHED BY AND BETWEEN MIAMI-DADE COUNTY AND THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY (Office of Strategic Business Management)

**ADJOURNMENT**

# Memorandum

**Date:** June 7, 2011

Special Item No. 2

**To:** Honorable Chairman Joe A. Martinez  
and Members, West Perrine Community  
Redevelopment Agency

**From:** Alina T. Hudak,  
Executive Director

**Subject:** Resolution Authorizing the Approval of Memorandum of Understanding Between the  
County and The West Perrine Community Redevelopment Agency for Improvements to  
Ben Shavis Park

## **Recommendation**

It is recommended that the West Perrine Board of Commissioners (WPBC) adopt the attached Resolution approving a Memorandum of Understanding (MOU) between Miami-Dade County (County) and the West Perrine Community Redevelopment Agency (CRA) and authorizing its execution by the Executive Director or her designee.

## **Scope of Agenda Item**

This resolution provides for funding of various park improvements to Ben Shavis Park (Park) located at 10395 S.W. 179 Street Miami, Florida. The Park is owned and operated by the County and is currently managed as a passive park, providing recreational space to the community. The area lies within County Commission District 9.

## **Fiscal Impact/Funding Source**

The CRA will provide the Park and Recreation Department a total of \$250,000 during the current and next fiscal year. Of that amount, \$150,000 is budgeted and will be paid in FY 2010-11 and \$100,000 will be budgeted and paid in FY 2011-12. The CRA's contribution will be matched with \$50,000 of Commission District 9 Quality Neighborhood Improvement Program (QNIP) funding from the County. The CRA's revenue source is generated through the incremental growth in ad valorem revenues beyond an established year, Tax Increment Financing (TIF), as defined in Section 163.387 of Florida State Statutes.

## **Track Record/Monitor**

This resolution approves the MOU with the County. The Office of Strategic Business Management will monitor the MOU.

## **Background**

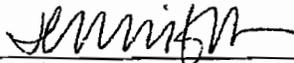
On June 5, 2007, the Miami-Dade County Board of County Commissioners (BCC) approved the establishment of the CRA when it approved the CRA's Community Redevelopment Plan (Plan) pursuant to Resolution R-744-07, the funding of the Plan when it enacted Ordinance 07-79 which created the CRA Trust Fund, and appointed itself as the CRA Board pursuant to Resolution R-745-07.

It is recommended that the WPBC approve and authorize the execution of the MOU (Exhibit 1) which provides for the funding of improvements to Ben Shavis Park. Improvements during FY 2010-11 would address the appearance, functionality and security of the Park by enhancing walkways, landscaping and security lighting. As specified in the MOU, the CRA will fund all the improvements in

Honorable Chairman Joe A. Martinez  
and Members West Perrine CRA  
Page 2

FY 2010-11 not to exceed \$150,000 that is currently budgeted. For FY 2011-12, the CRA would help to fund the installation of a new fitness zone and playground. Funding for the fitness zone and playground will come from the CRA (\$100,000) and will be matched by the County from Commission District 9 QNIP (\$50,000). Should the QNIP funding not be secured in FY 2011-12, the CRA will not fund the fitness zone or playground improvements.

Approval of the MOU allows the CRA to provide immediate relief to the presence of unsanitary, unsafe conditions identified in the Finding of Necessity of the Area; conditions which create a negative image for the community and make it difficult to attract investment. Additionally these improvements will greatly benefit the surrounding area providing a safe, clean place where the community can congregate.



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Jennifer Glazer-Moon  
Special Assistant/Director  
Office of Strategic Business Management

Attachments

cmo12011

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE MEMORANDUM OF UNDERSTANDING IN SUBSTANTIALLY THE FORM ATTACHED BY AND BETWEEN MIAMI-DADE COUNTY AND THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY

**WHEREAS**, the Board of Commissioners of the West Perrine Community Redevelopment Agency (the "CRA") desires to approve the Memorandum of Understanding (the "MOU") in substantially the form attached by and among the Miami-Dade County and the CRA to fund certain improvements in Ben Shavis Park in the form attached hereto as Attachment I and incorporated herein by reference; and

**WHEREAS**, the CRA desires to transmit the MOU to the Board of County Commissioners of Miami-Dade County, Florida (the "Board") for approval; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY, that:**

Section 1. The matters contained in the foregoing recitals are incorporated in this Resolution by reference.

Section 2. The CRA approves MOU related to the improvement in Ben Shavis Park in substantially the form attached.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day  
of July, 2011.

WEST PERRINE COMMUNITY  
REDEVELOPMENT AGENCY BY ITS  
BOARD OF COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
MIAMI-DADE COUNTY  
AND  
WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2011, by and between the **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida (the "County") and the **WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic ("WPCRA").

**RECITALS**

1. The WPCRA is chartered with rehabilitation, conservation, and redevelopment within the geographic area generally described as being bounded on the North by SW 168<sup>th</sup> Street, bounded on the East and Southeast by State Road 5 (US-1), and bounded on the West and Southwest by State Road 821 (The Homestead Extension of Florida's Turnpike).

2. Ben Shavis Park, located at 10395 SW 179<sup>th</sup> Street, is a County property managed as a passive park, providing recreational space to the local community. To enhance the level of service within the WPCRA and improve the community's quality of life and image, the WPCRA has requested the County undertake the rehabilitation of Ben Shavis Park to address safety and maintenance concerns.

3. The County has agreed to implement the requested rehabilitation pursuant to and in accordance with the terms and provisions of this MOU which represents the mutual understanding of the parties. This rehabilitation will be funded by the WPCRA and conducted by the County.

**NOW, THEREFORE**, in respect of the mutual promises contained herein, the County and the WPCRA agree as follows:

**1. PURPOSE**

This MOU provides for various park improvements (as defined in Section 2 below) at the Ben Shavis Park, located at 10395 S.W. 179th Street, Miami, Florida. The design, procurement and construction of these improvements will be conducted by the County. Funding for said park improvements will be provided by the WPCRA.

**2. PARK IMPROVEMENTS**

The County shall complete park improvements as funding becomes available over the term of this MOU. The original program of improvements is expected to be conducted in two phases:

**2.1. Fiscal Year 2010/11:** Address basic Park appearance, functionality and security by improving walkways, security lighting and landscaping, as funding allows (improvements are shown in order of priority) . These improvements will be completed with an allocation of \$150,000 in WPCRA funding.

**2.2. Fiscal Year 2011/12:** Further improve the level of service of the Park with the installation of a new playground. This improvement will be completed with \$50,000 of Quality Neighborhood Improvement Program (QNIP) funds and that level of funding that may be allocated during the development of the WPCRA budget estimated at \$100,000.

**2.3 Plans, Specifications and Bid Documents:** The County will administer the project from bid notification to contract completion and be responsible for technical specifications. Additionally, the County will conduct meetings for contractors who are interested in submitting bids for this project. The County will review all renovations, design documents, and construction contract documents related to this project to ensure the equitability and acceptance of the project as it relates to guidelines and for compliance of time requirements. All construction permits for the improvements and/or renovations will be obtained by the County. Any construction sign erected at the project site shall include Miami-Dade County Park and Recreation's project number, information, and funding sources. The County will provide a construction manager and/or inspector to oversee installation and/or renovations, and ensure that the new playground, walkway, security lighting, and landscaping is performed in accordance with the County specifications and standards. It is understood that the entire project will be managed with the County's best interest in mind at all times. The County will take responsibility for all neighborhood concerns regarding the site during its use of the property for construction.

**2.4. Schedule of Implementation:** The implementation of the park improvements shall be completed as follows:

- Improvements including walkways, landscaping and security lighting shall be completed within twelve (12) months of the execution of this MOU.
- Playground installation shall be completed within five (5) months of the beginning of the fiscal period in which all of the needed funding is allocated.

**2.5. Soft Cost and Administrative Cost Limitation:** The County shall not expend more than 17% of the funding provided by the WPCRA for in-house design services, administration, project management (not related to construction supervision), indirect costs (accounting/purchasing/personnel, etc.), imposed fees (e.g. permit processing fees) and those costs not related to construction material, labor, equipment or construction sub-contractors (collective known as soft costs).

**2.6. Force Majeure:** In the event of an unanticipated or uncontrollable act of nature, such as floods, hurricanes, fires, etc., or of people, such as riots, strikes, and wars, the Service provided by the County for the WPCRA may not be performed. In such an

event, the County will make a good faith attempt to complete the park improvements as soon as practicable.

### 3. FUNDING

**3.1. West Perrine Community Redevelopment Agency:** The WPCRA will reimburse the County for the direct cost of all park improvements conducted, including all personnel costs associated with design, procurement and construction management, not to exceed the amount in the WPCRA budget allocated for the particular project, except for that amount addressed in Section 3.2 below. Specifically, for Fiscal Year 2010/11, WPCRA has budgeted \$150,000 for projects, and those funds shall be reserved for the reimbursement of expenses incurred by the County in developing walkways, landscaping and security lighting. For Fiscal Year 2011/12, WPCRA shall budget \$50,000 – 100,000 for Ben Shavis Park, as funding permits. Those funds shall be reserved for the reimbursement of expenses incurred by the County in installing a new playground, as the level of funding allows.

The WPCRA participation in this MOU is contingent upon receiving adequate funding and WPCRA budget approval by the Board of County Commissioners. The WPCRA understands that the process of reviewing and approving the budget will entail mutual cooperation from the County and WPCRA and that any delay in the review process may be delayed when the Board of County Commissioners considers the WPCRA budget. Therefore, the parties agree that if the Board of County Commissioners does not approve the WPCRA budget as a matter of their sovereign power and legislative authority, the failure to approve such budget should not be deemed a breach of this MOU or any other agreement between the parties, and the County shall not be liable to the WPCRA for such failure to approve the WPCRA budget.

Further, should funding be inadequate for the park improvements, the WPCRA may terminate this MOU upon thirty (30) days notice, or may reduce the scope of the Park Improvements outlined herein. In that event, the County may likewise terminate this MOU or provide reduced services. In the event this MOU is terminated as set forth in the preceding two sentences, the WPCRA will be responsible for unpaid services provided by the County up to the date of termination.

**3.2. Miami-Dade County:** The County shall bear a portion of costs of the park improvements with \$50,000 of Quality Neighborhood Improvement Program (QNIP) funds allocated for local park improvements. Should that funding not be secured, the WPCRA may terminate this MOU upon thirty (30) days notice, or may reduce the scope of the Park Improvements outlined herein (i.e. playground or other, lower-priority, improvements). In that event, the County may likewise terminate this MOU or provide reduced services. In the event this MOU is terminated as set forth in the preceding two sentences, the WPCRA will be responsible for unpaid services provided by the County up to the date of termination

**4. LIABILITY**

The County does hereby agree to indemnify and hold harmless the WPCRA to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby the County shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgments or portions thereof which, when totaled with all other occurrence, exceed the sum of \$200,000, from any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of the County. However, nothing herein shall be deemed to indemnify WPCRA from any liability or claim arising out of the negligent performance or failure of performance of the entity or any unrelated third party..

WPCRA does hereby agree to indemnify and hold harmless the County to the extent and within the limitations of Section 768.28 Fla. Stat., subject to the provisions of that Statute whereby WPCRA shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$100,000, or any claim or judgments or portions thereof which, when totaled with all other occurrence, exceed the sum of \$200,000, from any and all personal injury or property damage claims, liabilities, losses and causes of action which may arise solely as a result of the negligence of WPCRA. However, nothing herein shall be deemed to indemnify the County from any liability or claim arising out of the negligent performance or failure of performance of the County or any unrelated third party.

**5. EFFECTIVE AND TERMINATION DATE**

This MOU becomes effective upon the signature by both parties, and will remain in force until September 30, 2012, unless the term is terminated as provided herein. The MOU may be terminated by either party, with or without cause, by providing written notice to the other party in accordance with Section 6.7 below. In case of termination, the WPCRA agrees to reimburse the County only for unpaid Services performed prior to the date of termination.

**6. MISCELLANEOUS**

**6.1. Headings; Recitals.** The headings of the sections of this MOU are for convenience only and do not affect meanings of any provisions hereof. The recitals set forth above are true and correct and incorporated herein by this reference.

**6.2. Amendment.** The terms, covenants, conditions and provisions of this MOU cannot be altered, changed, modified or added to, except in writing signed by the County and the WPCRA and approved by the WPCRA Board.

**6.3. Third Party Beneficiaries.** Neither of the parties intends to directly nor substantially benefit any third party by this MOU. Therefore, the parties agree that there are no third party beneficiaries to this MOU and that no third party shall be entitled to assert a claim against either of them based upon this MOU.

**6.4. Waiver.** No express or implied consent or waiver by a party to or of any breach or default by the other party in the performance by such other party of its obligations under this MOU will be deemed or construed to be a consent or waiver to or of any other breach or default in the performance by such other party of the same or any other obligations of such other party hereunder. Failure by a party to complain of any act or failure to act of the other party or to declare the other party in default, irrespective of how long such failure continues will not constitute a waiver by such party of its rights hereunder. The giving of consent by a party in any one instance will not limit or waive the necessity to obtain such party's consent in any future instance.

**6.5. Independent Contractor.** In performing its obligations hereunder, the County shall be deemed an independent contractor and not an agent or employee of the WPCRA.

**6.6. Assignment.** Neither this MOU, nor any interest herein, shall be assigned, transferred by the County without the prior written consent of the WPCRA.

**6.7. Notice.** Whenever any party desires or is required by this MOU to give notice to the other party, it must be in writing and given by hand, sent by certified mail, with return receipt requested, or sent by a recognized overnight courier (e.g., Federal Express) addressed to the party for whom it is intended, at the address specified for notice by the parties from time to time. Notice may also be given by electronic means (e.g., facsimile or email) provided such is followed up with a hard copy by one of the methods in the previous sentence.

**6.8. Inspector General.** Both the WPCRA and the County understand that the Inspector General provision of Section 2-1076 of the code shall apply to matters arising out of this MOU.

**6.9. Entire Agreement.** No statements, representations, warranties, either written or oral, from whatever source arising, except as expressly stated in this MOU, shall have any legal validity between the parties or be binding upon any of them. The parties acknowledge that this MOU contains the entire understanding and agreement of the parties with respect to the subject matter hereof.

IN WITNESS WHEREOF, the subscribing officials are authorized to acknowledge and execute this MOU.

By: \_\_\_\_\_  
(Signature of Authorized Representative)

By: \_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

Witnesses:

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

ATTEST:

MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
ALINA T. HUDAK  
COUNTY MANAGER

Memorandum



Date: June 5, 2007

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

Agenda Item No. 5(B)

From: George M. *Stinson*  
County Manager

Subject: Ordinance Relating to Establishing the West Perrine Community Redevelopment Agency Trust Fund

0#07-79

**Recommendation**

It is recommended that the Board of County Commissioners (the "Board") approve and adopt the attached Ordinance, establishing the West Perrine Community Redevelopment and Revitalization Trust Fund (the "Fund"), providing for the appropriation of County funding at the rate of 95 percent of the County's portion of Tax Increment Funds for a period of up to 10 years pending a sunset review by the Board, and other terms and conditions relative to the West Perrine Community Redevelopment Agency (the "Agency").

**Scope**

This Ordinance has a distinctive impact on Commission District 9 and an overall countywide impact. It provides for the establishment of a trust fund and the transfer of ad valorem revenues to encourage redevelopment in the West Perrine area within Commission District 9 in accordance with the Agency's Redevelopment Plan. The ad valorem revenues transferred into the Fund are restricted in their use to implement the Agency's Redevelopment Plan; these funds could otherwise be used for countywide and unincorporated municipal services.

**Fiscal Impact/Funding Source**

The Agency's primary revenue source will be generated through the incremental growth of ad valorem revenues beyond an established base year, Tax Increment Financing (TIF), as defined in Section 163.387 of the Florida State Statutes. It is projected that the first 10 years of tax increment revenues will amount to \$15.69 million, based on an annual average growth rate in taxable values of 5.8 percent. It is projected that \$162.1 million of tax increment revenues will be generated over 30 years. The duration of the County's obligation to contribute TIF revenues is set at 10 years, but can be extended, if the Board subsequently approves any Agency financing instrument, that 1) commits the tax increment revenues for an extended period of time to ensure that the Agency aggressively work toward implementing their Redevelopment Plan, or 2) absent a financing instrument the Board approves an extension of up to 30 years; in 10-year increments.

**Track Record/Monitor**

This Ordinance does not provide for contracting with any specific entity. It established a trust fund for which tax increment funds are to be used in conjunction with other revenues to finance the proposed community redevelopment area activities and facilitates the implementation of tax increment tax financing strategies by the Agency.

Honorable Chairman Bruno A. E.  
and Members, Board of County Commissioners  
Page 2

**Background**

On May 11, 2004, the Board adopted R-646-04 (Attachment A), directing the County Manager to prepare a Finding of Necessity (FON) study for the West Perrine area, in order to substantiate that the area is in need of redevelopment and meets Florida State Statutes' requirements to create a Community Redevelopment Area (CRA). On March 1, 2005, the Board adopted R-212-05, (Attachment B) accepting the FON study for the West Perrine area which demonstrated the existence of slum and blight; and substantiated that the area meets the State's requirements to create a CRA.

This ordinance is the first in a series of legislative items that, if approved, will result in the creation of the West Perrine CRA. A resolution approving the West Perrine Community Redevelopment Plan and a resolution providing for the Board of County Commission to serve as the West Perrine CRA Board will accompany this ordinance when it is considered by the Economic Development and Human Services Committee. These items will also be considered by the Board when the Public Hearing is held for this ordinance.

The 2006 preliminary taxable value of the West Perrine CRA properties is \$435.45 million. Future growth of this taxable value will result from new construction, improvements and reassessments. It is projected that growth coupled with the implementation of the Redevelopment Plan will increase the area's taxable value to over \$627.92 million for the first five years, and over \$801.41 million by the first 10 years.

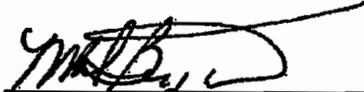
The financing mechanism for the West Perrine CRA is a combination of ad-valorem tax increment revenues derived from the area and other financing sources. Adoption of this Ordinance will put the tax increment financing process in place, pursuant to the Community Redevelopment Act of 1969, as presently contained in Part III of Chapter 163 of the Florida Statutes. As mentioned above, this Ordinance establishes the Fund for which tax increment funds are to be used, in conjunction with other revenues, to finance the proposed community redevelopment area activities and facilitate implementation of tax financing strategies by the Agency. The agency will have authority to pursue public funding through grants, and private revenue through loans, contribution, disposal of any real property, mortgages, hypothecation, bond anticipation notes, and bond issues backed primarily by TIF revenues.

In addition, the Ordinance also sets forth the County's obligation to appropriate tax increment revenues to the Fund, and provides for certain County approval and review requirements. For example, County review and authorization is required of Agency bond indentures, other financing instruments, and ordinances or resolutions authorizing financing instruments.

Section 163.387 (1)(b); Florida Statutes, gives the Board the discretion to contribute up to 95 percent but no less than 50 percent of the County's portion of the tax increment revenue to the Fund. Based on the recommendation of the Tax Increment Financing Committee (TIFC), this Ordinance proposes that a contribution of 95 percent of the County's tax increment be made to the Fund, given the assessment of needs in the West Perrine area provided in the FON.

To date, the County has incurred reimbursable expenses in the amount of \$91,500 on behalf of the West Perrine Community Redevelopment Agency, comprised of \$23,500 for the cost of the FON study and \$68,000 for the cost of the Redevelopment Plan. Once the Trust Fund is created, the Trust Fund will reimburse the County for these expenses.

Attachments



Cynthia W. Curry  
Senior Advisor to the County Manager



**MEMORANDUM**  
(Revised).

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

**DATE:** June 5, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 5(B)

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. 5(B)  
06-05-07

ORDINANCE 07-79

ORDINANCE RELATING TO REDEVELOPMENT OF THE WEST PERRINE COMMUNITY REDEVELOPMENT AREA GENERALLY BOUNDED BY SW 168<sup>TH</sup> STREET ON THE NORTH, STATE ROAD 5 (US-1) ON THE EAST AND SOUTHEAST, AND BY STATE ROAD 821 (THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE) ON THE WEST AND SOUTHWEST; ESTABLISHING REDEVELOPMENT TRUST FUND; PROVIDING FOR APPROPRIATION OF FUNDS AND CALCULATION OF INCREMENT FOR DEPOSIT INTO FUND; SETTING FORTH OBLIGATION TO APPROPRIATE TO FUND AND DURATION OF OBLIGATION; PROVIDING FOR LIMITED COUNTY APPROVAL OF DEBT; PROVIDING FOR REVIEW OF FINANCIAL RECORDS AND RIGHT OF AUDIT; PROVIDING FINDING OF PUBLIC PURPOSE; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Florida Legislature enacted the Community Redevelopment Act of 1969 during its 1969 Legislative Session, which enactment is presently codified in the Florida Statutes as Part III of Chapter 163, Florida Statutes, as amended from time to time (the "Act"); and

WHEREAS, all powers arising through the Act are conferred by the Act upon counties with Home Rule Charters, which counties in turn are authorized to delegate certain of such powers to a community redevelopment agency created pursuant to the Act; and

WHEREAS, on March 1, 2005, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution No. R.-212-05 which resolution declared a certain geographic area of the County known as West Perrine and bounded by SW 168<sup>th</sup> Street (also known as Richmond Avenue) on the North, US-1 on the East and Southeast, and by State Road 821 (Homestead Extension of Florida's Turnpike) on the West and Southwest, such area being more particularly described in the attached Exhibit "A" and incorporated herein by this

reference (the "West Perrine Community Redevelopment Area" or "Redevelopment Area"), to be a slum or blighted area, declared the rehabilitation, conservation or redevelopment, or combination thereof to be necessary in the interest of the public health, safety, morals or welfare of the residents of the Redevelopment Area and the County and found the need for the creation of a community redevelopment agency; and

WHEREAS, the Board, pursuant to Resolution No. R-745-07 enacted on June 5, 2007 appointed the same Board of County Commissioners (BCC) to serve as the initial West Perrine Community Redevelopment Agency (the "Agency"); and

WHEREAS, County Staff submitted such plan to the Department of Planning and Zoning of Miami-Dade County, sitting as the local planning agency of the County and the local planning agency reviewed said redevelopment plan and submitted its written recommendations with respect to the conformity of the proposed community redevelopment plan with the comprehensive plan for the development of the County as a whole; and

WHEREAS, the County has adopted a resolution pursuant to the provisions of Section 163.360, Florida Statutes, which, after making certain findings at a duly advertised public hearing with respect thereto, approved and adopted the West Perrine Community Redevelopment Plan (the "Plan") to enable the Agency to undertake redevelopment of the Redevelopment Area; and

WHEREAS, the Agency may not receive or spend any increment revenues pursuant to Section 163.387, Florida Statutes; unless and until this Board has, by ordinance, provided for the funding of the redevelopment trust fund for the duration of the Plan; and

WHEREAS, the County is sympathetic to the program for redevelopment envisaged and proposed by the Agency pursuant to the Plan, which project will ultimately involve the expenditure of many millions of dollars, and which will be financed in part through a range of financing strategies suggested by the Agency to be secured by such revenue sources as are provided by law; and

WHEREAS, it is necessary to create a redevelopment trust fund to be funded with ad valorem tax increment revenues, pursuant to Section 163.353 and 163.387, Florida Statutes, in order to provide funds to finance or refinance the proposed community redevelopment and to facilitate the implementation of creative tax financing strategies; and

WHEREAS, this Board finds that establishing a redevelopment trust fund and providing for the appropriation into said fund of its tax increment as determined by statute is in the best interest of the citizens of Miami-Dade County and serves a public purpose; and

WHEREAS in Ordinance 03-210, the Board, in its sole discretion pursuant to Florida Statute §163.387(2)(d)(1), exempted The Children's Trust, an independent special taxing district, from the provisions of Florida Statute §163.387(2)(a), for the term of collection of The Children's Trust ad valorem tax, including any extension of this ad valorem tax levy which is approved by the voters of Miami-Dade County, therefore The Children's Trust is exempt from contributing to the Trust Fund for this CRA, and

WHEREAS, the Board desires to accomplish the purposes outlined in the memorandum from the County Manager, a copy of which is attached hereto, for the reasons delineated therein,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitations are deemed true and correct and are hereby incorporated as a part of this ordinance.

Section 2. The West Perrine Community Redevelopment and Revitalization Trust Fund (the "Fund") is hereby established. Each taxing authority (as defined in the Act) shall annually pay into the Fund, an amount not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment in accordance with the Act. The increment shall be determined annually and shall be that amount equal to 95 percent of the difference between: (a)

the amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area; and (b) the amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Redevelopment Area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this ordinance.

Section 3. Except for the purpose of funding the Fund pursuant to Section 4 herein, upon the enactment of this ordinance, each taxing authority shall, by January 1st of each year, appropriate to the Fund for a period not to exceed ten (10) years or for a period not to exceed thirty (30) years if there is outstanding indebtedness pledging increment revenues which has been approved by this Board, a sum that is no less than the increment as defined and determined by Section 2 of this Ordinance accruing to such taxing authority. In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined pursuant to Section 2 of this ordinance. The County's increment contribution is to be accounted for as a separate revenue within the Fund but may be combined within other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

Section 4. Notwithstanding the provisions of Section 3 herein, the County's obligation to fund the Fund annually shall continue until all loans, advances and indebtedness, if any, and interest thereon, of the Agency incurred as a result of redevelopment in the Redevelopment Area have been paid.

Section 5. Moneys in the Fund may be expended from time to time for the following purposes, when directly related to financing or refinancing of redevelopment in the Redevelopment Area pursuant to the Plan: (a) administrative and overhead expenses necessary or incidental to the implementation of the Plan; (b) expenses of redevelopment planning, surveys and financial analysis, including the reimbursement to the Board or the Agency for such

expenses incurred before the Plan was approved and adopted; (c) the acquisition of real property in the Redevelopment Area; (d) the clearance and preparation of any Redevelopment Area for redevelopment and relocation of site occupants as provided in Section 163.370, Florida Statutes; (e) the repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes and any other form of indebtedness; (f) all expenses incidental to or connected with the issuance, sale, redemption, retirement or purchase of agency bonds, bond anticipation notes or other form of indebtedness, including funding of any reserve, redemption or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes or other form of indebtedness; (g) the development of affordable housing within the Redevelopment Area; or (h) the development of community policing innovations.

Section 6. On the last day of the Agency's fiscal year, any money which remains in the Fund after the payment of the expenses listed in Section 5 herein for such year shall be: (a) returned to each taxing authority which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Fund by all taxing authorities within the Redevelopment Area for that year; (b) used to reduce the amount of any indebtedness to which increment revenues are pledged; (c) deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or (d) appropriated to a specific redevelopment project pursuant to the Plan which project will be completed within three (3) years from the date of such appropriation.

Section 7. The Agency shall provide for an independent financial audit of the Fund each fiscal year and a report of such audit. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The Agency shall provide a copy of the report to each taxing authority. All Fund records shall be available for County inspection. The County reserves the right to audit the Fund.

Section 8. This ordinance is hereby declared to be for a public purpose and for the welfare of the citizens of Miami-Dade County, Florida and shall be liberally construed to effectuate the purpose thereof.

Section 9. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 10. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Miami-Dade County. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 11. This ordinance shall, subject to a sunset review by this Board, stand repealed ten (10) years from its effective day.

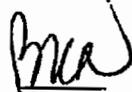
Section 12. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: June 5, 2007

Approved by County Attorney as  
to form and legal sufficiency:



Prepared By:



Brenda Kuhns Neuman

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ATTACHMENT "A"

**MEMORANDUM**

Amended  
Agenda Item No. 10(A) (

**TO:** Honorable Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** May 11, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution directing County  
Manager to prepare Finding  
Necessity for the West Perry  
Community Redevelopment  
Area

R-646-04

The accompanying resolution was prepared and placed on the agenda at the request of  
Commissioner Dennis C. Moss,

  
Robert A. Ginsburg  
County Attorney

RAG/bw



**MEMORANDUM**  
(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** May 11, 2004

*[Handwritten Signature]*  
**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Amended Agenda Item No. 10(a)

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 \_\_\_\_\_

Amended  
Agenda Item No. 10(A)(6)  
5-11-04

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION R-646-04

RESOLUTION DIRECTING COUNTY MANAGER TO PREPARE FINDING OF NECESSITY AND FINDING OF NEED FOR CREATION OF A COMMUNITY REDEVELOPMENT AREA STUDY, FOR A PORTION OF SECTIONS, 31, 32 AND 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST AND SECTIONS 5 AND 6, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA GENERALLY BOUNDED ON THE NORTH BY SW 168<sup>TH</sup> STREET, BOUNDED ON THE EAST AND SOUTHEAST BY STATE ROAD 5 (US 1), AND BOUNDED ON THE WEST AND SOUTHWEST BY THE STATE ROAD 821 (THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE), BUT EXCLUDING ANY PORTIONS OF LANDS LOCATED IN COMMISSION DISTRICT 8, PURSUANT TO REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; IDENTIFYING FUNDING SOURCE; AND PROVIDING MECHANISM FOR REIMBURSEMENT OF CONSULTING FEES FROM MONIES ON DEPOSIT IN COMMUNITY REDEVELOPMENT TRUST FUND, IF AVAILABLE

WHEREAS, pursuant to Chapter 163, Florida Statutes, a finding of necessity study must be prepared in order to initiate the redevelopment process for the areas bounded on the North by SW 168<sup>th</sup> Street, bounded on the East and Southeast by State Road 5 (US 1), and bounded on the West and Southwest by the State Road 821 (The Homestead Extension of Florida's Turnpike), (the "Redevelopment Area"), but excluding any portion of lands located in Commission District 8; and

WHEREAS, this Board desires to authorize the County Manager to select a consultant to prepare a Finding of Necessity and Finding of Need for Creation of a Community Redevelopment Area study, for the West Perrine community in accordance with the provisions of the Act; and

WHEREAS, this Board desires to provide a mechanism for reimbursement of such expenses for the study from monies on deposit in the community redevelopment trust fund pertaining to the West Perrine Community Redevelopment Area (the "Fund"), if available,

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

Section 1. The matters contained in the foregoing recitals are incorporated in this resolution by reference.

Section 2. The Board hereby directs the County Manager to prepare a Finding of Necessity and Finding of Need for Creation of a Community Redevelopment Area study in the West Perrine Community Redevelopment Area.

Section 3. The Board hereby finds that the source of funding for payment of such consulting fees shall be monies on deposit in the County's Unincorporated Municipal Service Area non-departmental allocation for management consulting services.

Section 4. The Board hereby finds that, if and when, the Fund is established, monies on deposit in the Fund shall be used to reimburse the County for monies expended for consulting fees related to the preparation of the Plan in the fiscal year the Fund is established.

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

Dr. Barbara Carey-Shuler, Chairperson	aye	Jose "Pepe" Diaz	aye
Katy Screason, Vice-Chairperson	aye	Sally A. Heyman	absent
Bruno A. Barreto	aye	Jimmy L. Morales	aye
Betty T. Ferguson	absent	Dorin D. Rolle	aye
Joe A. Martinez	aye	Rebecca Sosa	aye
Dennis C. Moss	aye		
Natacha Seijas	aye		
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 11<sup>th</sup> day of May, 2004. This resolution shall be 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: KAY SULLIVAN  
Deputy Clerk

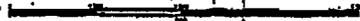
Approved by County Attorney as  
to form and legal sufficiency.

Gerald T. Hofferman

**WEST PERRINE CRA**  
**PROPOSED**



**LEGEND**  
Study Area  
Property Layer



August 2004



STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

SS:

I, **HARVEY RUVIN**, Clerk of the Circuit and County Courts, in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said county, **DO HEREBY CERTIFY** that the above and foregoing is a true and correct copy of Resolution R-646-04, adopted by the Board of County Commissioners, at its meeting of May 11, 2004., as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 29<sup>th</sup> day of March, A.D., 2007.



**HARVEY RUVIN**, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By: \_\_\_\_\_

Deputy Clerk

Board of County Commissioners  
Miami-Dade County, Florida

**ATTACHMENT "B"**

# Memorandum



Date: March 1, 2005

To: Honorable Chairman Joe A. Martinez  
And Members, Board of County Commissioners

Agenda Item No. 4(2)

From: George W. Burgess  
County Manager

Subject: Resolution Accepting the Finding of Necessity Study for the West Perrine Area and Approving the Preparation of a Community Redevelopment Plan

## RECOMMENDATION

It is recommended that the Board of County Commissioners accept the Finding of Necessity study, to declare an area in West Perrine, represented by a portion of Sections 31, 32 and 33, Township 55 South, Range 40 East and Sections 5 and 6, Township 56 South, Range 40 East, Miami-Dade County, Florida, as a Community Redevelopment Area pursuant to Chapter 163, Part III, Florida Statutes. Such area is referred to as the Redevelopment Area, and is generally bounded on the North by SW 168<sup>th</sup> Street, bounded on the East and the Southeast by State Road 5 (US-1), and bounded on the West and Southwest by the State Road 821 (the Homestead Extension of Florida's Turnpike).

It is also recommended that the Board direct the County Manager to competitively select a consultant in accordance with provisions of Administrative Order 3-38 and from a pre-qualified Community Redevelopment Consulting (CRC) pool, to prepare a Community Redevelopment Plan for the geographic area of Miami-Dade County, Florida known as the West Perrine Community Redevelopment Area; and approve monies in the County's Unincorporated Municipal Service Area non-departmental allocation for management consulting services fund, may be expended for the preparation of the redevelopment plan. Such Redevelopment Plan must examine alternate funding mechanisms, in addition to tax-increment financing, as a vehicle to fund the redevelopment.

## BACKGROUND

In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969, as it is presently contained in Part III of Chapter 163, Florida Statutes, as amended (the "Act"). The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies, to prepare redevelopment plans for certain defined areas within their boundaries designed as community development areas, within which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum and blighted areas through the use of creative financing mechanisms. The Act also authorizes the County to delegate redevelopment powers at the discretion of the County, after a finding has been made determining that slum or blight exists within a defined area:

In order to implement the Act, the County must adopt a resolution finding that:

1. One or more slum or blighted areas exists within the proposed Redevelopment Area;  
and

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Honorable Chairman Joe A. Martinez  
And Members, Board of County Commissioners  
Page 2

2. That rehabilitation, conservation, or redevelopment, or a combination thereof, of the redevelopment area is necessary in the interest of the public health, safety, morals or welfare of the residents of the County.

On July 27, 2004, the Board of County Commissioners directed the County Manager (Resolution R-646-04) to prepare a Finding of Necessity study for the West Perrine area as required by Community Redevelopment Act of 1969. On November 3, 2004, Miami-Dade County Procurement Department issued a contract to Curtis & Kimball to prepare the aforementioned study. The study submitted to OCED in December 2004.

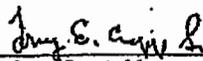
The study (see Exhibit A) examined conditions in the proposed Redevelopment Area and concluded slum and blight, as defined in the Act, exist. Miami-Dade County staff has reviewed the report submitted to the Tax Increment Financing and Coordination Committee for further review.

For the purpose of this Finding of Necessity, it has been demonstrated in the proposed Redevelopment Area that there exists slum and blight in the form of the following factors:

- Predominance of inadequate street layout, parking facilities, roadways, bridges or public transportation facilities
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- Unsanitary and unsafe conditions
- Deterioration of site or other improvements

The County may not proceed with the redevelopment of the proposed West Perrine Community Redevelopment Area, until the Board adopts the Finding of Necessity and approves a Community Redevelopment Plan.

The Tax Increment Financing Coordinating Committee has reviewed the Finding of Necessity and recommends its acceptance by the Board.

  
Assistant County Manager

Attachment

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**MEMORANDUM**  
(Revised)

TO: Honorable Chairman Jos A. Martinez and Members, Board of County Commissioners      DATE: March 1, 2005

FROM: *[Signature]* Robert A. Ginsburg, County Attorney      SUBJECT: Agenda Item No. 4(T)

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 \_\_\_\_\_

Mayer

Item No. 42

Veto \_\_\_\_\_

Oyarride \_\_\_\_\_

OFFICIAL FILE UNIT  
CLERK  
MIAMI-DADE COUNTY  
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-212-05

RESOLUTION DECLARING CERTAIN GEOGRAPHIC AREA OF MIAMI-DADE COUNTY, FLORIDA KNOWN AS THE WEST PERRINE AREA AND DESCRIBED AS A PORTION OF MIAMI-DADE COUNTY, FLORIDA, FOR A PORTION OF SECTIONS 31, 32 AND 33, TOWNSHIP 55 SOUTH, RANGE 40 EAST AND SECTIONS 5 AND 6, TOWNSHIP 56 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA GENERALLY BOUNDED ON THE NORTH BY SW 168TH STREET, BOUNDED ON THE EAST AND SOUTHEAST BY STATE ROAD 5 (US-1), AND BOUNDED ON THE WEST AND SOUTHWEST BY THE STATE ROAD 321 (THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE) TO BE A SLUM OR BLIGHTED AREA; DECLARING REHABILITATION, CONSERVATION OR REDEVELOPMENT, OR COMBINATION THEREOF, OF AREA TO BE NECESSARY IN INTEREST OF PUBLIC HEALTH, SAFETY, MORALS OR WELFARE OF RESIDENTS OF MIAMI-DADE COUNTY, FLORIDA; DIRECTING THE COUNTY MANAGER TO COMPETITIVELY SELECT A CONSULTANT IN ACCORDANCE WITH PROVISIONS OF ADMINISTRATIVE ORDER 3-38, TO PREPARE A COMMUNITY REDEVELOPMENT PLAN FOR THE WEST PERRINE COMMUNITY REDEVELOPMENT AREA; APPROVE MONIES IN THE COUNTY'S UNINCORPORATED MUNICIPAL SERVICE AREA NON-DEPARTMENTAL ALLOCATION FOR MANAGEMENT CONSULTING SERVICES FUND BE EXPENDED FOR THE PREPARATION OF THE REDEVELOPMENT PLAN; DESIGNATING SUCH PLAN, EXAMINE ALTERNATE FUNDING MECHANISMS IN ADDITION TO TAX INCREMENT FINANCING AS A VEHICLE TO FUND THE REDEVELOPMENT

WHEREAS, pursuant to Chapter 163, Florida Statutes, a finding of necessity study must

be prepared in order to initiate the redevelopment process for the area bounded on the North by SW 168<sup>th</sup> Street, bounded on the East and Southeast by State Road 5 (US-1), and bounded on the West and Southwest by the State Road 821 (The Homestead Extension of Florida's Turnpike), (the "Redevelopment Area"); and

WHEREAS, this Board desires to authorize the County Manager to select a consultant to prepare a Finding of Necessity and Finding of Need for Creation of a Community Redevelopment Area study, for the West Perrine community in accordance with the provisions of the Act; and

WHEREAS, this Board desires to provide a mechanism for reimbursement of such expenses for the study from monies on deposit in the community redevelopment trust fund pertaining to the West Perrine Community Redevelopment Area (the "Fund"), if available; and

WHEREAS, the Legislature of the State of Florida enacted the Community Redevelopment Act 1969 during its 1969 Legislative Session, which enactment is presently codified in the Florida Statutes as Part III of Chapter 163, Sections 163.330 through 163.450 (the "Act"); and

WHEREAS, all powers arising through the Act are conferred upon counties with home rule charters; and

WHEREAS, on May 11, 2004, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution No. R-646-04 which resolution directed the County Manager to prepare a finding of necessity study for the West Perrine area, such geographic area being more particularly described in the attached Exhibit A and incorporated herein by this reference (the West Perrine Community Redevelopment Area); and

WHEREAS, Miami-Dade County, Florida (the "County") retained Curtis & Kimball to prepare a finding of necessity study with respect to the West Perrine Community Redevelopment Area, which finding of necessity for the West Perrine Community Redevelopment Area, dated December 2004, is attached as Exhibit A to this resolution and is incorporated herein by this reference (the "Finding of Necessity Report"); and

WHEREAS, the Board considered the Finding of Necessity Report concerning the existence of slum or blighted areas within the West Perrine Community Redevelopment Area; and

WHEREAS, the Board hereby concurs with the Finding of Necessity Report and finds that one or more slum or blighted areas, as defined in Section 163.340, Florida Statutes, exist in the West Perrine Community Redevelopment Area; and

WHEREAS, the Board hereby finds that the rehabilitation, conservation, or redevelopment, or a combination thereof, of said slum or blighted area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the West Perrine Community Redevelopment Area of the County; and

WHEREAS, the Board hereby finds that said slum or blighted area is appropriate for redevelopment; and

WHEREAS, the Board hereby finds that there is a need for a Community Redevelopment Plan for the West Perrine Community Redevelopment Area to carry out the community redevelopment purposes of the Act; and

WHEREAS, the Board desires to authorize the County Manager to select a consultant to prepare a Community Redevelopment Plan for the West Perrine Community Redevelopment Area (the "Plan") in accordance with provisions of the Act, such Plan to examine alternate funding mechanisms, in addition to tax-increment financing, to fund the redevelopment; and

WHEREAS, the Board desires to approve monies in the County's Unincorporated Municipal Service Area non-departmental allocation for management consulting services fund, be expended for preparation of the redevelopment plan,

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

Section 1. The foregoing recitations are deemed true and correct and are hereby incorporated as part of this resolution.

Section 2. As evidenced by the findings contained in Exhibit A, and as defined in Section 163.340, Florida Statutes, a blighted or slum area exists in the West Perrine Community Redevelopment Area, which geographic area is described for a portion of Sections 31, 32 and 33, Township 55 South, Range 40 East and Sections 5 and 6, Township 56 South, Range 40 East,

Miami-Dade County, Florida, generally bounded on the North by SW 168<sup>th</sup> Street, bounded on the East and Southeast by State Road 5 (US-1), and bounded on the West and Southwest by the State Road 821 (the Homestead Extension of Florida's Turnpike), and is specifically described in Exhibit A attached hereto.

Section 3. The rehabilitation, conservation or redevelopment, or a combination thereof, of the West Perrine Community Redevelopment Area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the West Perrine Community Redevelopment Area and of the County, said finding of necessity being made within the meaning of the Act.

Section 4. The West Perrine Community Redevelopment Area is hereby found and declared to be a slum or blighted areas as defined in Section 163.340, Florida Statutes.

Section 5. The Board hereby finds that there is a need for the preparation of a community redevelopment plan to carry out the community redevelopment purposes of the Act in the West Perrine Community Redevelopment Area.

Section 6. The Board authorizes the County Manager to competitively select a consultant to prepare a community redevelopment plan for the West Perrine Community Redevelopment Area (the Plan), in accordance with the provisions of the Act. Such Plan examine alternate funding mechanisms, in addition to tax-increment financing, to fund the redevelopment.

Section 7. The Board approve monies in the County's Unincorporated Municipal Service Area non-departmental allocation for management consulting services fund, be expended for preparation of the redevelopment plan.

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

Joe A. Martinez	Chairman	aye
Dennis C. Moss	Vice-Chairman	aye
Bruno A. Barreiro		aye
Jose "Pepe" Diaz		aye
Sally A. Heyman	absent	
Domin D. Rolle		aye
Katy Sorenson		aye
Sen. Javier D. Spota		aye
Dr. Barbara Carey-Shuler		aye
Carlos A. Jimenez		aye
Barbara Jordan		aye
Natacha Seijas		aye
Rebecca Sosa		aye

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of March, 2005. 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

Approved by County Attorney as  
to form and legal sufficiency. 

Shannon D. Somerset

By **KAY SULLIVAN**  
Deputy Clerk

**Finding of Necessity Study  
West Perrine Proposed CRA**



STAFF REPORT

Prepared for Miami-Dade County  
by  
The Curlls & Kimball Company  
In association with  
Mark Alvarez  
Cathy Sweetapple & Associates  
Miami Economic Associates

January 20, 2005

## Executive Summary

This Finding of Necessity (FON) report seeks to establish slum and blight determinants in the West Perrine area in order to support the formation of a Community Redevelopment Area (CRA) and its Community Redevelopment Agency. The FON is an assessment of the area that provides the evidence of blight and the need for redevelopment due to the area's deficiencies in attracting market-based investment of the same rate and quality as surrounding areas and the County as a whole. The area was found to exhibit sufficient blight to recommend the formation of a CRA.

The West Perrine Area is an approximately 1,050-acre area of land generally north of the crossing of the Florida Turnpike and US-1, west of South Dixie Highway, south of SW 168<sup>th</sup> Street, and east of the Florida Turnpike and SW 107<sup>th</sup> Avenue as shown in Figure ES1, Location Map.

The West Perrine Area was analyzed as per the definition of slum and blight determinants set forth in Sec. 163.355 Florida Statutes. A FON for the area was determined primarily on the presence of blight in the study area. Blight is defined as an area in which there are a substantial number of deteriorated or deteriorating structures, in which conditions are leading to economic distress or endanger life and property. In addition, the area must have two of various contributing factors as set forth in Sec. 163.355 F.S. The primary factors present in the West Perrine area are:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements; and,
- Lack of affordable housing.

### *Predominance Of Defective Or Inadequate Street Layout, Parking Facilities, Roadways, Bridges, Or Public Transportation Facilities*

The geography and layout of the transportation facilities have each had their own effect upon the area. While providing regional transportation services, Florida's Turnpike has created a wall which extends along the western side of the study area. Access into and out of West Perrine from the west can only occur at three locations using the turnpike interchanges or the turnpike underpass built into the system. In addition, although South Dixie Highway provides numerous opportunities via signalized intersections to access the commercial properties located immediately adjacent to the US-1 corridor the commercial properties immediately to the west which abut the Busway, suffer from poor access, visibility and connectivity. These collective features create a negative image at the gateway to the West Perrine area, making it difficult to attract investment along the corridor which can then be extended into the neighborhood.

For the neighborhoods located within the CRA study area between SW 107 Avenue and US-1, development patterns have not achieved the same density, urban form or commitment to infrastructure compared with the adjacent neighborhoods to the north and the west. Street widths vary, often not even achieving the minimum minor street design standards that would be

SS



- Legend**
- Property boundary
  - Area of Incompatible Land Uses
  -

**Figure E  
Location I  
West Perrine C**

FILENAME: W:\2004-07\Digital\GIS\Locality Map

Source: The Curtis and Kimball Co.

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required today for local street access to residential property. Sidewalks are intermittent, and are mainly found adjacent to recent development sites. Development is impeded in these areas.

**Faulty Lot Layout In Relation To Size, Adequacy, Accessibility, Or Usefulness**

Faulty lot layout is present where numerous access roadways have been created parallel to the Busway in an attempt to serve adjacent properties. Multiple roadway corridors have been created diminishing the usefulness of the area to develop and create a sustainable community.

**Unsanitary or unsafe conditions**

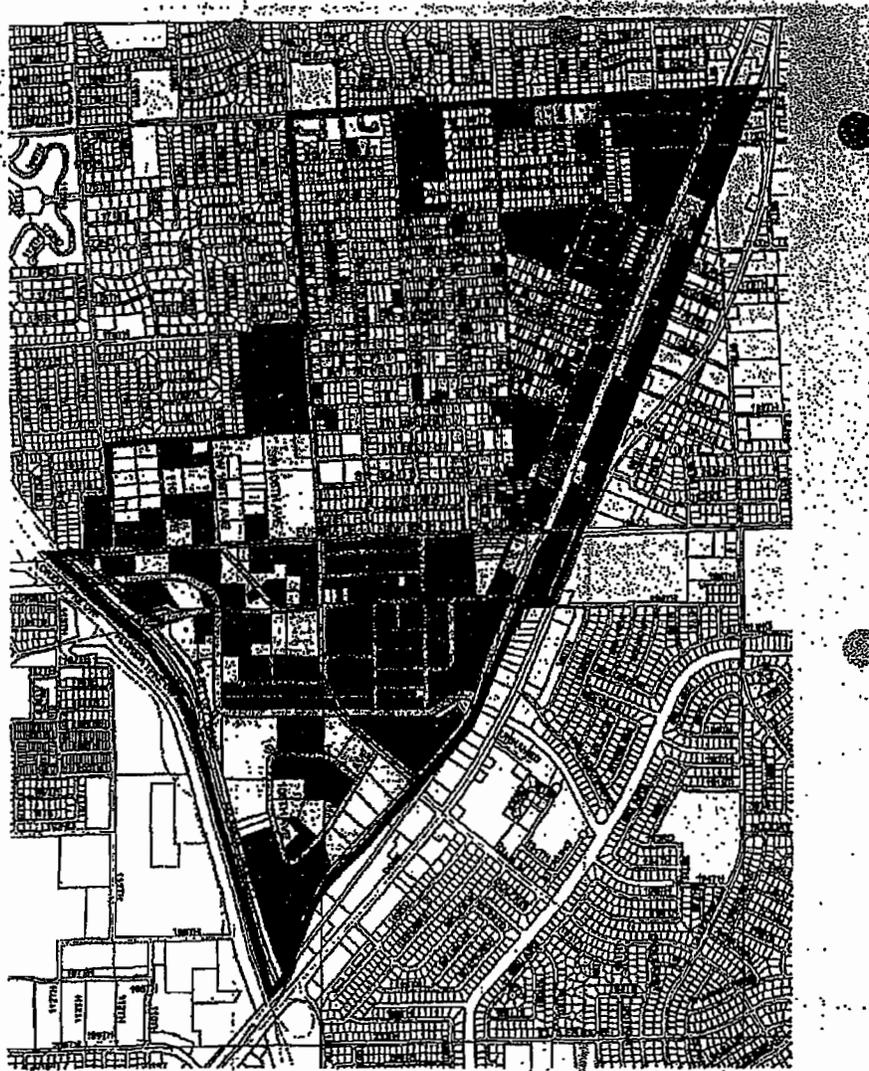
Vacant lots attract dumping, and long-term trash problems. In addition, the overgrowth of grasses can create a fire hazard, as well as attract vermin that create other health risks. Finally, they may contribute to higher crime due to the existence of large spaces that are hidden from view and not easily patrolled. The West Perrine neighborhood and the Agricultural Transitional Sub-Area both exhibit strong patterns of vacancy. The South Commercial / Industrial Sub-Area is also characterized by large lot vacant lands, although it is not as significant a problem since this is a largely industrial and commercial area. In total, 23% of the parcels in the West Perrine Area are vacant land, and their volume is a significant contributing factor to blight. Figure ES2, Existing Land Use Map illustrates the breadth of the vacant parcels.

The presence of incompatible uses that conflict with existing and future land use patterns and reduce the usefulness of the land, and which impede additional investment in the area are present in two areas of West Perrine (see Figure ES3, Location Map). In the northeast corner of the area single-family residential uses are in close proximity and adjacent to industrial uses which are located just north of S.W. 172<sup>nd</sup> Street and east of S.W. 87<sup>th</sup> Avenue. The types of industrial uses located there are visually blighting, cause significant noise, and are associated with the use of noxious and potentially hazardous materials in open areas. These uses, even if walled, should not be in close proximity to residential areas. The location of these uses at this location seriously devalues the area and may even cause health associated risks.

The second area of incompatible land use is a three-block section of the area running along the north side of Eureka Drive from S.W. 103<sup>rd</sup> Avenue to S.W. 107<sup>th</sup> Avenue. Similar to the northeast area, these residences are significantly devalued in terms of their livability and ability to attract investment by their location across the street from industrial uses. The types of industrial uses at this close proximity to residences burden the residents and the properties with a diminished quality of life, and devalue the potential of the properties for residential investment.

**Deterioration Of Site Or Other Improvements**

The West Perrine Area exhibits a high level of deterioration of the housing inventory. Approximately 12% of the individually owned houses in the area exhibit seriously dilapidated and deteriorating conditions, including structures that are not sound or safe for occupation and those that show obvious evidence of long-term neglect, postponed maintenance, and a general lack of investment in the upkeep of the property. This high level of deterioration is significant and considered a contributing factor the blighting.



**Legend**

- |                                    |                                     |                                  |
|------------------------------------|-------------------------------------|----------------------------------|
| UNIMPROVED                         | VACANT                              | PUBLIC USE                       |
| RESIDENTIAL SINGLE-FAMILY          | RESIDENTIAL MEDIUM-DENSITY          | PUBLIC USE - OFFICE/PROFESSIONAL |
| RESIDENTIAL SINGLE-FAMILY ATTACHED | RESIDENTIAL MEDIUM-DENSITY ATTACHED | PUBLIC USE - RETAIL              |
| RESIDENTIAL SINGLE-FAMILY DUPLEX   | RESIDENTIAL MEDIUM-DENSITY DUPLEX   | PUBLIC USE - INDUSTRIAL          |
| RESIDENTIAL SINGLE-FAMILY TRIPLEX  | RESIDENTIAL MEDIUM-DENSITY TRIPLEX  | PUBLIC USE - WAREHOUSE           |
| RESIDENTIAL SINGLE-FAMILY FOURPLEX | RESIDENTIAL MEDIUM-DENSITY FOURPLEX | PUBLIC USE - OTHER               |
| RESIDENTIAL SINGLE-FAMILY OTHER    | RESIDENTIAL MEDIUM-DENSITY OTHER    | PUBLIC USE - OTHER               |
| RESIDENTIAL SINGLE-FAMILY OTHER    | RESIDENTIAL MEDIUM-DENSITY OTHER    | PUBLIC USE - OTHER               |

**Figure ES 2**  
Existing Land Use Map  
West Perrine CRA

FILENAME: Y:\0004-17\04\figES2 Land Use Map

Source: West Perrine Planning and Zoning, The Cuffe and Robell Company

**RECORDERS NOTE:**

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There are a significant amount of obsolete units with respect to their size in the study area. Obsolete units were defined as single-family homes with less than 800 s.f. and multi-family units of less than 500 s.f. Fifteen percent (15%) of the single family housing inventory in West Perrine is undersized and obsolete with respect to their viability on today's market to attract new long-term buyers that will invest in the structure, and keep it from deteriorating. About 3% of the multi-family housing is similarly obsolete.

#### **Lack of Affordable Housing**

West Perrine is an area in which there is a shortage of housing affordable to residents of low or moderate income. There is a need for re-development of affordable housing in the interest of public health, safety and welfare of area residents. The proportions of both owner and renter households by income range that were cost-burdened, i.e., paying more than 30 percent of income for shelter, were generally consistent with those countywide. This was likely a function of the low rate structure for rental units and the low median value of owned units. The fact that the area contained a significant number of County-owned units and/or privately-owned Section 8 units may have also contributed to maintaining moderate level of cost-burdened households. These factors may have also been the reason for the fact that the area had a lower percentage of overcrowded units than the County as a whole. Yet, it is important to note in Census Block Group 83.03.3 overcrowded units are 70 percent higher than the County average, indicating a shortage of housing affordable to these residents.

The economic conditions of the residents of the area also indicate the level of economic distress present. Workforce participation of area residents over the age of 16 was below that of the county in general. In addition, the median household income in the area is \$29,915, which is less than 85% of the countywide median income. Miami-Dade County, with its median income of \$35,965, is ranked as one of the poorest major metropolitan areas nationwide. This places the residents of the West Perrine area among the poorest in a poor area. More than 35% of the households in the proposed CRA are considered to be living in poverty. As a result, the economic situation of the residents is considered to be severely disadvantaged and contributes strongly to the economic distress of the area that reinforce the visual surveys of the area. The physical aspect of the neighborhood reflected in the number of code violations impedes economic development and investment in the area.

The West Perrine area exhibits sufficient factors to be designated an area of blight, and as a result, is recommended to be designated a CRA. The condition of numerous structures within its boundaries, the disjointed patterns caused by inadequate land use planning and zoning, the large amount of vacant parcels, the inadequacy of the transportation infrastructure and the socio-economic characteristics of the residents all contribute to this recommendation.

The creation of a CRA and its Community Redevelopment Agency will serve to improve the condition of this blighted area. It will help to improve the living conditions of the residents and help to encourage much needed economic development to the area.

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## Introduction

### Location

This Perrine Area Finding of Necessity report provides a summary assessment of the approximately 1,050-acre area of land generally north of the crossing of the Florida Turnpike and US-1, west of South Dixie Highway, south of SW 166<sup>th</sup> Street, and east of the Florida Turnpike and SW 107<sup>th</sup> Avenue as shown in Figure 1, Location Map. Within this area, 131 acres of right-of-way and 894.32 acres of real property are encompassed. Borders generally occur at the centerline of the right-of-ways, except for the Florida Turnpike where the border is at the east edge. The entire area is within the jurisdiction of Miami-Dade County, and there are no lands included that are within a municipal jurisdiction. Figure 2, Study Area Aerial shows the boundaries and context of the study area.

### Finding of Necessity

This report is intended to be adopted by Miami-Dade County, and used as evidence in the formation of the Community Redevelopment Area (CRA) and its Community Redevelopment Agency by making a legislative finding of the area that:

1. One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in such area; and
2. The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of such county or municipality.

The finding of necessity (FON), as set forth in Sec. 163.355 F.S., is an assessment of the area that provides the evidence of blight and need for redevelopment due to the area's deficiencies in attracting market-based investment of the same rate and quality as surrounding areas and the County as a whole. The report relies upon a variety of empirical observations of all the parcels within the West Perrine study area in determining the existence of slum or blighted conditions as defined by the definitions and criteria outlined in Sec. 163.340 F.S.

### Slum Determinants

A slum area is defined as having physical or economic conditions that are conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements that are impaired by reason of:

- Dilapidation
- Deterioration
- Age of structures, or
- Obsolescence.



**Legend**  
□ Property boundary  
↑

**Figure 1**  
**Location Map**  
**West Perrine, CR**

FILENAME: Y:\2004-07\Digital\Location Map

Source: The Curle and Kiebell Company



Legend



Figure 2  
State Area Aerial  
West Penna. CR

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In addition, the area must exhibit at least one of the following conditions:

- Inadequate provision for ventilation, light, air, sanitation, or open space;
- High population density and overcrowding compared to surrounding areas in the County as evidenced by government-maintained statistics;
- Conditions that endanger life or property by fire or other causes.

**Blight Determinants:**

A blighted area is defined as an area in which there are a substantial number of deteriorated or deteriorating structures, in which conditions are leading to economic distress or endanger life and property.

In addition, the area must have two or more of the following factors present:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- Assessed real property values do not show any appreciable increase over 5 years prior;
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Inadequate and outdated building density patterns;
- Falling lease rates compared to the remainder of the County;
- Tax or special assessment delinquency exceeding the fair value of the land;
- Residential and commercial vacancy rates higher than the remainder of the County;
- Incidence of crime higher than the remainder of the County;
- Fire and emergency medical service calls to the area predominantly higher than the remainder of the County;
- A greater number of violations to the Florida Building code in the area than the remainder of the County;
- Diversity of ownership or defective or unusual conditions of title that prevent free alienability of the land;
- Governmentally-owned property with adverse environmental conditions by a public or private entity.

## Existing Land Use Characteristics

The Existing Land Use Characteristics section of this report provides an assessment of all characteristics of the land and built properties according to the criteria listed above. With reference to slum and blight criteria it addresses the following:

- Area Composition
- Site and Structural Deterioration
- Property Violations
- Obsolete Uses
- Incompatible Use
- Defective Land Regulation & Platting
- Vacant Lots
- Size of lots and Assemblage Potential
- Conditions that endanger life and property by danger of fire

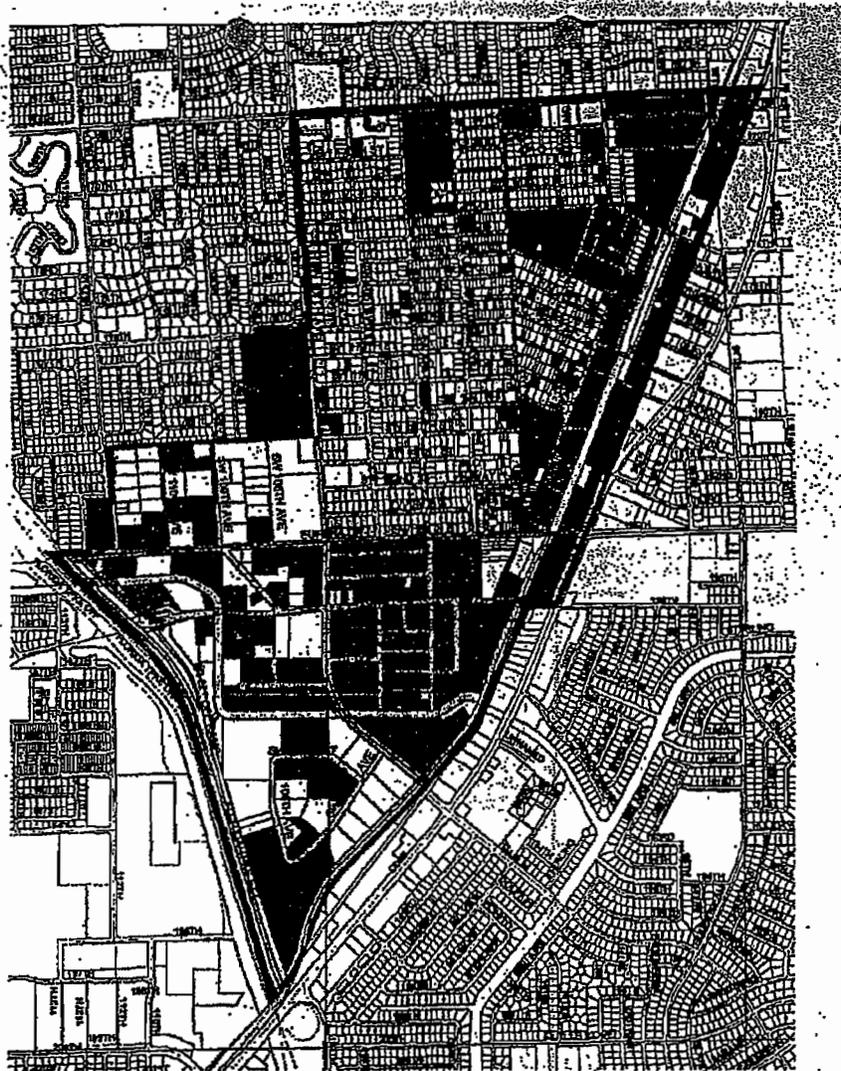
### Area Composition

The bounded area described and depicted above includes approximately 894.32 total acres of land, of which approximately 131 acres are right-of-way, and 894.32 acres are real property. The 894.32 acres comprise 1,830 parcels in total, which are categorized and summarized by general land use in Table 1, Area Land Use Composition and are shown in Figure 3, Existing Land Use Map.

General Land Use	Acres	Percent	Number of Parcels	Average Lot Size (acres)	Building Floor Area	Number of Buildings
Residential Total	239.20	27%	1,408	0.23	1,795,970	1,047
Commercial Total	111.05	12%	100	1.11	1,308,116	100
Hotel Total	0.00	0%	0	n.a.	0	0
Office Total	17.41	2%	12	1.45	153,804	12
Institutional Total	105.94	12%	64	1.66	840,197	61
Industrial Total	97.84	11%	104	0.94	2,022,888	104
Agricultural Total	0.46	0%	1	0.45	1,788	1
Recreational	0.00	0%	0	n.a.	0	0
Conservation	0.00	0%	0	n.a.	0	0
Utilities	13.84	2%	4	3.46	32,482	4
Transportation	2.68	0%	4	0.68	0	0
Vacant	292.59	33%	477	0.61	5,382	1
Government	4.36	0%	1	4.36	29,389	1
Other	8.97	1%	15	0.60	1,323	2
<b>TOTAL</b>	<b>894.32</b>	<b>100%</b>	<b>1,830</b>	<b>0.49</b>	<b>6,785,326</b>	<b>1,333</b>

Source: Miami-Dade County Property Appraiser

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**Legend**


**Figure**  
Existing Land Use Map  
West Perrine CR

FILENAME: W2004-173 ChapMok Land Use Map  
 Board: Inter-City Planning and Zoning, The Quin and Hobel Corp

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The area is best described as comprising four distinct sub-areas:

1. West Perrine Neighborhood

This sub-area is north of Eureka Drive (SW 184<sup>th</sup> Street), west of the Busway, east of SW 107<sup>th</sup> Avenue and extends to the proposed CRA boundary at Richmond Drive (SW 168<sup>th</sup> Street). This area bounds a complete functional community of 1,385 residences, comprised of 711 single family residences, 165 duplex dwellings (330 units), and approximately 324 residences in larger multifamily residential structures. A school is on the north edge, with numerous religious institutions scattered throughout, and a large health care center in the southeast corner. The neighborhood's commerce clusters on both sides of Homestead Avenue, just west of the new Busway. The northeast corner is comprised of business and industrial uses that are not a functional part of community, and that have negative impacts discussed in the Defective Land Regulation section.

2. Agricultural Transitional Sub-Area

This is the land west of SW 107<sup>th</sup> Avenue, and north of Eureka Drive (SW 184<sup>th</sup> Street), extending north and west to the boundaries. It is comprised of two commercial uses, four institutional uses, and 10 residential structures, one radio tower, and the rest of the land is vacant or agricultural land. North of SW 180<sup>th</sup> Street are the South Point Apartments and the Captiva Club, with an estimated 357 dwelling units. The salient feature of the area is that of land that is designated and poised for transition, possibly for more residential development south of SW 108<sup>th</sup> Street.

3. Dixie Highway Commercial Strip

This is the land along the eastern edge of the area, bounded by South Dixie Highway (US-1) on one side, and the South Dade Busway Extension on the other. It does not function as much as a part of the West Perrine neighborhood as it does its primary purpose as an arterial commercial strip meeting regional needs.

4. South Commercial / Industrial Area

This is the entire area bounded by Eureka Drive (SW 184<sup>th</sup> Street) on the north, the South Dade Busway Extension on the east, and The Florida Turnpike on the west. The area is characterized by light industrial uses, warehouse uses, and large-scale, regional retail establishments.

The zoning of the CRA area generally fits the existing land uses, with the exception that there are many lands zoned for development that are currently vacant. The zoning is summarized in Table 2, Area Zoning Composition.

**TABLE 2**  
**AREA ZONING COMPOSITION**

Zone	Number of Parcels	Acres	Average Lot Size
Single Family Residential	100, 101, 102, 103, 500	110 9%	101.18 24% 0.85
Town House	2500	0 0%	0.00 0% n.a.
Duplex Residential	3700	1,118 88%	261.07 61% 0.23
Multi-Family: 4 Units	3100	14 1%	9.58 2% 0.68
Multi-Family: 10 - 21 DU/Ac	3700	4 0%	28.08 8% 6.52
Multi-Family: 22 - 37 DU/Ac	3800	11 1%	24.79 6% 2.25
Bungalow Courts	5100	9 1%	2.75 1% 0.31
Hotel & Motel	5000	0 0%	0.00 0% n.a.
Total Residential		1,273 100%	426.03 100% 0.33
Neighborhood Commercial	6100	6 4%	2.33 2% 0.39
General Commercial	6200	21 16%	53.54 41% 2.55
Central Commercial	6400	41 30%	41.23 31% 1.01
Liberal Commercial	6600	67 50%	33.99 26% 0.51
Professional Office	6700	0 0%	0.00 0% n.a.
Total Commercial		135 100%	131.09 100% 0.67
Light Manufacturing - Industrial	7100	335 89%	201.05 84% 0.60
Heavy Manufacturing - Industrial	7300	27 7%	13.59 8% 0.50
Restricted Industrial	7700	13 3%	23.64 10% 1.82
Total Industrial		375 100%	238.28 100% 0.64
Agricultural	9000	39 100%	90.18 100% 2.31
Planned Area Development	9400	0 n.a.	0.00 n.a. n.a.
Other Zoned Land		0 n.a.	0.00 n.a. n.a.
Land Not Classified, or Interim Zoned		8 100%	8.74 100% 1.09
Total		1,830 100%	884.32 100% 0.49

Source: Miami-Dade Property Appraiser

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## Site and Structure Deterioration

All of the sites within the area were surveyed to determine their physical conditions from the vantage point of closest available public access. The value and quality of life of the residential neighborhoods are particularly vulnerable to the presence of dilapidated buildings, deteriorating structures, and properties that are not maintained. Neglected properties of these types are not only indicators of disinvestment in the neighborhoods, but they also have a causal role in propagating continued disinvestment in the neighborhood. For the purposes of this Finding of Necessity, lots occupied by habitable structures in the residential neighborhoods are classified in one of three ways:

1. Dilapidated -- For the purposes of this Finding of Necessity, a dilapidated structure is defined as one that is not sound or not safe for occupation.

Dilapidated conditions include any of the following:

- un-repaired roof damage or roof covered by plastic;
- bowed walls, un-aligned windows, doors, or other element that demonstrate sagging structures;
- all windows and doors boarded up;
- structurally damaged features such as porches, entryways, etc.;
- significant peeling and loss of exterior paint or other finish combined with readily apparent rot or dry rot on wood walls and support features, and corrosion of metal features;
- fire damage and/or;
- the conditions cited above in addition to apparent abandonment.

2. Deteriorated -- For the purposes of this Finding of Necessity, a deteriorated structure is defined as one that shows obvious evidence of long-term neglect, postponed maintenance, and a general lack of investment in the upkeep of the property. Deteriorated conditions are found when any two of the following conditions are noted:

- one or two boarded windows, fastened in a manner and at a time of year that they are apparently not for storm protection;
- damaged and un-repaired roof trim and gutters;
- worn roofing materials, and/or a few damaged or missing tiles, or asphaltic seams that are dry and cracked from age;
- weathered or peeling paint or other non-structural exterior finish
- extremely unkept or overgrown landscape areas;
- minor damage to walls or wall openings that have been poorly repaired with improper materials, and poor finishing.
- In addition, if other conditions are in good condition, but the house has been abandoned and all openings boarded up, and it is not for sale (indicated by a sign) then it is also considered to be contributing as a deteriorating structure.

3. Good -- For the purposes of this Finding of Necessity, a structure in good conditions is defined as one that shows obvious evidence of continuous and ongoing maintenance. Some defects may be noticeable, but to the extent that they are not predominant, they are not accompanied by other defects, and that they

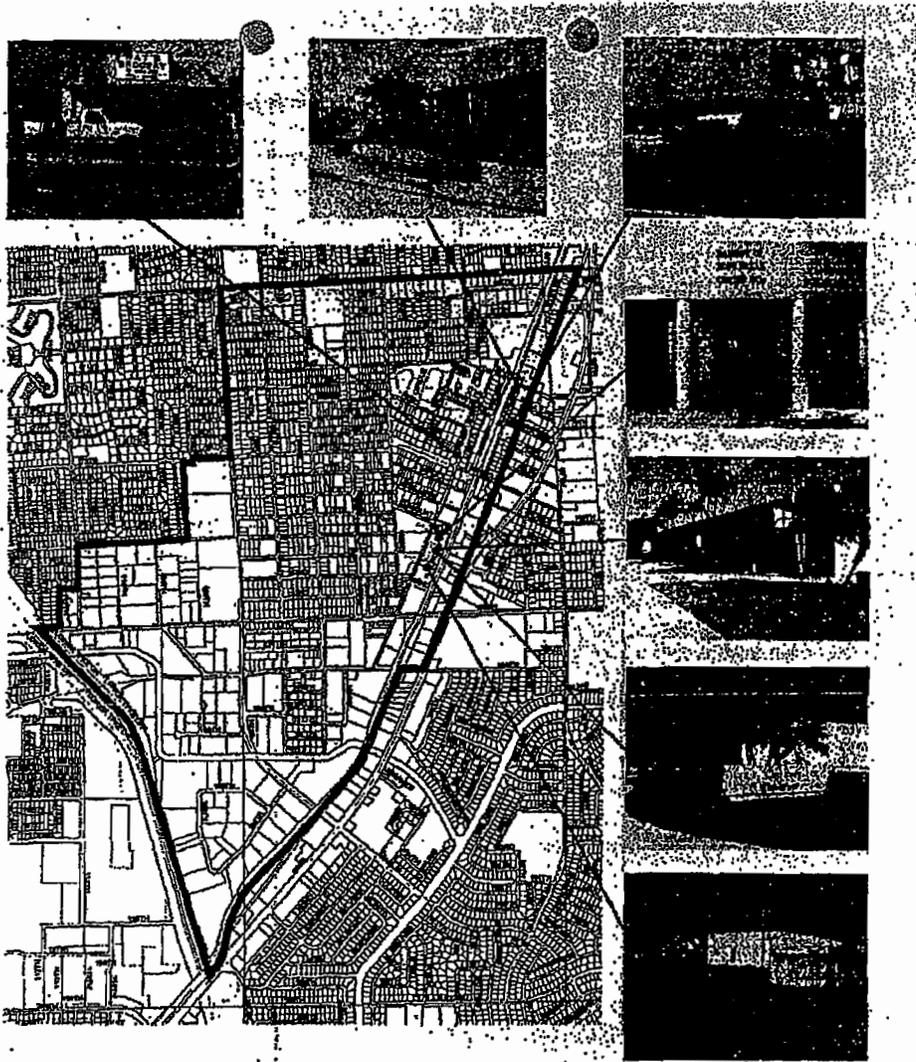
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are offset by other signs of maintenance and improvement, they do not affect the consideration of the structure as being in good condition.

Vacant lots are not considered in this part of the analysis and are discussed separately in a following section.

Commercial Areas are surveyed according to the same criteria; however, some consideration is given to the type of use. The industrial areas are not subject to the same criteria. Industrial buildings, structures, and land are often found in conditions that may be viewed as deteriorating; however, it is often related to the messiness of the business in its daily operation, to some extent the competitive position of the industry, and often to the business priorities of the management. Industrial area physical conditions as they relate to devaluing adjacent residential or commercial areas are more properly considered as use conflicts and defective land use controls. Examples of the types of commercial uses existing on the site and their physical conditions are shown on the photographs on Figure 4, Commercial and Institutional Site Photographs.

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**Legend**  
 □ Property boundary  
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**Figure 4**  
**Commercial and Institutional Site Photographs**  
**West Perrine CRA**

FILENAME: \\c020417\Graphical\Commercial Site Photographs

Source: The Curle and Kimball Company

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The results of the survey for site conditions in the West Perrine Area are summarized in Table 3, Site Conditions.

**TABLE 3  
SITE CONDITIONS**

Type of Structure / Use	Number of Parcels	Number of Dwelling Units (est.)	Deteriorated	Dilapidated	Percent Deteriorated or Dilapidated
Single Family Residential (inc. townhouse, mobile home, cluster home)	715	715	77	10	12%
Duplex Residential	165	330	13	1	8%
Multi-Family	26	365	1	0	4%
Total Residential Surveyed	906	1430	91	11	11%
Commercial	100	n.a.	3	0	3%
Office	12	n.a.	0	0	0%
Institutional	84	n.a.	0	0	0%
Industrial	104	n.a.	not surveyed	not surveyed	
Total	1186	1430	94	11	9%

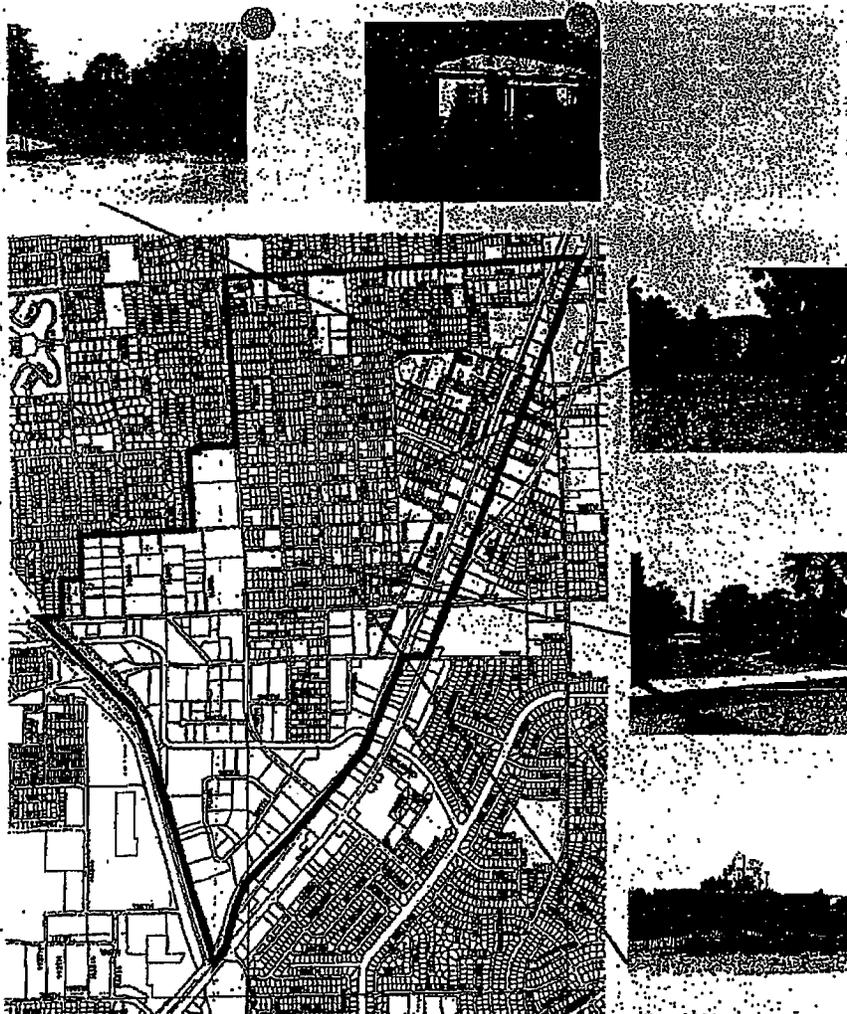
Source: Miami-Dade County Property Appraiser

In summary, 91 of the 899 residential buildings are showing signs of deterioration, and 11 are dilapidated. Together, the deteriorating and dilapidated buildings are 11% of the stock of residential structures in this area. On a typical block of 18 to 20 lots, this would mean that two buildings are deteriorated or dilapidated. Examples of the quality and condition of the residential properties in the area are shown in Figures 5A and 5B, Residential Site Photographs.

The total count of 1,725 residential units includes the Captiva Club, and South Pointe Apartments, which are large multifamily developments under single ownership, west of SW 107<sup>th</sup> Avenue, and not indicative of conditions in the West Perrine Neighborhood. In addition, the total count includes the Perrine Gardens and Rainbow developments, both owned by the Miami-Dade Housing Agency, and not indicative of conditions in the rest of the neighborhood. If these four developments are excluded from consideration, 1,060 dwelling units remain. That would mean that there are 123 out of 1,060 units are in deteriorating and dilapidated buildings, or approximately 12% of the housing inventory in this area.

All of the sites within the area were surveyed from the vantage point of closest available public access generally from the public rights-of-way. The survey is visual and does not fully evaluate structural conditions, or unseen conditions that affect the safety and well-being of occupants or the public. This level of deterioration is significant and considered a contributing factor to blighting the West Perrine Neighborhood.

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**Legend**

 Property boundary

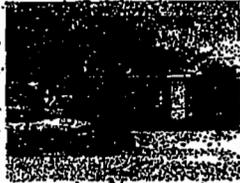


FILENAME: W:\2004-17\2\Map\Housing Characteristics Photographs

**Figure:**  
Housing Characteristics Photograph  
West Perrine Ci

Source: The Clark and Forbell Corp.

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**Legend**

 Property boundary



Housing Characteristics  
West

FILENAME: W1204-1705101/Housing Characteristics Photographs

Source: The City

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### Property Violations

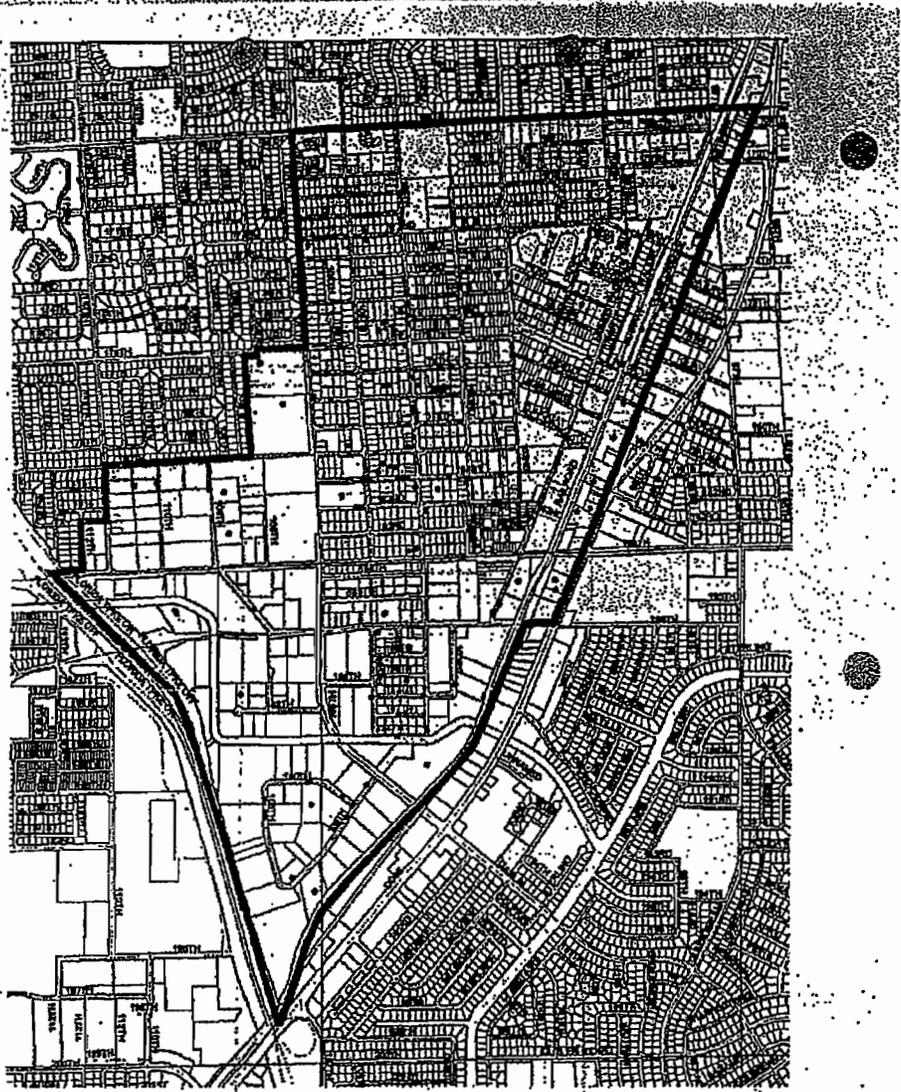
To further support the visual survey, data was gathered from Miami-Dade County with respect to code violations. Table 4, Open Code Violations, lists the open code violation cases and Figure 6, Open Code Violations shows the extent of the code violations throughout the study area. Details of the open code violations are contained in Appendix A.

Junk Yard Violation	3
Junk / Trash / Overgrowth on Unimproved Property	64
Minimum housing maintenance	3
Other	3
Parking premises violation	38
ROW / Private property/Abandoned property/Vehicle	41
Setback Violations	1
Signs on the ROW	10
Structure Maintenance - Upkeep	1
Unauthorized use - Residential / Business	8
Unusual use of property	2
Graffiti	1
Resolution Violations	1
Animals - Code Violations	2
Boat Storage	1
Business Premise Maintenance	1
Commercial Vehicle - Unauthorized	1
Lack of required permit	5
Obstructing enforcement	1
Outside business uses - unpermitted	2
Outside overnight storage	1
Unauthorized use - Industrial	1
Illegal excavation	1
Right-Of-Way maintenance	1

Source: Miami-Dade County Planning; The Curtis & Kimball Company

Code violation data can contain evidence of additional defects not evidenced in exterior surveys, health and safety issues that create unsafe conditions and may contribute to risk of loss and injury from electrical hazards, fire, and unsafe structures. In addition, evidence of unsanitary conditions, and health issues related to structure materials, hazardous material contamination, presence of vermin, and poor light and ventilation may be obtained. The area suffers from a trash in the right-of-way and abandoned vehicle problem that contributes to the blighting of the area.

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**Legend**  
□ Property boundary  
● Open code violations  
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**Figure 6**  
**Code Violations**  
**West Perrine CRA**

FILENAME: \\C0004-07\mpt\of\Code Violation Map

Source: The Curtis and Kimball Company

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**Obsolete Uses**

A predominance of obsolete uses and structures is a contributing condition toward economic distress and blight in an area. Obsolete uses may be within sound structures that are neither deteriorating nor dilapidated (although a lack of maintenance usually is found in obsolete uses); however due to physical conditions of the building or site, and the evolution of residential and commercial market needs, the use is no longer economically viable for use or reuse in the current and future market conditions because trends have changed since structure was built. These conditions may include: size of the building's floor area, size of the building's footprint, internal layout of the structure, placement of structure on its lot, size and location of doors and window openings.

**Small Residential Units**

In the proposed West Perrine CRA, obsolescence as a contributing factor towards blight is found as it relates to the size of the existing stock of homes. It was noted that the physical size of some homes in the area is very small, and in some instances occupants have located on their yards or porches, furnishings and possessions that may typically be contained within the interior of the home.

In addition to noting these conditions in the field, verification was performed by use of the Property Appraiser data. While homes and apartments may be habitable at smaller sizes, they are not considered viable in today's market where there is a large County-wide inventory of affordable housing at more appropriate sizes. These structures, while they may be sound and well-maintained, detract from the area's overall market appeal for home ownership and re-investment. For the purposes of this analysis, the criteria for obsolete residential units are:

- 800 s.f. for single-family homes and townhouses
- 500 s.f. for all multi-family units, including duplexes

The results are summarized in Table 5, Obsolete Residential Units.

Type of Residence	Number of Parcels	Number of Dwelling Units	Under 800 s.f.	Under 500 s.f.	Percent Obsolete Units
Single Family Residential	715	715	109		15%
Duplex Residential	165	330		13	4%
Multi-Family	26	385		13	3%
<b>Total</b>	<b>906</b>	<b>1,430</b>	<b>109</b>	<b>26</b>	<b>15%</b>

Source: Miami-Dade County Property Appraiser

Fifteen percent (15%) of the single family housing inventory in West Perrine is undersized (below 800 s.f.), and obsolete with respect to their viability on today's market to attract new long-term buyers that will invest in the structure, and keep it from deteriorating. About 3% of all of the multi-family inventory is similarly obsolete, being below 500 s.f.

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Single-family home inventory can be the most important housing component of neighborhood stabilization and revitalization through home ownership; however, with 15% considered obsolete, this is another contributing factor to blight conditions in this area.

#### Incompatible Uses

Incompatible uses within close proximity, like obsolete uses may be in sound structures; however, the existence or operation of an incompatible use diminishes the value of the other, and in more severe cases may negatively impact public health, safety, and welfare. Proper use of zoning ordinances, and a properly planned geographic lay of zoning districts generally precludes most nuisance, safety, and health issues associated with incompatible uses; however, unanticipated incompatibilities that diminish value and cause economic distress still occur.

Upon surveying the use of these properties and considering the impact on each other, there are two significant areas of conflict among incompatible uses. These areas are shown in Figure 7, Incompatible Uses, and are discussed below.

1. The northeast corner of the area has single-family residential uses in close proximity and adjacent to industrial uses. This industrial area mixed with commercial uses, are located just north of SW 172<sup>nd</sup> Street and east of SW 97<sup>th</sup> Avenue, up to SW 168<sup>th</sup> Street on the north, and the South Dade Busway Extension on the east. In this area are located a significant number of facilities for long-term, open auto storage, auto dismantling and salvage operations, and boat building. These types of uses, are visually blighting, cause significant noise, and are associated with the use of noxious and potential hazardous materials in open areas. These uses, even if walled, should not be in close proximity to places where people live. The location of these uses at this location seriously devalues the area and may even cause health associated risks. These incompatible uses are a significant contributing factor to blight in the area.
2. The residential south edge of the West Perrine Neighborhood Sub-area is also impacted by the presence, visibility, and noise of the industrial uses directly across Eureka Drive (SW 184<sup>th</sup> Street). This is a three-block section of the area running along the north side of Eureka Drive from SW 103<sup>rd</sup> Avenue to SW 107<sup>th</sup> Avenue. In similar fashion to the northeast area discussed above, these residences are significantly devalued in terms of their livability and ability to attract investment by their location across the street from industrial uses. The uses on the south side of Eureka Drive also include automotive-related businesses, as well as boat-building-related industry, and even an aluminum recycling processing facility. These are all uses that at this close proximity to residences, burden the residents and the properties with a diminished quality of life, and devaluing the potential of the properties for residential investment.

In summary, there are two areas of serious, incompatible use conflicts that are contributing factors to causing blight in this area.



### Defective Land Regulation & Platting

Defective land regulation includes conditions that inhibit development and economic viability of the properties relating to:

- the zoning district within which a property is assigned;
- the pattern of zoning within the area and its surroundings; or
- platting that is defective in terms of the size, orientation, shape, or proximity to access of lots.

There are two instances of defective land regulation, and they are both related to the incompatibilities discussed above. These areas are also zoned for "Industrial - Light Manufacturing" (zone # 7100). This zoning lay, with such close proximity of these industrial uses to residences, is defective. In both cases, it is a significant contributing factor to blight in this area.

### Vacant Lots:

Vacant lots, by similar mechanisms as deteriorated and dilapidated structures, devalue an area. When vacant lots predominate in an area, they become a contributing factor towards blight. In addition, vacant lots attract dumping, and long-term trash problems. The dumping and trash, in combination with overgrown tall grasses can easily create a higher risk of fire hazard, as well as attracting vermin that create other health risks. Finally, a predominant pattern of vacancy may contribute to higher crime due to the existence of large spaces that are hidden from view and not easily patrolled.

The pattern of vacancy is as important as the amount of land that is vacant. A large tract of vacant land do not demonstrate blight as much as the same amount of vacant land distributed over many smaller lots, especially if these lots are widely dispersed in a neighborhood. While a significant proportion of vacant lots, on one hand provides a more suitable "clean slate" for development, it is also prima facie evidence of an area that for various reasons is economically disadvantaged in comparison to the surrounding area.

West Perrine has a very strong pattern of vacant lands in three of its sub-districts. The distribution of the vacant lands is discussed below and can be seen in Figure 3, Existing Land Use.

1. In the West Perrine Neighborhood there is a strong pattern of widely dispersed vacant lots distributed throughout the neighborhood. Almost every block, especially south of SW 170<sup>th</sup> Street has at least one vacant lot. Their area in total is large and their number of lots is large. The large number of vacant lots is exacerbated by the a consistent pattern of overgrown lots with dumping having occurred on almost every one. The dumping consists of junked automobiles, boat hulls, furniture, and general trash.
2. In the Agricultural Transitional Sub-Area, there is also a strong pattern of vacancy; however, consistent with the character of the area, all of the vacant lands are large. Many are fenced, and dumping, although evident, is not as significant a problem as in the West Perrine Neighborhood east of SW 107<sup>th</sup> Avenue.

3. The South Commercial / Industrial Sub-Area is also characterized by large lot vacant lands. Many are fenced, and while dumping seems prevalent, it is not as significant a problem since this is a largely industrial and commercial area.

Photographs showing examples of the character of the vacant lands in the study area are included in Figure 8, Vacant Land Photographs.

Type of Use Zoned For	Number of Parcels	Number of Acres	Vacant Number of Parcels	Vacant Acres	Percent Vacant (Parcels / Area)
Single Family Residential	118	101.16	12	27.20	10% / 27%
Town House	0	0.00	0	0.00	n.a.
Duplex Residential	1,118	261.67	279	63.39	25% / 24%
Multi-Family : 4 Units	14	8.56	4	0.82	28% / 9%
Multi-Family : 10 - 21 DU/Ac	4	28.08	0	0.00	0% / 0%
Multi-Family : 22 - 37 DU/Ac	11	24.79	8	1.47	73% / 6%
Bungalow Courts	9	2.75	3	1.64	33% / 60%
Hotel & Motel	0	0.00	0	0.00	n.a.
Total Residential	1,273	426.03	306	94.51	24% / 22%
Neighborhood Commercial	6	2.33	1	0.24	17% / 11%
Arterial Commercial	21	63.64	6	14.11	29% / 28%
Central Commercial	41	41.23	21	23.71	51% / 58%
Liberal Commercial	67	33.99	22	10.17	33% / 30%
Semi-Professional Office	0	0.00	0	0.00	n.a.
Total Commercial	135	131.09	50	48.23	37% / 37%
Light Manufacturing - Industrial	335	201.05	41	35.56	12% / 18%
Heavy Manufacturing - Industrial	27	13.59	7	2.27	26% / 17%
Restricted Industrial	13	23.64	8	9.84	62% / 42%
Total Industrial	375	238.28	56	47.67	15% / 20%
Agricultural	39	80.18	14	32.86	36% / 36%
Planned Area Development	0	0.00	0	0.00	n.a.
Other Zoned Land	0	0.00	0	0.00	n.a.
Land Not Classified, or Interim Zoned	8	8.74	2	0.00	25% / 0%
Total	1,830	894.32	428	223.27	23% / 25%

Source: Miami-Dade County Property Appraiser

The total rate of vacant parcels by lot, and their cumulative impact on the amount of land that is vacant is summarized in Table 6, Vacancies.

81



**Legend**

 Property boundary



FILENAME: W:\2004-17\Chp10\17\vacant Lot Photographs

**Figure 8**  
**Vacant Lot Photographs**  
**West Perrine CR**

Source: The Curtis and Kimball Company

There is a very significant pattern of vacancies in the proposed West Perrine CRA, with the strongest contribution to blight occurring in the West Perrine Neighborhood Sub-area, where 24% of residential lots are vacant, overgrown, and have trash, abandoned automobiles, boat hulls, furniture, and trash upon them. In total, they make up 22% of the residential land. The South Commercial / Industrial Sub-area to the south, and the Agricultural Transition Sub-area to the west have even higher proportions of vacant land (32% and 36% respectively); however their contribution to blight is less severe. Overall, widespread and large amounts of vacant lands are a contributing factor to blight conditions in the proposed West Perrine CRA.

#### **Size of Lots and Assesmbiage Potential**

As shown in Table 1, the area is comprised of 1,830 properties that are in various ownerships several of which are owned by Miami-Dade County. Given this, and that the average lot size for the whole area is only 0.49 acres creates a situation that is challenging for redevelopment unless many of the lots are assembled by investors. This evidence suggests that the size of the lots in conjunction with the ownership pattern present an impediment to redevelopment, and as such it is a factor in causing blight to this area.

#### **Conditions that Endanger Life and Property**

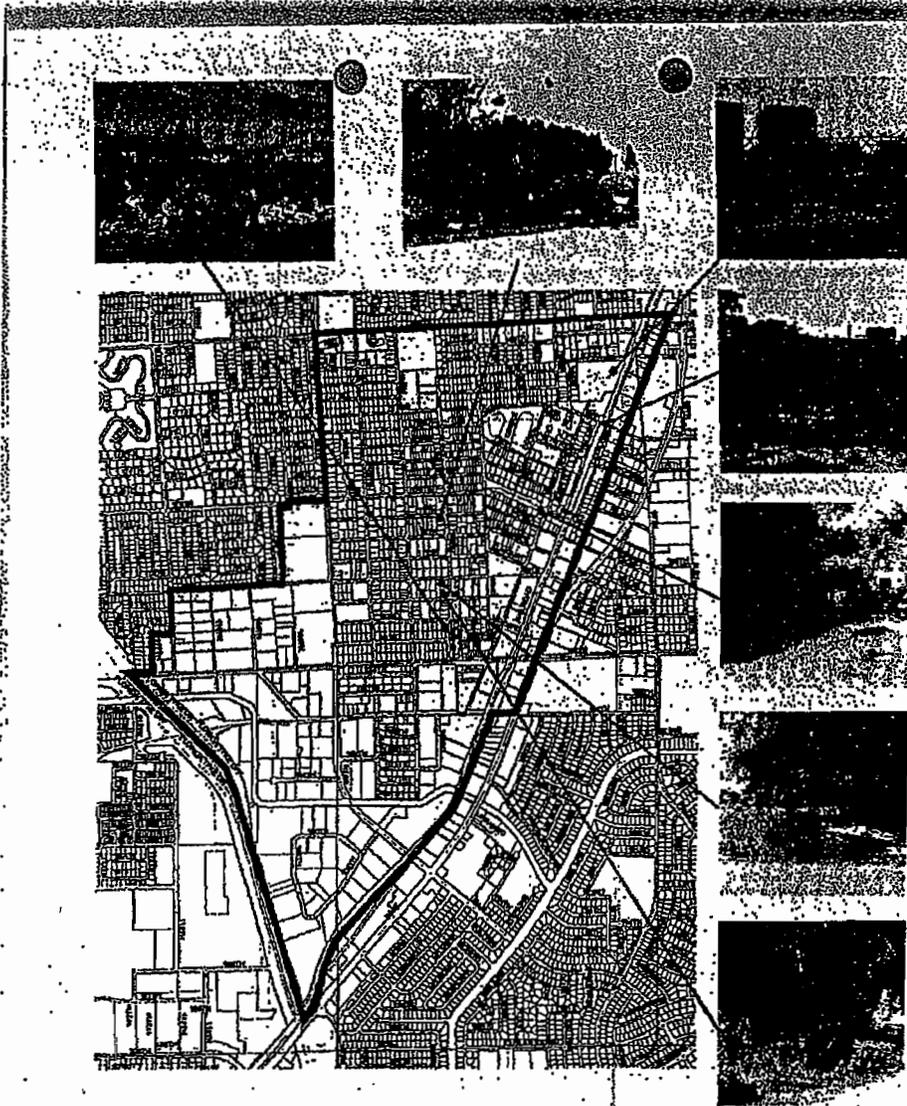
##### Trash

Vacant lots diminish a community's value because they attract dumping, and are usually overgrown. The dumping and trash, in combination with overgrown tall grasses can easily create a higher risk of fire hazard, as well as attracting vermin that create other health risks. Finally, vacancies under these conditions may contribute to higher crime due to their provision of large spaces that are hidden from view and not easily patrolled by police. Examples of trash and dumping that vacant lots attract are illustrated in Figures 9A and 9B, Trash Site Photographs.

There are 309 vacant residential parcels out of 1,273 according to Property Appraiser data that are within the West Perrine Area. Based on the physical conditions survey, approximately 2/3 of these have some amount of trash, and dumping upon them. As this can compromise general public health, safety, and endanger adjacent properties by fire or propagation of insects, these conditions are a contributing factor to blight.

##### Flood Zones

The majority of the West Perrine area is in flood zone X, or flood zone X-500. These areas are not considered flood zones and structures within them are not generally at risk. However, at the southern end of the area, there are two pockets where the flood zones are AE or AH, both of which are considered flood zones. Structures in these areas may be at risk for flooding. Development may be more expensive in those areas as well and as a result, those areas may receive less development. The general area of each flood zone is shown in Figure 10, Flood Zones.



**Legend**

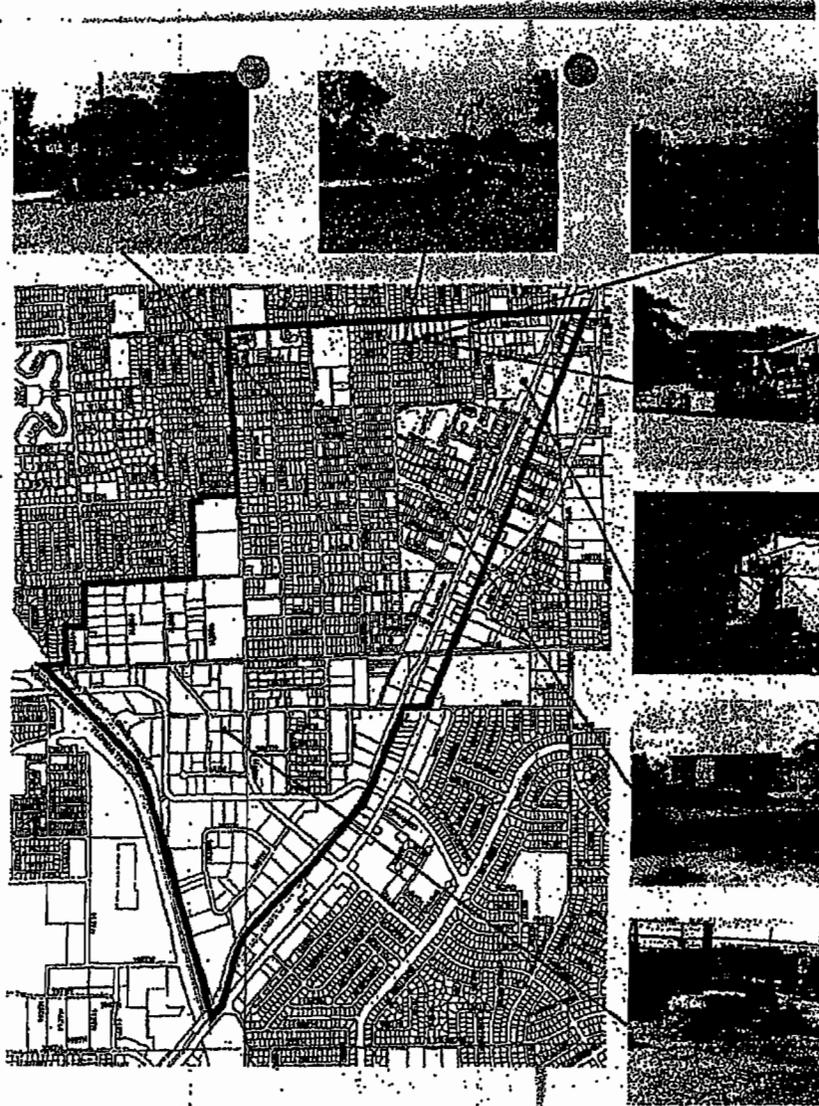
 Property boundary



FILENAME: W12004170 Optical Grids Site Photographs

Fig  
Trash Site Photo  
West Ferris

Source: The Clark and Kent



**Legend**

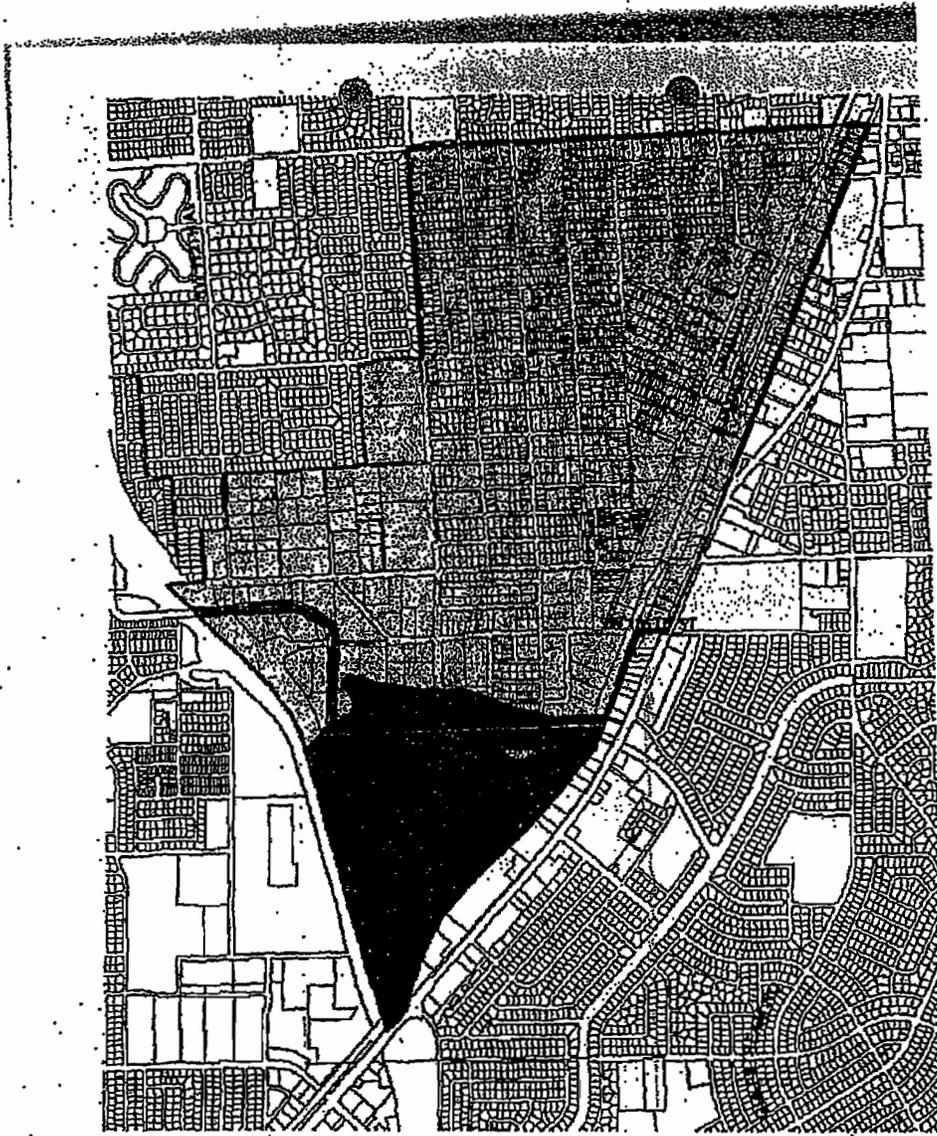
 Property boundary



**Figure 1**  
**Trash Site Photographs**  
**West Perrine**

FILENAME: W0004-1709.ppt\Trash Site Photographs

SOURCE: The Curtis and Kibell C



**Legend**

-  Property Boundary
-  AE (Flood Zone)
-  AH (Flood Zone)
-  X (Not Flood Zone)
-  X-500 (Not Flood Zone)



FILENAME: W004-17040101 Flood Zone Map

**Figure 1**  
Flood Zone Map  
West Penina CR.

Source: The Cuts and Growth Comm

## Economic Conditions

The economic conditions of the residents of the West Perrine area are factors that contribute to economic distress. The housing and the demographic characteristics of the area are indicators of these conditions.

### Housing Characteristics

Table 7, Housing Characteristics - 2000, provides data relating to the economic housing conditions within the proposed West Perrine CRA. For contextual purposes, the same data are provided for Miami-Dade County as a whole.

**TABLE 7**  
**HOUSING CHARACTERISTICS - 2000**

	Miami-Dade County	Census Block Group 83.03.1	Census Block Group 83.03.2	Census Block Group 83.03.3	Census Block Group 83.03.4	Census Block Group 83.03.5	Census Block Group 102.05.1	Total Study Area
Housing Units	852,278	212	413	481	659	729	0	2,374
Units Occupied	81.1%	100.0%	93.7%	81.1%	87.0%	85.5%	N/A	85.1%
Occupied Units by Tenure								
Owner-occupied	57.8%	84.9%	14.5%	47.8%	82.4%	78.1%	N/A	58.8%
Renter-occupied	42.2%	15.1%	85.5%	52.2%	17.6%	20.9%	N/A	41.4%
Overcrowded Units	20.0%	11.3%	14.7%	34.8%	20.1%	15.8%	N/A	18.8%
Incomplete Units								
Lacking full plumbing	1.1%	0.0%	0.7%	5.4%	0.0%	0.0%	N/A	1.2%
Lacking full kitchens	1.3%	0.0%	3.1%	5.4%	2.0%	0.0%	N/A	2.2%
Units by Type								
1, detached	42.7%	88.7%	28.6%	68.8%	68.6%	66.9%	N/A	83.0%
1, attached	9.9%	0.0%	15.7%	0.0%	0.0%	2.0%	N/A	3.3%
2	2.8%	0.0%	40.9%	22.3%	22.3%	0.0%	N/A	18.7%
3 to 10	9.0%	11.3%	13.8%	2.8%	2.8%	10.3%	N/A	7.8%
10 to 19	6.4%	0.0%	0.0%	2.8%	2.8%	13.8%	N/A	5.4%
20 to 49	8.8%	0.0%	0.0%	0.0%	0.0%	7.0%	N/A	2.1%
50 or more	18.8%	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	0.0%
Mobile Home	1.8%	0.0%	2.5%	2.4%	2.4%	0.0%	N/A	1.5%

Source: U.S. Census, 2000; Miami Economic Associates, Inc.

At the time of the 2000 Census, the Census Block Groups that include the proposed CRA contained a total of 2,374 housing units, 85.1 percent of which were occupied.<sup>1</sup> Consistent with the fact the proposed CRA is located in the eastern portion of the County, over 75 percent of the housing units were constructed prior to 1980. Reflecting the area's suburban character, 83

<sup>1</sup> Census Block Groups 83.03.4 and 83.03.5 contain some areas extraneous to the proposed West Perrine CRA. Based on field surveys of these areas, it is believed that their inclusion causes the area to appear better off economically than it in fact is.

87

percent were single-family detached, single-family attached, and duplex units. On countywide basis, such units constitute less than 55 percent of the housing stock.

In evaluating whether the study area should be designated a CRA, the following points should be considered:

- Miami-Dade County's rate of home ownership of 57.3 percent was considerably lower than the rate throughout the State of Florida or nationally, 70 percent and 85 percent, respectively. On an overall basis within the proposed CRA, the rate of home ownership was consistent with the County level. It exceeded the County level in 4 of the 5 Census Blocks Groups that include the proposed CRA's residential areas. However, the rate of home ownership in Census Block Group 83.03.2 was exceptionally low, 14.5 percent.
- The median unit rental rate within the proposed CRA was under \$500 per month, with over 80 percent of rental units leasing for less than \$700 per month. On a countywide basis, only 58.6 percent of rental units leased for under \$700 per month. The median value of owner-occupied housing was also low relative to the countywide standard, with the median unit being valued for less than \$100,000.
- The proportions of both owner and renter households by income range that were cost-burdened, i.e., paying more than 30 percent of income for shelter, were generally consistent with those countywide. This was likely a function of the low rate structure for rental units and the low median value of owned units discussed in the preceding paragraph. The fact that the area contained a significant number of County-owned units and/or privately-owned Section 8 units may have also been a contributing factor. These factors may have also been the reason for the fact that the area had a lower percentage of overcrowded units than the County as a whole. Yet, it is important to note in Census Block Group 83.03.3 overcrowded units are 70% higher than the County average.

## Demographic Characteristics

Table 8 provides demographic data from the 2000 Census depicting the economic status of the residents of the proposed West Perrine Corridor CRA<sup>1</sup>. For contextual purposes the same data are provided for Miami-Dade County in its entirety.

	Miami-Dade County	Census Block Group 83.03.1	Census Block Group 83.03.2	Census Block Group 83.03.3	Census Block Group 83.03.4	Census Block Group 83.03.5	Census Block Group 102.06.1	Total Study Area
Population	2,253,362	689	1,385	1,317	1,502	2,503	0	7,976
Households	777,378	192	403	389	512	707	N/A	2,203
Retirement Age Households	21.8%	27.6%	13.6%	26.7%	11.1%	21.8%	N/A	18.0%
Households w/Children	34.8%	37.6%	49.9%	38.3%	43.5%	51.3%	N/A	45.7%
In Labor Force (Persons 18 & Over)	57.5%	47.6%	63.6%	64.3%	59.1%	57.1%	N/A	55.0%
Employed (Persons 18 & over)	62.2%	62.7%	78.6%	69.3%	60.9%	61.1%	N/A	69.1%
Median Household Income	\$35,968	\$31,923	\$10,856	\$16,827	\$30,658	\$46,895	N/A	\$29,815
Household Income								
Less than \$10,000	18.5%	13.0%	45.4%	40.4%	39.5%	13.8%	N/A	25.5%
\$10,000 - \$19,999	14.6%	27.1%	24.8%	10.0%	7.4%	10.9%	N/A	13.9%
\$20,000 - \$34,999	20.1%	10.9%	13.6%	25.4%	24.4%	13.9%	N/A	18.1%
\$35,000 - \$49,999	15.7%	8.3%	8.2%	3.3%	21.5%	18.4%	N/A	13.7%
\$50,000 and over	33.1%	40.7%	8.0%	20.9%	27.2%	43.2%	N/A	26.9%
Households in Poverty Status	18.1%	15.6%	69.7%	55.6%	28.5%	16.3%	N/A	35.5%

Source: U.S. Census, 2000; Miami Economic Associates, Inc.

At the time of the 2000 Census, the Census Block Groups that include the proposed CRA had a total population of 7,976 people, who comprised 2,203 households. Nineteen percent of these households were headed by people of retirement age, i.e. 65 years of age or older, as compared to 21.9 percent of households countywide. Conversely, 45.7 percent of households included children under the age of 18 as compared to 34.8 percent countywide.

Evidence of the economic distress experienced by the residents of the proposed West Perrine CRA is highlighted by the following statistics:

- Workforce participation of area residents over the age of 18 was below that countywide despite the fact that the area had a lower percentage of retirement age households than the County as a whole. Further, less than 90 percent of those participating were employed including less than 80 percent of the workforce members residing in Census Block Group 83.03.2 were employed.

<sup>1</sup> Census Block Groups 83.03.4 and 83.03.5 contain some areas extraneous to the proposed West Perrine CRA. Based on field surveys of these areas, it is believed that their inclusion causes the area to appear better off economically than it in fact is.

- Median household income was \$29,915, less than 80 percent of the amount countywide. The figure would have been lower if the extraneous areas referenced in footnote 1 were excluded. To place this in further perspective, Miami-Dade County with its median income of \$35,955 ranked as one of the poorest major metropolitan areas (those with populations exceeding 1 million people) nationwide.
- As a result of the fact that the households residing in Census Block Groups 83.03.2 had median incomes only 80 to 90 percent the countywide level, in excess of 35 percent of the households in the proposed CRA were considered living in poverty. This was almost twice the proportion countywide. The proportion of households living in poverty would have been even higher if the extraneous areas referenced in footnote 1 were excluded.

The fact that the proposed West Perrine CRA is economically disadvantaged is evidenced by the fact that area contains offices of the County's Community Action Agency, the State's Department of Children and Family Services and WIC. It also contains several County-owned housing complexes including Richmond Homes, Perrine Gardens and Perrine Rainbow.

**Real Estate Values**

The table below provides the taxable value of real property in proposed West Perrine CRA for each year during the period from 1999 through 2004. The same information is provided for Miami-Dade County as a whole.

TABLE 9 REAL ESTATE VALUES				
Year	Miami-Dade County		Proposed West Perrine CRA	
	Taxable Value	Annual Change	Taxable Value	Annual Change
1999	83,140,188,023		185,643,976	
2000	87,576,077,697	5.30%	188,958,886	1.80%
2001	96,677,276,665	10.40%	202,721,222	7.30%
2002	106,774,511,014	9.40%	208,511,543	2.90%
2003	119,950,471,382	13.40%	237,817,125	14.10%
2004	137,528,881,782	14.70%	281,851,980	18.50%
Average Annual Change		10.60%		8.90%

Source: Miami-Dade County Property Appraiser, Miami Economic Associates, Inc.

As shown in the table, the taxable value of property in the proposed CRA increased from approximately \$185.6 million in 1999 to \$281.85 million in 2004, at which time it accounted for two-tenths of 1 percent of the County tax roll. The following points are noted with respect to the table:

- From 1999 to 2004, the taxable value of property countywide increased at an average annual rate of 10.6 percent, with increases exceeding 10 percent occurring in 3 of the 4 more recent years due to new construction and

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strongly appreciating existing property. During the same period, the taxable value of the property within the proposed CRA increased by 8.9 percent.

- o In 4 of the 5 years analyzed, taxable values in the proposed CRA grew more slowly than those countywide. In the two most recent years, it grew more quickly largely as commercial development along S.W. 184<sup>th</sup> Street and south of that roadway.
- o The taxable value of property within the proposed CRA reflects the following:

The presence of numerous vacant residential lots throughout the area.

The fact that the U.S. 1 frontage is substantially occupied by low value uses such as auto repair shops as well as boat and used car dealerships.

The fact that the retail commercial uses north of S.W. 184<sup>th</sup> Street and west of U.S. 1 are occupied by "mom and pop" business. No national or regional retailers are present in the delineated area.

The fact many of the key commercial parcels along Homestead Avenue, a major business street within the area, are occupied by governmental offices and not-for-profits that are located in the area to serve its low income population. The County-owned housing units also are not taxed.

There is not significant private office space within the area.

The relatively older age of the housing stock.

#### Crime

High crime rates demonstrate a lack of respect for the law and public safety and are a detriment to economic development in an area. Information on two levels of crime was provided by the County Police Department.

Table 10 - Incidence of Crime, shows the number of Part 1 and Part 2 crimes reported in the grids that contain the proposed West Perrine CRA for each year during the period from 1997 through 2003. Part 1 crimes include the major categories of violent crime including murder, rape, sodomy, aggravated assault and aggravated stalking. Also included among Part 1 crimes are robbery and burglary, pocket picking, purse snatching and various forms of shoplifting. Part 2 crimes include simple assault, kidnapping, arson, various forms of fraud, embezzlement and narcotics-related offenses.

**TABLE 10**  
**INCIDENCE OF CRIME**

Year	West Perrine CRA		Incidence per 1,000 residents Part 1 only	Miami-Dade County		Incidence per 1,000 residents Part 1 only	Total
	Part 1	Part 2		Part 1	Part 2		
1997	693	317					1,010
1998	654	315					859
1999	611	277					848
2000	481	273					754
2001	600	273			n/a		773
2002	627	306			n/a		843
2003	489	317	64	78,052	n/a	63	808

Source: Miami-Dade County Police Department; The Curtis and Kimball Company

The number of reported crimes dropped sharply from 1997 to 2000, particularly in terms of Part 1 offenses. However, it increased in 2001, and again in 2002. The number in 2003 was lower than the preceding year but had not decreased to the low level recorded in 2000.

## Transportation

The West Perrine CRA study area is located between the cross roads of two State Principal Arterial roadways which function as the two most important transportation facilities moving people and goods serving south Miami-Dade County. With the Homestead Extension of Florida's Turnpike to the west, and US-1/South Dixie Highway to the east, over 172,900 cars per day pass along side the West Perrine CRA study area (see Figure 11).

### Access and Connectivity

The geography and layout of these transportation facilities have each had their own effect upon West Perrine. While providing regional transportation services, Florida's Turnpike has created a wall which extends along the western side of the two mile study area. Access into and out of West Perrine (to and from the west) can only occur at the following three locations using the turnpike interchanges or the turnpike underpass built into the system.

**TABLE 11**

**ACCESS AND ROADWAY CONNECTIONS TO AND FROM THE WEST**

Roadway	Turnpike System Access	Roadway Type	Number of Travel Lanes
SW 168 Street	Underpass	Section Line	2 lanes undivided
SW 184 Street	Interchange	Section Line	4 lanes divided
SW 186 Street	Interchange	State Minor Arterial	4 lanes divided

Source: Cathy Sweetapple & Associates

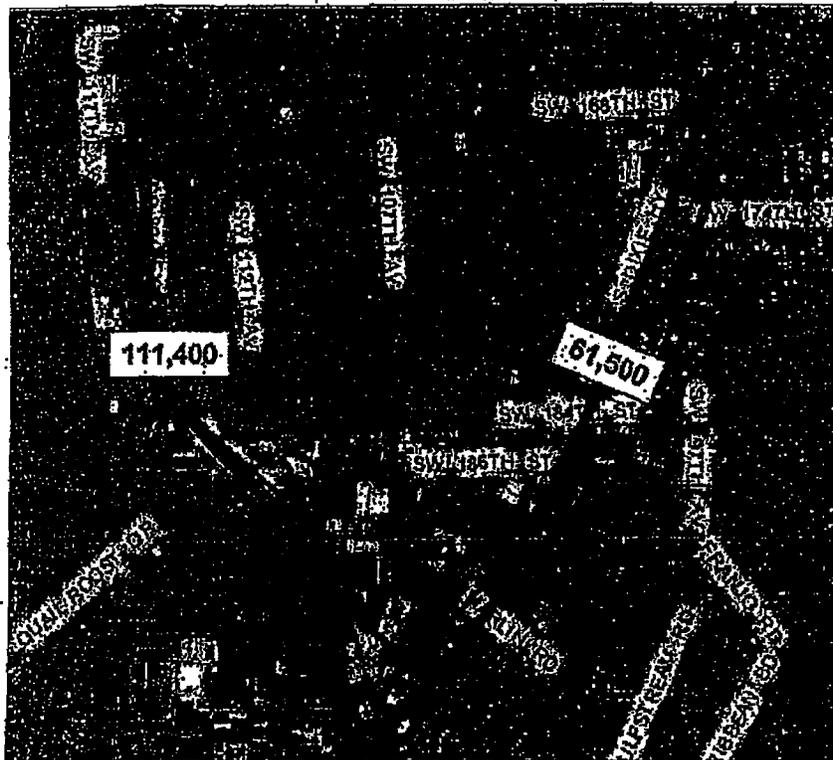
The US-1/South Dixie Highway corridor, together with the Miami-Dade County Busway, promotes regional vehicular and transit connectivity, but does so at the expense of local connectivity to properties adjacent to the Busway and US-1. Access into and out of West Perrine from South Dixie Highway (to and from the east across the Busway) is accommodated by the following roadway connections (see Figure 12):

**TABLE 12**

**ACCESS AND ROADWAY CONNECTIONS TO AND FROM THE EAST**

Roadway	Roadway Type	Number of Travel Lanes
SW 168 Street	Section Line	2 lanes undivided
Banyan Street	Quarter Section Line	2 lanes undivided
Hibiscus Street	Half Section Line	2 lanes divided (in sections)
SW 184 Street	Section Line	4 lanes divided
SW 186 Street	State Minor Arterial	4 lanes divided
SW 107 Avenue	Section Line	4 lanes divided (south of SW 186 St)

Source: Cathy Sweetapple & Associates



**Legend**

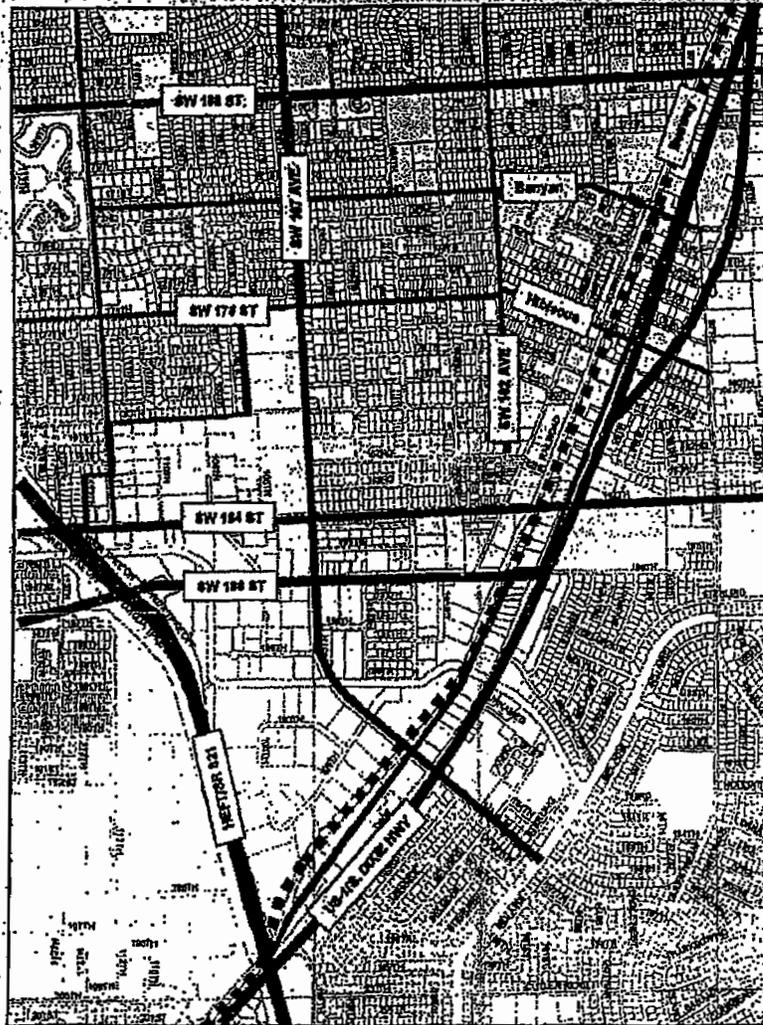
- CRA Boundary
- Turnpike underpass or interchange
- ▲ Daily Traffic Count



61,500

**Figure 11**  
Regional Roadway Connections  
West Penine CRA

Source: Cully Brunsopple & Associates



**Legend**



-  CRA Boundaries
-  Section Line Roadways
-  Half and Quarter Section Line Roadways
-  State Arterials
-  Burway

**Figure**  
Local Roadway Connector  
West Perrine CR

Source: City Development & Access

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South Dixie Highway provides numerous opportunities to access the commercial properties located immediately adjacent to the US-1 corridor; however, the commercial properties immediately to the west which abut the Busway, suffer from poor access, visibility and connectivity. Access across the Busway (leading into and out of the study area) is managed using a series of signalized intersections. Signal spacing between the busway and US-1 reflects approximately 375 feet, with approximately 325 feet available to accommodate vehicle queues during peak travel hours. Frequent driveway connections for the older commercial properties along US-1 do not meet current State access management standards. Redevelopment of these properties would require conformance to current driveway spacing and design standards, which for smaller parcels, would create a hardship in meeting these standards.

**Street Layout and Roadway Widths Adjacent to the CRA**

For the neighborhoods located between Florida's Turnpike and SW 107 Avenue (adjacent to the CRA study area on the west), the turnpike system has offered a degree of protection from cut through traffic. The resulting residential development patterns are found to be consistent with surrounding neighborhoods to the north of SW 168 Street, and to the west of Florida's Turnpike. The roadway and sidewalk infrastructure for this residential area has largely developed in a manner which provides adequate street widths, sidewalks and yard setbacks from the adjacent travel lanes which are consistent with Miami-Dade County subdivision development and design standards pursuant to Section 28-14 of the Miami-Dade County code. Minor streets providing access to residential development are required to provide 50 or 60 feet of minor street right of way for residential areas. A 50 or 60 foot right of way would provide the following paved roadway, swale and sidewalk dimensions:

**TABLE 13**  
**MIAMI-DADE COUNTY MINOR STREET DESIGN STANDARDS**

Street Type	ROW Width	Paved Roadway	Swale Width Both Sides	Sidewalk Width Both Sides
Minor Street	50 feet	22 to 24 feet	7 to 8 feet	5 to 6 feet
Minor Street	60 feet	24 to 36 feet	7 to 8 feet	5 to 6 feet

Source: Cathy Sweetapple & Associates

A typical minor street to the west of the CRA study area provides 50 of right of way, 22 feet of paved roadway, 8 feet of swale on both sides of the roadway and 6 foot sidewalks on both sides of the minor street.

**Street Layout and Roadway Widths Within the CRA**

For the neighborhoods located within the CRA study area between SW 107 Avenue and US-1, development patterns have not achieved the same density, urban form or commitment to infrastructure compared with the adjacent neighborhoods to the north and the west. Street widths vary, often not even achieving the minimum minor street design standards that would be required today for local street access to residential property. Sidewalks are intermittent, and are mainly found adjacent to recent development sites. Paved minor street roadways in the newer development pockets within the CRA study area provide between 22 and 24 feet of pavement consistent with county standards. Paved minor street roadways in the older, unimproved

sections of the CRA study area provide between 18 and 19 feet of pavement, not even meeting the minimum design standards that would be required for residential development today. An evaluation of the number and percentage of residential blocks within the CRA study area with inadequate minor street paved roadway widths are estimated below.

**TABLE 14**

**PERCENTAGE OF RESIDENTIAL AREA WITH ADEQUATE PAVED ROADWAY WIDTHS**

Street Type	ROW Width	Paved Roadway	Estimated No. of Blocks	Percent
Minor Street	50 or 60 feet	22 to 24 feet	17	15.2%
Minor Street	Unknown	18 to 19 feet	95	84.8%
Total Estimated Residential Blocks			112	100.0%

Source: Cathy Sweslappfe & Associates

Based upon the street layout and the design of the existing minor street roadways, a predominance of inadequate minor street paved roadway widths are found within the residential portion of the CRA study area (see Figure 13).

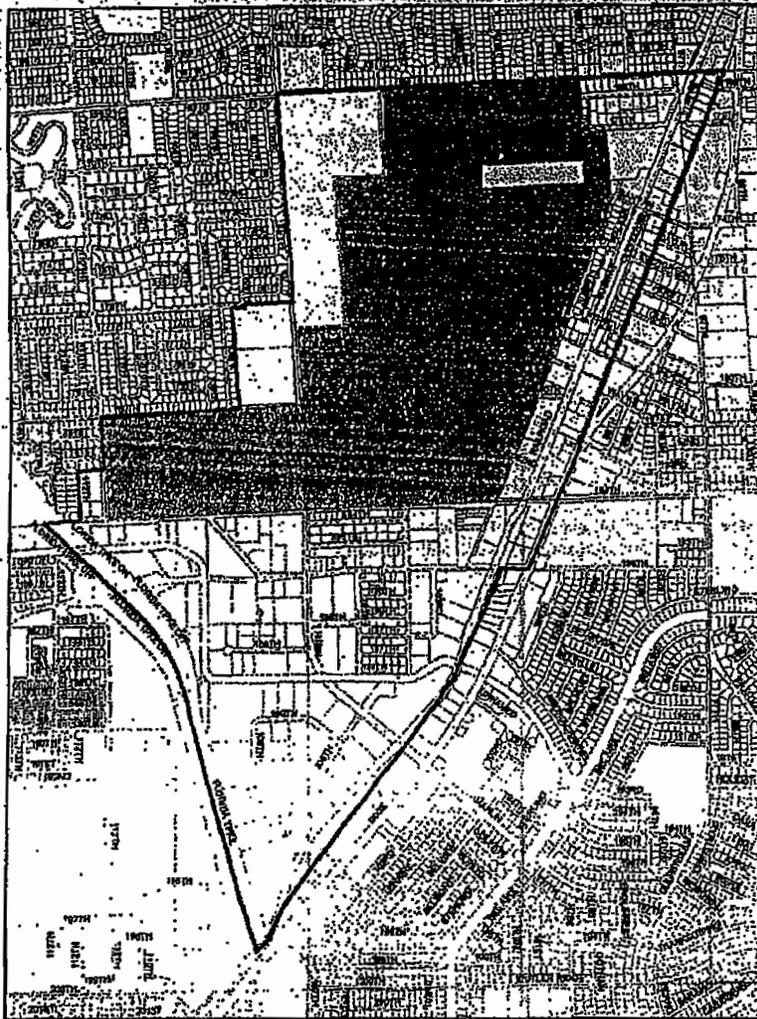
**Pedestrian and Public Transportation Facilities**

These same older, unimproved sections of the CRA study area have also been found to exist with incomplete pedestrian infrastructure (see Figure 14), which impacts the provision of services and facilities used to support public transportation. Over 50% of the land area located within the CRA boundaries is located within a one half mile of the Busway corridor. Given the predominance of residential uses within this first one half mile area, and given the transit service coverage offered by existing transit routes (see Figure 15), an extensive and continuous network of pedestrian facilities should exist to reinforce connectivity with the Busway. The existence of intermittent sidewalks within the CRA boundaries contributes to the inadequacies of the street layout and the deficiencies which exist in the provision of pedestrian infrastructure.

**Evaluation of Traffic Demand and Traffic Problems Pursuant to Chapter 163.335 (1)**

Existing and Year 2025 projected daily traffic conditions have been evaluated for the regional roadways serving the CRA study area. A level of service evaluation has been performed pursuant to the adopted levels of service in the Miami-Dade County Comprehensive Development Master Plan. The daily maximum service volumes have been obtained from the Year 2002 Quality/Level of Service Handbook published by the Florida Department of Transportation. Existing lane geometry for the regional roadways is provided in the enclosed Figure 16.

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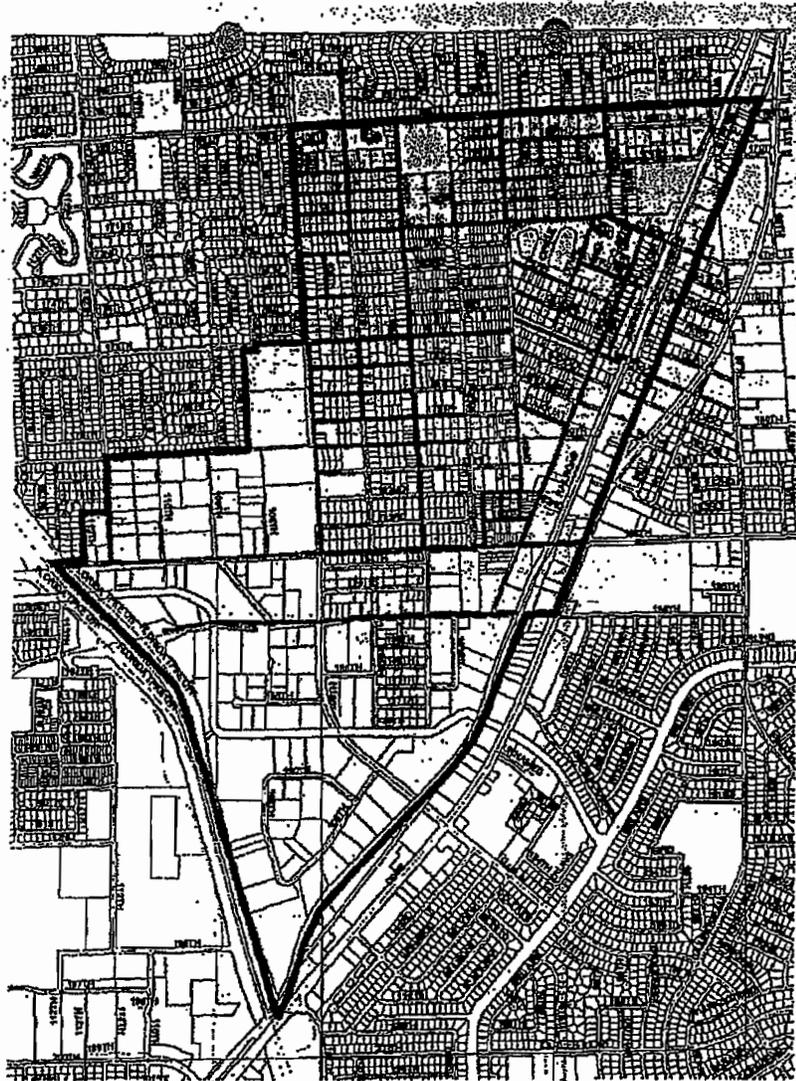
Legend



-  CRA Boundaries
-  Minor Street Paved Roadways Meet Standards
-  Minor Street Paved Roadways Below Standards

Figure 13  
Paved Roadway Widths  
West Penins CRA

Source: Gohy Development & Associates



**Legend**

- Sidewalks on both sides of street
- - - Sidewalks on one side of street

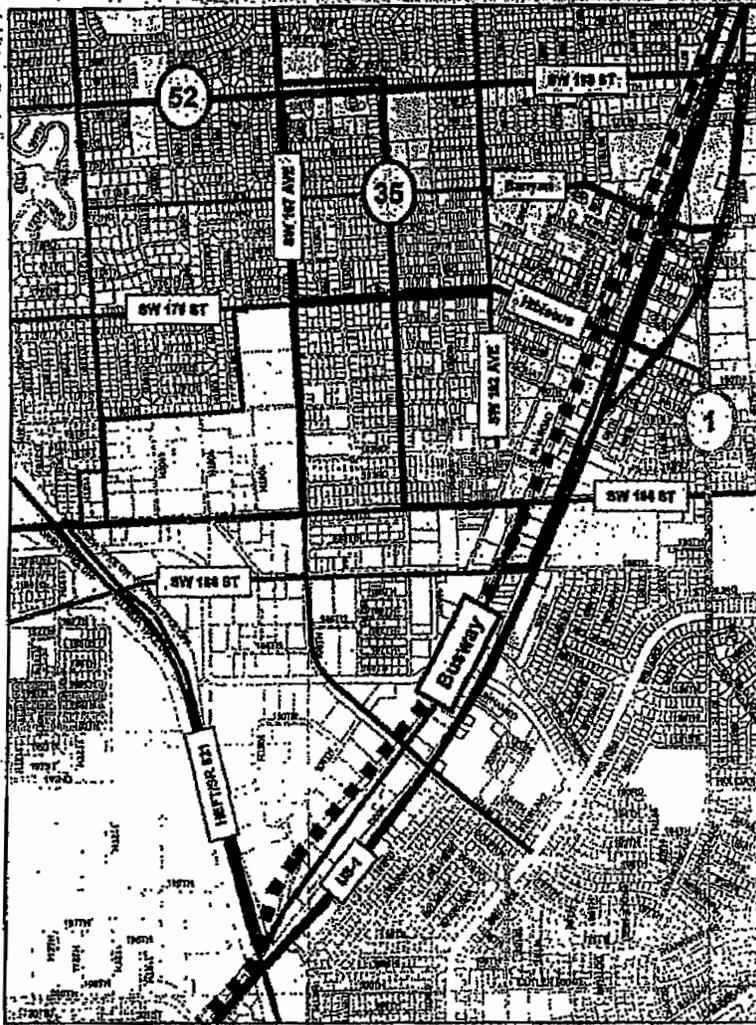
□ Property boundary



**Figure 14**  
**Sidewalk Locations**  
**West Perrine CRA**

FILENAME: WPC004303.dwg/Map/Perme Sidewalk Locations

Source: The Curtis and Kynhall Company



**Legend**



CRA Boundaries  
 Route 1  
 Route 35  
 Route 52  
 Busway  
 20 minute headways  
 30 minute headways  
 30 minute headways  
 15 minute headways



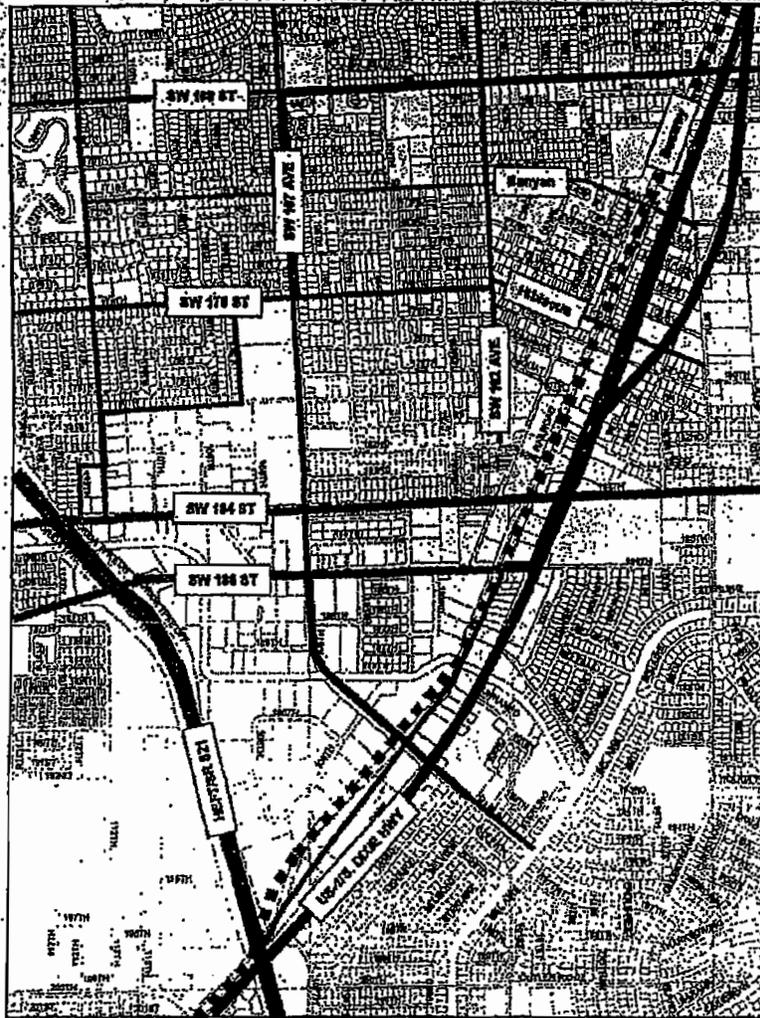
Metro Bus Route



Busway

**Figure 15**  
 Transit Service  
 West Perrine CRA

Source: City Development Association



**Legend**



-  CRA Boundaries
-  2 Lanes
-  4 Lanes
-  6 Lanes
-  Freeway

 Busway

**Figure 18**  
Existing Lane Geometry  
West Perrine CRA

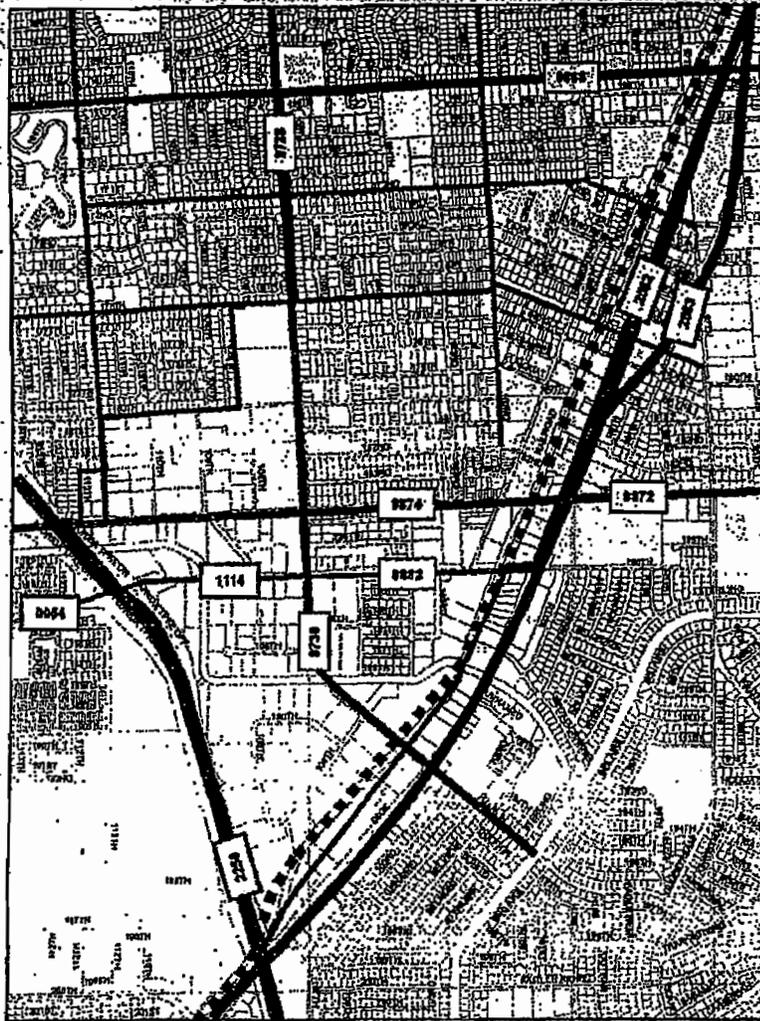
Source: City of Gresham & Associates

Daily traffic data has been obtained from FDOT and Miami-Dade County for the count stations located adjacent to and within the CRA study area (see Figure 17). Traffic forecasts for the Year 2025 were obtained from the Year 2025 traffic projections from the Long Range Transportation Plan (see Figure 18). Planned roadway improvements for study area roadways (from the LRTP 2030), are outlined in Table 15 below and are included in Figure 19.

**TABLE 15**  
**LRTP 2030 COST FEASIBLE HIGHWAY AND TRANSIT PROJECTS IN THE STUDY AREA**

Area	LRTP Page No.	Roadway	Improvement	Timeframe	LRTP Priority
South	28	South Miami-Dade Busway From Cutler Ridge to Florida City	Busway Extension	2005 - 2009	I
South	30	HEFT/SR 821 From North of Eureka to North of SW 117 Ave	Widen HEFT to 12 lanes	2010 - 2016	II
South	32	HEFT/SR 821 From SW 216 Street to SW 200 Street	Widen to 8 lanes	2016 - 2020	III
	32	From SW 200 Street to US-1	Widen to 8 lanes	2016 - 2020	III
	32	From US-1 to North of Eureka Drive	Widen to 10 lanes	2016 - 2020	III
South	33	SW 107 Avenue From SW 160 St to SW 188 St	Widen from 2 lanes to 4 lanes	2016 - 2020	III
South	35	South Miami-Dade Corridor Rail Extension From Dadeland to Florida City using Dixie Hwy	Premium Transit	2021 - 2030	IV

Source: Cathy Sweetapple & Associates

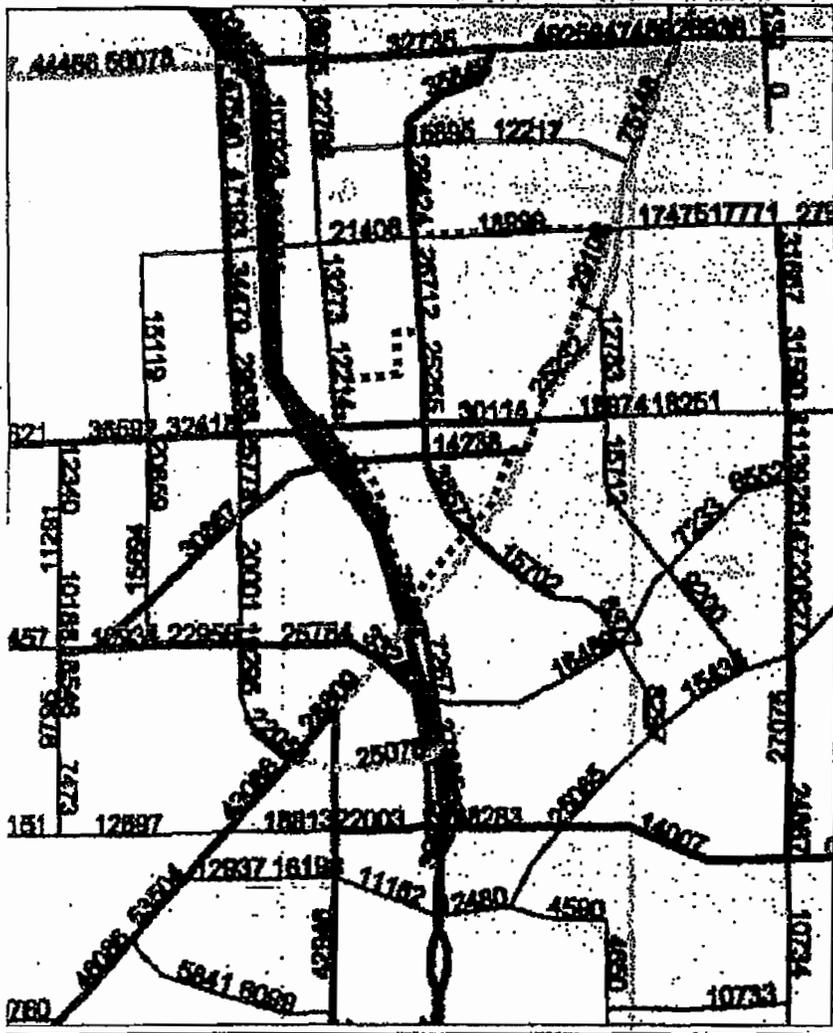


**Legend**

	FDOT Traffic Count Stations		CRA Boundaries
	Miami-Dade Traffic Count Stations		Section Line Roadways
			Half Section Line Roadways
			Freeways
			Busway

**Figure 17**  
Traffic Count Stations  
West Perrine CRA

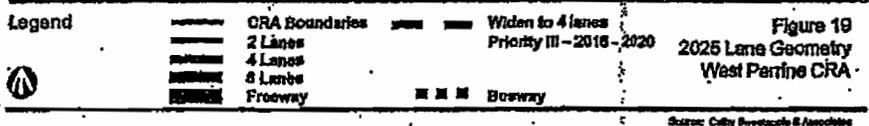
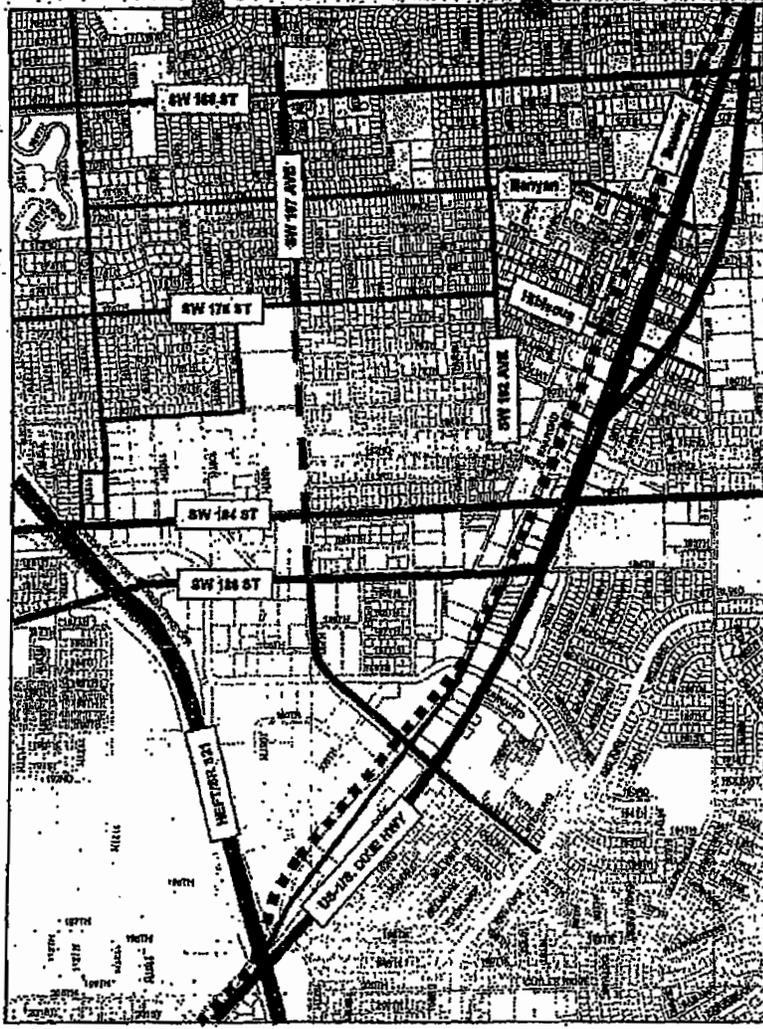
Source: Duffy Development & Associates

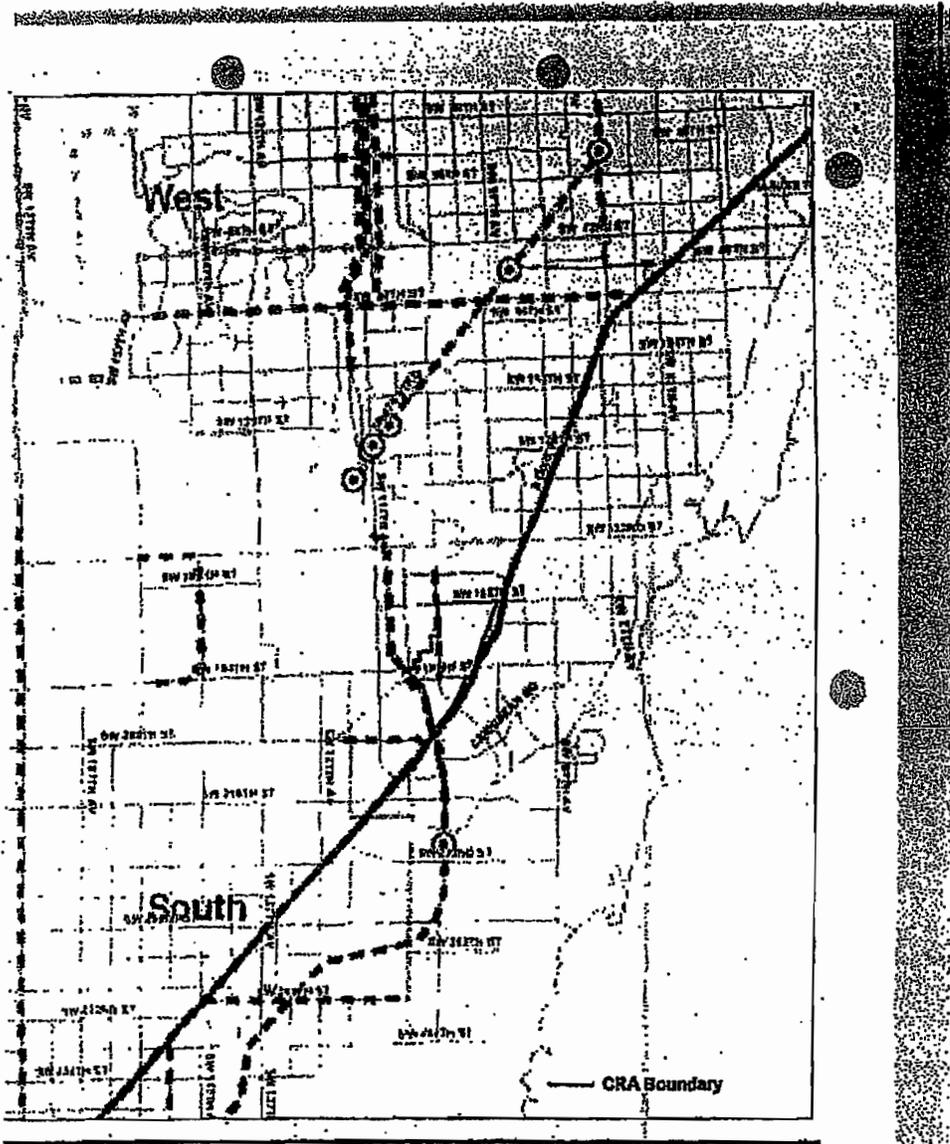


gend  
 XXXXX Year 2025 Projected Traffic Volumes  
 - - - - - CRA Boundaries

Figure 18  
 Year 2025 Traffic Forecasts  
 West Perrine CRA

Source: City of West Perrine & Associates





nd

- ■ ■ ■ Premium Transit
- ■ ■ ■ Freeway Improvement
- ■ ■ ■ Other Highway Improvement
- ■ ■ ■ Arterial Improvement

Figure 20  
Year 2030 Long Range Transportation Plan  
West Perrine CRA

Source: Colby Geotopple & Associates

projected Year 2025 daily traffic conditions for the regional roadways serving the area, are summarized on the enclosed Table 18. The evaluation of existing and projected traffic conditions demonstrate that level of service deficiencies were found on the regional roadways:

**TABLE 18**

**LEVEL OF SERVICE DEFICIENCIES ON REGIONAL ROADWAYS**

Roadway	Location	Existing Daily LOS	2025 Daily LOS
SW 152 Street	SW 152 Street to SW 168 Street	F	F
SW 184 Street	SW 184 Street to SW 112 Avenue	E	F
US-1	US-1 to SW 107 Avenue	D	F
SW 186 Street	SW 186 Street to US-1	C	F
SW 184/186 Street	SW 184/186 Street to US-1	F	B
US-1	US-1 to SW 200 Street	F	B
SW 200 Street	SW 200 Street to SW 216 Street	F	B

Source: Cathy Sweetapple & Associates

Service deficiencies experienced along US-1/South Dixie Highway will continue to exist in the future, given the function and importance of this corridor in providing regional access to southwest Miami-Dade County. County officials are aggressively providing and evaluating mobility alternatives, however these mobility alternatives take many years before they are implemented. The premium transit alternative for US-1 is a Priority Transportation Plan project with implementation targeted between the years 2021 and 2025 (see Table 15 above). The existing and future traffic congestion experienced along US-1 Highway will continue to remain a factor in the future development of the West Perrine CRA study area.

Level of service deficiencies are projected for SW 168 Street and SW 107 Avenue. The current street layout is not sufficient to accommodate future traffic demand. Transportation facilities function as key section line roadways bisecting the West Perrine study area. These traffic forecasts indicate that the current roadway design will not prevent future traffic congestion, and that the current roadway design will create traffic problems.

Level of service deficiencies exist on the Florida's Turnpike adjacent to the West Perrine study area. Freeway lane expansion is included as a Priority III long range transportation project with implementation targeted between the years 2016 to 2020 (see Table 15 above). With implementation, the current roadway design will not be sufficient to accommodate traffic over the next fifteen years for motorists seeking access to and from the CRA study area.

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2.11

West Perrine was found to exhibit sufficient blight conditions to warrant the CRA. As per the definition of blight and blight determinants set forth in Sec. 178.01, Statutes, West Perrine was found to have a substantial number of deteriorated structures in which conditions are leading to economic distress or which are in poor condition. Approximately 12% of the single-family houses are considered to be in a deteriorated or dilapidated condition. Additionally, West Perrine was also found to have several contributing factors.

One of the contributing factors is faulty lot layout. There are two areas of incompatible uses in the northeast corner of the site, and the other a three-block section along the intersection of S.W. 103<sup>rd</sup> Avenue to S.W. 107<sup>th</sup> Avenue. The single-family residences in these areas are significantly devalued in terms of their livability and ability to attract investment. The location of industrial uses at these locations seriously impacts the residential area and may even cause health associated risks. They should not be in close proximity to residential areas.

Another contributing factor is a significant number of obsolete units with respect to their size. Fifteen percent of the single-family housing inventory in West Perrine is undersized and 3% of the multi-family units are similarly obsolete. Small size is an impediment in today's market to attract buyers that will invest in the structure and keep it from deteriorating.

The location and layout of the transportation facilities in the area have also impacted the area. The Florida Turnpike effectively creates a wall along the western edge of the area, restricting access into and out of the area to only three locations. In addition, Dixie Highway provides numerous opportunities through signalized intersections with commercial properties, the commercial properties immediately to the west which abut the highway suffer from poor access, visibility, and connectivity. Both of these conditions are impediments to development.

The streets in the study area often do not achieve the minimum minor street design standards required for local street access to residential property. Sidewalks are intermittent and are often impeded in these areas.

The economic conditions of the residents also indicate the level of economic distress of the area. The median household income in West Perrine is \$29,915, which is less than 85% of the median household income in Miami-Dade County. In light of the fact that Miami-Dade County, with its \$35,955 median household income, is considered one of the poorest major metropolitan areas in the state, West Perrine residents are among the poorest in a poor area.

Unsafe conditions are another factor that contributes to blight. Approximately 15% of the lots in the West Perrine Area are vacant land. Vacant lots attract dumping which occurs throughout the study area. These vacant areas may also contribute to higher crime rates because of the presence of large spaces that are hidden from view and not easily patrolled.

The presence of trash and abandoned vehicle problem. The significant number of open lots and vacant lots reflect the physical conditions of the area and impede new economic development and investment in the community.

t Perrine area exhibits sufficient factors to be designated an area of blight, and is recommended to be designated a CRA. The condition of numerous structures within the area, the disjointed patterns caused by inadequate land use planning and zoning, the amount of vacant parcels, the inadequacy of the transportation infrastructure, and the economic characteristics of all the residents, contribute to this recommendation. The establishment of a CRA and its Community Redevelopment Agency will serve to improve the conditions of this blighted area. It will help to improve the living conditions of the residents and encourage much needed economic development in the area.

**Appendix A**  
**Open Code Violations**







STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

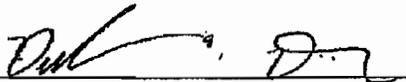
SS:

I, HARVEY RUVIN, Clerk of the Circuit and County Courts, in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said county, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution R-212-05, adopted by the Board of County Commissioners, at its meeting of March 1, 2005., as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 29<sup>th</sup> day of March, A.D., 2007.



HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By:   
Deputy Clerk

Board of County Commissioners  
Miami-Dade County, Florida