MEMORANDUM Agenda Item No. 5(D)

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

DATE: May 15, 2012

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

SUBJECT: Resolution approving amendment to North Miami Beach Community Redevelopment Agency's Redevelopment Plan

The accompanying resolution was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Internal Management and Fiscal Responsibility Committee.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: May 15, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Approving Amendment to North Miami Beach Community Redevelopment Agency's Redevelopment Plan

---

Recommendation
It is recommended that the Board of County Commissioners (BCC) adopt the attached resolution approving the North Miami Beach Community Redevelopment Agency's (CRA's) Redevelopment Plan Amendment (Amended Plan) for the North Miami Beach Community Redevelopment Area (Area).

Scope of Agenda Item
This resolution approves the Amendment to the CRA's Amended Plan, which lies in Commission Districts 2 and 4.

Fiscal Impact / Funding Source
This item simply approves an Amended Plan, of which approval will not require the County to make any additional payments to the CRA.

The CRA's revenue source is 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. The Countywide TIF payment into the CRA's Trust Fund for FY 2011-12 is $176,641. The City of North Miami Beach's (City's) TIF payment into the Trust Fund for FY 2011-12 is $241,794.

The County will continue to make annual payments to the CRA, based on each respective year's growth of ad valorem revenues over the base year, through 2028, when the CRA will sunset. It is important to note, that the life of the CRA will not be extended beyond its current sunset date of 2028 with the approval of this item.

Track Record / Monitor
This resolution does not provide for contracting with any specific entity. The resolution approves the CRA's Amended Plan.

Background
In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969 as it is 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 designated as community redevelopment areas and to delegate redevelopment powers to the agency at the discretion of the County and City, after a finding has been made, determining that slum or blight exists within a defined area.

On November 30, 2004, the BCC adopted Resolution R-1345-04 which found an area to be slum and/or blighted, and delegated to the City the power to create a community redevelopment agency with

the sole power to prepare a Redevelopment Plan (Plan). On June 7, 2005, the BCC approved the establishment of the CRA when it approved the CRA's Plan pursuant to R-611-05 and the funding of the Plan when it enacted Ordinance No. 05-110 (Trust Fund). An Interlocal Agreement between Miami-Dade County and the North Miami Beach CRA was also approved by the BCC on June 7, 2005 (R-611-05). The interlocal agreement delegated all the redevelopment powers to the CRA, with the exception of issuing debt and adopting a redevelopment plan.

The initial Plan was adopted with no site specific or "catalytic" type redevelopment project. Rather, the redevelopment strategy followed was structured around a general development approach under a series of "area wide" programs and strategies such as, development and improvement incentives, beautification and appearance improvements, residential reinvestment programs and infrastructure improvements programs.

On December 19, 2006, the BCC adopted R-1427-06 which approved the CRA's request to seek two Notes in an aggregate amount of $8 million to fund the cost of infrastructure improvements and property acquisitions, in accordance with their initial Plan. One of the taxable notes in the amount of $5 million was to be used to acquire property for a future Transit Oriented Development (TOD) in a private/public partnership with Miami-Dade Transit (MDT). The TOD was for a passenger transfer center to replace the 163rd Street Mall Transit Hub.

After several meetings between MDT, the CRA and the City, there is no final agreement on where the new transit hub would be located. The CRA is looking to use funding from the $5 million taxable note for much needed infrastructure improvements such as water and sewer upgrades in the commercial section of the CRA and perhaps property purchases of vacant land and commercial sites with the intent to seek a public/private partnership for redevelopment activities. As such, under a separate item on this same agenda, the CRA is requesting BCC approval to utilize the funds from the $5 million loan for other property acquisitions other than the one needed for the TOD project.

The Amended Plan was adopted by the CRA on December 5, 2011, and by the City on February 21, 2012 and provides for additional tools and programs to achieve the redevelopment goals of the CRA. Attached is a summary showing the differences from the original to the Amended Plan. Some of the highlights of the Amended Plan include, but are not limited to, the following:

- calls for the CRA to be a leader in the areas of wireless internet provision, LEED development, and commercial façade improvements to enhance the area's desirability for private investment;
- maintains the concept of the TOD but allows the CRA to work with the County to locate the TOD along the US1 corridor should the project move forward;
- lists current and planned CRA capital projects, but still gives the CRA the flexibility to address needs and opportunities as they arise;
- lists opportunities for the CRA and City which are designed to create jobs and economic opportunities, promote small business growth, provide tax incentives and increased access to affordable housing and homeownership opportunities; and
- lists 49 programs that will provide the CRA additional redevelopment tools to respond to the Area needs such as business development and recruitment, direct financial incentives, signage programs and mortgage subsidies.

In general, the Amended Plan provides the Agency with programs and tools to take a more aggressive approach to creating an environment that fosters the private investment needed to achieve redevelopment in the center of the North Miami Beach community.

The Tax Increment Finance Committee reviewed the Amended Plan on January 17, 2012 and recommended it for BCC approval.

Deputy Mayor

Attachments

Mayor 07212

MEMORANDUM
(Revised)

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

DATE: May 15, 2012

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

SUBJECT: Agenda Item No. 5(D)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

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

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

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

_____ **No committee review**

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

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(D)
5-15-12

RESOLUTION NO. _____

RESOLUTION AMENDING COMMUNITY REDEVELOPMENT PLAN REGARDING CERTAIN GEOGRAPHIC AREA WITHIN CITY OF NORTH MIAMI BEACH, FLORIDA KNOWN AND DESCRIBED GENERALLY AS THE TOWN CENTER BOTH TO THE NORTH AND THE SOUTH OF NE 163RD STREET FROM NE 8TH AVE TO BISCAYNE BLVD; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH REDEVELOPMENT PLAN AND SUCH GEOGRAPHIC AREA

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 and Home Rule Charters, which counties in turn are authorized to delegate certain of such power to a community redevelopment agency created pursuant to the Act; and

WHEREAS, on November 30, 2004 the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution No. R-1345-04 which, among other things, declared a certain geographic area of the City of North Miami Beach, described generally as the Town Center both to the North and the South of NE 163rd street from NE 8th Avenue to Biscayne Blvd to be a slum or blighted area, determined that it was necessary to redevelop such Redevelopment Area in accordance with the provisions of the Act, and delegated to the City Council the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Act, to enable the City Council to declare the need

for, create and delegate powers to a community redevelopment agency and to initiate, prepare and adopt a pan of redevelop ment for final approval by the Board; and

WHEREAS, on June 7, 2005 the Board, pursuant to Resolution No. 611-05, adopted the North Miami Beach Community Redevelopment Plan (the "Plan") ; and

WHEREAS, the North Miami Beach Community Redevelopment Agency (the "Agency") has Amended said Redevelopment Plan, a copy of which is attached as Exhibit "A" and incorporated in this Resolution by reference is submitted to this Board; and

WHEREAS, the Board has at this meeting conducted a public hearing with respect to the findings, conclusions and other matters set forth in this resolution; and

WHEREAS, the County is sympathetic to the needs of the Redevelopment Area to reverse the decline which has occurred in the Redevelopment Area; and

WHEREAS, the Board desires to approve the Amended Plan for the purposes outlined in the memorandum from the County Mayor which accompanies this Resolution and is incorporated in this Resolution by reference,

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. This Board accepts the delivery of the Plan and determines that:

(a) The rehabilitation, conservation or redevelopment or a combination of each, of the Redevelopment Area is necessary in the interest of the public health, safety, morals and welfare of the residents of Miami-Dade County and in the interest of implementing the Act by

rehabilitating and revitalizing the area economically and socially, thereby inhibiting the spread of disease and crime, and inter alia improving the tax base, promoting sound growth, and providing improved housing conditions.

(b) A feasible method exists for the relocation of families who will be displaced from the Redevelopment Area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families.

(c) The Plan conforms to the general plan of the County as a whole.

(d) The Plan gives due consideration to the utilization of community policing innovations, and to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the Plan.

(e) The Plan will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the rehabilitation or redevelopment of the Redevelopment Area by private enterprise.

(f) If the Redevelopment Area consists of an area of open land to be acquired by the County to be developed in whole or in part for residential uses such as may be acquired because it is hereby determined that: (i) a shortage of housing of sound standards and design which is decent, safe, affordable to residents of low or moderate income, including the elderly, and sanitary exists in the County; (ii) the need for housing

accommodations has increased in the area; (iii) the conditions of blight in the area or the shortage of decent, safe, affordable and sanitary housing cause or contribute to an increase in the spread of disease and crime or constitute a menace to the public health, safety, morals or welfare; and (iv) the acquisition of the area for residential uses is an integral part of and is essential to the program of the County.

(g) If the Redevelopment Area consists of an area of open land to be acquired by the County so as to be developed in whole or in part for non-residential uses such may be acquired because it is hereby determined that: (i) such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives; (ii) acquisition may require the exercise of governmental action as provided in the Act because of defective, or unusual conditions of, title or diversity of ownership which prevents the free alienability of such land; tax delinquency; improper subdivisions; outmoded street patterns; deterioration of site; economic disuse; unsuitable topography or faulty lot layouts; lack of correlation of the area with other areas of the County by streets and modern traffic requirements; or any combination of such factors or other conditions which retard redevelopment of the area; and (iii) conditions of blight in the area contribute to an increase in and spread of disease and crime or constitute a menace to public health, safety, morals or welfare.

Section 3. This Board further finds and determines that: (a) the Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the Redevelopment Area, zoning and planning changes, if any, land uses, maximum densities and building requirements; (b) the Plan provides for the development of affordable housing in the area, or states the reasons for not addressing in the Plan the development of affordable housing in the area; (c) the Plan conformso with the Act; and (d) the Plan is necessary in the interest of the public health, safety, morals and welfare of the residents of the County and will effectuate the purposes of the Act by revitalizing the Redevelopment Area economically and socially, thereby increasing the tax base, promoting sound growth, improving housing conditions and eliminating the conditions which the Florida Legislature in the Act found constituted a menace which was injurious to the public health, safety, welfare and morals of the residents.

Section 4. The North Miami Beach Community Redevelopment Agency shall terminate on March 1, 2028, unless extended by this Board; and

Section 5. This Board, after having conducted a public hearing on the matter for the purpose of giving all interested parties an opportunity to express their views, notice of which public hearing was published on _____, 2012, in The Miami Herald, a true copy of which notice is attached as Exhibit "B" and made a part of this Resolution, and having made the findings expressed above, approves and adopts the Plan for the Redevelopment Area in accordance with the Act. The Plan is designated as the official redevelopment plan for the Redevelopment Area and it is the purpose and intent of the Board that the Plan, as the same may be amended and supplemented by the Board, be implemented in the Redevelopment Area.

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 15th of May, 2012. 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.

Terrence A. Smith

CITY OF NORTH MIAMI BEACH

cra
NORTH MIAMI BEACH
community redevelopment agency

COMMUNITY REDEVELOPMENT AGENCY

AMENDED REDEVELOPMENT PLAN

2012

EXHIBIT A

NORTH MIAMI BEACH AMENDED COMMUNITY REDEVELOPMENT PLAN
TABLE OF CONTENTS

SECTION 1 GENERAL DESCRIPTION AND HISTORY OF THE COMMUNITY REDEVELOPMENT AREA

A. CRA Boundary Maps
B. Location and Description of the Community Redevelopment Area
C. Legal Description of the Community Redevelopment Area

SECTION 2 CREATION, SEVERABILITY, AND POWERS OF THE COMMUNITY REDEVELOPMENT AGENCY

A. Creation of the Community Redevelopment Agency (the "Agency")
B. Powers of the Agency

SECTION 3 AUTHORITY TO UNDERTAKE REDEVELOPMENT

SECTION 4 FINANCIAL AND BUDGET

A. Finance and Budget Process
B. Tax Increment Projections
C. Bonding Authority
D. Allocation and Expenditure of Non-Bond Related TIF Revenue
E. Administration

SECTION 5 CAPITAL IMPROVEMENT PROGRAM

A. CIP Policy and Strategy
B. CIP Completed Projects
C. CIP Ongoing Projects and Projects Underway
D. Land Acquisition Policy, Strategy and Protocols
E. Redevelopment Activities & Infrastructure Projects UPDATED

SECTION 6 CRA INNOVATIONS AND INITIATIVES

A. Areawide Façade Improvement Program
B. Commercial Security Grant Program
C. Expansion of Capital for Immediate Reinvestment

SECTION 7 COMMUNITY REDEVELOPMENT AREA PROGRAMS AND TOOLS

A. Economic Development and Job Creation Programs

1. Direct Financial Incentives to Generate New Private Development
2. Direct Financial Incentives to Stimulate Property Improvements
3. Financial Incentives for New Businesses
4. Rehabilitation of Vacant Commercial Buildings
5. Marketing Research
6. Advertisement and Promotions
7. CRA Web Page and Video Web Site to Promote Redevelopment Area Business
8. Business and Developer Recruitment *UPDATED*
9. Business Incentive Loans *UPDATED*
10. Coalition of Financial Institutions

B. Beautification and Appearance Improvement

1. Clean-up Program
2. Signage/Entry Feature
3. Landscaping/Streetscaping Programs
4. Paint-Up/Fix-Up
5. Pedestrian Amenities
6. Signage Program
7. Art in Public Places
8. Continuing Maintenance Responsibilities

C. Infrastructure Improvement Programs

1. Street, Sidewalk, and Alley Improvements
2. Stormwater Drainage Improvements
3. Sanitary Sewer Installations
4. Parking Facilities
5. Underground Utilities

D. Environmental Clean-up Programs

1. Brownfields
2. Environmental Clean-Up

E. Redevelopment Advocacy

1. Redevelopment Advocacy Activities
2. Provide Matching Funds for Grants

F. Code Enforcement Enhancement *UPDATED*

G. Community Policing Innovations

13

SECTION 8 SAFEGUARDS TO ENSURE REDEVELOPMENT ACTIVITIES FOLLOW THE REDEVELOPMENT PLAN

A. Safeguards to Ensure Financial Accountability
B. Safeguards to Ensure Proper Implementation and Project/Program Accountability
C. Safeguards Through Retention of Certain Powers by the City

SECTION 9 COMMUNITY REDEVELOPMENT AGENCY GOALS, OBJECTIVES, AND POLICIES IN ACCORDANCE WITH CITY'S COMPREHENSIVE PLAN

A. Encouragement of Private Enterprise
B. Compliance with City of North Miami Beach Comprehensive Plan and Land Development Regulations
C. Goals, Objectives and Policies

SECTION 10 REDEVELOPMENT PLAN AMENDMENT PROCESS

SECTION 11 NEIGHBORHOOD IMPACT OF PROGRAMS

A. Land Use, Zoning and Development Approvals
B. Effect on Traffic
C. Effect on Community Facilities
D. Effect on Schools

SECTION 12 APPENDIX
INTERLOCAL AGREEMENT

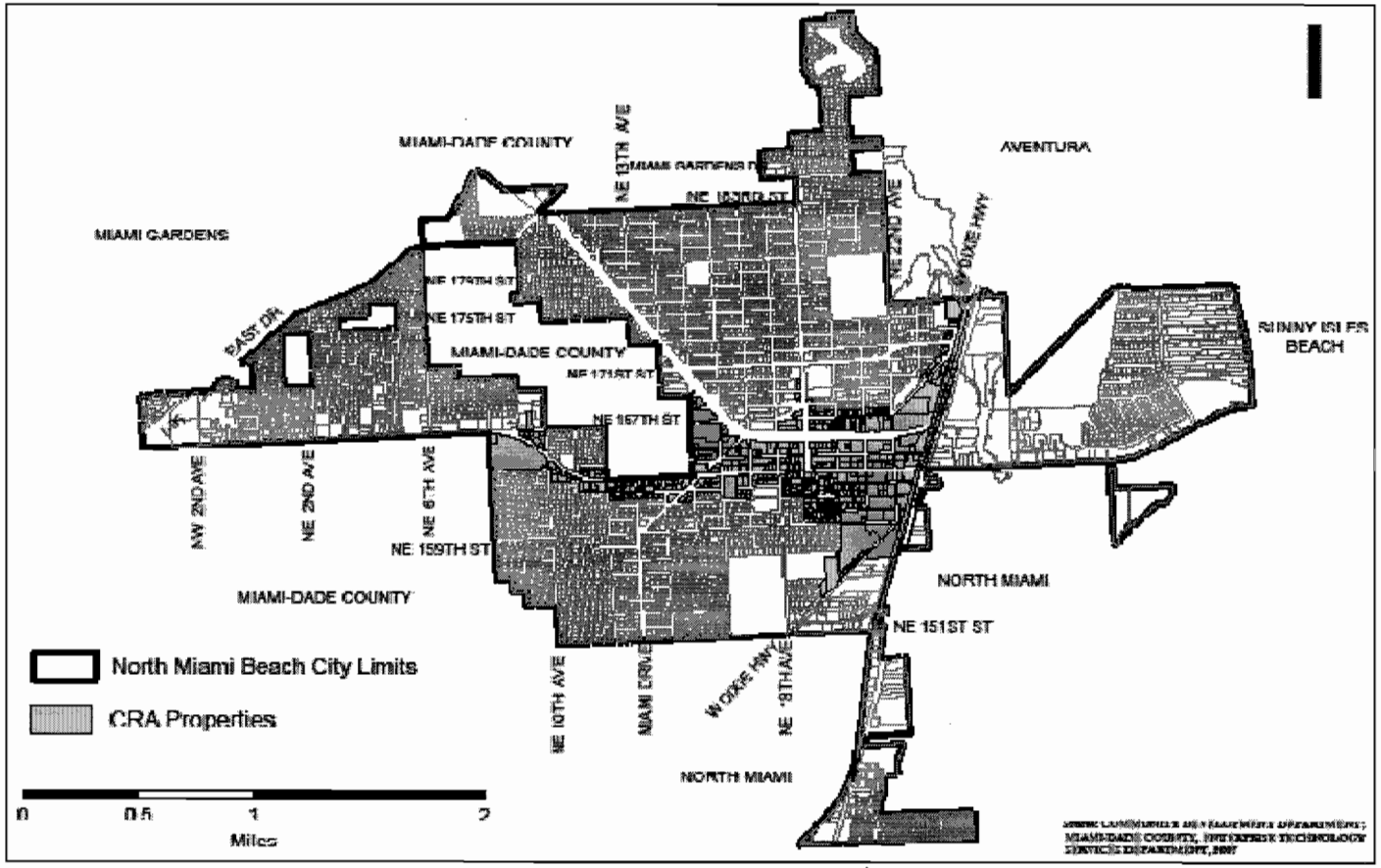
GENERAL DESCRIPTION OF COMMUNITY REDEVELOPMENT AREA

A. CRA BOUNDARY MAPS

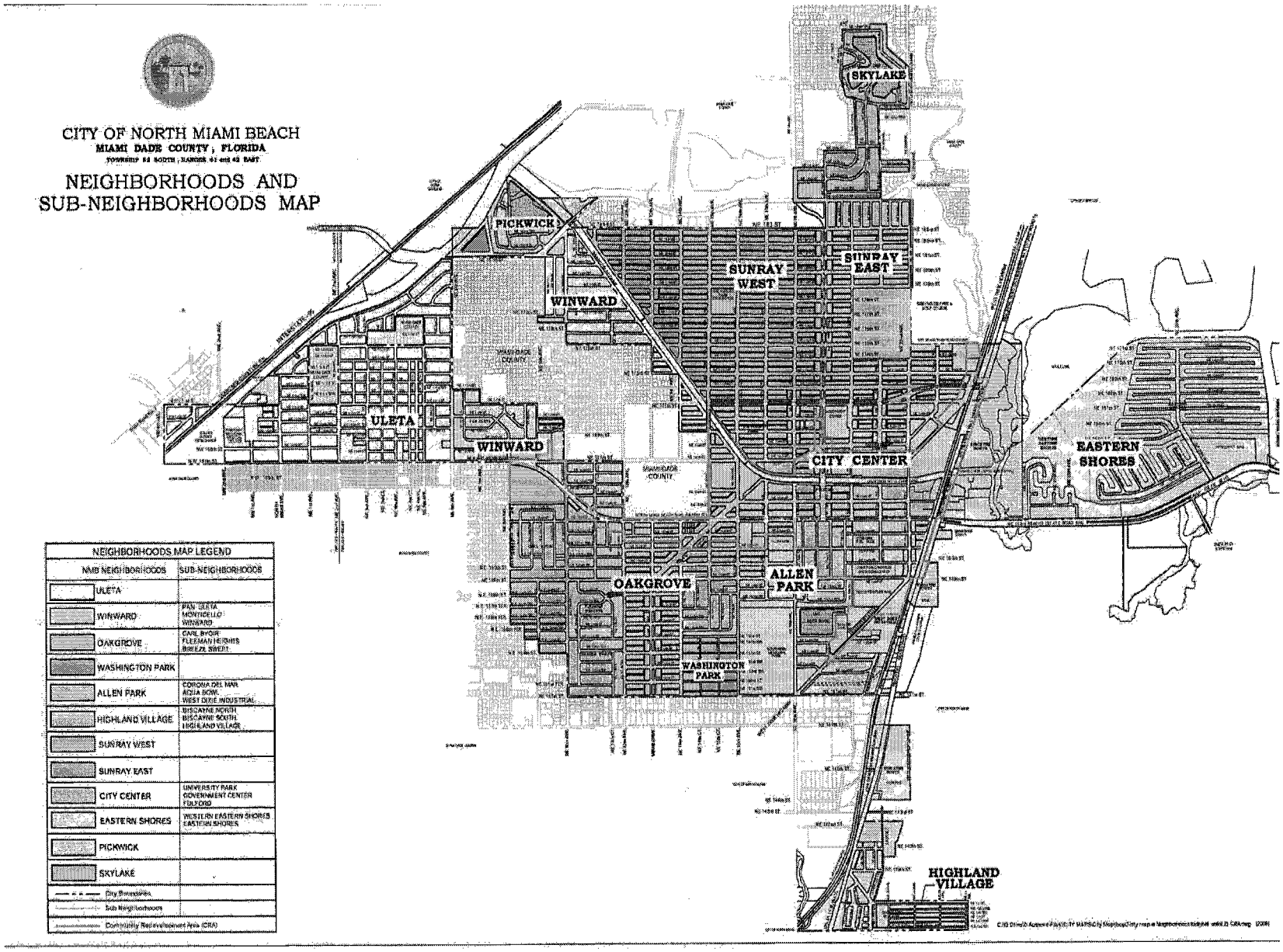
B. LOCATION AND DESCRIPTION OF THE AREA

C. LEGAL DESCRIPTION OF THE CRA AREA

A.CRA BOUNDARY MAPS



17050 N.E. 19th Avenue North Miami Beach, FL 33162 Tel: 305.948.2966 Fax: 305.957.3517 Planning & Zoning Division	City of North Miami Beach Comprehensive Plan	CRA Properties	Map 1.0


CITY OF NORTH MIAMI BEACH
MIAMI DADE COUNTY, FLORIDA
NEIGHBORHOODS AND
SUB-NEIGHBORHOODS MAP
SKYLAKE
PICKWICK
SUNRAY WEST
SUNRAY EAST
WINWARD
ULETA
WINWARD
CITY CENTER
EASTERN SHORES
OAKGROVE
ALLEN PARK
WASHINGTON PARK
HIGHLAND VILLAGE
NEIGHBORHOODS MAP LEGEND
NMB NEIGHBORHOODS
SUB-NEIGHBORHOODS
ULETA
WINWARD
PAN ULETA
MONTICELLO
WINWARD
OAKGROVE
CARL BYOIR
FLEEMAN HEIGHTS
BREEZE SWEET
WASHINGTON PARK
ALLEN PARK
CORONA DEL MAR
AQUA BOW
WEST DIXIE INDUSTRIAL
HIGHLAND VILLAGE
BISCAYNE NORTH
BISCAYNE SOUTH
HIGHLAND VILLAGE
SUNRAY WEST
SUNRAY EAST
CITY CENTER
UNIVERSITY PARK
GOVERNMENT CENTER
FOLKOND
EASTERN SHORES
WESTERN EASTERN SHORES
EASTERN SHORES
PICKWICK
SKYLAKE
City Boundaries
Sub Neighborhoods
Community Redevelopment Area (CRA)

B. LOCATION AND DESCRIPTION OF THE AREA

The North Miami Beach community redevelopment area is located at what is essentially the center of the North Miami Beach community. The major east/west highway is S.R. 826, which within the CRA is also known as NE 163 Street and North Miami Beach Boulevard.

The CRA extends approximately two miles east/west from Biscayne Boulevard to NE 8 Avenue, on both the north and south sides of S.R. 826.

The north/south centerline is NE 15 Avenue, from NE 171 Street (the intersection of NE 15 Avenue and the Snake Creek Waterway) south to NE 161 Street. The Mall at 163rd Street, located just west of NE 15 Avenue and just north of NE 163 Street, is not within the City's boundaries and therefore not within the CRA.

The CRA also extends north along NE 19 Avenue to NE 170 Street just south of the City Complex that includes City Hall, the Police Department Facility, Julius Littman Performing Arts Theater, McDonald Center, Victory Park, and Public Services Administrative Center. The City Complex is not included in the CRA.

On the east, the CRA is bounded for the most part by the east right-of-way line of Biscayne Boulevard. However, the highway "spine" along the east portion of the CRA is West Dixie Highway, from the City boundary at NE 175 Street on the north to NE 154 Street on the south.

This is the originally adopted boundary. The Amended Plan does not alter the original boundary.

C. LEGAL DESCRIPTION

CITY OF NORTH MIAMI BEACH, FLORIDA
COMMUNITY REDEVELOPMENT AREA

Adopted 2005
Readopted 2010

Being a portion of Sections 7, 8, 9, 16, 17, and 18, Township 52 North, Range 42 East, all the following plats recorded in the Public Records of Miami-Dade County, Florida and being more particularly described as follows:

Begin at the intersection of the centerlines of S.R. #826 and of NE 8th Avenue as shown on Right-of-Way Map of said S.R. #826 Section No. 87510-2250, Sheet 4 of 5; thence Southerly along the centerline of said NE 8th Avenue for 963 feet, more or less, to the Westerly projection of the Southerly line of Tract "A" of CARL BYOIR SUBDIVISION as recorded in Plat Book 53, Page 29; thence Easterly along said Southerly line of Tract "A" for 1,287 feet, more or less, to the Westerly right-of-way line of NE 10th Avenue; thence Southerly along said Westerly right-of-way for 400 feet, more or less, to the Southerly right-of-way line of NE 163rd Street; thence Easterly along said Southerly right-of-way line for 671 feet, more or less, to the Westerly right-of-way line of NE 11th Avenue; thence Southerly along said Westerly right-of-way line for 225 feet, more or less; thence Easterly along the Southerly line of Lots 3 and 12, Block 14 of UNIT NO. 3 MONTICELLO PARK as recorded in Plat Book 44, Page 73, and its Westerly projection thereof for 230 feet, more or less, to the Westerly right-of-way line of NE 11th Court; thence Southerly along said Westerly right-of-way line for 75 feet, more or less; thence Easterly along the Southerly line of Lot 4, Block 15 OF UNIT NO. 3 MONTICELLO PARK and its Westerly and Easterly projection thereof for 320 feet, more or less, to the Westerly right-of-way line of NE 12th Avenue; thence Southerly along said Westerly right-of-way line for 175 feet, more or less, to the Westerly projection of the Southerly line of an alley between NE 161st Street and NE 162nd Street; thence Easterly along said Southerly line of alley for 1255 feet, more or less, to the Westerly right-of-way line of NE 14th Avenue; thence Southerly along said Westerly right-of-way for 180 feet, more or less, to the Southerly right-of-way line of NE 161st Street; thence Easterly along Southerly right-of-way line for 740 feet, more or less, to the Easterly right-of-way line of NE 15th Avenue; thence Northerly along said Easterly right-of-way line for 190 feet, more or less, to the Southerly line of an alley between NE 161st Street and NE 162nd Street; thence Easterly along said Southerly line for 580 feet, more or less, to the Westerly right-of-way line of NE 16th Avenue; thence Southerly along said Westerly right-of-way line for 190 feet, more or less, to the Southerly right-of-way line of NE 161st Street; thence Easterly along said Southerly right-of-way line for 740 feet, more or less, to the Easterly right-of-way line of NE 17th Avenue; thence Northerly along said Easterly right-of-way line for 320 feet, more or less, to the Southerly right-of-way line of NE 162nd Street; thence Easterly along said Southerly right-of-way line for 580 feet, more or less, to the Westerly right-of-way line of NE 18th Avenue; thence Southerly along said Westerly right-of-way line for 320 feet, more or less, to the Southerly right-of-way line of NE 161st Street; thence Easterly along said Southerly right-of-way line for 495 feet,

19

more or less, to the Westerly right-of-way line of NE 18th Place; thence Southerly along said Westerly right-of-way line for 674 feet, more or less, to the Southerly right-of-way line of NE 159th Street; thence Easterly along said Southerly right-of-way line for 825 feet, more or less, to a point being the Northwesterly corner of Tract 'B' of PEOPLES GAS SUBDIVISION as recorded in Plat Book 142, Page 55; thence Southerly along the Westerly boundary line of said Tract 'B' for 638 feet, more or less; thence Westerly along the Southerly line of Block 1 of FULFORD HOMES as recorded in Plat Book 55, Page 55, for 99 feet, more or less, to the Northwest corner of Tract 'C' of said PEOPLES GAS SUBDIVISION Plat; thence Southerly along the Westerly line of said Tract 'C' for 40 feet; thence Westerly for 50 feet, more or less, to the Easterly shoreline of a lake; thence Southerly for 85 feet, more or less, to the Northerly line of Aqua Bowl Park; thence Westerly along the Northerly boundary line of said park for 235 feet, more or less, to the Northwesterly corner of said park; thence Southerly along the Westerly boundary line of said park for 540 feet, more or less, to the Northeast corner of Block 1 of ECONOMY HOMESITES as recorded in Plat Book 44, Page 74; thence Southwesterly along the Northwesterly line of Lot 11 of said Block 1, and its Southwesterly projection line for 245 feet, more or less, to the Westerly right-of-way line of NE 19th Avenue; thence Southerly along said Westerly right-of-way line for 274 feet, more or less, to the Southwesterly right- of way line of NE 154th Avenue; thence Southeasterly along said Southwesterly right-of way line for 88 feet, more or less, to the Northwesterly right-of-way line of West Dixie Highway; thence Southwesterly along said Northwesterly right-of-way line for 90 feet, more or less; thence Southeasterly for 70 feet, more or less, to the Southeasterly right-of-way line of said West Dixie Highway; thence Northeasterly along said Southeasterly right-of-way line for 60 feet, more or less, to the Southerly right-of-way line of NE 154th Street; thence Easterly along said Southerly right-of-way line for 145 feet, more or less; thence Northerly for 70 feet to the Northerly right-of-way line of said NE 154th Street; thence Westerly along said Northerly right-of-way line for 75 feet, more or less, to the Southeasterly right-of-way line of said West Dixie Highway; thence Northeasterly along said Southeasterly right-of-way line for 1350 feet, more or less, to a point being the Northwesterly corner of Tract "A" of ADELE SUBDIVISION as recorded in Plat Book 126, Page 80; thence Easterly along the exterior Northerly line of said Tract "A" for 564 feet, more or less, to the Westerly right-of way line of FEC Railroad; thence Northeasterly along said right-of-way line for 900 feet, more or less, to the Easterly projection of the Southerly right-of-way line of NE 159th Street; thence Easterly along said Easterly projection of the Southerly right-of-way line for 275 feet, more or less, to the Easterly right-of-way line of S.R. #5 as shown on Right-of-Way Map of said S.R. #5 Section 87030-2573, Sheet 3 of 7; thence Northeasterly along said Easterly right-of-way line for 400 feet, more or less, to the Northwesterly corner of Tract A of BELL GROVE TRACT as recorded in Plat Book 121, Page 37, the following three (3) courses being along the city limits of the City of North Miami Beach; (1) thence Westerly along the Westerly projection of the Northerly line of said Tract A for 125 feet, more or less, to the Westerly right-of-way line of said S.R. #5; (2) thence Northerly along said Westerly right-of way line for 1,050 feet, more or less, to the centerline of S.R. #826 lying 50 feet South of the Northerly right-of-way line of said S.R. #826 as shown on said S.R. #5 Right-of-way Map; (3) thence Easterly along said centerline for 125 feet, more or less, to the Easterly right-of way line of said S.R. #5; thence Northeasterly along said Easterly right-of-way line for 3,485 feet, more or less, to the Easterly projection of the Northerly line of the South 600 feet of Tract C of MAULE FEDERAL HIGHWAY INDUSTRIAL SITES as recorded in Plat Book 46, Page 55; thence Westerly along said Northerly line and its projection thereof for 340 feet, more or less, to the Westerly right-of-way line of said FEC Railroad; thence Northerly along said Westerly right-of-way line for 475 feet, more or less, to the Southeasterly projection of the

Northeasterly line of Tract 1 of LEADER SUBDIVISION as recorded in Plat Book 82, Page 17, the following three (3) courses being along the exterior boundary line of said LEADER SUBDIVISION Plat; (1) thence Northwesterly the said Northeasterly line for 398 feet, more or less, to the Northeasterly corner of said Tract 1; thence Westerly along the Northerly line of said Tract 1 and also being the city limits of the City of North Miami Beach for 245 feet to the Northwesterly corner of said Tract 1; thence Southerly along the Westerly line of said Plat for 700 feet, more or less, to the centerline of NE 173rd Street; thence Southwesterly along the Westerly line of an alley which lies in between Blocks 30 and 31 of FULFORD BY THE SEA SECTION "C" as recorded in Plat Book 25, Page 8, for 700 feet, more or less, to the Northerly right-of-way line of NE 171st Street; thence Westerly along said Northerly right-of-way line for 120 feet, more or less, to a point of intersection of the Northerly projection of the Westerly line of an alley which runs through Block 4 of GREYNOLDS PARK GARDENS as recorded in Plat Book 47, Page 32, the following two (2) courses being along said Westerly line of alley; (1) thence Southerly for 131 feet, more or less; (2) thence Southwesterly for 580 feet, more or less, to the Southwesterly right-of-way line of NE 170th Street; thence Southeasterly along said right-of-way line for 155 feet, more or less, to the Northwesterly right-of-way line of West Dixie Highway; thence Southwesterly along said Northwesterly right-of-way line for 810 feet, more or less, to the Easterly projection of the Northerly line of an alley which runs between NE 167th Street and NE 168th Street, and also being through Blocks 55 thru 57 of FULFORD BY THE SEA SECTION "D" as recorded in Plat Book 8, Page 58; thence Westerly along said Northerly line of alley for 1920 feet, more or less, to the Southwesterly corner of Lot 7 of said Block 57; thence Northerly for 330 feet, more or less, to the Northerly line of an alley which runs through Blocks 52 of said FULFORD BY THE SEA SECTION "D" Plat; thence Westerly along said Northerly line of alley for 156 feet, more or less, to the Easterly right-of-way line of NE 19th Avenue; thence Northerly along said Easterly right-of-way line for 425 feet, more or less; thence Westerly for 225 feet, more or less, to the Westerly line of an alley which runs through Block 46 of said Plat; thence Southerly along said Westerly line for 720 feet, more or less, to the Northwesterly right-of-way line of Miami Drive; thence Southwesterly along said right-of-way line for 570 feet, more or less, to the Westerly right-of-way line of NE 18th Avenue; thence Southerly along said Westerly right-of-way line for 275 feet, more or less, to the Northerly right-of-way line of Canal C-9, as shown on Canal's C-9 Right-of-Way Map; thence meander Westerly and Northwesterly along the Northerly and Northeasterly right-of- way line of Canal C-9 for 2700 feet, more or less, to the centerline of NE 15th Avenue; thence Southerly along said centerline for 2690 feet, more or less, to the centerline of S.R. #826, as shown on Right-of-Way Map of said S.R. #826 Section 87510-2250, Sheet 4 of 5; thence Westerly along said centerline for 1980 feet, more or less, to the centerline of NE 12th Avenue; thence Northerly along said centerline for 357 feet, more or less, to the Northerly right-of-way line of NE 164th Street; thence Westerly along said Northerly right-of-way line for 686 feet, more or less, to the Westerly right-of-way line of NE 11th Avenue; thence Southerly along said Westerly right-of-way line for 130 feet, more or less, to the Northerly right-of-way line of said S.R. #826 as shown on said Right-of-Way Map; thence Northwesterly along said Northerly right-of-way line for 770 feet, more or less, to the Easterly right-of-way line of NE 10th Avenue; thence Northerly along said Easterly right-of way line for 660 feet, more or less, to the Northerly right-of-way line of NE 167th Street; thence Westerly along said Northerly right-of-way line for 366 feet, more or less, to the Southwesterly corner of Tract 'C' of NEWLAN SUBDIVISION as recorded in Plat Book 71, Page 98; thence Northerly along the Westerly line of said Plat for 438 feet to a point; thence Westerly for 166 feet, more or less, to the Northeasterly corner of Tract A of S. L. & S. SUBDIVISION as recorded in Plat Book 98, Page 38; thence Southerly along the Easterly line of said

Plat for 313 feet, more or less, to the Southeasterly corner of said Tract A; thence Westerly along the Southerly line of said Tract A and its Westerly projection for 246 feet, more or less, to the Westerly right-of-way line of NE 9th Avenue; thence Southerly along said Westerly right-of-way line for 85 feet, more or less, to the Northerly right-of-way line of NE 167th Avenue, the following two (2) courses as shown on said Right-of-Way Map of S.R. #826; (1) thence Westerly along said Northerly right-of-way line for 635 feet, more or less, to the centerline of NE 8th Avenue; (2) thence Southerly along said centerline for 40 feet to the Point of Beginning.

Prepared by: Fortin, Leavy, Skiles, Inc.
Consulting Engineers, Surveyors, Mappers
Florida certificate of authorization number: 00003653
180 Northeast 168th Street
North Miami Beach, Florida 33162
Phone: 305-653-4493 Email: fls@flssuvervey.com
Date: July 27, 2004 Scale: NONE Job. No. 040798
Dwg. No. 1004-086 Drawn by: GEM Cad. No. 040798
Plotted: 7/27/04 3:10p
Registered Land Surveyor: Daniel C. Fortin, Certificate No. 2853, State of Florida

CREATION, DEVELOPABILITY, AND POWERS OF THE COMMUNITY REDEVELOPMENT AGENCY

A. CREATION OF THE COMMUNITY REDEVELOPMENT AGENCY

B. POWERS OF THE AGENCY

A. CREATION OF THE COMMUNITY REDEVELOPMENT AGENCY (THE "AGENCY")

The North Miami Beach Community Redevelopment Agency was created and adopted its initial redevelopment plan in 2005. A brief history of the Agency's evolvement is as follows:

- **September 14, 2004**

North Miami Beach City Council adopted Resolution No 2004-57 providing a Finding of Necessity declaring that a blighted area as defined in Section 163.340, F.S. existed within the City's boundaries and further declared that the rehabilitation, conservation, redevelopment, or a combination thereof, of this area was necessary in the interest of public health, safety, morals, or welfare of the residents of the City.

- **November 30, 2004**

The Board of County Commissioners of Miami-Dade County adopted Resolution R1345-04 declaring that a slum or blighted area existed in the geographic area described by map and legal description, determined that it was necessary to redevelop such Redevelopment Area in accordance with the provisions of Part III of Chapter 163, F.S. and delegated to the North Miami Beach City Council the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Part III of Chapter 163, F.S. to enable the City Council to declare the need for, create and delegate powers to a community redevelopment agency, and to initiate, prepare and adopt a plan of redevelopment for final approval by the Board of County Commissioners of Miami Dade County.

- **December 21, 2004**

The North Miami Beach City Council adopted Resolution R2004-86 accepting a delegation of powers from the Board of County Commissioners of Miami Dade County, found a need for, and created the Agency, declared the members of the City Council to be the members of the Agency, granted the Agency the power to exercise all powers permitted by Chapter 163, Part III, F.S. which

were delegated by the Board of County Commissioners of Miami Dade County to the Agency and directed the initiation, preparation and adoption of a community redevelopment plan by the Agency.

- **February 5, 2005**

The North Miami Beach City Council adopted Resolution R2005-05 giving final approval to the North Miami Beach CRA Plan.

- **June 7, 2005**

The Board of County Commissioners of Miami Dade County approved the North Miami Beach CRA Plan. The Plan was initially granted a 10-year life. The Board of County Commissioners of Miami Dade County adopted Ordinance 05-110 to create a community redevelopment trust fund (TIF)

- **October 11, 2005**

An Interlocal Cooperation Agreement between Miami Dade County, the City of North Miami Beach, and the North Miami Beach Community Redevelopment Agency was executed. A copy of the formal and complete Interlocal Cooperation Agreement is included in this plan as appendix A.

- **November 21, 2006**

Subsequently, the North Miami Beach CRA (Resolution R 2006-48 – November 21, 2006) and Miami Dade County (Relevant to Plan, Resolution 611-05, Relevant to Trust Fund, Ordinance 05-110, Relevant to Revenue Note, Resolution 1427-06) adopted legislation approving the issuance of two loans, and Miami Dade County approved the extension of the life of the Agency to coincide with the schedule for repayment of the loans.

The Agency should focus its resources on creating an environment to encourage private investment. In many instances this will require the Agency to establish public/private partnerships.

The Agency is a public body and is constituted as a public instrumentality. The composition of the Community Redevelopment Board (the "Board") shall adhere to the requirements established in Section 163.356, *Florida Statutes*, and Section 163.357, *Florida Statutes*. The agency shall have a maximum life of operation as provided by state law. The adoption of this plan shall trigger terms of Section 163.387(2) (a) and Section 163.362(10), *Florida Statutes*. This Amended Plan does not extend the life of the Agency beyond 2028.

163.387(2)(a). Except for the purpose of funding the trust pursuant to subsection (3), upon the adoption of an ordinance providing for funding of the redevelopment trust fund as provided in this section, each taxing authority shall, by January 1 of each year, appropriate to the trust fund for so long as any indebtedness pledging increment revenues to the payment thereof is outstanding (but not to exceed 30 years) a sum that is no less than that increment as defined and determined in subsection (1) or paragraph (3)(b) accruing to such taxing authority. If the community redevelopment plan is amended or modified pursuant to s. 163.361(1), each such taxing authority shall make the annual appropriation for a period not to exceed 30 years after the date the governing body amends the plan but no later than 60 years after the fiscal year in which the plan was initially approved or adopted However, for any agency created on or after July 1,2002, each taxing authority shall make the annual appropriation for a period not to exceed 40 years after the fiscal year in which the initial community redevelopment plan is approved or adopted.

163.362(10). Provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved, adopted, or amended pursuant to s. 163.361(1). However, for any agency created after July 1,2 002, the time certain for completing all redevelopment financed by increment revenues must occur within 40 years after the fiscal year in which the plan is approved or adopted.

B. POWERS OF THE AGENCY

The powers of the Agency shall be in compliance with Chapter 163, Part III, Florida Statutes. All powers provided by the governing statute shall be granted to the Agency unless

1) All powers of the Agency are controlled and delegated by the Board of County Commissioners of Miami Dade County through the Interlocal Agreement.
2) These powers are specifically prohibited by the existing Interlocal Agreement between the City of North Miami Beach and the Agency.
3) These powers are removed from Agency control and placed with the City Council of North Miami Beach

POWERS WIHTHELD FROM THE AGENCY

These powers shall be vested in the City Council unless specifically assigned to the Miami-Dade Board of County Commissioners under the Interlocal Agreement

- The power to determine an area to be appropriate for Community Redevelopment.
- The power to grant final approval to Community Redevelopment plans and modifications.
- The power to authorize the issuance of revenue bonds or debt instruments.
- The power to approve the development of community policing innovations.
- The power of eminent domain.
- The power to approve the acquisition, demolition, removal, or disposal of property as provided in F.S. Section 163.370(3) and the power to assume responsibility to bear loss as provided in F.S. section 163.3.70(3).
- The power to zone or rezone or make exceptions from building regulations or to enter into agreements with a housing authority.
- The power to close, vacate, plan, or re-plan streets, roads, sidewalks, ways, or other places and to plan or re-plan any part of the City.

AUTHORITY TO UNDERTAKE REDEVELOPMENT

AUTHORITY TO UNDERTAKE REDEVELOPMENT

The amended North Miami Beach Community Redevelopment Plan has been prepared in accordance with the Community Redevelopment Act, Chapter 163, Part III, Florida Statutes. The adoption of this amended Plan, and any subsequent modifications or amendments, shall follow the procedures as required by public hearings and the adoption of the necessary resolutions and ordinances. This amended Plan does not extend the life of the Agency beyond 2028.

In recognition of the need to prevent the spread of and eliminate the existence of slum and blighted conditions within the community, the Community Redevelopment Act confers upon counties and municipalities the authority and powers to carry out "Community Redevelopment Activities." For purposes of the Agency's Plan, the following definitions as provided in Chapter 163, Part III, Florida Statutes, shall apply:

"Community Redevelopment or redevelopment means undertakings, activities or projects of a county, municipality or Community Redevelopment Agency in a Community Redevelopment Area for the elimination and prevention of the development or spread of slums and blight for the provision of affordable housing, whether for rent or sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a Community Redevelopment Area, or any combination or part thereof, in accordance with a Community Redevelopment plan and may include the preparation of such a plan."

INTERLOCAL AGREEMENT

BETWEEN THE AGENCY, THE CITY, AND MIAMI-DADE COUNTY

The Interlocal Agreement between the City of North Miami Beach, Miami-Dade County, and the North Miami Beach Community Redevelopment Agency was executed and effective in 2005.

The Interlocal Agreement delineates the delegation of powers as provided in FS 163.370 and also delineates powers retained, and required approvals by the North Miami Beach City Council and the Miami-Dade Board of County Commissioners. The Interlocal Agreement establishes the term of the life of the Agency, procedures for coordination between the County and the City/Agency, and delineates required approval procedures for certain redevelopment activities and for the Agency's annual budget.

30

A summary of conditions and requirements is listed below:

1. Implementation of Plan

A. The Plan, and any amendments and supplements to the Plan must be approved by the Miami-Dade County Board of Commissioners.

B. The Plan, as approved by the Miami-Dade Board of County Commissioners initially in 2005 was for a period of ten (10) years. Subsequently, the life of the Agency was extended to the year 2028.

C. Establishes a cap of 20% of funds to be used for total administrative expenses, and no more than 6% to be allocated to indirect and overhead expenses.

D. Establishes a "County Administrative Fee" to be charged annually.

2. City/County Coordination

A. Provides for the County to designate a Redevelopment Area Coordinator to serve as the County's liaison to the City and the Agency.

B. Requires County approval with regard to indebtedness and bond financing, acquisition, disposition and relocation activities.

C. Requires submission and approval procedures for the Agency's annual budget.

3. Land disposition

A. Requires that any disposition of land shall be accomplished in accordance with applicable provisions of federal, state and local law, the Plan and the Interlocal Agreement.

31

4. Other Redevelopment Area Activities

A. Addresses relocation activities, requiring adherence to procedures set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

B. Requires preparation and distribution of an annual report in accordance with Section 163 F.S.

THE COMPLETE INTERLOCAL AGREEMENT REFERENCED IN THIS SECTION IS ATTACHED ON SECTION 12 (APPENDIX)

FINANCIAL AND BUDGET

A. FINANCE AND BUDGET PROCESS

B. TAX INCREMENT PROJECTIONS

C. BONDING AUTHORITY

D. ALLOCATION AND EXPENDITURE OF NON-BOND RELATED TIF REVENUE

E. ADMINISTRATION

A. FINANCE AND BUDGET PROCESS

The Agency's primary revenue source is generated through Tax Increment Financing (TIF) as defined in Section 163.387, F.S.. In addition to TIF, the Agency shall have the authority to pursue public funding through grants and loans, and private revenue through loans, contributions, disposal of any real property, mortgages, hypothecation, bond anticipation notes, lines of credit, and bond issues backed primarily by TIF. For purposes of successfully implementing the redevelopment strategy as presented, it is imperative to have a fully funded (at least 50% as per statute) TIF mechanism for the life of the Agency as established by the latest CRA Plan adopted by the City. Under certain conditions, the law allows a CRA to extend its life as well as the maturity date of its bonds. It should be understood that the purpose of this updated and amended plan is not to extend the life of the Agency or its supporting TIF funding mechanism.

33

B. TAX-INCREMENT PROJECTIONS

The CRA was established in 2005 and the County approval was initially for a period of 10 years, and was subsequently extended to the year 2028 by subsequent County action.

Projecting TIF Revenues: How TIF Works

Annual Tax-Increment Financing (TIF) revenues are determined utilizing the formula delineated by Florida Statutes.

A simple "straight-line" version of this formula is depicted on the following page. Other factors such as historic growth trends and market conditions can be interpolated to project future TIF growth.

North Miami Beach Community Redevelopment Area Five-Year Projected Annual Tax Increment Revenues

It is important for any future planning that the CRA Board of Commissioners has up to date TIF projections. This will serve as vital information to assist the CRA Board when entering into multi-year commitments. It will also provide a basis upon which to negotiate public-private partnerships and in preparing annual budgets. This redevelopment plan delineates all investment and leverage strategies that are allowable under the governing state statutes for redevelopment agencies. While it is imperative that the Agency avail itself to these investment vehicles, it is also important to monitor the impending federal initiatives to provide infrastructure funding as part of a comprehensive economic stimulus package. The Agency should utilize its TIF resources to maximize its potential to deliver revenue for its parent city. This plan recognizes that the statutorily defined time limitations on the life of the TIF mechanism, the ability to secure an investment grade bond rating as well as bond insurance, and other existing agency financial obligations may impede the agency's ability to generate capital through traditional debt instruments. A more innovative set of strategies may be required to generate capital.

34

YEAR	City TIF	County TIF	Total TIF
2010/11	$692,319	$446,570	$1,138,889
2011/12	$413,567	$176,641	$590,208
2012/13	$389,429	$251,196	$640,625
2013/14	$417,468	$269,282	$686,750
2014/15	$447,526	$288,670	$736,196
2015/16	$479,748	$309,454	$789,202

C. BONDING AUTHORITY

The Agency has the authority, subsequent to the approval of the City Council and the Miami Dade County Board of Commissioners to issue redevelopment bonds which pledge the annual TIF revenue stream as the source of repayment. The Agency shall have the authority granted by Section 163.385, F.S. at the time of bond or any debt instrument issuance.

It is the intent of the CRA Plan to provide maximum flexibility with regard to the financial arrangements and deal structures, which utilize these funds for capital investment. The Agency intends to use full authority granted by this Plan and Chapter 163, *Florida Statutes,* and all covenants delineated in an Official Statement that will be prepared to govern any bond issue. Further, the agency intends to utilize the maximum term of life for the TIF mechanism as provided in Section 168.387(2)(a) and Section 163.362(10), F.S.

35

D. ALLOCATION AND EXPENDITURE OF NON-BOND RELATED TIF REVENUE

As prescribed in the Powers section of this Plan (Section 2) the Agency shall have the authority to expend funds for all professional and administrative services necessary to carry out the implementation of the redevelopment strategies and programs in this Plan. In addition, the Agency is authorized to expend funds for completion of audits and other statutorily required reports with TIF revenue. The Agency shall also prepare a budget on an annual basis, which addresses the expenditure of all TIF trust fund revenue

If workable, the CRA TIF budget should be prepared and adopted in accordance with the City's budget authorization, the same schedule, public hearings, workshops, and legal notices. All TIF funds shall be expended or encumbered as set forth in Section 163.387, F.S. Any funds not expended in a fiscal year shall be allocated as prescribed by Section 163.387(7)(a-d).

E. ADMINISTRATION

The Agency may incur costs for management and administration activities. The Agency will be empowered to pay costs associated with management and administration of the Agency, including but not limited to, salaries and benefits for staff, operating supplies, vehicles, professional consulting, legal and engineering services, software and equipment.

36

CAPITAL IMPROVEMENT PROGRAM

A. CAPITAL IMPROVEMENT PROJECT (CIP) POLICY AND STRATEGY

B. CIP COMPLETED PROJECTS

C. CIP ONGOING PROJECTS AND PROJECTS UNDERWAY

D. LAND ACQUISITION POLICY, STRATEGY AND PROTOCOLS

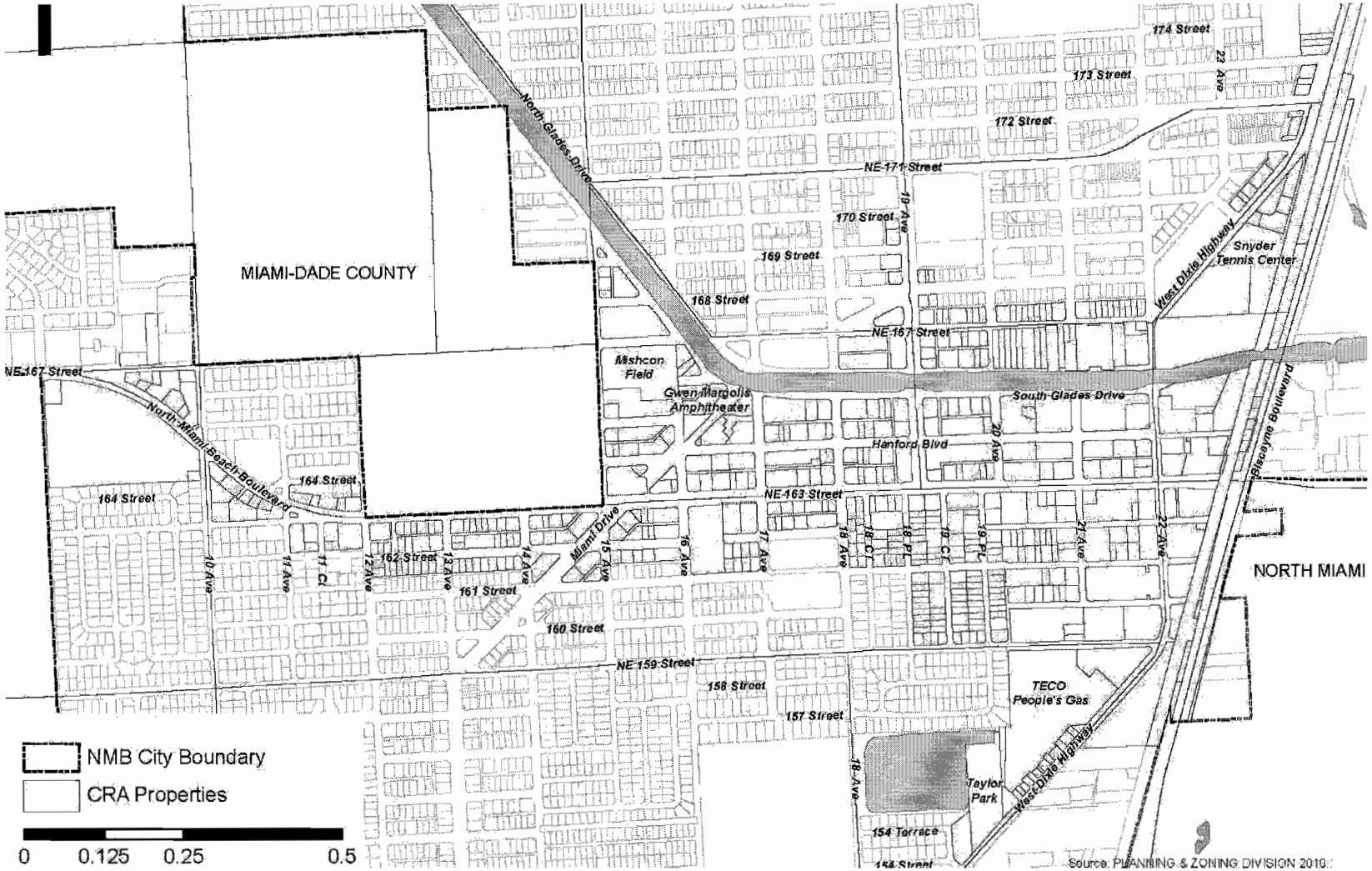
E. REDEVELOPMENT ACTIVITIES & INFRASTRUCTURE PROJECTS

A. CAPITAL IMPROVEMENT PROJECT (CIP) POLICY AND STRATEGY

The Agency CIP shall be considered a "living" document. It will evolve to ensure and allow the Agency to respond to the needs and opportunities that best serve the citizens, taxpayers, businesses, and the overall redevelopment area community. This section of the CRA Plan sets forth an initial list of select improvement projects. This section describes completed projects (B), ongoing and projects underway (C), and land acquisition areas of priority (E). Some projects, those with well defined and agreed upon public purpose, would be appropriate candidates for public investment through the CRA. The project pages in this section include project summaries as well as general cost estimates for CRA capital expenditures. Some projects will require additional financial participation by other entities. Actual funding allocations for projects will be determined annually through the budget process, and must be approved by the CRA Board of Commissioners.

38

THE MAP ON THE NEXT PAGE SHOWS THE LOCATION OF PROPERTIES LOCATED IN THE CRA AREA

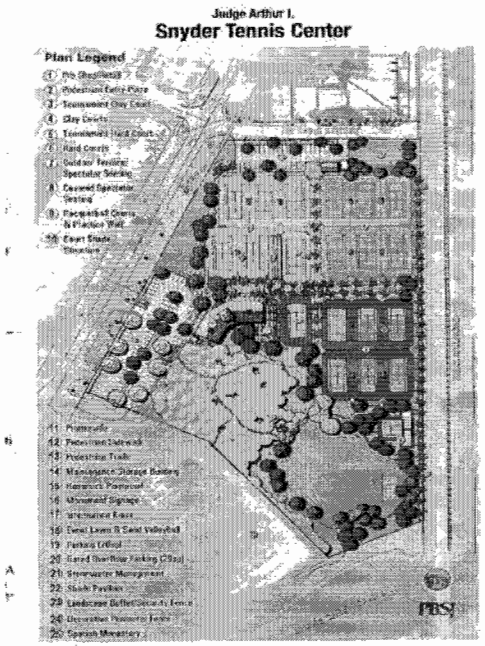

MIAMI-DADE COUNTY
NORTH MIAMI
North Glades Drive
South Glades Drive
NE 167 Street
NE 171 Street
NE 163 Street
NE 159 Street
174 Street
173 Street
172 Street
170 Street
169 Street
168 Street
164 Street
162 Street
161 Street
160 Street
158 Street
157 Street
154 Terrace
154 Street
North Miami Beach Boulevard
Hanford Blvd
Miami Drive
West Dixie Highway
Biscayne Boulevard
Snyder Tennis Center
Mishcon Field
Gwen Margolis Amphitheater
TECO People's Gas
Taylor Park
10 Ave
11 Ave
11 Ct
12 Ave
13 Ave
14 Ave
15 Ave
16 Ave
17 Ave
18 Ave
18 Ct
18 Pl
19 Ct
19 Pl
20 Ave
21 Ave
22 Ave
23 Ave
NMB City Boundary
CRA Properties
0
0.125
0.25
0.5
Source: PLANNING & ZONING DIVISION 2010

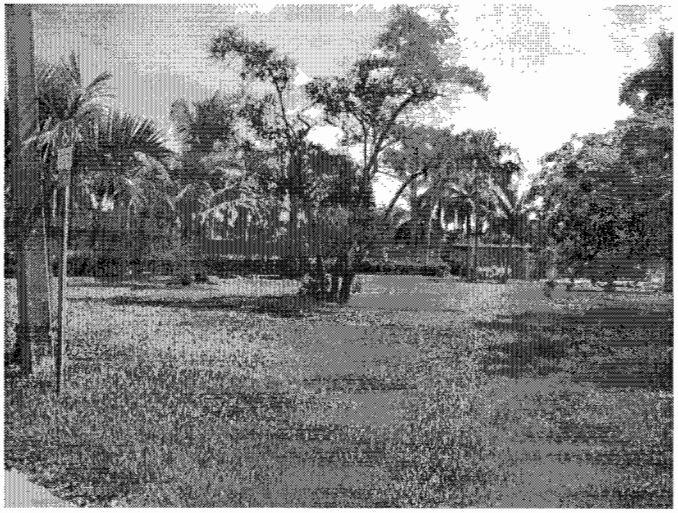
39

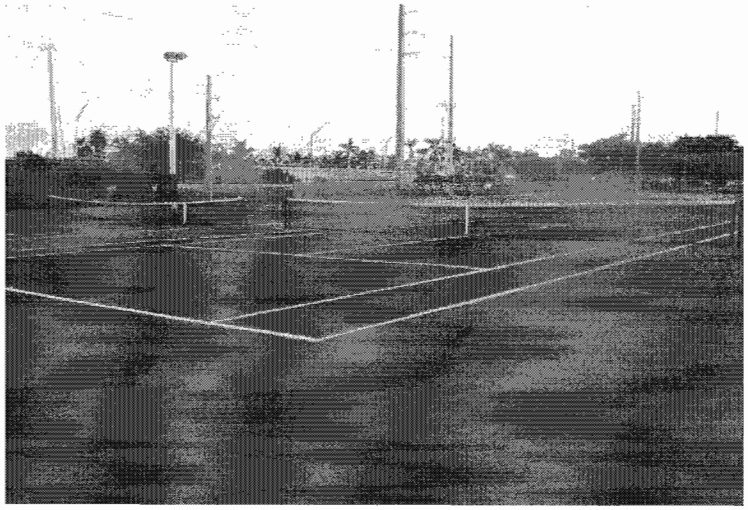
B. CRA CIP COMPLETED PROJECTS

Snyder Tennis Center Master Planning – 16851 West Dixie Highway

Project Location/Name	**Tennis Center Master Planning Phase I B and II**
Budget	Total budget $513,492
CRA Funding Source	CRA funding allocated towards this project $550,000
Scope of Work	Design of new pro shop clubhouse and associated site work
Status	Completed

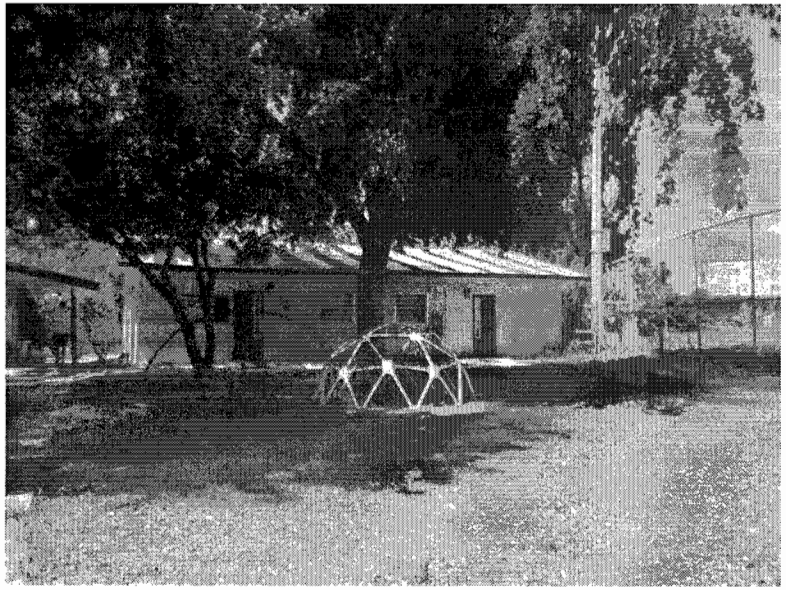






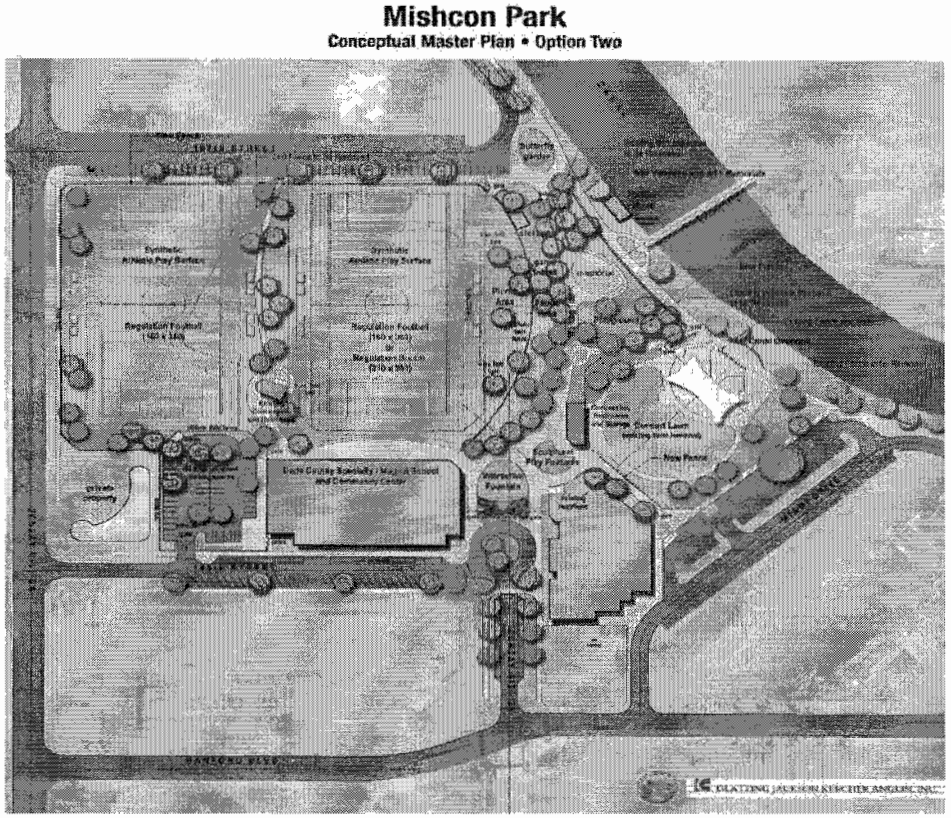
Taylor Park Renovation – Phase I – 15458 West Dixie Highway

Project Location/Name	**Taylor Park Day Care Building Demolition**
CRA Funding Source	2009-2010 BUDGET: CRA $20,000
Scope of Work	DESCRIPTION: Demolition of existing building and Tot Lot. Includes removal and capping of existing utilities.
Status	Completed

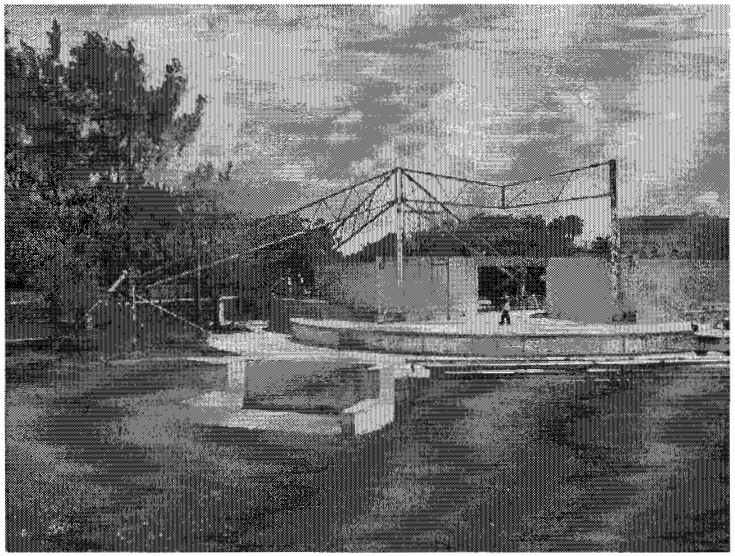


Mischon Field Renovations - 16501 NE 15th Avenue

Project Location/Name	Patricia Mischon Athletic Field Phase I 16501 NE 15th Avenue
Budget	Total budget $466,750
CRA Funding Source	CRA funds allocated for this project $283,375
Scope of Work	Security picket fencing
Status	Completed



Amphitheatre Awning Replacement



43

Fulford City Center Alleyway Resurfacing

Project Location/Name	**Fulford City Center Alleyway Resurfacing**
CRA Funding Source	2009-2010 BUDGET: CRA $23,800
Scope of Work	DESCRIPTION: Milling and resurfacing. NE 164 Street and NE 165 Street from NE 15th Avenue to NE 16 Avenue
Status	Completed

Before

After

Mall South Parking Lot Improvements

Project Location/Name	1321 NE 162nd St, North Miami Beach, FL 33162
CRA Funding Source	2009-2010 BUDGET: CRA $43,933
Scope of Work	DESCRIPTION: Project includes curbing, resurfacing, street lights and landscaping.
Status	Completed

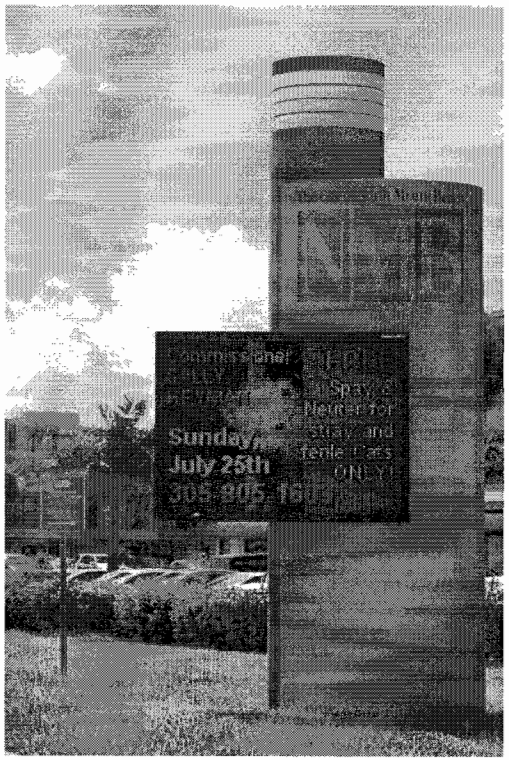
Before

After

45

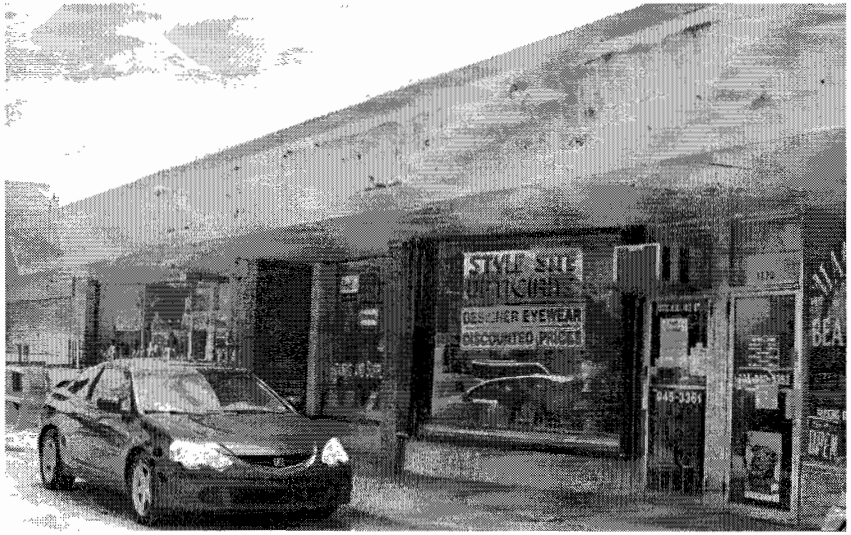
Gateway Features

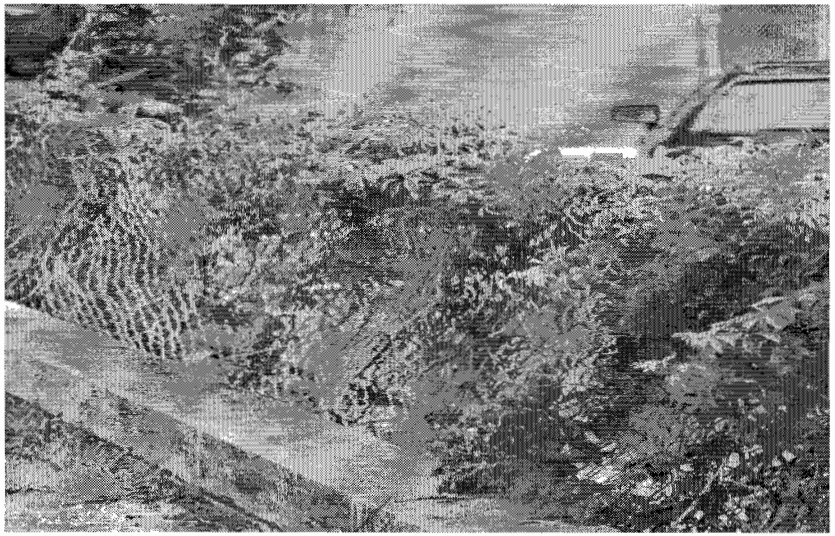
Project Location/Name	Gateway Features
CRA Funding Source	2009-2010 BUDGET: CRA $217,074
Scope of Work	DESCRIPTION: Design and installation of 2 sign monuments with message board
Status	Completed



46

Façade Improvement Program

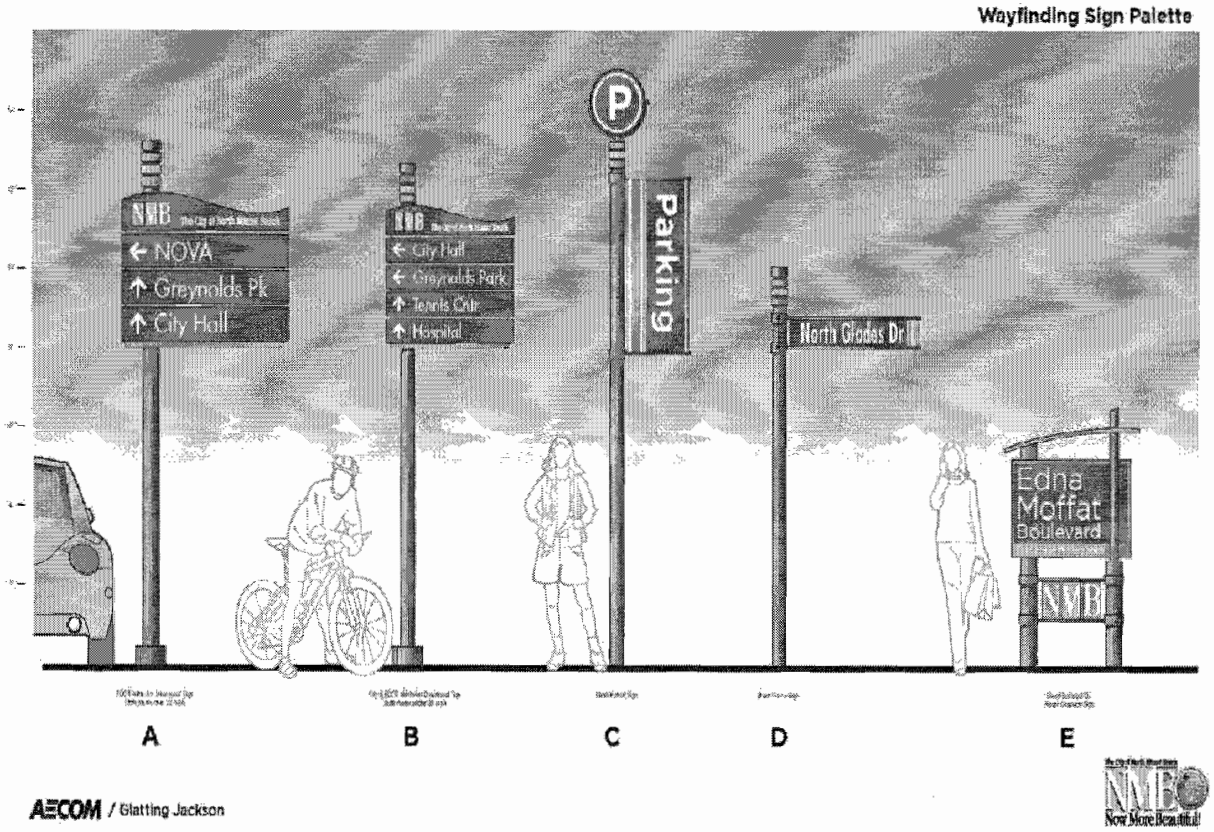




C. CIP ONGOING PROJECTS AND PROJECTS UNDERWAY

Wayfinding Signage for CRA

DESCRIPTION: This project will create new way finding signage and clearly mark public parking, public facilities, and other key locations



48

Hanford Boulevard Maintenance

DESCRIPTION:

Hanford Boulevard has been reconstructed by the City and CRA to serve as the "Main Street" centerpiece of Fulford City Center. The CRA will maintain the improvements.

D. LAND ACQUISITION POLICY, STRATEGY AND PROTOCOLS

The acquisition of land should be a strategic measure to help ensure that the Community Redevelopment Area evolves in a coordinated and desirable manner. The strategy shall also avail itself of market conditions.

The future redevelopment within the CRA area may necessitate land acquisition and all other redevelopment actions allowable under the State Statute and the Interlocal Agreement to effectively redevelop privately owned properties. As redevelopment projects develop in the future, the CRA will document specific land/building acquisition needs and attempt to acquire necessary lands and/or buildings through public/private development partnerships or private market purchases. The CRA shall commission a land acquisition projection report in 5 (five) year intervals based upon redevelopment activities and needs within the CRA area.

The City of North Miami Beach Community Redevelopment Agency shall adhere to all statutory requirements as set forth in Section 163.380 with regard to the acquisition and disposition of property in the redevelopment area. In addition to this governing statutory requirement, the agency shall also adhere to the responsibilities set forth in the Interlocal Agreement with the Miami-Dade Board of County Commissioners.

50

To ensure full compliance with state mandated procedures regarding acquisition and disposition of properties the City/Agency shall be governed by the following procedures and parameters delineated in Chapter 163, Part III, F.S. In addition the CRA shall prepare a detailed Land Acquisition and Disposition Protocols that will be adopted by the CRA Board. These protocols shall meet and/or exceed the requirements presented in the Plan.

163.370 Powers; counties and municipalities; community redevelopment agencies

2. (c) 1 Acquisition of property within a slum area or a blighted area by purchase, lease, option, gift, grant, bequest, devise, or other voluntary method of acquisition.

6. Acquisition by purchase, lease, option, gift, grant, bequest, devise, or other voluntary method of acquisition of real property in the community redevelopment area which, under the community redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property.

7. Acquisition by purchase, lease, option, gift, grant, bequest, devise, or other voluntary method of acquisition of any other real property in the community redevelopment area when necessary to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities.

8. Acquisition, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting principally of land in highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income.

9. Acquisition by purchase, lease, option, gift, grant, bequest, devise, or other voluntary method of acquisition of property in unincorporated enclaves surrounded by the boundaries of a community redevelopment area when it is determined necessary by the agency to accomplish the community redevelopment plan.

163.380 Disposal of property in community redevelopment area.

The disposal of property in a community redevelopment area which is acquired by eminent domain is subject to the limitations set forth in s. 73.013.

(1) Any county, municipality, or community redevelopment agency may sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for community redevelopment in a community redevelopment area to any private person, or may retain such property for public use, and may enter into contracts with respect thereto for residential, recreational, commercial, industrial, educational, or other uses, in accordance with the community redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it deems necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this part. However, such sale, lease, other transfer, or retention, and any agreement relating thereto, may be made only after the approval of the community redevelopment plan by the governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the community redevelopment plan and may be obligated to comply with such other requirements as the county, municipality, or community redevelopment agency may determine to be in the public interest, including the obligation to begin any improvements on such real property required by the community redevelopment plan within a reasonable time.

(2) Such real property or interest shall be sold, leased, otherwise transferred, or retained at a value determined to be in the public interest for uses in accordance with the community redevelopment plan and in accordance with such reasonable disposal procedures as any county, municipality, or community redevelopment agency may prescribe. In determining the value of real property as being in the public interest for uses in accordance with the community redevelopment plan, the county, municipality, or community redevelopment agency shall take into account and give consideration to the long-term benefits to be achieved by the county, municipality, or community redevelopment agency resulting from incurring short-term losses or costs in the disposal of such real property; the uses provided in such plan; the restrictions upon, and the covenants, conditions, and obligations assumed by, the purchaser or lessee or by the county, municipality, or community redevelopment agency retaining the property; and the objectives of such plan for the prevention of the recurrence of slum or blighted areas. In the event the value of such real property being disposed of is for less than the fair value, such disposition shall require the approval of the governing body, which approval may only be given following a duly noticed public hearing. The county, municipality, or community redevelopment agency may provide in any instrument of conveyance to a private purchaser or lessee that such purchaser or lessee is without power to sell, lease, or otherwise transfer the real property without the prior written consent of the county, municipality, or community redevelopment agency until the purchaser or lessee has completed the construction of any or all improvements which he or she has obligated himself or herself to construct thereon. Real property acquired by the county, municipality, or community redevelopment agency which, in accordance with the provisions of the community redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest, consistent with the carrying out of the provisions of the community redevelopment plan. Any contract for such transfer and the community redevelopment plan, or such part or parts of such contract or plan as the county, municipality, or community redevelopment agency may determine, may be recorded in the land records of the clerk of the circuit court in such manner as to afford actual or constructive notice thereof.

(3)(a) Prior to disposition of any real property or interest therein in a community redevelopment area, any county, municipality, or community redevelopment agency shall give public notice of such disposition by publication in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or otherwise transfer real property and, prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section, invite proposals from, and make all pertinent information available to, private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a community redevelopment area or any part thereof. Such notice shall identify the area or portion thereof and shall state that proposals must be made by those interested within 30 days after the date of publication of the notice and that such further information as is available may be obtained at such office as is designated in the notice. The county, municipality, or community redevelopment agency shall consider all such redevelopment or rehabilitation proposals and the financial and

legal ability of the persons making such proposals to carry them out; and the county, municipality, or community redevelopment agency may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by it in the community redevelopment area. The county, municipality, or community redevelopment agency may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this part. Except in the case of a governing body acting as the agency, as provided in s. 163.357, a notification of intention to accept such proposal must be filed with the governing body not less than 30 days prior to any such acceptance. Thereafter, the county, municipality, or community redevelopment agency may execute such contract in accordance with the provisions of subsection (1) and deliver deeds, leases, and other instruments and take all steps necessary to effectuate such contract.

53

(b) Any county, municipality, or community redevelopment agency that, pursuant to the provisions of this section, has disposed of a real property project with a land area in excess of 20 acres may acquire an expanded area that is immediately adjacent to the original project and less than 35 percent of the land area of the original project, by purchase as provided in this chapter, and negotiate a disposition of such expanded area directly with the person who acquired the original project without complying with the disposition procedures established in paragraph (a), provided the county, municipality, or community redevelopment agency adopts a resolution making the following findings:

1. It is in the public interest to expand such real property project to an immediately adjacent area.

2. The expanded area is less than 35 percent of the land area of the original project.

3. The expanded area is entirely within the boundary of the community redevelopment area.

(4) Any county, municipality, or community redevelopment agency may temporarily operate and maintain real property acquired by it in a community redevelopment area for or in connection with a community redevelopment plan pending the disposition of the property as authorized in this part, without regard to the provisions of subsection (1), for such uses and purposes as may be deemed desirable, even though not in conformity with the community redevelopment plan.

(5) If any conflict exists between the provisions of this section and s. 159.61, the provisions of this section govern and supersede those of s. 159.61.

(6) Notwithstanding any provision of this section, if a community redevelopment area is established by the governing body for the redevelopment of property located on a closed military base within the governing body's boundaries, the procedures for disposition of real property within that community redevelopment area shall be prescribed by the governing body, and compliance with the other provisions of this section shall not be required prior to the disposal of real property.

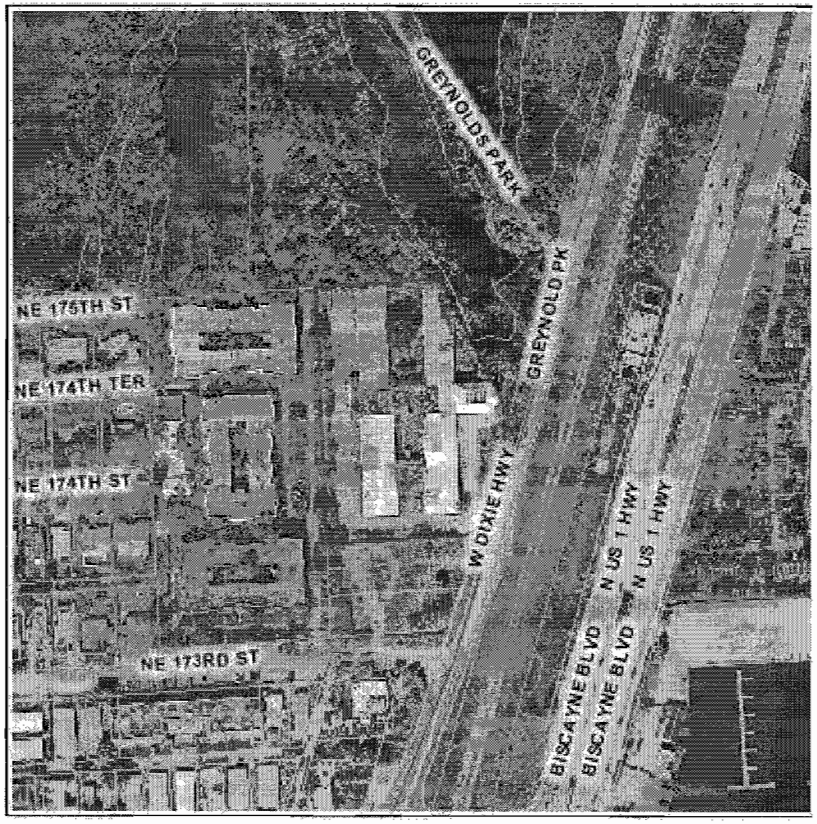
E. REDEVELOPMENT ACTIVITIES / INFRASTRUCTURE PROJECTS

Redevelopment Activities / Infrastructure Projects ($5,000,000)

The following are sites which may be acquired, or may receive the investment of redevelopment funds through other allowable means, to attract private development or, alternatively in which the CRA will contribute to public/private partnerships to further the goals of the CRA the market values have been listed. Complete due diligence and negotiations will take place prior to any purchase or investment of redevelopment funds. Any and all purchases require approval of the CRA Board of Commissioners. Adjustment to this manifest may be at the discretion of the CRA Board of Commissioners at any time during this 5-year plan of redevelopment. The Agency shall also consider the impact from the private sector economy when determining the expenditure of public funds.

64

POTENTIAL HOTEL SITE
17400 West Dixie Highway



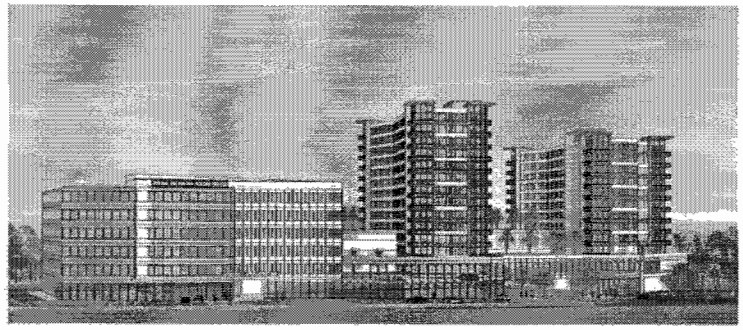
SUMMARY DETAILS
FOLIO NO.:07-2209-006-2900
ADDRESS: 17400 WEST DIXIE HWY NO MIAMI BEACH FL 33162
LOT SIZE: 3.12 ACRES

ASSESSMENT INFORMATION:

YEAR:	**2011**	**2010**
LAND VALUE:	$939,538	$816,990
BUILDING VALUE:	$0	$0
ASSESSED VALUE:	$898,689	$816,990

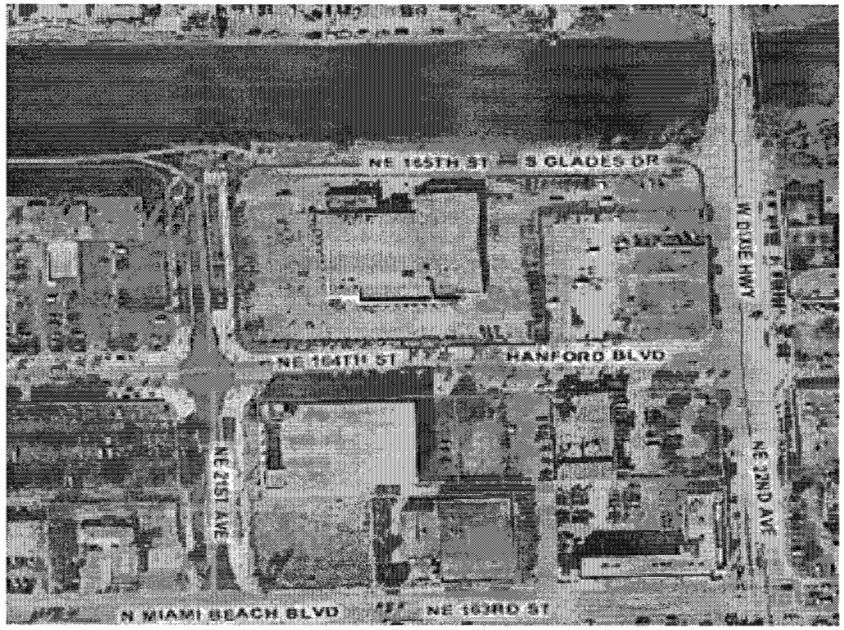
2010 TAXES: $ 22,872.90

Aerial View Looking West



55

POTENTIAL HOTEL SITE
2145 NE 164th Street



SUMMARY DETAILS:
FOLIO NO.:07-2216-007-0051
ADDRESS: 2145 NE 164 ST, NO MIAMI BEACH, FL 33162
LOT SIZE: 2.56 ACRES

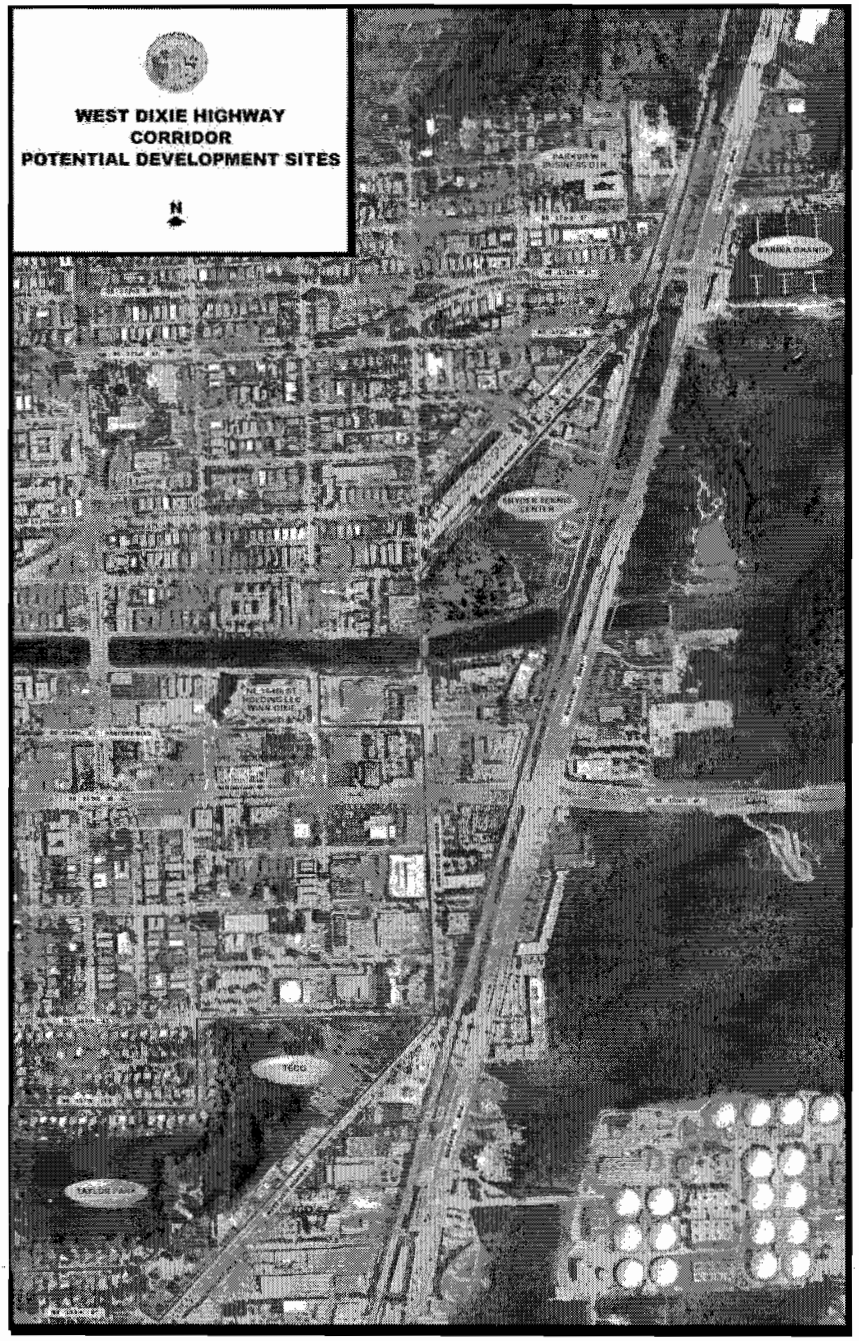
ASSESSMENT INFORMATION:

YEAR:	**2011**	**2010**	**2009**
LAND VALUE:	$895,592	$1,511,312	$1,791,184
BUILDING VALUE:	$1,677,707	$1,688,245	$1,741,041
ASSESSED VALUE:	$2,573,299	$3,199,557	$3,532,225

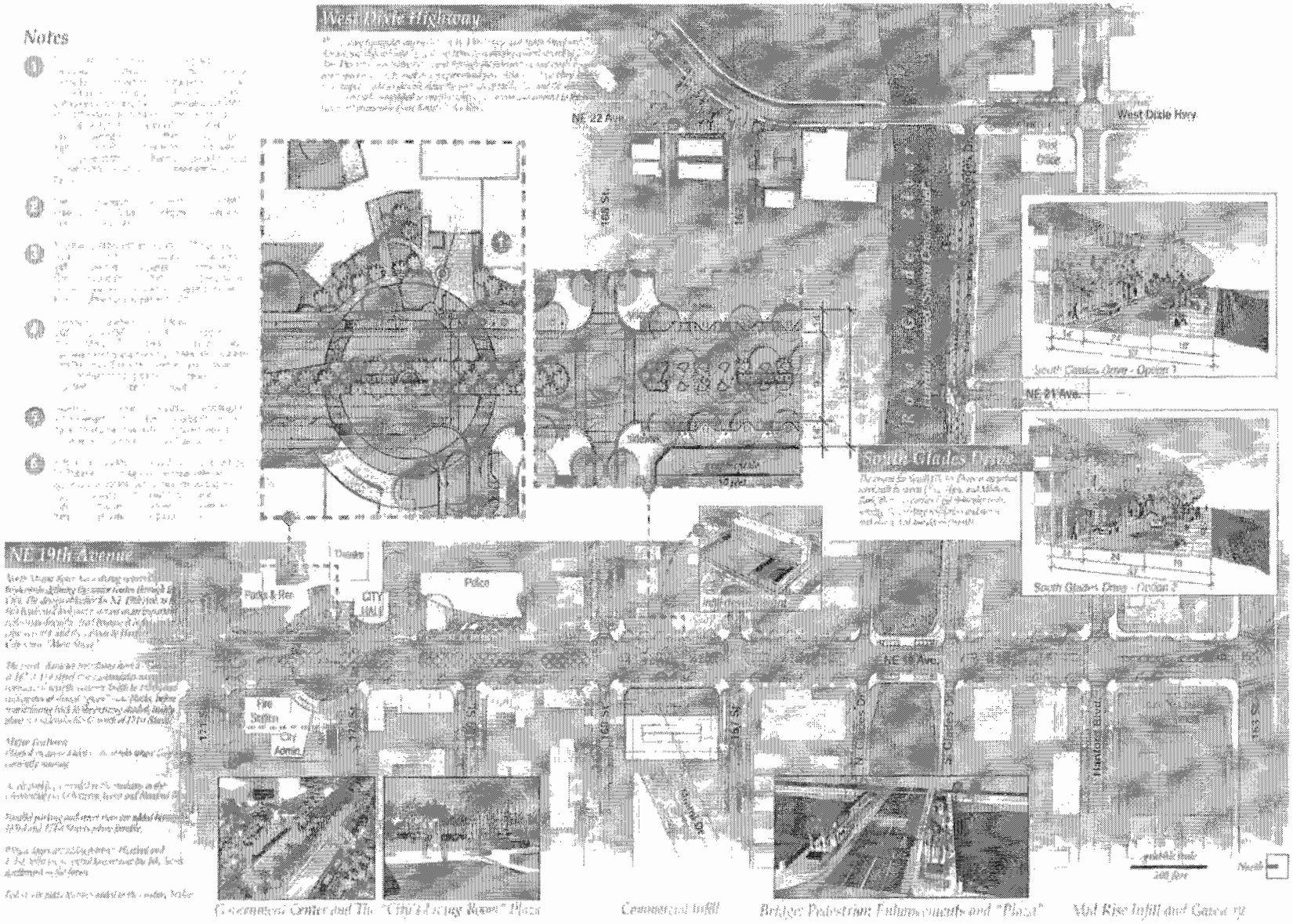
2009 TAXES: $192,712.52

576

WEST DIXIE HIGHWAY CORRIDOR POTENTIAL REDEVELOPMENT SITES
NE 154TH STREET – NE 174TH STREET



NE 19th AVENUE AND NE 163RD STREET POTENTIAL IMPROVEMENTS



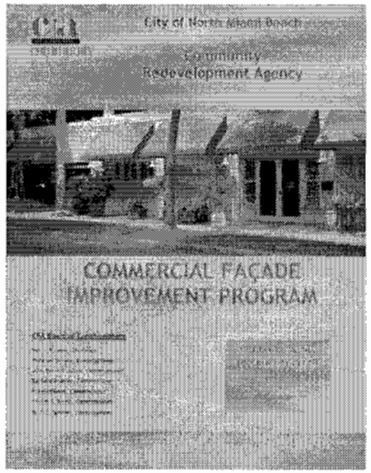
CRA INNOVATIONS AND INITIATIVES

A. AREAWIDE FAÇADE IMPROVEMENT PROGRAM

B. COMMERCIAL SECURITY GRANT PROGRAM

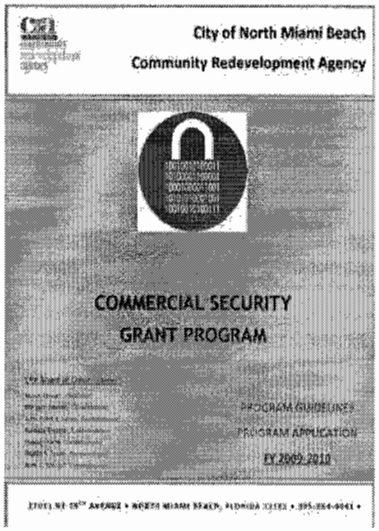
C. EXPANSION OF CAPITAL FOR IMMEDIATE REINVESTMENT

A. AREAWIDE FAÇADE IMPROVEMENT PROGRAM



The North Miami Beach Community Redevelopment Area (NMBCRA), under the Community Redevelopment Plan and Chapter 163, Part III, Florida Statutes, may provide financial assistance to qualified owners of commercial properties located within the boundaries of the CRA for eligible building or site improvements that contribute to the physical, economic, social, and aesthetic enhancement of the NMBCRA area. Through the Façade Improvement Grant Program, the NMBCRA seeks to help businesses improve the attractiveness of properties, and thereby work to achieve the agency's goal of eliminating conditions that have a negative impact on economic growth. All improvements must be in compliance with any and all applicable codes, design standards, and all other restrictions of the City of North Miami Beach. Every project must be approved by the CRA, and is subject to fund availability.

B. COMMERCIAL SECURITY GRANT PROGRAM



It is the intent of the North Miami Beach Community Redevelopment Area (NMBCRA), under the Community Redevelopment Plan and Chapter 163, Part III, Florida Statute, to provide financial assistance to qualified owners of commercial properties or tenants located within the boundaries of the CRA for eligible building or site improvements that contribute to the physical, economic, social, and aesthetic enhancement of the NMBCRA area. Through the Commercial Security Grant Program, the NMBCRA seeks to help businesses improve the attractiveness of properties, and thereby work to achieve the agency's goal of eliminating conditions that have a negative impact on economic growth. All improvements must be in compliance with any and all applicable codes, design standards, and all other restrictions of the City of North Miami Beach. Every project must be approved by the CRA Board, and is subject to fund availability.

C. EXPANSION OF CAPITAL FOR IMMEDIATE REINVESTMENT

One of the driving factors generating the need for this amended plan is the condition of the economy. Currently (2010) the national and North Miami Beach area economies are suffering from the effects of a severe economic retraction and a series of systemic problems in the credit markets.

Therefore the Agency's role as an economic catalyst will be magnified for the next 24 months. All public stimulus infusion to private sector markets must be timely.

To allow the Agency to better serve the local economy it will be necessary to maximize the expansion of available capital for immediate reinvestment. To this date the Agency has only availed itself of the narrow use of credit facilities which cap at $8 million.

Utilizing the power in the amended plan and Chapter 163 Part III, F.S. the Agency has the potential to retire all existing debt in the current credit facility and potentially generate $1 million to $2 million in additional capital. The opportunity to raise this additional capital and the dire need of the local economy for an expanded economic stimulus initiative coincide.

The impact that the innovative strategy presented in this plan will be significant if the Agency secures and invests additional capital in a timely manner.

COMMUNITY REDEVELOPMENT AREA PROGRAMS AND TOOLS

A. ECONOMIC DEVELOPMENT AND JOB CREATION PROGRAMS

B. BEAUTIFICATION AND APPEARANCE IMPROVEMENT PROGRAMS

C. INFRASTRUCTURE IMPROVEMENT PROGRAMS

D. ENVIRONMENTAL CLEAN-UP PROGRAMS

E. REDEVELOPMENT ADVOCACY

F. CODE ENFORCEMENT ENHANCEMENT

G. COMMUNITY POLICING INNOVATIONS

AREAWIDE PROGRAMS AND TOOLS

This section provides the tools for the implementation of redevelopment activities. The programs outlined in this section may be utilized as needed over the life of the Agency. Specific details and criteria will be established and approved by the Agency Board in accordance with the procedure delineated in Section 9 (Safeguards to Ensure Redevelopment Activities Follow the Redevelopment Plan).

The programs included within the CRA Plan may be designed either in a site-specific manner or in a comprehensive manner such that the programs exist as "tools in a toolbox" whereby any individual program may apply to a number of different properties or initiatives within the redevelopment area. The Agency has determined that an appropriate strategy to achieve the agency's goals is to utilize the "toolbox" approach. This policy decision provides the Agency with the greatest ability to serve the redevelopment needs of the community as they evolve over the remaining life of the Agency.

A. ECONOMIC DEVELOPMENT AND JOB CREATION PROGRAMS *UPDATED*

63

163.345 Encouragement of private enterprise.

(1) Any county or municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this part, shall afford maximum opportunity, consistent with the sound needs of the county or municipality as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprise. Any county or municipality shall give consideration to this objective in exercising its powers under this part, including the formulation of a workable program; the approval of community redevelopment plans, communitywide plans or programs for community redevelopment, and general neighborhood redevelopment plans (consistent with the general plan of the county or municipality); the development and implementation of community policing innovations; the exercise of its zoning powers; the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements; the development of affordable housing; the disposition of any property acquired, subject to the limitations of s. 73.013; and the provision of necessary public improvements.

(2) In giving consideration to the objectives outlined in subsection (1), the county or municipality shall consider making available the incentives provided under the Florida Enterprise Zone Act and chapter 420.

1. Direct Financial Incentives to Generate New Private Development

There is often an economic "gap" between the total cost of development of a project and the market value of the completed project, due largely to the high cost of site acquisition. There is a need for a reduction in cost to make projects financially viable for private developers. With regard to residential uses, there is a need to stimulate homeownership and offer new housing options in a range of prices in accordance with sound inclusionary housing strategies. The Agency will be empowered to financially subsidize commercial, residential, and mixed-use private development projects, including but not limited to direct grants and the sale of real estate owned by the Agency at a discounted price. The Agency will prepare and adopt guidelines for determining eligibility and the amount of the incentive payment or discount before such initiatives are implemented.

2. Direct Financial Incentives to Stimulate Property Improvements

Owners of commercial or residential properties often cannot justify the cost of renovations because rents will not increase enough to provide an acceptable return on investment. The Agency will be empowered to financially subsidize the cost of renovations through loans or matching grants to property owners, including commercial properties, rental apartment properties, individual condominium units and associations. Property improvements such as conversion of rental units to condominiums shall also be eligible. The Agency will prepare and adopt guidelines as to the type of eligible costs and the funding ceiling of grants or loans before such incentives are implemented.

3. Financial Incentives for New Businesses

Attracting new businesses will be critical to the success of the redevelopment and revitalization of the commercial portions of the Community Redevelopment Area. The ability to offer financial incentives increases the potential for success in attracting the numbers and types of businesses needed and desired to create a sustainable business community.

The Agency is empowered to use TIF fund monies to pay incentives to new businesses that locate in the Community Redevelopment Area. The Agency will prepare and adopt guidelines as to the type of businesses that will be eligible and the amount of the financial incentive, before such incentives are implemented.

4. Rehabilitation of Vacant Commercial Buildings

Key underutilized vacant commercial buildings may be identified within the Community Redevelopment Area. The Agency may pursue the purchase of these buildings, work to establish joint-venture opportunities, or assist in the recruitment of business occupants to ensure these structures perform to their economic potential.

5. Marketing Research

The Agency may provide funding and guidance to create a useful and locally tailored marketing and retailing plan to identify the appropriate retail mix for any portion of the Community Redevelopment Area. The goal of this plan would be to provide information for business owners indicating what profitable business opportunities exist, given the market area, socio-economic character, and dynamics of the market.

6. Advertisement and Promotions

There will be an ongoing need to ensure awareness of investment, development, business and residential opportunities within the Community Redevelopment Area. In addition, there will also be a need to provide promotional support for area businesses and to create an identity (branding).

Towards this end, the Agency may assist in the funding for the creation of marketing and retailing programs aimed at increasing business volume in the area. Appropriate media venues shall include visual (television commercials), audio (radio commercials), digital (internet web site), and print media (newspaper, magazine, specialty publications, marketing collateral). The Agency shall also consider assisting in the funding of special events. The Agency is empowered to pay for promotional efforts, including but not limited to, staff, consultants, materials production costs, distribution costs, special purpose equipment and systems, and events.

7. CRA Web Page and Video Web site to promote Redevelopment Area Business

The Agency may create an interactive web page to include project and program descriptions, downloadable applications and brochures, and CRA-issued RFP/Qs. It may also provide assistance to Redevelopment Area businesses by assisting in the production of short promotional videos on an internet site to attract customers to businesses in the area as well as to attract private sector investment in the area.

8. Business and Redeveloper Recruitment *UPDATED*

The Agency may take steps to actively recruit quality businesses, investors and redevelopers to the Community Redevelopment Area in cooperation with appropriate entities such as the local Chamber of Commerce. In carrying out its functions, the Chamber will use its resources to ensure that economic development events which take place within the CRA are marketed, and information is provided through the

65

resources of the Chamber to ensure maximum exposure of CRA economic development activities in an effort to recruit more business and encourage job creation.

In addition, the CRA can initiate an initiative analyzing the existing economic trends that exist within its area and determine the types of businesses that would most likely be attracted to these locations, putting together a plan to actively seek those businesses to relocate to the CRA Area.

9. Business Incentive Loans *UPDATED*

The Agency may create a loan pool and program for qualified businesses in the redevelopment area to assist with the start-up costs and capital needs of new and expanding businesses in order to reconstruct a better CRA Area.

10. Coalition of Financial Institutions

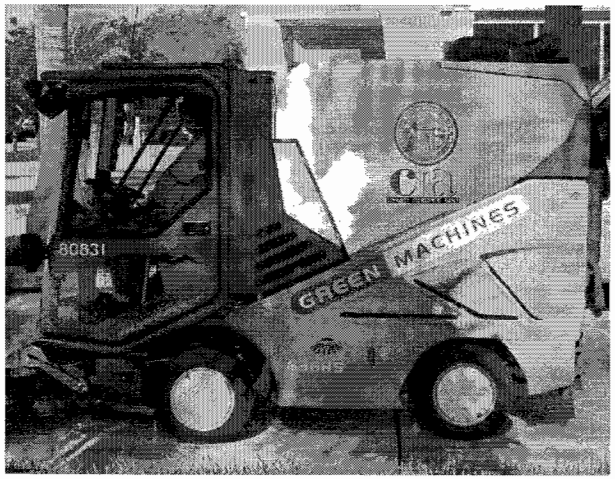
The Agency may recruit interested local financial institutions to participate in any and all redevelopment programs, ranging from business loans and residential rehabilitation to subsidized mortgages and loan guarantees.

66

B. BEAUTIFICATION AND APPEARANCE IMPROVEMENT

1. Clean-Up Program

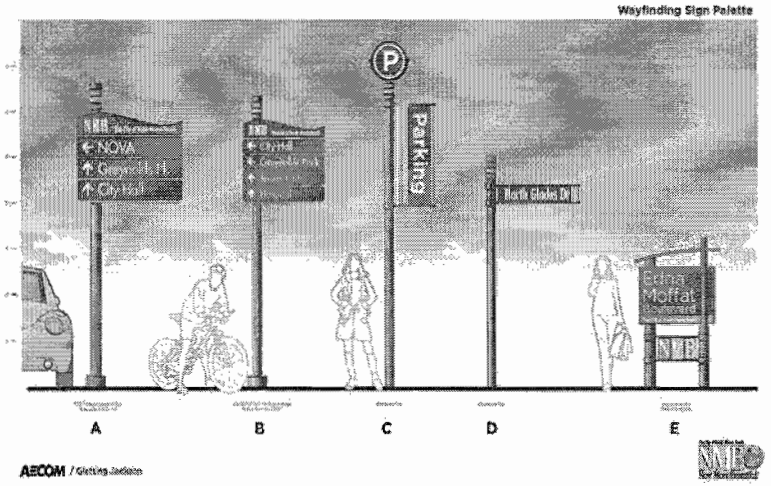
The appearance of the redevelopment area sends a direct message to property owners and potential investors regarding the community's commitment towards its success. Working with community residents and property owners, the Agency shall identify potential sites to be considered for the program.

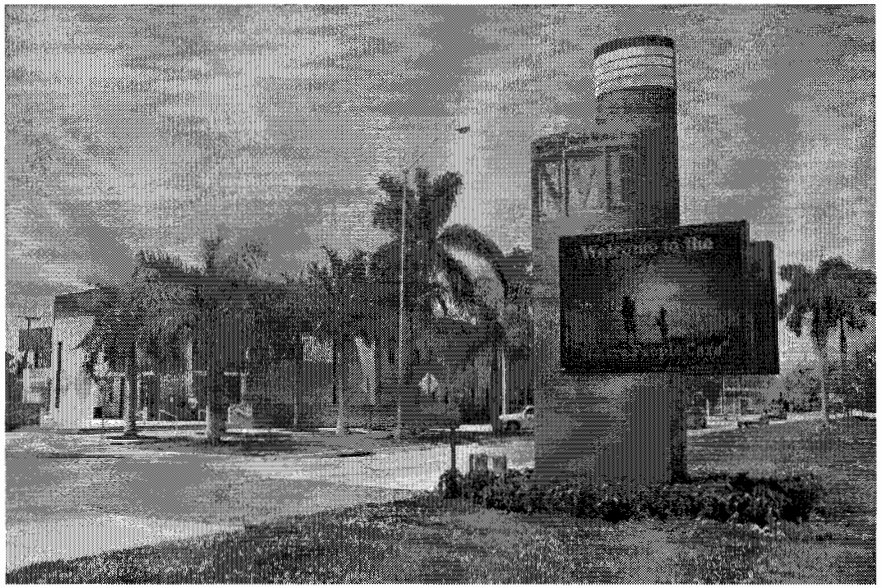


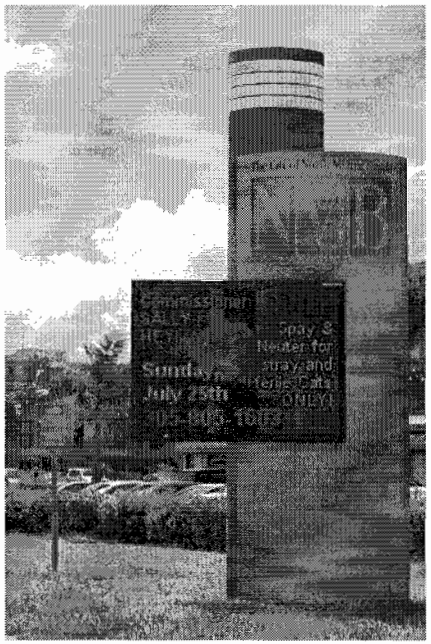
2. Signage/Entry Feature

The visual appearance of Community Redevelopment Area amenities need to be enhanced. Further, there is a need to establish an identity for this important core area of the community.

The Agency is empowered to pay for aesthetic and identity enhancements, including but not limited to, signage, entry features, public art, and landscaping.



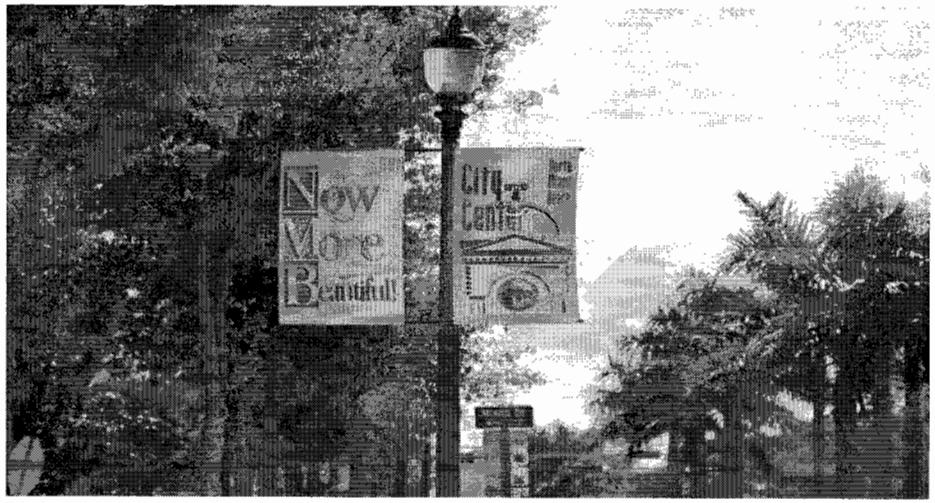




67

3. Landscaping/Streetscaping Programs

The Agency may design and install landscape and streetscape improvements, including landscape materials, lighting, benches and trash receptacles in areas identified by the Board.



89

4. Paint-Up/Fix-Up

The Agency may create and fund a simplified rehabilitation program designed to improve the appearance of the redevelopment area through extensive repainting of structures in the Community Redevelopment Area.

5. Pedestrian Amenities

The Agency may provide pedestrian amenities for both public development or improvement initiatives, and as an incentive to private development initiatives. These amenities may include, but are not limited to, park benches, shade trees, bicycle racks, gazebos, lighting, signage, and trash containers.

6. Signage Program

The Agency may encourage business owners to develop attractive signage by awarding partial funding for such signs. All signage must conform to the City's standard sign ordinances.

7. Art in Public Places

The Agency may appropriate or secure funds for the purchase and installation of Art in Public Places within the Community Redevelopment Area. Emphasis shall be placed on utilizing local artists to create local themes.

8. Continuing Maintenance Responsibilities

All projects that the CRA undertakes or contributes to must receive a continuing commitment regarding maintenance and upkeep. The Agency shall be committed to protecting the return on investment for all projects funded by TIF revenues. The Agency may contract with the City of North Miami Beach or private entity to assure proper maintenance.

C. INFRASTRUCTURE IMPROVEMENT PROGRAMS

Working with appropriate City departments, the Agency may consider allocating funds to remedy infrastructure deficiencies and projected needs, including utilities, roadways, sidewalks, and storm water management. All infrastructure projects funded by the Agency shall be directly tied to increasing the area's redevelopment potential to generate a higher return of tax increment funds and increase the likelihood of private investment. This program is not designed to replace the City's efforts to secure CDBG and other similar funds but rather to augment them.

1. Street, Sidewalk, and Alley Improvements

There are streets, sidewalks, and alleys in the Community Redevelopment Area that are in need of repair or rebuilding. The Agency is empowered to pay the cost of repairing and rebuilding streets and alleys in the Community Redevelopment Area. Improvements also will include, but not be limited to, sidewalks, landscaping, street lights, street furniture and signs.

2. Stormwater Drainage Improvements

There are streets in the Community Redevelopment Area that flood during rainstorms. In many cases, the ponding remains for days after the storm. Further, many individual properties in the anticipated rebuilt urban environment will not be able to retain stormwater on-site, which will seriously limit the potential for new development.

To maximize its ability to address water quality issues the agency may avail itself of the authority to create a storm water utility mechanism and funding source. If initiated, this effort shall be properly coordinated with all appropriate government entities. The use of a storm water utility will likely minimize the land area necessary to advance water quality improvement, will further protect the Lake Worth Lagoon, and provide a dedicated revenue source to support this effort. The Agency will be empowered to pay for stormwater drainage solutions, including but not limited to, subsidizing stormwater management costs incurred on privately owned property creation of a storm-water utility for the CRA, and development of one or more master drainage systems.

Improvements to the water quality of the Lake Worth Lagoon should be a consideration of undertaking any program or strategy for improving drainage infrastructure within the CRA.

3. Sanitary Sewer Installations

There are properties in the Community Redevelopment Area, including both commercial and residential, that do not have connections to the sanitary sewer system. This limits the potential for new development. The Agency may be empowered to pay the cost to extend sanitary sewer lines.

4. Parking Facilities

As redevelopment occurs and encourages a higher and more efficient intensity of development, there will be a need for public parking lots or structures to supplement the private parking. The Agency will be empowered to pay for developing public parking facilities, including both surface lots and structured parking. The Agency may also participate in public/private joint ventures for the provision of public parking. The Agency may be empowered to either purchase or lease property or air rights for parking facilities.

5. Underground Utilities

The Agency may encourage and advocate future development projects to construct underground utilities by offering assistance and incentives, which may include financing, density bonuses, or other means to ensure that development order approvals consider this as a condition of approval. Further, the Agency may undertake an advocacy role on behalf of project proposals which include the voluntary placement of utilities underground.

D. ENVIRONMENTAL CLEAN-UP PROGRAMS

1. Brownfields

Redevelopment of contaminated properties requires additional expenses due to remediation costs, which limits redevelopment opportunities. The Agency may be empowered to utilize trust fund money and provide grants, loans or other forms of financial assistance to developers and property owners to cover costs associated with redevelopment of contaminated properties.

2. Environmental Clean-Up

The Agency may establish a fund, which may be used to assist in the cleanup of environmentally contaminated sites. The Agency will activate this program in the event that a viable and desirable redevelopment project necessitates the reuse of a contaminated site. The degree of the Agency's financial participation will be determined by the Agency on a case-by-case basis contingent upon the redevelopment value of the project. The Agency may also seek grants for the purpose of assessment and remediation. These grant funds may be used by the Agency directly or provided in the form of a grant or loan to a property owner.

E. REDEVELOPMENT ADVOCACY

1. Redevelopment Advocacy Activities

The Agency shall actively advocate for actions by other public and private bodies, which are to the benefit of area residents.

2. Provide Matching Funds for Grants

As provided by Chapter 163, Part III, *Florida Statutes,* the Agency may apply for and receive grants. Most grant programs require some level of matching funding from the recipient. The Agency will be empowered to use trust fund monies to provide matching funds for grants when the proceeds of the grant will be used for undertakings that are specified in the Community Redevelopment Plan and are within the Community Redevelopment Area.

F. CODE ENFORCEMENT ENHANCEMENT *UPDATED*

The Agency may fund increased code enforcement services within the Community Redevelopment Area. The goal of this program is to increase the marketability and aesthetics of the properties in the Community Redevelopment Area.

Adequate code enforcement is required to protect property values, commercial activity levels and the quality of life of the residents within the Community Redevelopment Area and also for reducing slum and blighted areas. Code enforcement also is important to attracting new investment, new development, new businesses and new residents. The Agency will be empowered to pay for one or more code enforcement officers who shall operate solely within the Community Redevelopment Area. In addition the Agency may pay for support vehicles and equipment.

Some of the major areas in which enhanced Code Enforcement can be beneficial to the CRA are:

- Graffiti removal
- Right-of-way landscape maintenance
- Window coverage on businesses
- Parking lot usage and access

23

The Agency also may be empowered to reimburse the City for additional code officers that operate only part time in the Community Redevelopment Area.

G. COMMUNITY POLICING INNOVATION ACTIVITIES

Adequate law enforcement is required to protect property values, commercial activity levels and the quality of life of the residents within the Community Redevelopment Area. Law enforcement also is important to attract new investment, new development, new businesses and new residents. The Agency shall have the authority to pay for the cost of utilizing community policing strategies designed to reduce crime within the Community Redevelopment Area.

SAFEGUARDS TO ENSURE REDEVELOPMENT ACTIVITIES FOLLOW THE REDEVELOPMENT

A. SAFEGUARDS TO ENSURE FINANCIAL ACCOUNTABILITY

B. SAFEGUARDS TO ENSURE PROPER IMPLEMENTATION AND PROJECT/PROGRAM ACCOUNTABILITY

C. SAFEGUARDS THROUGH RETENTION OF POWERS BY THE CITY AND THE COUNTY

A. SAFEGUARDS TO ENSURE FINANCIAL ACCOUNTABILITY

- The Agency shall be fully subject to the Florida Sunshine Law and will meet as necessary to carry out the business of the Agency.
- The Agency shall publicly adopt by-laws to govern its activities and to ratify its administrative policies.
- The Agency shall file an annual report with the State of Florida Special District Program and the Miami-Dade County Board of County Commissioners, and the North Miami Beach City Clerk's Office, This report shall contain a programmatic overview of the activities of the Agency as allowed by the Redevelopment Plan.
- The Agency shall provide adequate safeguards to ensure that all leases, deeds, contracts, agreements and declarations of restrictions relative to any real property conveyed shall contain restrictions, covenants, running with the land and its uses, or other such provisions necessary to carry out the goals and objectives of the Plan and Chapter 163, Part III, and other governing statutes.
- The Agency shall maintain adequate records to provide for an annual audit, which shall be conducted by an independent knowledgeable auditor selected by the City Council. The findings of the audit shall be presented at a public meeting of the Agency Board and such findings shall be forwarded to the State Auditor General's Office by March 31 of each year for the preceding fiscal year, which shall run from October 1 through September 30.

Section 163.356(3) (c) The governing body of the county or municipality shall designate a chair and vice chair from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and employees, permanent and temporary, as it requires, and determine their qualifications, duties, and compensation. For such legal service as it requires, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this part shall file with the governing body, on or before March 31 of

75

each year, a report of its activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such fiscal year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the county or municipality and that the report is available for inspection during business hours in the office of the clerk of the city or county commission and in the office of the agency.

- The annual Audit Report shall be accompanied by the Agency's Annual Report and shall be provided to the City Clerk's Office for public review and availability. Legal notice in a newspaper of general circulation shall be provided to inform the public of the availability for review of the Annual Audit and Annual Report. The Agency shall file all reports necessary to comply with the "Special Districts" requirements of the state of Florida.
- All Agency tax increment financing funds shall be held in a Redevelopment Trust Fund accounted for separately from other funds as required by state law.

B. SAFEGUARDS TO ENSURE PROPER IMPLEMENTATION AND PROJECT/ PROGRAM ACCOUNTABILITY

1. Objectives for each Agency activity shall be established upon its administrative design and funding approval by the Board.
2. The Agency shall hold an annual informational public workshop to:

    a) Report on the status and progress of programs and projects;
    b) Gather input from property owners, citizens and interested parties regarding redevelopment activities; and;
    c) Discuss strategies relating to local redevelopment issues.

C. SAFEGUAGDS THROUGH RETENTION OF POWERS BY THE CITY AND THE COUNTY

Powers retained by the City and County are provided in the Interlocal Agreements between the Agency, the City, and Miami-Dade County.

Powers Retained by the City:

1. The power to determine an area to be appropriate for Community Redevelopment.
2. The power to grant final approval to Community Redevelopment plans and modifications.
3. The power to authorize the issuance of revenue bonds.
4. The power to approve the acquisition, demolition, removal, or disposal of property as provided in F.S. Section 163.370(3) and the power to assume responsibility to bear loss as provided in F.S. section 163.3.70(3).
5. The power to zone or rezone or make exceptions from building regulations or to enter into agreements with a housing authority.
6. The power to close, vacate, plan, or re-plan streets, roads, sidewalks, ways, or other places and to plan or re-plan any part of the City

COMMUNITY REDEVELOPMENT AGENCY GOALS, OBJECTIVES, AND POLICIES

A. ENCOURAGEMENT OF PRIVATE ENTERPRISE

B. COMPLIANCE WITH CITY OF NORTH MIAMI BEACH COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS

C. GOALS, OBJECTIVES AND POLICIES

A. ENCOURAGEMENT OF PRIVATE ENTERPRISE

At the time this 2012 Amended Redevelopment Plan is being prepared, the national economy is in a period of substantiated economic contraction. Both the public and private sector economies agree that the challenges to spurring growth in this economy are eclipsed only by those faced during the Great Depression.

The North Miami Beach CRA may consider advancing its role as an economic catalyst by investing in and partnering with the private sector.

While this Amended Plan allows for the Agency to allocate its resources and revenue towards the public sector infrastructure, the leadership of the City's redevelopment effort may also consider utilizing its powers, strategies, and innovative tools to strongly encourage the economic health of private enterprise.

Section 163.345 Encouragement of private enterprise.

(1) Any county or municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this part, shall afford maximum opportunity, consistent with the sound needs of the county or municipality as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprise. Any county or municipality shall give consideration to this objective in exercising its powers under this part, including the formulation of a workable program; the approval of community redevelopment plans, communitywide plans or programs for community redevelopment, and general neighborhood redevelopment plans (consistent with the general plan of the county or municipality); the development and implementation of community policing innovations; the exercise of its zoning powers; the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements; the development of affordable housing; the disposition of any property acquired, subject to the limitations of s. 73.013; and the provision of necessary public improvements.

(2) In giving consideration to the objectives outlined in subsection (1), the county or municipality shall consider making available the incentives provided under the Florida Enterprise Zone Act and chapter 420.

B. COMPLIANCE WITH CITY OF NORTH MIAMI BEACH COMPREHENSIVE PLAN AND LAND USE DESIGNATIONS

As required by Section 163.360, Part III, F.S., the CRA Plan shall: Conform to the comprehensive plan for the county or municipality as prepared by the local planning agency under the Local Government Comprehensive Planning and Land Development Regulation Act.

C. GOALS, OBJECTIVES, AND POLICIES

The following Objective and Policies are taken from the current City of North Miami Beach Comprehensive Plan. By their inclusion in the Amended Redevelopment Plan the Agency is adopting and operating in support of the City's Comprehensive Plan. This CRA Plan shall be subordinate to any and all future amendments and modifications to the City's Comprehensive Plan.

80

Future Land Use Element

Goal 1

Protect and enhance the residential, commercial and natural resource areas of North Miami Beach.

Objective 1.1

Coordinate new land uses and future redevelopment with soil conditions and the public facility system. Measures: Percent of new development required to tie in to the sanitary sewer system (objective – 100%), reduction of neighborhood cut through traffic as the result of traffic control strategies implemented (objective – 0 complaints from residents and or neighborhood associations), and percent of development or redevelopment implemented in accordance with the City's Land Development Regulations (objective – 100%).

Policy 1.1.1

As major new development occurs, continue to use the Land Development Regulations to require a tie-in to the sanitary sewer system if at all feasible.

Policy 1.1.2

Continue to implement traffic control strategies to minimize through-traffic on residential streets.

Policy 1.1.3

Continue to enforce Land Development Regulations regarding on-site drainage, open space and parking lot-access design standards, soil suitability for septic tanks, and topography.

Policy 1.1.4

The Urban Service Area of the City of North Miami Beach includes but is not limited to all lands within the City's municipal boundaries.

Objective 1.2

Detail a redevelopment strategy for the potential redevelopment areas cited in the Comprehensive Plan areas is included in the policies below. Redevelopment could include Future Land Use Map designation changes as necessary to facilitate enhancement of those areas. (e.g. additional recreation and open space land).

Policy 1.2.1

Work with local, state and federal officials to develop a partnership for exploring a redevelopment of the University Park Neighborhood including the reuse of Southeastern University for a biomedical/biotechnical public high school of choice.

Policy 1.2.2

Prepare action plans and seek funds to purchase property east of NE 15th Avenue and South of NE 167 Street for the purpose of stimulating a public facility-based mixed-use redevelopment that may include transportation uses,

recreation and open space activities, retail, and other community facilities.

Policy 1.2.3

Attempt to channel adult congregate living facilities into the deteriorating apartment structures in the Government Center Neighborhood through zoning polices (text, permitting and changes).

Policy 1.2.4

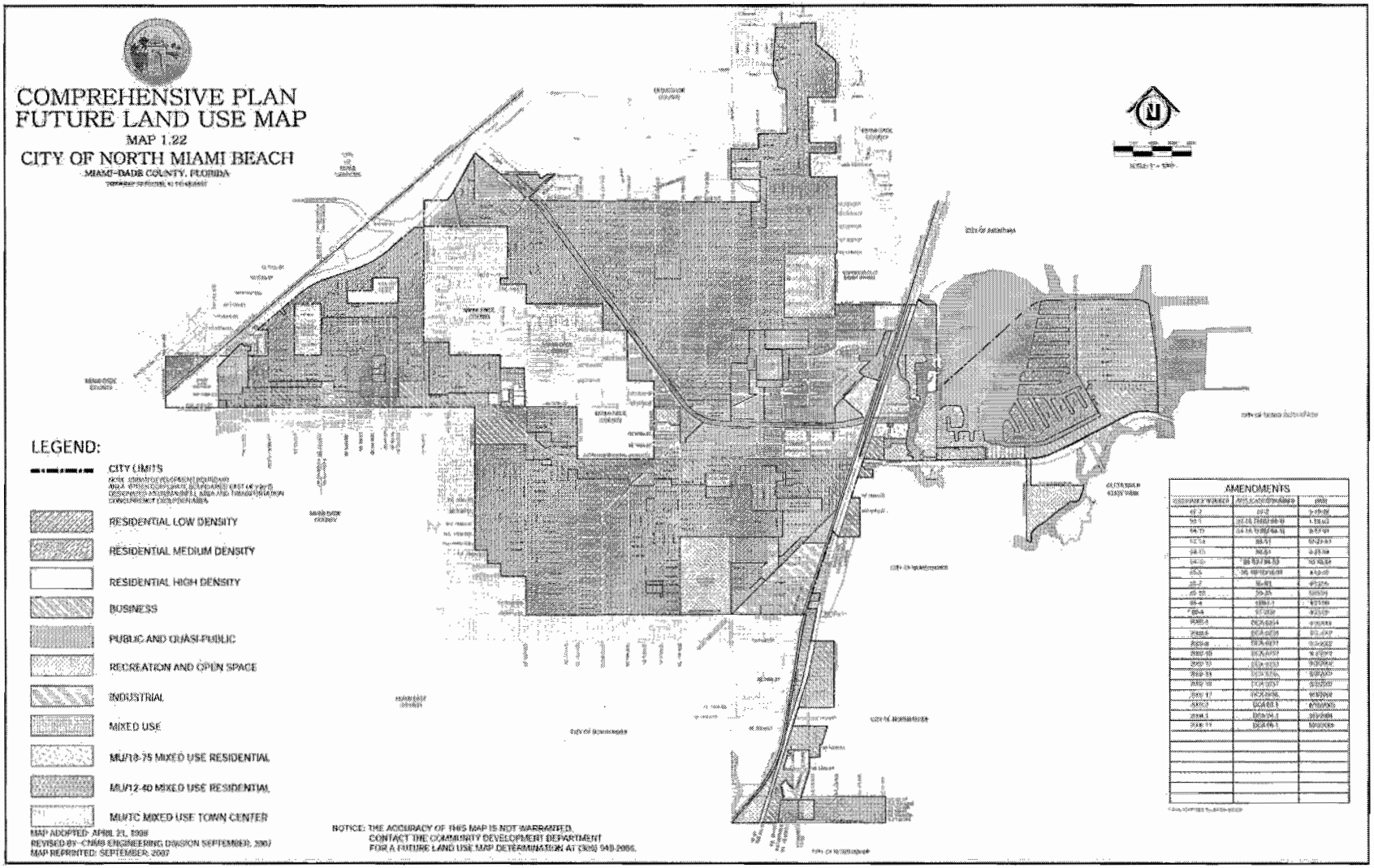
Seek federal, state, and local funds for redeveloping the S.R. 826 Corridor in conformance with a redevelopment plan which encourages a strong regional commercial atmosphere.

Policy 1.2.5

By 1999, analyze public and private deficiencies and prepare a redevelopment analysis and timeline for each of the redevelopment areas contained in the Land Use Element of Volume One (Allen Park, University Park, S.R. 826 Corridor, Highland Village, and Uleta).

Policy 1.2.6

Amend the Future Land Use Map as necessary to support the intent of the Goal of the Future Land Use Element. Future Land Use Map amendments allowing additional residential units in the City through increased density or conversion of non-residentially designated land to a residential designation shall be allowed only if it can be demonstrated that such amendments will not negatively affect the City's transportation facilities, infrastructure, schools, recreation opportunities, and overall quality of life.


COMPREHENSIVE PLAN
FUTURE LAND USE MAP
MAP 1.22
CITY OF NORTH MIAMI BEACH
MIAMI-DADE COUNTY, FLORIDA
LEGEND:
CITY LIMITS
RESIDENTIAL LOW DENSITY
RESIDENTIAL MEDIUM DENSITY
RESIDENTIAL HIGH DENSITY
BUSINESS
PUBLIC AND QUASI-PUBLIC
RECREATION AND OPEN SPACE
INDUSTRIAL
MIXED USE
MU/18-75 MIXED USE RESIDENTIAL
MU/12-40 MIXED USE RESIDENTIAL
MU/TC MIXED USE TOWN CENTER
MAP ADOPTED: APRIL 21, 1998
REVISED BY: CNMB ENGINEERING DIVISION SEPTEMBER, 2007
MAP REPRINTED: SEPTEMBER, 2007
NOTICE: THE ACCURACY OF THIS MAP IS NOT WARRANTED.
CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT
FOR A FUTURE LAND USE MAP DETERMINATION AT (305) 948-2986.
AMENDMENTS

83

Transportation Element

Goal 1

To maintain a financially feasible, multimodal, urban transportation system that meets the mobility needs of the residents in a safe and efficient manner, and that operates in harmony with the existing and future land use pattern and the environment.

Objective 1.5 Pedestrian/Bicycle Systems

The City will continue to develop methods of providing a safer, more convenient, non-motorized circulation system.

Objective 1.6 Land Use/Transportation Compatibility

The Transportation Element will be compatible with the Future Land Use Element and other elements of the plan ensuring that the transportation system meets the current and future needs of the population and land use patterns of North Miami Beach.

Policy 1.6.5

The City shall cooperate with Miami-Dade County in the development of multimodal transit facilities along the Biscayne Boulevard/U.S. 1 corridor. The City will provide conditions conducive to redevelopment of the area around these transit facilities that will enhance and encourage transit usage. Within six months of notification from Miami-Dade County of funding for a feasibility study for the corridor, the City will provide the County with requested information regarding existing and potential types, densities, and intensities of land use.

Policy 1.6.6

The City shall continue to maintain and enforce a concurrency management system to ensure that development orders and permits are not issued unless transportation facilities are available to serve development, consistent with Objective 1.1.

Objective 1.7 Intergovernmental Coordination

The City will have a system which ensures that all transportation requirements, procedures and improvements

are coordinated with all applicable government entities responsible for transportation activities.

Policy 1.7.1

The City will coordinate with Miami-Dade County MPO in its transportation planning activities. This coordination effort will include participation in the MPO Technical Coordinating Committee.

Policy 1.7.2

The City will participate in all corridor studies impacting North Miami Beach initiated or undertaken by FDOT and/or Miami-Dade County.

Policy 1.7.6

The City will support public transit by coordinating with Miami-Dade County for the placement and operation of multi-modal transit facilities along the Biscayne Boulevard/U. S. 1 corridor.

Policy 1.7.8

The City will coordinate with the Florida Department of Transportation Five-Year Work Program through annual reviews in order to ensure consistency between FDOT's Work Program and the City's comprehensive and transportation planning.

Infrastructure Element Goals, Objectives, and Policies

Goal 2

To provide and maintain the public infrastructure in a manner that will insure public health, safety and quality of life.

Policy 1.1.2

The City shall continue its drainage improvement program and continue the supporting catch basin cleaning program so that adequate street drainage can be achieved and maintained.

Objective 1.2

The City shall provide an adequate level of service during the planning period.

Policy 1.2.1

Sanitary Sewer: The sanitary sewer collection system within the City shall accommodate an average daily flow of at least 85 gallons per person per day. The County treatment and disposal system shall operate with a design capacity of 2% above the daily flow of the preceding year. Otherwise, septic tanks shall be the level of service.

Policy 1.2.2

Solid waste: The City's trucks and the County disposal system shall accommodate 5.5 pounds per capita per day.

Policy 1.2.3

Drainage: The City's storm drainage facilities shall accommodate runoff from a one-day storm that statistically occurs once in ten years.

Policy 1.2.4

Potable Water: the City's water system shall provide 150 gallons per person per day at a pressure of 40 pounds per square inch.

Objective 1.3

Maintain and expand water conservation programs.

Objective 1.4

Protect the City's natural drainage and recharge areas by retaining all existing lakes and prohibiting any new development with 100 percent impervious coverage.

Objective 1.6

Incorporate and provide particular support to South Florida Regional Planning Council Goals 2.2 and 2.3 and Policies 2.2.1, 2.2.1, 2.3.11 and 2.2.15, which read as follows:

SFRPC Strategic Regional Goal 2.2

Revitalize deteriorating urban areas.

SFRPC Strategic Regional Policy 2.2.1

Strategic Regional Policy 2.2.1 – Give priority to development in areas that are blighted, characterized by underdevelopment or underemployment and are in need of redevelopment. Among these, secondary priority should be given to areas within which adequate infrastructure and support services are either programmed or available.

SFRPC Strategic Regional Goal 2.3

Enhance the economic competitiveness of the region and ensure the adequacy of its public facilities and services by eliminating the existing backlog, meeting the needs for growth in a timely manner, improving the quality of services provided and pursuing cost-effectiveness and equitability in their production, delivery, and financing.

SFRPC Strategic Regional Policy 2.3.11

Give priority to the construction, maintenance or reconstruction of public facilities needed to serve existing development most effectively.

SFRPC Strategic Regional Policy 2.3.15

Impact review procedures shall consider the impacts of development on state, regional and local public facilities and services.

87

Capital Improvement Element Goals, Objectives and Policies

Goal 1

To undertake capital improvements necessary to keep its present public facilities in good condition and to accommodate new development, within sound fiscal practices.

Objective 1.1

The City Manager shall continue to monitor public facilities as a basis for annual recommendations to the City Council in the form of a five-year Capital Improvement Program (CIP).

Policy 1.1.1

Comprehensive Plan Data and Analyses and /or staff and engineering studies which include analyses of maintenance and operation costs shall form the basis for the annual preparation of the five-year Capital Improvement Program. No capital improvement expenditure shall be included in the CIP unless and until such improvement is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan and specifically supported by at least one Comprehensive Plan Policy. Each Department Head, as part of annually preparing and submitting his or her Department's five-year CIP proposal to the City Manager, shall insure that the Comprehensive Plan supports each proposed expenditure OR is scheduled to be amended so as to support each proposed expenditure. Funds for capital improvements shall not be budgeted unless funds for maintenance and operation are also budgeted.

Policy 1.1.2

Include in the annual capital improvement programming process a systematic replacement of equipment, infrastructure, and facilities as required to maintain existing services and operations and as needed to improve the security, safety, accessibility and efficiency of those services and operations.

Policy 1.1.3

In annually setting priorities, the following prioritized criteria will be used by the City Manager and City Council.

- Public Safety implications: a project to address a threat to public safety will receive first priority. All elements.
- Level of service or capacity problems; next in priority would be projects needed to maintain the stated Level of Service. Traffic, Infrastructure and Recreation Elements.
- Redevelopment: Does it further one of the redevelopment areas or enhance the tax base through new development? Land Use Element

- Ability to finance: A third criterion is the budgetary impact; will it exceed budget projections? All Elements
- Quality of life projects: lowest priority would be those projects not in the above categories but that would enhance the quality of life. All Elements except Land Use.
- State or other public jurisdictions: does it further one of their projects. All Elements except Land Use.

89

REDEVELOPMENT PLAN AMENDMENT PROCESS

REDEVELOPMENT PLAN AMENDMENT PROCESS AND REQUIREMENTS

The Community Redevelopment Plan shall be in effect for a maximum of thirty years from the date of the adoption of the initial Redevelopment Plan (adopted February 2005). Extensions shall be allowed as provided by state statute. Initially the Agency was created by the Miami Dade Board of County Commissioners to have a 10-year life span. Subsequently the life span has been modified by the BCC and the BCC retains the power to create further modifications in this regard in accordance with state statute.

The Community Redevelopment Plan may need to be amended in order for it to maintain its relevance and currency; to respond to priorities as they emerge; to serve new redevelopment areas; and to add needed specificity as projects, tax increment revenues and expenditures are defined in more detail over time. The Agency and City shall consider amendments in 5-year intervals.

Amendments to the Community Redevelopment Plan can only be made by the Board with approval of the City Council. The Agency will initiate any amendment action by creating a Resolution and recommending that the City Council approve the amendment. The Agency may then hold an advertised public hearing on the proposed modification or amendment and approve the modification by passage of an appropriate Resolution. Any Plan amendments shall be subject to Miami Dade County review and approval as per the terms of the adopted interlocal agreement. Any amendment action may also require pre-notification of the affected taxing authorities by registered mail.

If any provision of this CRA Plan or subsequent amendments shall be found to be invalid, unconstitutional or otherwise legally infirm, such provision shall not affect the remaining portions of the CRA Plan. All amendments to the redevelopment plan are subject to the approval of the Miami-Dade County Board of Commissioners.

The amendment process is governed by state statutes which may change over the lifetime of the Plan. Therefore, the statute shall be overriding guide to all amendment procedures. Section 163.361 (2008) is included on the following pages.

163.361 Modification of community redevelopment plans

(1) If at any time after the approval of a community redevelopment plan by the governing body it becomes necessary or desirable to amend or modify such plan, the governing body may amend such plan upon the recommendation of the agency. The agency recommendation to amend or modify a redevelopment plan may include a change in the boundaries of the redevelopment area to add land to or exclude land from the redevelopment area, or may include the development and implementation of community policing innovations.

(2) The governing body shall hold a public hearing on a proposed modification of any community redevelopment plan after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the agency.

(3)(a) In addition to the requirements of s. 163.346, and prior to the adoption of any modification to a community redevelopment plan that expands the boundaries of the community redevelopment area or extends the time certain set forth in the redevelopment plan as required by s. 163.362(10), the agency shall report such proposed modification to each taxing authority in writing or by an oral presentation, or both, regarding such proposed modification.

(b) For any community redevelopment agency that was not created pursuant to a delegation of authority under s. 163.410 by a county that has adopted a home rule charter and that modifies its adopted community redevelopment plan in a manner that expands the boundaries of the redevelopment area after October 1, 2006, the following additional procedures are required prior to adoption by the governing body of a modified community redevelopment plan:

1. Within 30 days after receipt of any report of a proposed modification that expands the boundaries of the redevelopment area, the county may provide notice by registered mail to the governing body of the municipality and the community redevelopment agency that the county has competing policy goals and plans for the public funds the county would be required to deposit to the community redevelopment trust fund under the proposed modification to the community redevelopment plan.

2. If the notice required in subparagraph 1. is timely provided, the governing body of the county and the governing body of the municipality that created the community redevelopment agency shall schedule and hold a joint hearing co-chaired by the chair of the governing body of the county and the mayor of the municipality, with the agenda to be set by the chair of the governing body of the county, at which the competing policy goals for the public funds shall be discussed. For those community redevelopment agencies for which the board of

commissioners of the community redevelopment agency are comprised as specified in s. 163.356(2), a designee of the community redevelopment agency shall participate in the joint meeting as a nonvoting member. Any such hearing shall be held within 90 days after receipt by the county of the recommended modification of the adopted community redevelopment plan. Prior to the joint public hearing, the county may propose an alternative modified community redevelopment plan that meets the requirements of s. 163.360 to address the conditions identified in the resolution making a finding of necessity required under s. 163.355. If such an alternative modified redevelopment plan is proposed by the county, such plan shall be delivered to the governing body of the municipality that created the community redevelopment agency and the executive director or other officer of the community redevelopment agency by registered mail at least 30 days prior to holding the joint meeting.

3. If the notice required in subparagraph 1. is timely provided, the municipality may not proceed with the adoption of a modified plan until 30 days after the joint hearing unless the governing body of the county has failed to schedule or a majority of the members of the governing body of the county have failed to attend the joint hearing within the required 90-day period.

4. Notwithstanding the time requirements established in subparagraphs 2. and 3., the county and the municipality may at any time voluntarily use the dispute resolution process established in chapter 164 to attempt to resolve any competing policy goals between the county and municipality related to the community redevelopment agency. Nothing in this subparagraph grants the county or the municipality the authority to require the other local government to participate in the dispute resolution process.

(4) A modification to a community redevelopment plan that includes a change in the boundaries of the redevelopment area to add land must be supported by a resolution as provided in s. 163.355.

(5) If a community redevelopment plan is modified by the county or municipality after the lease or sale of real property in the community redevelopment area, such modification may be conditioned upon such approval of the owner, lessee, or successor in interest as the county or municipality may deem advisable and, in any event, shall be subject to such rights at law or in equity as a lessee or purchaser, or his or her successor or successors in interest, may be entitled to assert.

NEIGHBORHOOD IMPACT OF PROGRAMS

A. LAND USE, ZONING AND DEVELOPMENT APPROVALS

B. EFFECT ON TRAFFIC

C. EFFECT ON COMMUNITY FACILITIES

D. EFFECT ON SCHOOLS

A. LAND USE, ZONING, AND DEVELOPMENT APPROVALS

At the time of the adoption of the Community Redevelopment Plan, the Agency shall conform to all pertinent laws, land development regulations, the existing Comprehensive Plan, ordinances and resolutions of the City of North Miami Beach as they relate to the approval of required permits or development orders for Agency-initiated projects which require such approvals. The current North Miami Beach Land Use Map is provided in Appendix D – Future Land Use Map for the City of North Miami Beach.

B. EFFECT ON TRAFFIC

It is the intent of the Agency to promote and improve safe, efficient and convenient traffic circulation throughout and within the Community Redevelopment Area. As the existing roadway network provides considerable connectivity with arterials and connectors, the Agency shall emphasize the need to improve those roadways within the Community Redevelopment Area. The Agency shall also serve as an advocate for aggressive grant and state funding for roadway and traffic circulation improvements.

C. EFFECT ON COMMUNITY FACILITIES

Any existing community facilities within the boundary of the Community Redevelopment Area may benefit from the economic improvement of the area by the implementation of the redevelopment initiatives, and the physical improvements of the surrounding area that will create economic revitalization with the advent of new businesses and job opportunities. Community services such as police and code enforcement can be expanded utilizing the programs included in the Community Redevelopment Plan.

D. EFFECT ON SCHOOLS

Educational Facilities

There are no public schools located within the community redevelopment area. Fulford Elementary is located adjacent to the CRA, between NE 160 and 161 Streets on NE 18 Avenue. The CRA will have no physical impacts on this school property. The Plan does contemplate the development of additional housing units in the redevelopment area, including mixed use and multi-family projects. As a result, there likely will be some increase in school population. At this time, however, it is not possible to calculate how much of an increase. Future impacts generated by redevelopment will be reviewed on a case-by-case basis as part of the project approval required by the Comprehensive Plan and related concurrency regulations.

In anticipation of the possible need for additional school space, the Plan provides that the Agency will be empowered to provide financial support for development of charter school plant facilities. See section 8 for applicable programs. All CRA initiatives are subordinate to the Comprehensive Plan, the Land Development Regulations or any County-wide concurrency guidelines.

APPENDIX

INTERLOCAL AGREEMENT

SIGNED

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT (the "Agreement"), made this 11 day of, Oct, 2005 by and between Miami-Dade County, Florida, a political subdivision of the State of Florida (the "County"), the City of North Miami Beach , Florida, a municipal corporation under the laws of the State of Florida (the "City") and the North Miami Beach Community Redevelopment Agency, or its successor, a public body corporate and politic (the "Agency").

WHEREAS, the Mayor and City Council adopted Resolution No. 2004-57 on September 14, 2004, providing a Finding of Necessity declaring that a blighted area, as defined in Section 163.340, Florida Statutes, exists within the City's boundaries; and

WHEREAS, the Mayor and City Council further declared in Resolution No. 2004-57 that the rehabilitation, conservation, redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of North Miami Beach; and

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution R-1345-04 on November 30, 2004 , which, among other things, declared that a slum or blighted area existed in a geographic area, more particularly described in Exhibit "1" (the "Redevelopment Area"), determined that it was necessary to redevelop such Redevelopment Area in accordance with the provisions of Part III of Chapter 163, Florida Statutes (the "Act"), and delegated to the City Council of the City of North Miami Beach, Florida (the "City Council") the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Act to enable the City Council to declare the need-for, create and delegate powers to a community redevelopment agency and to initiate, prepare and adopt a plan of redevelopment for final approval by the Board; and

WHEREAS, the City Council, pursuant to Resolution R2004-86 adopted on December 21, 2004, accepted a delegation of powers from the Board, found a need for and created the Agency, declared the members of the City Council to be the members of the Agency, granted the Agency the power to exercise all powers permitted by the Act which were delegated by the Board to the Agency and directed the initiation, preparation and adoption of a community redevelopment plan by the Agency; and

WHEREAS, the Mayor and City Council adopted on February 1, 2005, resolution R2005-05 giving final approval to the community redevelopment agency's community redevelopment plan; and

WHEREAS, pursuant to Resolution R-611-05 adopted on June 7, 2005 the Board has approved the North Miami Beach Community Redevelopment Plan (the "Plan") to enable the City to undertake redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to Ordinance 05-110 adopted on June 7, 2005 the Board has approved the creation of a community redevelopment trust fund known as the North Miami Beach Community Redevelopment and Revitalization Trust Fund (the "Fund") which provides for the calculation and appropriation of tax increment funds; and

WHEREAS, the boundaries identified for the Redevelopment Area are within the corporate limits of the City; and

WHEREAS, the City played the major role in the preparation of the Plan; and

WHEREAS, the County, the City and the Agency desire to delineate their areas of responsibility with respect to the redevelopment of the Redevelopment Area.

WITNESSETH, that for and in consideration of the mutual covenants and agreements contained herein, the County, the City and the Agency agree as follows:

I. Delegation of Powers

A. With the exception of the community redevelopment powers that continue to vest in the Board pursuant to Section 163.358, Florida Statutes the Board hereby delegates to the City Council, acting either directly or through the Agency, the sole right and responsibility to exercise only the following specifically delineated redevelopment powers:

(1) The power to make and execute contracts and other instruments necessary or convenient to the exercise of its powers pursuant to the Act.

(2) The power to disseminate slum clearance and community redevelopment information.

(3) The power to undertake and carry out community redevelopment and related activities within the Redevelopment Area, which redevelopment may include:

(a) Acquisition of a slum area or a blighted area or portion thereof;

(b) Demolition and removal of buildings and improvements,

(c) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the Redevelopment Area the community redevelopment objectives of the Act in accordance with the Plan;

(d) The power to dispose of any property acquired in the Redevelopment Area at its fair value for uses in accordance with the Plan;

(e) The power to carry out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the Plan;

(f) The power to acquire real property in the Redevelopment Area which, under the Plan, is to be repaired or rehabilitated for the dwelling use or related facilities, repair or rehabilitation of tile structures for guidance purposes, and resale of the property;

(g) The power to acquire any other real property in the Redevelopment Area when necessary - to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other-uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities;

(h) The power to acquire without regard to any requirement that the area be a slum or blighted area, air rights in an area consisting principally of land in highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income;

(i) The power to construct foundations and platforms necessary for the provision of air rights sites of housing (and related facilities and uses) designed specifically for and limited to, families and individuals of low or moderate income.

(4) The power to provide, or to arrange or contract for, the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with a community redevelopment; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; and to agree to any conditions that it deems reasonable and appropriate which are attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of a community redevelopment and related activities, and to include in any contract let in connection with such redevelopment and related activities provisions to fulfill such of the conditions as it deems reasonable and appropriate

(5) Within the Redevelopment Area:

(a) The power to enter into any building or property in the Redevelopment Area in order to make inspections, surveys, appraisals, soundings, or test borings and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;

(b) The power to acquire by purchase, lease, option, gift, grant, bequest, devise, or otherwise any real property (or personal property for its administrative purposes), together with any improvements thereon, except that the County shall continue to retain all powers with respect to the use of eminent domain;

(c) The power to hold, improve, clear, or prepare for redevelopment any such property;

(d) The power to mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property;

(e) The power to insure or provide for the insurance of any real or personal property or operations of the City against any risks or hazards, including the power to pay premiums on any such insurance;

(f) The power to enter into any contracts necessary to effectuate the purposes of the Act;

(g) The power to solicit requests for proposals for redevelopment of parcels of real property contemplated by the Plan to be acquired for redevelopment purposes by the Agency and, as a result of such requests for proposals, to advertise for the disposition of such real property to private persons pursuant to Section 163.380, Florida Statutes, prior to acquisition of such real property by the Agency; and

(6) The power to invest any community redevelopment funds held in reserves or sinking finds or any such finds not required for immediate disbursement in property or securities in which savings banks may legally invest finds subject to their control and to redeem such bonds as have been issued pursuant to Section 163.385, Florida Statutes, at the redemption price established therein or to purchase such bonds at less than the redemption price, all such bonds so redeemed or purchased to be cancelled.

(7) The power to borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the Federal Government or the state, county, or other public body or from any sources, public or private, for the purposes of the Act, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the Federal Government for or with respect to community redevelopment and related activities such conditions imposed pursuant to federal laws as the County and/or the City deems reasonable and appropriate which are not inconsistent with the purposes of the Act.

(8) Within its area of operation, the power to make or have made all surveys and plans necessary to the carrying out of the purposes of the Act; to contract with any person, public or private, in making and carrying out such plans; and to adopt or approve, modify, and amend such plans, which plans may include, but are not limited to:

(a) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;

(b) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the

compulsory repair, rehabilitation, demolition, or removal' of buildings and improvements;

(c) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of community redevelopment and related activities.

(9) The power to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and developing and demonstrating new or improved means of providing housing for families and persons of low income.

(10) The power to apply for, accept, and utilize grants of funds from the Federal Government for such purposes.

(11) The power to prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations. and others) displaced from the Redevelopment Area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government.

(12) The power to appropriate such funds and make such expenditures as are necessary to carry out the purposes of the Act subject to the County's, review and approval of the Agency's annual budget or any requested budget amendments, to zone or rezone any part of the City or make exceptions from building regulations pursuant to applicable law; and to enter into agreements with a housing authority, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by the City pursuant to any of the powers granted by the Act.

(13) The power to close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places and to plan or replan any part of the City.

(14) Within its area of operation, the power to organize, coordinate, and direct the administration of the provisions of the Act as they may apply to the City, in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the City may be most effectively promoted and achieved and to establish such new office or offices of the City or to reorganize existing, offices in order to carry out such purpose most effectively.

(15) The power to exercise all or any part or combination of powers herein granted or to elect to have such powers exercised by the Agency.

B. All powers not specifically listed in this section I(A) are reserved to the Board, including, but not limited to the power to issue bonds pledging TIF revenues, the power to use eminent domain to acquire properties, the power to implement community policing programs, and the power to change the composition of the CRA Board.

II. Implementation of the Plan

A. The Redevelopment powers listed in Section I. herein may be exercised only with respect to the Area and only with respect to the Plan as adopted by the Agency, adopted by the City Council and approved by the Board, together with any supplements or amendments to the Plan, provided that any amendments and supplements to the Plan must also be approved by the Board. The City and the Agency hereby expressly agree that the Plan as approved by the Board pursuant to Resolution 611-05 is for a period of ten (10) years.

B. No more than twenty percent (20%) of the funds contemplated to be expended under the Plan shall be used for total administrative expenses allowable under Section 163.387(6)(a), Florida Statutes. No more than six percent (6%) of the funds contemplated to be spent under the Plan shall be allocated to indirect and overhead expenses as those terms are generally understood. The County shall charge, and the Agency shall pay, to the County an annual administrative fee ("County Administrative Fee"). The fee shall be based on a percentage of the County's TIF payment to the agency and shall be determined annually by the County. The percentage charged by the County shall be the same for all CRAs within the County. The County administrative fee shall not be included in the (20%) limit on administrative expenses defined in this section.

C. The City shall, either directly or through the Agency, ensure that the staff of the Agency be racially and ethnically diverse, all in accordance with applicable law.

III. City/County Coordination

A. The County Manager shall designate a Redevelopment Area Coordinator (the "Redevelopment Area Coordinator"). The Redevelopment Area Coordinator shall serve as the County's liaison to the City and the Agency for the Redevelopment Area. The Redevelopment Area Coordinator shall carry out the day-to-day County responsibilities for the Redevelopment Area and shall be the designated person to receive all data and reports pertaining to the Plan.

B. The City, either directly or through the Agency, shall be responsible for implementing and conforming to the Plan. The City's responsibilities with respect to implementation of the plan (acting either directly or through the Agency), shall include developing and implementing proposals for indebtedness and bond financing (subject to County approval, which approval the County may grant or deny in its sole and absolute discretion and the limitations contained herein), acquisition, disposition and relocation activities, eminent domain activities (subject to County approval which approval the County may grant or deny in its sole and absolute discretion and the limitations contained herein), coordination and implementation of the design and construction of public improvements necessary to support the redevelopment of the Redevelopment Area, and such other projects and activities as are contemplated by the Plan. The City, either directly or through the Agency, shall deliver copies of all accepted proposals for the Redevelopment Area to the Redevelopment Area Coordinator. All CRA projects and proposals must be identified and budgeted for in the annual plan and budget, which remains subject to County approval. Justification as to how each new project and proposals conform with the Goals and elements contained in the plan shall be provided to County staff upon request.

C. The Redevelopment Area Coordinator shall submit all proposals related to amendments to the Plan and proposals for indebtedness and bond financing to the

County Manager's Tax increment Financing and Coordinating Committee (the "TIFC Committee"), which Committee shall review and make recommendations to the County Manager on modifications and amendments to the Plan and all proposals for indebtedness and bond financing for the Redevelopment Area. The Redevelopment Area Coordinator shall review all proposals prior to review by the TIFC Committee and the Board.

D. An annual budget and a separate report of activities for the preceding year shall be submitted to the County not later than forty (45) days prior to the beginning of each County fiscal year in a format approved by the County. The format shall contain provisions for descriptions and justifications for both annual and multi-year project costs and require explanations and justifications for all inter-agency or intergovernmental charge or allocations. In the event that changes in the millage rates require modification of the submitted budget, such budget shall be submitted on or before the 15th day of the fiscal year. The annual budget for the Agency and the Redevelopment Area shall be adopted by the Agency and City prior to review and approval by the Board. With the exception of the debt service payment on existing bond obligations financed by tax increment revenues, no finds on deposit in the Fund may be expended by the City Commission or the Agency, as the case may be, until the annual budget has been approved by the Board. The TIFC Committee shall initially review the budget and submit recommendations to the County Manager for review and to the Board for final approval. At the request of the County, the City or the Agency shall submit additional progress reports on the Plan and Redevelopment Area activities

E. Once the Board approves and adopts any amendments and modifications to the Plan, such amendments and modifications shall become a part of the Plan and the powers delegated to the City Council pursuant to this Agreement, shall be exercisable either directly or through the Agency, with respect to such amendments and modifications.

IV. Land Disposition

A. Any disposition of land for the Redevelopment Area shall be accomplished in accordance with applicable provisions of federal, state and local law, established City guidelines, the Plan and this Agreement pursuant to the Act.

V. Other Redevelopment Area Activity

A. The City, either directly or through the Agency, shall be responsible for the administration and funding of all relocation activities. Six months prior to the commencement of redevelopment activities which may result in the displacement of persons, the City, either directly or through the Agency, shall establish residential relocation procedures for the relocation of such persons (the "Local Relocation Procedures") and shall submit such Local Relocation Procedures to the Board for review and approval. In addition to any applicable federal, State or local law, the Local Relocation Procedures shall apply in all relocation cases within the Redevelopment Area, provided, however, if federal funds are received by the City, either directly or through the Agency, for a project which requires residential relocation, the City, either directly through the Agency, shall follow the relocation procedures set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 United States Code, Chapter 61, Section 4601, et seq. and Section

104 (d) of the Housing and Community Development Act of 1974, and as such may be amended. The City, and or Agency, may contract with County agencies to assist in residential relocation.

B. The City, either directly or through the Agency, shall cause an annual report of activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income and operating expenses as of the end of such fiscal year to be filed with the County on, or before March 31 of each year. Also, the City, either directly, or through the agency, shall cause an independent audit by a Certified Public Accounting firm to be performed on an annual basis, a copy of which is to be forwarded to the Board by the first of March of the following year. The preceeding requirements must conform, or be compliant with, Sections 163.356 (c), and 163.387 (8) Florida Statutes and any reporting request subsequently made by the Controller General of the State of Florida.

C. All redevelopment activities conducted with respect to the Redevelopment Area shall be in conformance with the Plan as the same may be amended. Any amendments to the Plan as required by Section 163.361, Florida Statutes, must have prior approval of the Board before the City, either directly or through the Agency, may implement the change contemplated by the amendments. Once approved, however, the City, either directly or through the Agency, may implement the amendments thereto.

D. The City or the Agency, as the case may be shall include language in any loan agreement, grant agreement or other agreements or contracts entered into between the City or the Agency and business involved in the redevelopment effort of the Redevelopment Area which states that, as a condition to the business' receipt of monies or incentives from the City or the Agency, any new jobs created as a result of the redevelopment shall be awarded so that such group of employees are a racially and ethnically-diverse group, all in accordance with applicable law.

VI. Project Financing

A. The City, either directly or through the Agency, shall establish and maintain the Fund, as required by applicable law. Both the City and the County shall deposit annually into the Fund an amount equal to 95 % of the increment from ad valorem taxes collected within the Redevelopment Area pursuant to Section 163.387 (1)(b), Florida Statutes, Ordinance No. 05-110 enacted by the Board on June 7, 2005 and other provisions of applicable law.

B. The City, either directly or through the Agency, shall develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the City may, either directly or through the Agency, expeditiously and without undue delay, utilize such finds in accordance with the Board approved budget for the Redevelopment Area.

C. The City, either directly or through the Agency, shall select financial and legal consultants as necessary to assist in the preparation of the tax increment financing plans. The City and the Agency shall encourage the participation of and utilize small and minority businesses, specifically with respect to bond counsel, underwriters' counsel and underwriting services, in the development of the Redevelopment Area.

D. The City, either directly or through the Agency, after County approval may sell bonds and execute notes and other forms of indebtedness, as well as collateral documents, to finance capital improvements, land acquisition, or developer incentive programs deemed necessary for the Redevelopment Area; **however, County approval as to amount, duration and purpose of such bonds, notes or other indebtedness, including advances pledging or obligating tax increment revenues, must be obtained prior to issuance of any such bond, note or other form of indebtedness including advances pledging or obligating tax increment revenues.** The County's obligation to annually appropriate to the Fund shall continue until all loans, advances a indebtedness, if any, and interest thereon, of the Agency incurred as a result of redevelopment in the CRA, have been paid, or for as long as required by applicable law, whichever is later. In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined pursuant to Ordinance No 05-110. On the last day of the fiscal year of the Agency, any money which remains in the Fund after payment of expenses pursuant to Section 163.387(6), Florida Statutes, for such year shall be: (1) returned to each taxing 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; (2) used to reduce the amount of any indebtedness to which increment revenues are pledged; (3) deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or (4) appropriated to a specific redevelopment project pursuant to the approved Plan which project will be completed within three (3) years from the date of such appropriation.

E. The City voluntarily exempts The Children's Trust and the County Fire and Rescue District and from any contribution to the Community Redevelopment Trust Fund.

F. County approval of the Agency's annual budget is required prior to any expenditure by the Agency of any funds contributed by either the City or the County to its Community Redevelopment Trust Fund, excepting the payment of debt service payments to which the Agency has pledged its Tax Increment Financing revenues. Absent County approval of the annual budget all required Agency costs, excluding debt service, shall be funded through advances by the City and not from Tax Increment revenues deposited in the Community Redevelopment Trust Fund.

G. The City and the Agency hereby expressly agree that the delegation of powers to implement the Plan as approved by the Board pursuant to Resolution 661-05 is for a ten (10) year period. The City of North Miami Beach CRA shall continue to be delegated the powers to implement the Plan and shall receive Tax Increment Revenues from the County for no more than ten (10) years, unless either 1) within by the end of the fifth operating and fiscal year of the Agency, the County approves a Bond issue by the Agency, or an amendment to the Plan that further delineates purposes of, and demonstrates the need for long-term financing through bonds or notes that require a pledge of TIF revenues, or 2) by the end of the tenth year operating and fiscal year, absent a Bond issue, the County, upon the demonstration by the Agency that sufficient progress has been made towards the Agency's goals without having achieved its measurable goals, approves a progress report and plan update setting forth specific goals and strategies for a further period, and therewith an extension of the commitment of Tax Increment Revenues, for a period that shall not exceed ten (10)additional years. If (1) herein occurs, the delegation of powers to implement the Plan,

the Plan, and the County's pledge of Tax Increment Revenues shall be extended for so long as bonds or notes referenced herein are outstanding, but in no event longer than for thirty (30) years from the date of this agreement.

VII. Citizen Participation

To carry out an effective an inclusive citizen participation process, the City, either directly or through the Agency, shall utilize community groups and seek community involvement and consider citizen input in the development of Redevelopment Area activities.

VIII. Project Management, Administration and Coordination

A. The City and/or the Agency shall cooperate with the County on any reasonable request of the County with respect to implementing any plan of action related to the Plan. The City and/or the Agency shall develop implementation schedules and timetables for all significant Redevelopment Area activities as determined by the City and/or the Agency copies of which shall be delivered to the. Redevelopment Area Coordinator beginning one year from the implementation of this Agreement. The City and/or the Agency shall also deliver additional interim reports to the County upon request.

B. The Redevelopment Area Coordinator shall receive from the City and/or the Agency advance notice of all public meetings related to development of projects pursuant to this Agreement and on a regular basis, information regarding, the progress of all such development through the design and construction of such projects.

C. During construction, the County shall have the right to attend all such public meetings and inspect the projects being developed at all reasonable times subject to reasonable restrictions imposed by the contractor

D. The City and/or the Agency shall consult regularly with the Redevelopment Area Coordinator in order to keep the County reasonably informed throughout the duration of the planning, design and construction of such redevelopment projects. The City, either directly or through the Agency, shall be required to have an outside independent audit on the annual basis to monitor and investigate compliance with the terms of this Agreement. The right of the auditor to investigate, monitor, inspect, copy, review, verify and check operations and records of the City and the Agency shall include, but not be limited to, all of its employees, consultants, agents or authorized contractors and subcontractors, as well as, all administrative and operational facilities used by the City, the Agency and the County in connection with all matters arising under this Agreement. Records include, but are not limited to, construction, financial, correspondence, instructions, memoranda, bids and contract documents, as well as all other records pertaining to the planning, development and construction of projects pursuant to this Agreement. Any rights that the County has under this provision shall not be the basis for any liability to accrue to the County from the City, the Agency or third parties for-such monitoring or investigation or for the Area, all in accordance with applicable law.

X. City Assurances Regarding Affirmative Action

As part of this Agreement the City and the Agency, as the case may be, shall follow applicable federal, State and County laws and regulations concerning affirmative action and race/ethnic/gender conscious concerns all in accordance with applicable law.

XI. Amendments

This Agreement may be amended only by a written agreement signed by the City, the Agency and the County.

XII. Indemnification and other

A. The City and Agency shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Agreement by the City and Agency or its employees, agents, servants, partners principals or subcontractors. The City and Agency shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may be issued thereon. **Provided, however, this indemnification shall only be to the extent and within the limitations of Section 768.28 Fla Stat., subject to the provisions of that Statute whereby the City and Agency shall not he 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 judgment or portions thereof, which, when totaled with all other claims or judgment pay by the City and Agency arising out of the same incident or occurrence, exceed the sum of $200,000 from any and all personal injury or property damage claims, liabilities, losses or causes of action which may arise as a result of the negligence of the City and Agency.**

B. Third Party Beneficiaries. None of the parties intend to directly or substantially benefit any third party by this Agreement. Therefore, the parties agree that there are no third party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against either of them based upon this Agreement.

C. All parties have substantially contributed to the drafting and negotiation of this Agreement and this Agreement shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than any other. The parties hereto acknowledge that they have thoroughly read this Agreement, including all exhibits and attachments hereto, and have sought and received whatever competent advice and counsel was necessary for them to form a full and complete understanding of all rights and obligations herein.

D. Jurisdiction: This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. Venue for litigation concerning this Agreement shall be in Miami-Dade County, Florida.

E. Severance: Should any clause or provision of this Agreement be determined to be illegal, invalid or unenforceable under any present or future law by final judgment of a court of competent jurisdiction, the remainder of this Agreement will not be affected thereby. It is the intention of the parties that if any such provision is held to be illegal, invalid or unenforceable, there will be added in lieu thereof a legal, valid and enforceable provision that is as similar as possible in terms to the illegal, invalid or unenforceable provision, which is agreed to by all parties.

F. Waiver: No express or implied consent or waiver by a party to or of any breach or dealt by the other party in the performance by such other party of its obligations under this Agreement will be deemed or construed to be a consent or waiver to or of any other breach or dealt 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 it 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.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their names by their duly authorized officers and the corporate seals to be affixed hereto, all as of the day and year first above written.

WITNESS our hands and seals on this 11th day of Oct, 2005.

CITY OF NORTH MIAMI BEACH, FLORIDA,
A municipal corporation of the State of Florida

By: _____
City Manager

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
City Attorney

MIAMI-DADE COUNTY, FLORIDA,
a political subdivision of the State of Florida

By: _____
County Manager

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
Asst. County Attorney

NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY,
a public body corporate and politic

By: _____
Chairman

ATTEST:

By: _____
Clerk

Acknowledgements

North Miami Beach Community Redevelopment Agency Board

George Vallejo, Chairman

Philippe Derose, Commissioner

Phyllis S. Smith, Commissioner

Beth E. Spiegel, Commissioner

Frantz Pierre, Commissioner

Barbara Kramer, Commissioner

Marlen Martell, Commissioner

North Miami Beach Community Redevelopment Agency Staff

Lyndon L. Bonner, CRA Executive Director

Daniel A. Wick, CRA Coordinator

Connie Diaz, CRA Assistant

EXHIBIT B

MIAMI-DADE COUNTY

PUBLIC NOTICE

The Public is advised that a Public Hearing will be held on Tuesday, April 3, 2012 at 9:30 A.M., by the Miami-Dade County Board of County Commissioners (BCC) in the Commission Chambers located on the Second Floor of the Miami-Dade Stephen P. Clark Center, 111 N.W. First Street, Miami, Florida, at which time the BCC will consider:

> **A resolution adopting a Redevelopment Plan Amendment for the North Miami Beach Community Redevelopment Area generally described as the Town Center both to the north and the south of NE 163rd Street from NE 8th Avenue to Biscayne Boulevard; and making certain findings with respect to such redevelopment plan and such geographic area.**

The North Miami Beach CRA is generally described as being bounded by NE 8th Avenue to the West, Biscayne Boulevard to the East, NE 175th Street as the northernmost boundary and NE 154th St as the southernmost boundary.

All interested parties may appear and be heard at the time and place specified above. Copies of the resolution may be obtained from the Clerk, Board of County Commissioners, 17th Floor of the Miami-Dade County Stephen P. Clark Center.

A person who decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at this meeting or hearing will need a record of the proceedings. Such person may need to ensure a verbatim record of the proceedings is made, including the testimony and evidence upon which appeal is to be based. Miami-Dade County provides equal access and equal opportunity in the employment and services and does not discriminate on the basis of handicap. Sign Language Interpreters are available upon request. Please call (305) 375-2820 at least five (5) days in advance.

RESOLUTION NO. R2012-19

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND ADOPTING THE 2012 AMENDED CRA PLAN, WHICH WAS APPROVED BY THE CRA AT A PUBLIC MEETING ON DECEMBER 5, 2011 AND PREPARED IN COMPLIANCE WITH CHAPTER 163, PART III, FLORIDA STATUTES, AND WITH THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; FINDING THAT THE 2012 AMENDED CRA PLAN SUPERCEDES AND REPLACES ANY PRIOR CRA PLAN; DIRECTING THE CRA COORDINATOR TO FORWARD THE 2012 AMENDED PLAN TO THE MIAMI-DADE COUNTY GOVERNMENT PURSUANT TO THE PROVISIONS OF THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI BEACH, FLORIDA.

WHEREAS, the CRA prepared a 2012 Amended CRA Plan in compliance with Chapter 163, Part III, Florida Statutes; and

WHEREAS, the 2012 Amended Plan will supercede and replace the existing CRA Plan; and

WHEREAS, the 2012 Amended CRA Plan modifies, improves, and enhances the original CRA Plan which was previously adopted; and

WHEREAS, the 2012 Amended CRA Plan was unanimously approved and adopted at a CRA meeting held in public on December 5, 2011; and

WHEREAS, the 2012 Amended CRA Plan provides a comprehensive Capital Improvements Section that includes both current and planned CRA Capital Projects, along with other features which will enable the CRA to expand funding opportunities for projects within the CRA; and

WHEREAS, in accordance with the requirements of Section 163.346, Florida Statutes, notice of the amendments to the CRA Plan was provided to each taxing authority which levies ad valorem taxes on taxable real property contained within the redevelopment area.

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of North Miami Beach, Florida.

Section 1. The foregoing recitals are true and correct.

Section 2. The Mayor and Council of the City North Miami Beach, Florida hereby adopt and approve the 2012 Amended CRA Plan.

Section 3. The CRA Coordinator is hereby directed to forward the approved 2012 Amended CRA Plan to the Miami-Dade County Government for its review and approval.

APPROVED AND ADOPTED by the City of North Miami Beach City Council at the regular meeting assembled this **21st day of February, 2012.**

ATTEST:

PAMELA L. LATIMORE
CITY CLERK

(CITY SEAL)

GEORGE VALLEJO
MAYOR

APPROVED AS TO FORM:

DARCEE S. SIEGEL
CITY ATTORNEY

SPONSORED BY: Mayor and Council

RESOLUTION R2012-19