

Memorandum



Date: May 1, 2012

Agenda Item No. 2(B)1

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in cursive script, appearing to read "Carlos A. Gimenez".

Subject: Report: Economic Development and Use of the Poinciana Industrial Park

On February 7, 2012, the Board adopted Resolution No. 154-12 directing the Mayor or designee to prepare a report regarding the economic development and use of the Poinciana Industrial Park. The study area which is bounded by NW 79th Street to the north, the Florida East Coast Railway to the south, NW 27th Avenue to the west and NW 22nd Avenue to the east, contains approximately 20 acres of vacant County owned land. The attached report is a comprehensive package of development information for prospective investors. It contains baseline information related to existing development, land use, zoning, infrastructure, contamination, and environmental issues.

A larger market area extending north to NW 103rd Street, south to NW 54th Street, east to NW 7th Avenue and west NW 37th Avenue was also analyzed to provide potential investors with demographic and economic information. Seventeen different economic incentive programs are available for potential developers of the County owned parcels. The report contains a description of each program. Based on the baseline analysis and previous neighborhood planning efforts, conceptual plans illustrating uses, building placement, street improvements and open space are also included in the report.

A handwritten signature in cursive script, appearing to read "John Holt".

Deputy Mayor

D oinciana Park Area Plan Report

Miami-Dade County • Sustainability, Planning and Economic Enhancement
Community Design Section • Urban Design Center & Planning Research Section



Statement of Legislative Intent

This statement is applicable to these recommendations in its entirety and is declared to be incorporated by reference into each part thereof.

1. Nothing in the recommendations of the Poinciana Park Area Plan Report ("the Report") shall be construed or applied to constitute a temporary or permanent taking of private property or the abrogation of vested rights as determined to exist by the Code of Miami-Dade County.

2. The recommendations of the Report shall not be construed to preempt considerations of fundamental fairness that may arise from their strict application. Accordingly, these recommendations shall not be deemed to require any particular action where they are incomplete or internally inconsistent, or that would constitute a taking of property without due process or fair compensation, or would deny equal protection of the law.

3. The recommendations of the Report are intended to set general guidelines concerning its purposes and contents. They are not a substitute for land development regulations.

4. The recommendations of the Report contain long-range policies for the redevelopment of the Poinciana Park study area. Nothing in these recommendations shall require the immediate changing of existing uses or structures. It is the intent of these recommendations that they be applied as redevelopment occurs naturally or is precipitated by the destruction of the property to the extent that redevelopment in its original form is not economically feasible. The recommendations of the Report are not intended to preempt the processes whereby applications may be filed for relief from land development regulations.

This Report prepared by:

Miami-Dade County

Sustainability, Planning and Economic Enhancement Department

Community Design Section - Urban Design Center

and Planning Research Section

With contributions from:

- Permitting, Environment and Regulatory Affairs Department
- Public Housing and Community Development Department
- Internal Services Department

March 2012



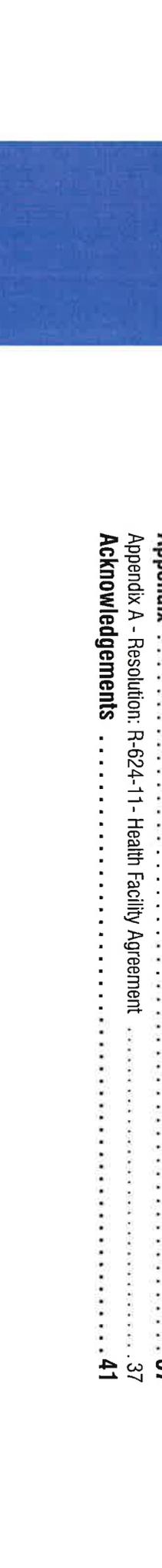
Carlos A. Gimenez
Mayor

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oinciana Park Area Plan Report

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Study Area

The Poinciana Park study area comprises approximately 115 acres located in the North Central part of Miami-Dade County. The study area boundaries are NW 79th Street on the north, NW 22nd Avenue on the east, the Florida East Coast (FEC) railway tracks on the south and NW 27th Avenue on the west. The Poinciana Park study area was originally platted in the early 1900s. As a consequence of the 1980 civil disturbances that occurred in Liberty City, several businesses and buildings were destroyed by fire. Miami-Dade County acquired land within the study area with federal Community Development Block Grant funds for industrial/commercial redevelopment and currently owns 38 parcels consisting of approximately 37 acres.

The Park is primarily characterized by a mixture of vacant, industrial and residential uses.



..... Poinciana Park Study Area Boundary

Figure 1: Aerial photograph of the study area (Sections III and IIIA of the Scott/Carver Hope VI Phase II Redevelopment were recently constructed in the southeast corner of the study area)

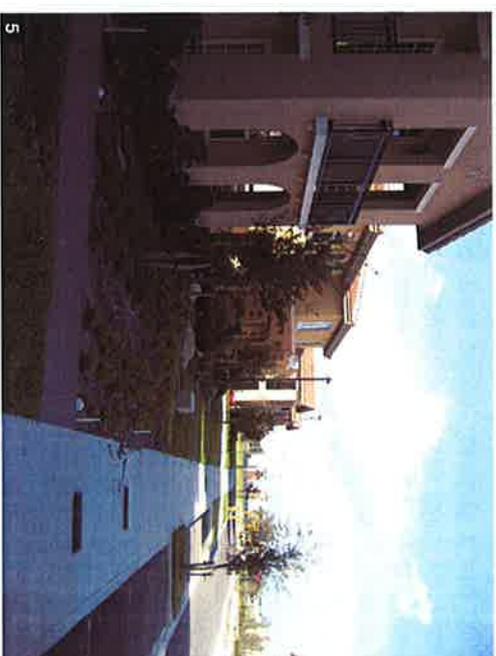
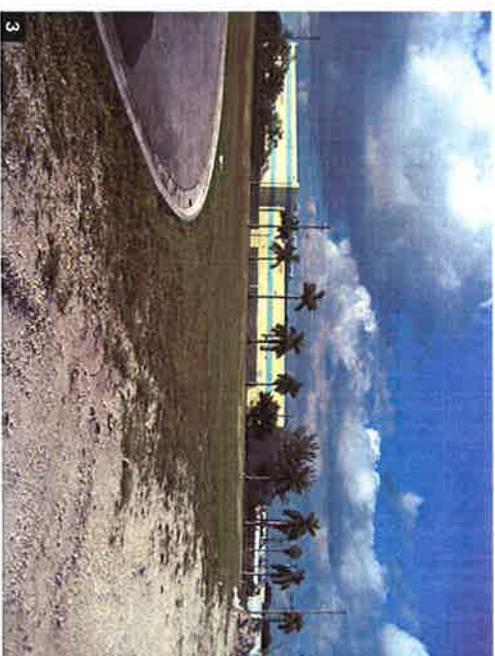
The Built Environment

The most recent developments within the study area have been Valencia Point, consisting of 148 rental unit, and the 134 rental units in Sectors III and IIIA of the Scott/Carver Hope VI Phase II Redevelopment. Of great significance to the North Central part of Miami-Dade County, the Scott/Carver Hope VI Phase II Redevelopment is planned as a mixed-income development and will provide a total of 354 rental units, as well as 177 low, moderate and market-rate public housing units within and around the Poinciana Park study area.

The majority of the remaining structures within the study area are occupied by industrial uses, such as machine shops, paint shops, automobile repair and other manufacturing warehouse types. These buildings, typically one double height story, are situated towards the rear or the side of their individual properties. The remaining portion of each parcel is generally maintained as irregular parking, storage, staging and loading for service to the industrial uses, with minimal landscaping and any other techniques used to improve the urban fabric of the area.

The study area's proximity adjacent to the FEC Railway Tracks provides the opportunity for direct freight service. Passenger service along the FEC Corridor is currently being analyzed as part of the South Florida East Coast Corridor Study.

In addition, Miami-Dade County owns three vacant parcels adjacent to NW 27th Avenue, at the southwest portion of the study area, that have been set aside for future health facilities. The Liberty City Replacement Health Facility is a planned new facility to be constructed by the State of Florida Department of Health to better serve the residents of Liberty City.

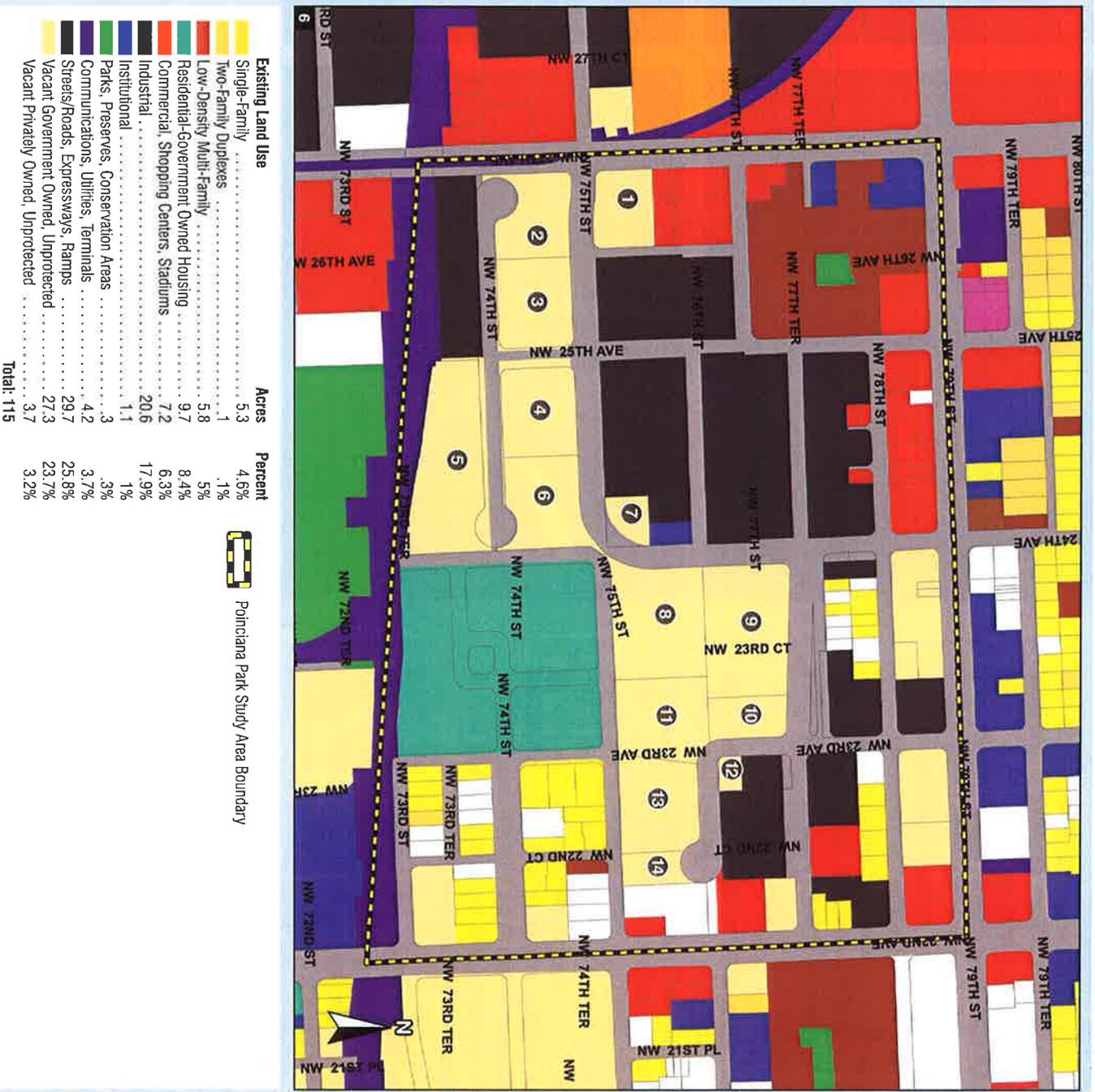


Figures 2-5: Views of existing conditions in the Poinciana Park Study Area

Existing Land Use

The largest existing land use, excluding roads and drives is vacant government owned which amounts to 27.3 acres or 23.7% of the total existing land use. This land is zoned for industrial activity. Other than a few parcels in the northeastern and southeastern portions of the study area, vacant government owned land is mostly concentrated along NW 75th Street and between NW 26th Avenue and NW 22nd Court. Fourteen of the properties in this cluster are zoned for industrial use. Together these properties sum to approximately 21 acres.

Residential land use is the second largest land use type with 20.9 acres representing 18% of the total. Other than a clustering located south of NW 79th Street, the major site for residential use is located south of NW 75th Street and east of NW 24th Avenue. A closer look at the land use map shows single family residential as the major type of residential land use. (continued on following page)



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Industrial land use is dispersed throughout Poinciana Park with exception to the aforementioned southeastern residential portion. This land use type is just below 18%, totaling 20.6 acres. Though dispersed throughout Poinciana Park, the largest concentration of industrial use is located west of NW 24th Avenue, north of NW 75th Street.

Commercial and service land use totals 7.2 acres or 8.4% and is represented as spot and strip commercial in the form of neighborhood shopping. Other land use types include railroad lines, vacant privately owned land, institutional uses, and a private park. Together this represents 9.4 acres or 8.2% of the total.

Table 1

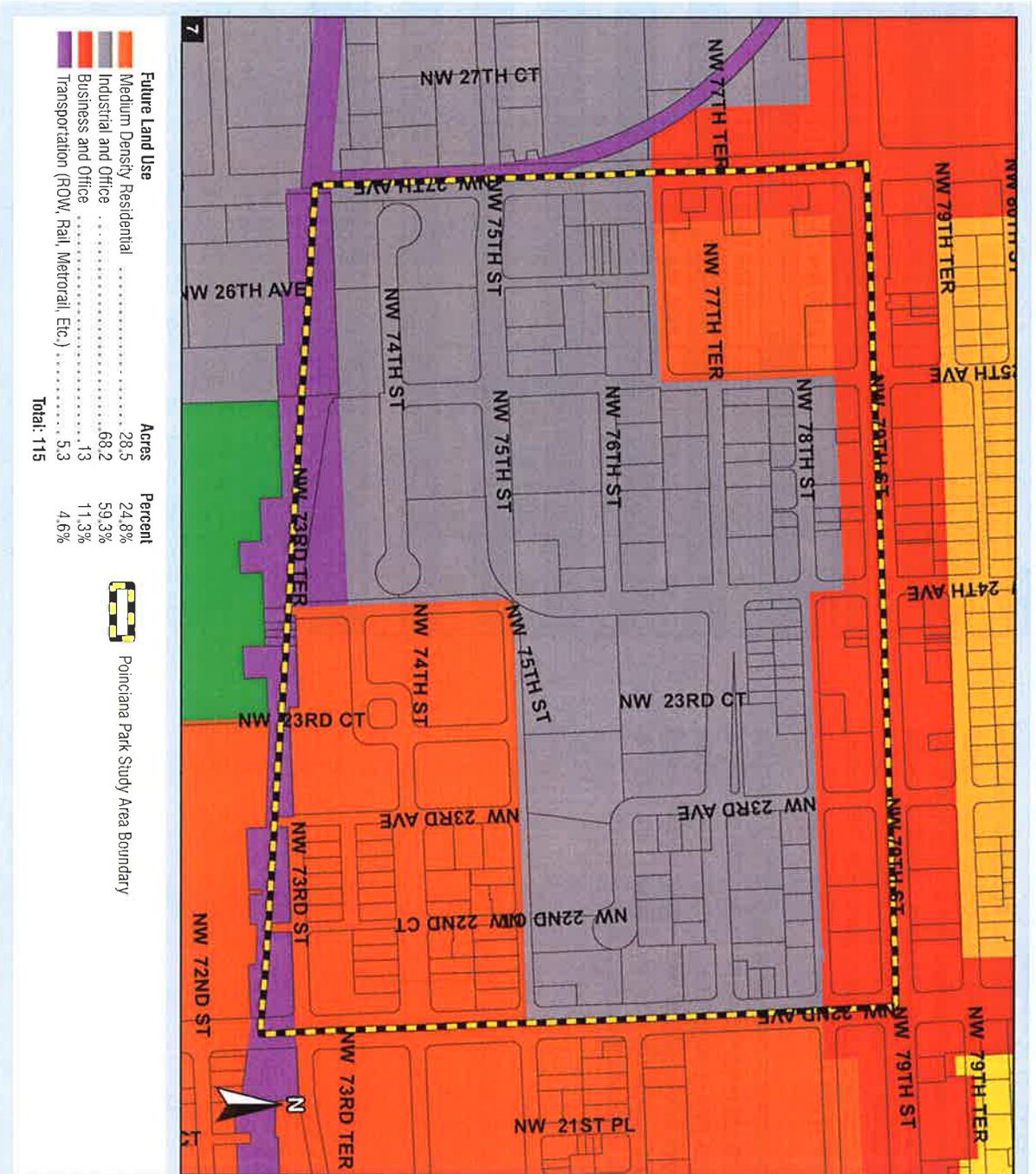
County Owned Vacant Industrial Land Use (see figure 6)			
Map ID	Folio	Address	Industrial Land Use (Acres)
1	3031100730010		0.5
2	3031100730020	7440 NW 26 Ave.	0.9
3	3031100730030	2520 NW 75 St.	1.7
4	3031100730040		1.7
5	3031100730060	2430 NW 74 St.	3.1
6	3031100730050		1.8
7	3031100290050	2415 NW 75 St.	0.4
8	3031100740030	7527 NW 24 Ave.	2.7
9	3031100740020	2358 NW 77 Ter.	2.8
10	3031100740010		0.8
11	3031100740040		1.9
12	3031100580030	7609 NW 23 Ave.	0.2
13	3031100740050		1.9
14	3031100740060		0.5
Total:			20.8

Source: Miami-Dade County, Sustainability, Planning and Economic Enhancement, Planning Research Section, and Miami-Dade County, Property Appraiser's GIS Shapefile Extract, November 2011.

Future Land Use

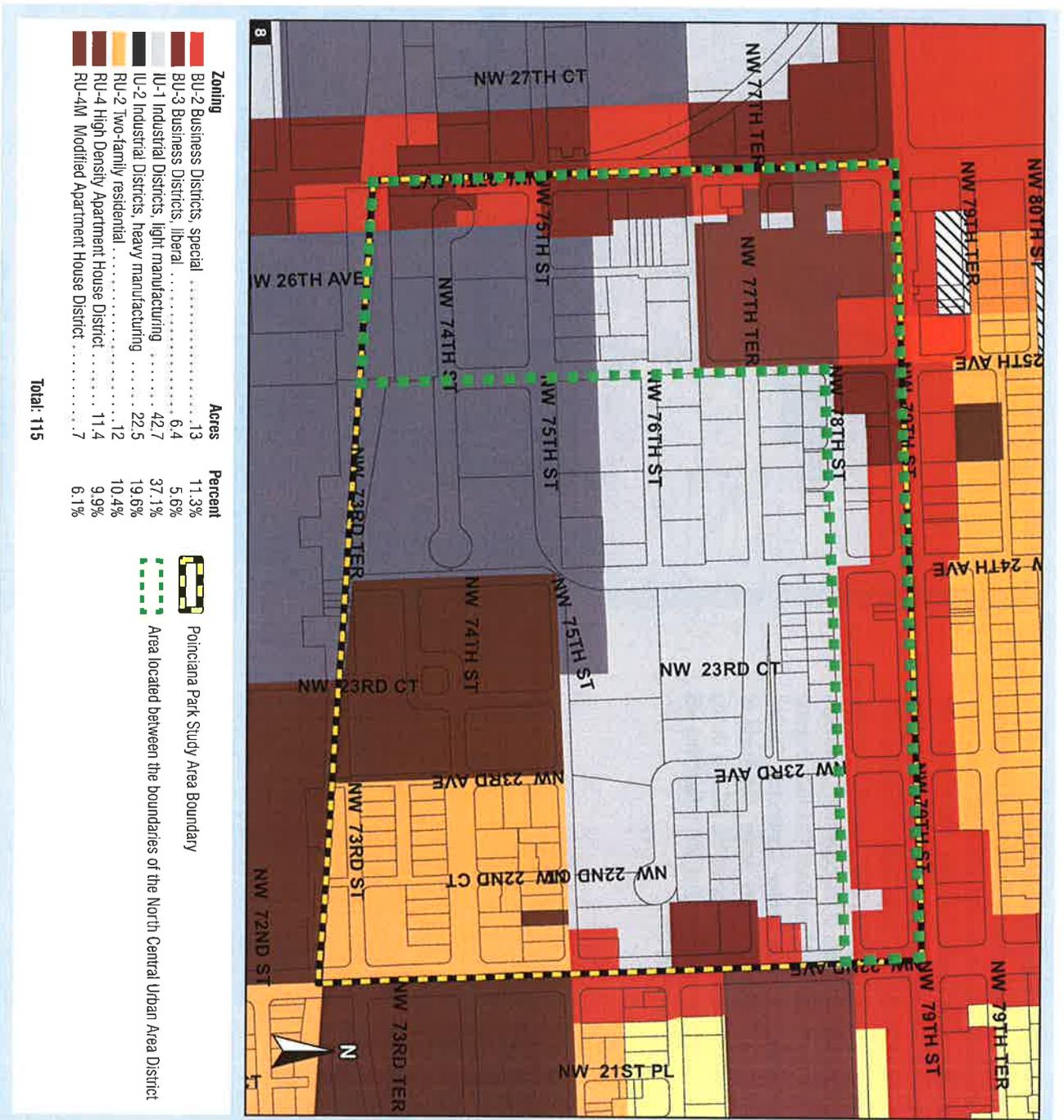
Miami-Dade County is required by state statute to maintain a comprehensive plan in order to manage growth and development consistent with state and regional comprehensive plans. The County's Comprehensive Development Master Plan (CDMP) includes a future Land Use map that designates where development of various uses and intensities are permitted. The future land use designations in the study area are illustrated in Figure 7.

The Future Land Use map designates a majority of the study area as Industrial and Office, which allows manufacturing operations, maintenance and repair facilities, warehouses wholesale showrooms, distribution centers, as well as office buildings. Two areas, one on the northwest corner and a second on the southwest corner of the study area, are designated Low-Medium Density Residential, which permits residential development at densities between 6 and 13 units per gross acre. The area along NW 79th Street, as well as NW 27th Avenue, between NW 79th Street and NW 77th Street, are designated Business and Office, which permit retail and office uses as well as residential development up to 25 dwelling units per gross acre subject to the compatibility provisions provided for in the CDMP. The area along the south boundary of the study area has a land use designation of Transportation, which allows for railways.



Zoning

Industrial zoning districts, IU-1 and IU-2, total about 57 percent of the land in the Poinciana Park study area. Residential zoning, that includes RU-2, RU-4 and RU-4M, is found in the northwest and southeast corners of the study area, while business zoning districts, BU-2 and BU-3, are located along NW 79th Street, NW 27th Avenue and NW 22nd Avenue. Figure 8 illustrates the existing zoning within the study area.



Water and Sewer Infrastructure

The study area is located within the Miami-Dade Water and Sewer Department service area. Public water and sanitary sewer are available and transmission lines are located along major roads throughout the study area; however at the time of development, a capacity evaluation will be required to determine the infrastructure needed to support development or redevelopment.

Water

There is existing water infrastructure in the vicinity of the properties along NW 79th Street. However, the infrastructure along NW 78th Street will require a system upgrade to support development that incorporates a mix of uses. The infrastructure abutting the parcel on NW 22nd Avenue and NW 77th Street may support mixed-use development. There is existing infrastructure in the area bounded by NW 22nd Avenue and NW 24th Avenue and by NW 75th Street and NW 78th Street, as well as the area bounded by NW 24th Avenue and NW 25th Avenue and by the FEC Railroad Tracks and NW 74th Street that may support mixed-use development. Within the area between NW 22nd Avenue and 24th Avenue and between NW 73rd Street and NW 75th Street, there is existing infrastructure that may support residential development. In the area between NW 25th Avenue and NW 27th Avenue and between NW 74th Street and NW 76th Street, there is existing infrastructure that may support the development of the proposed Liberty City Replacement Health Facility.

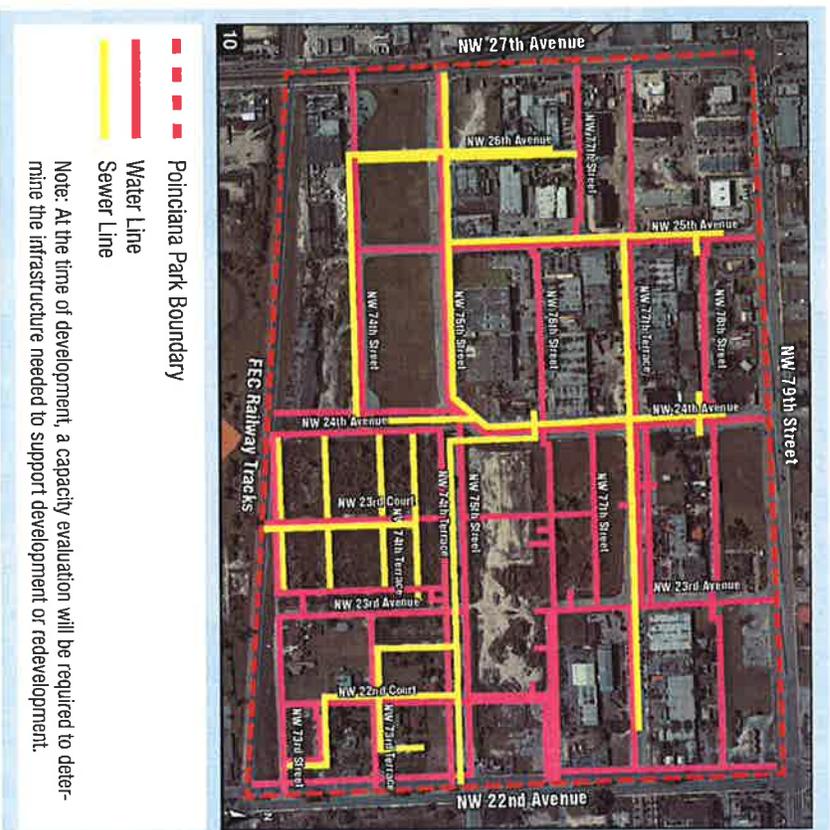
Sewer

There is no sanitary sewer infrastructure abutting the parcels along NW 78th Street. The closest point of connection is a gravity sewer system along NW 77th Street and at the intersection of NW 24th Avenue and NW 78th Street. There is a gravity sewer system along NW 77th Street that may support mixed-use development. There is an existing sanitary sewer

gravity/forcemain system in the area bounded by NW 22nd Avenue and NW 24th Avenue and by NW 75th Street and NW 78th Street, that may support mixed-use development. In the area between NW 22nd Avenue and 24th Avenue and between NW 73rd Street and NW 75th Street, there is an existing sanitary gravity sewer system that may support residential development. Within the area bounded by NW 24th Avenue and NW 25th Avenue and by the FEC Railroad Tracks and NW 74th Street, there is existing infrastructure that may support mixed-use development. In the area between NW 25th Avenue and NW 27th Avenue and between NW 74th Street and NW 76th Street, there is an existing sanitary sewer gravity system abutting parcels for the proposed Liberty City Replacement Health Facility.

Water Conservation

All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to the landscape standards in sections 18-A and 18-B of the Miami-Dade Code.



County Owned Properties and Environmental Status

Since the early 1980s, Miami-Dade County, with the assistance of the federal government, has acquired several properties within the study area to facilitate redevelopment. Approximately \$10.2 million federal Community Development Block Grant funds were expended within the Poinciana Park until 2000 for the acquisition of parcels of land, relocation of residents and businesses, demolition of unsafe or abandoned structures, infrastructure improvements, environmental studies and property maintenance. Currently, Miami-Dade County owns 38 parcels consisting of approximately 37 acres of land. Twenty-three of these properties are vacant and 15 have existing structures. Figure 11 shows the location of the county owned properties.

Environmental Status

The study area was identified as a "Brownfield" in Miami-Dade County by the Brownfields Task Force. The area has a strong history of community involvement, but redevelopment has been slow due to perceptions of site contamination. Environmental assessments for the Miami-Dade County owned parcels within the study area have been conducted since 1996 and approximately 10,000 cubic yards of solid waste and concrete, as well as 3,000 tons of soils have been removed from the study area together with a total of eight underground storage tanks, nine soakage pits, and four septic tanks. The total cost of the work for environmental assessment and remediation has been approximately two million dollars in federal, state, and local funds.

It is important to note that all environmental concerns must be satisfied before the County can dispose of its properties. Table 2 details the environmental status of specific parcels numbered on Figure 11.



Table 2

	Folio #	Environmental Status of County Owned Properties	Water *	Sewer †
1	30-3110-073-0010	Contaminated soil and source removal conducted – NFA Approved November 8, 1998 Underground Tank Removed – NFA Approved November 9, 1998 Resolution #R-624-11 was approved July 19, 2011 with Florida Dept. of Health for development of a new Dept. of Health Facility. No PERA Environmental Services development restrictions for this parcel related to contamination. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
2	30-3110-073-0020	Underground Tank Removed – NFA Approved April 12, 2000 Resolution #R-624-11 was approved July 19, 2011 with Florida Dept. of Health for development of a new Dept. of Health Facility. No PERA Environmental Services development restrictions for this parcel related to contamination. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
3	30-3110-073-0030	Contaminated soil and source removal conducted – NFA Approved April 12, 2000 Underground Tank Removed – NFA Approved November 30, 1998 Resolution #R-624-11 was approved July 19, 2011 with Florida Dept. of Health for development of a new Dept. of Health Facility. No PERA Environmental Services development restrictions for this parcel related to contamination. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
4	30-3110-073-0040	Contaminated soil and source removal conducted – NFA Approved March 17, 2000 Underground Tank Removed – NFA Approved November 10, 1998 No PERA Environmental Services development restrictions for this parcel related to contamination. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
5	30-3110-073-0050	Contaminated soil and source removal conducted – NFA Approved October 2, 1998 No PERA Environmental Services development restrictions for this parcel related to contamination. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
6	30-3110-073-0060	Contaminated soil and source removal conducted – NFA Approved October 1, 1998 No PERA Environmental Services development restrictions for this parcel related to contamination. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
7	30-3110-053-1940	No public water or sanitary sewers about this property. A water and sewer extension permit will be required to allow industrial development.	No	No
8	30-3110-057-1940	Public water and sanitary sewers about this property therefore industrial development allowed.	Yes	Yes
9	30-3110-057-1950	Public water about this property however requires public sanitary sewers to be installed; a sewer extension permit will be required to allow industrial development.	Yes	No
10	30-3110-057-1990	No documented contamination - NFA Approved November 13, 1998 - Available for redevelopment. No PERA Environmental Services development restrictions for this parcel related to contamination. Public water about this property however requires public sanitary sewers to be installed; a sewer extension permit will be required to allow industrial development.	Yes	No
11	30-3110-057-1970	Public water about this property however requires public sanitary sewers to be installed; a sewer extension permit will be required to allow industrial development.	Yes	No

 No PERA Environmental Services Development Restrictions for this parcel related to contamination
 No Contamination Information

 There may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable and restrictions on location of drainage structures

NFA - No Further Action

* Public Water about this property

† Sanitary Sewer or Force Main about this property

Table 2 (Cont.)

Folio #	Environmental Status of County Owned Properties	Water*	Sewer †
12 30-3110-074-0020	Former Pesticide Manufacturer – known historical pesticide contamination persists. In addition, on July 2, 2007 unauthorized stockpiling of soil and Construction and Demolition (C&D) Debris from an unknown source was documented – Removal of soil piles and re-assessment now required – Any plans for construction adjacent to or on these parcels will require an environmental review by PERA Environmental Services. Be advised that although there are additional requirements for assessment and remediation of contamination, these requirements do not preclude redevelopment of the parcels. However, there may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable, and restrictions on location of drainage structures. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
13 30-3110-074-0010	Asbestos Removal Conducted, verified by DERM and no additional assessment required as of October 1998. On July 2, 2007, unauthorized stockpiling of soil and Construction and Demolition (C&D) Debris from an unknown source was documented – Removal of soil piles and re-assessment now required – Any plans for construction adjacent to or on these parcels will require an environmental review by PERA Environmental Services. Be advised that although there are additional requirements for assessment and remediation of contamination, these requirements do not preclude redevelopment of the parcels. However, there may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable, and restrictions on location of drainage structures. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
14 30-3110-058-0030	Asbestos Removal Conducted, verified by DERM and no additional assessment required as of October 1998 – Available for redevelopment. No PERA Environmental Services development restrictions for this parcel related to contamination. Public water about this property however requires public sanitary sewers to be installed, a sewer extension permit will be required to allow industrial development.	Yes	No
15 30-3110-074-0030	Former Pesticide Manufacturer – known historical pesticide contamination persists. In addition, on July 2, 2007 unauthorized stockpiling of soil and Construction and Demolition (C&D) Debris from an unknown source was documented – Removal of soil piles and re-assessment now required – Any plans for construction adjacent to or on these parcels will require an environmental review by PERA Environmental Services. Be advised that although there are additional requirements for assessment and remediation of contamination, these requirements do not preclude redevelopment of the parcels. However, there may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable, and restrictions on location of drainage structures. Public water and sanitary sewers about this property therefore industrial development is allowed.	Yes	Yes
16 30-3110-074-0040	Pesticide contamination documented in soil. Additionally, on July 2, 2007 unauthorized stockpiling of soil and Construction and Demolition (C&D) Debris from an unknown source was documented – Removal of soil piles and re-assessment now required - Any plans for construction adjacent to or on these parcels will require an environmental review by PERA Environmental Services. Be advised that although there are additional requirements for assessment and remediation of contamination, these requirements do not preclude redevelopment of the parcels. However, there may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable, and restrictions on location of drainage structures. Public water and a sanitary force main about this property, a sewer extension permit will be required to allow industrial development.	Yes	Yes

■ No PERA Environmental Services Development Restrictions for this parcel related to contamination

■ No Contamination Information

■ There may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable and restrictions on location of drainage structures

■ NEFA - No Further Action

* Public Water about this property

† Sanitary Sewer or Force Main about this property

Table 2 (Cont.)

	Folio #	Environmental Status of County Owned Properties	Water*	Sewer †
	30-3110-074-0050	Contaminated soil and source removal conducted in 2000 – Assessment completed no environmental issues exist No Further Action (NFA) Approved March 15, 1998 – On July 2, 2007 unauthorized stockpiling of soil and Construction and Demolition (C&D) Debris from an unknown source was documented – Removal of soil piles and re-assessment now required – Any plans for construction adjacent to or on these parcels will require an environmental review by PERA Environmental Services. Be advised that although there are additional requirements for assessment and remediation of contamination, these requirements do not preclude redevelopment of the parcels. However, there may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable, and restrictions on location of drainage structures. Public water and a sanitary force main about this property; a sewer extension permit will be required to allow industrial development.	Yes	Yes
	30-3110-074-0060	Assessment completed - NFA Approved in 2000 – On July 2, 2007 unauthorized stockpiling of soil and Construction and Demolition (C&D) Debris from an unknown source was documented – Removal of soil piles and re-assessment now required – Any plans for construction adjacent to or on these parcels will require an environmental review by PERA Environmental Services. Be advised that although there are additional requirements for assessment and remediation of contamination, these requirements do not preclude redevelopment of the parcels. However, there may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable, and restrictions on location of drainage structures. Public water and a sanitary force main about this property; a sewer extension permit will be required to allow industrial development.	Yes	Yes

No PERA Environmental Services Development Restrictions for this parcel related to contamination
 No Contamination Information
 There may be additional requirements to be incorporated into the redevelopment process, such as assessment of soil and/or groundwater, special conditions for handling, treatment and disposal of any contaminated media encountered, utilization of engineering controls, as applicable and restrictions on location of drainage structures
NFA - No Further Action
 * Public Water about this property
 † Sanitary Sewer or Force Main about this property

Market Study

This report presents an analysis of Poinciana Park and its market area. The purpose is to present an overall view of Poinciana Park by providing relevant data and analysis for the subsequent formulation of recommendations to enhance the area's business and economic health.

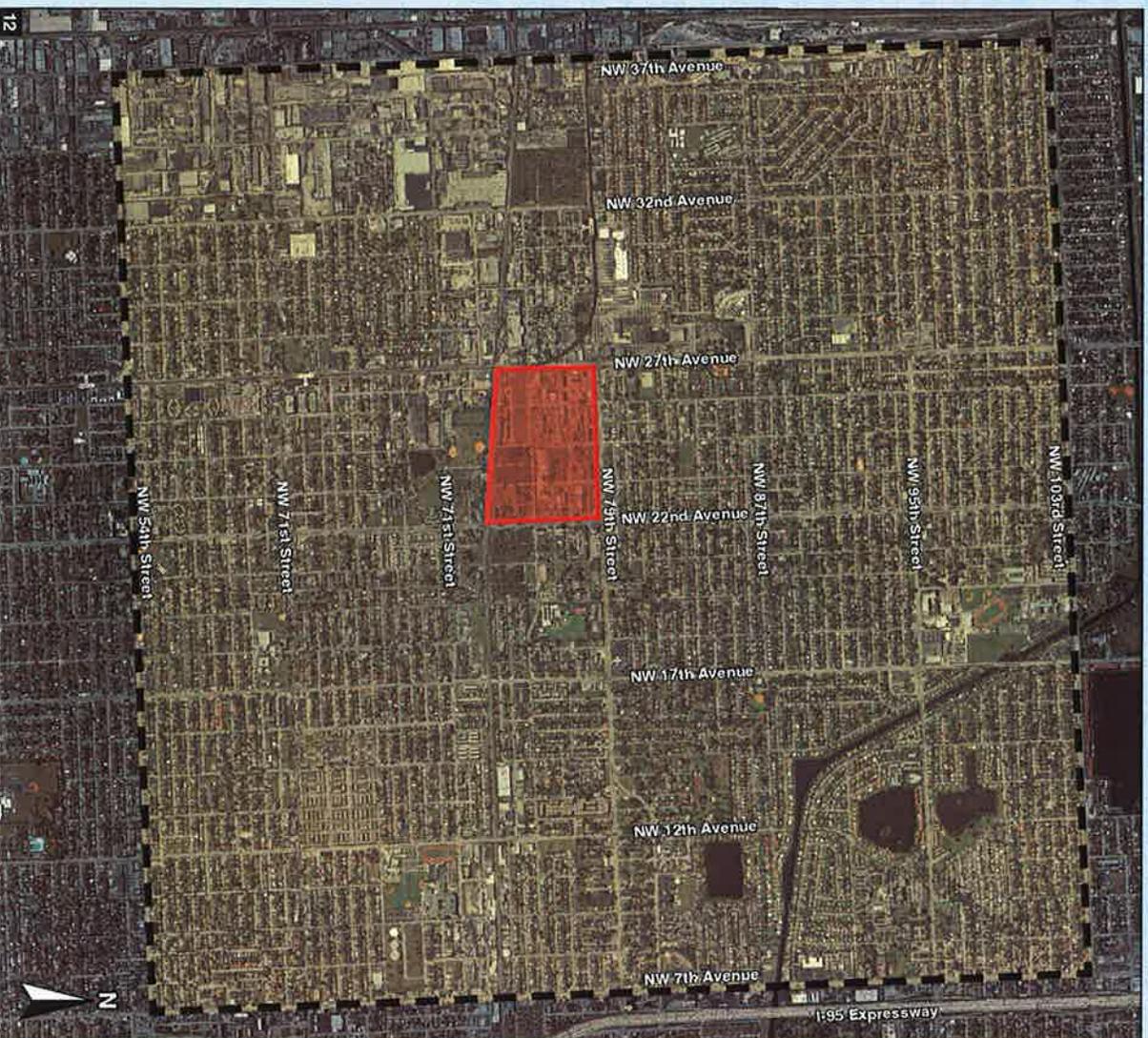
The report contains three sections, namely an analysis of area characteristics, a land use analysis, and a demographics review within the Poinciana Park area. The first section includes a location description and an examination of existing land use in both Poinciana Park and in a larger surrounding area identified as the market area. A brief summary of the economic incentive programs available to the businesses in the park as well as is a review of the infrastructure in terms of water and sewer lines is given. Finally, an analysis is made of the demographic and socio-economic household characteristics of the residents in the market area. This analysis is focused on identifying the area's current situation in order to determine future development for growth and enhancement.

Area Characteristics

Location

The market area extends north to NW 103rd Street, east to NW 7th Avenue, South to NW 54th Street and west to NW 37th Avenue. Given its proximity to rail lines, Miami International Airport and Opa-Locka Airport, there is potential for expanded business opportunities.

Market Area



Market Study Area

Poinciana Park

Poinciana Park Market Area

The Poinciana Park Market Area is approximately 3 miles by 3 miles and extends north to NW 103rd Street, east to NW 7th Avenue, South to NW 54th Street, and west to NW 37th Avenue. The total area is 4,561.0 acres (see figure 12). The market area is primarily characterized by a mixture of residential, industrial and institutional uses (see figure 13).

The largest existing land use type (excluding roads and drives) is residential which amounts to 2,533 acres or 55.5% of the total market area (see Table 3). It is dispersed throughout the market area with the exception of a section in the southwest corner where industrial land use is concentrated. That said industrial land is the second largest land use type at 495.5 acres or 10.9% of the total followed by institutional use which amounts to 439.1 acres or 9.6% of the total area. Industrial concentration is especially prevalent where railroad lines are available such as on NW 37th Avenue or south of NW 73rd Street. But additional scattered industrial sites can be seen east-west just south of the center of the market area.

Institutional use is the third largest land use type with 439.1 acres or 9.6% of the total area. This is represented as schools, day cares, community centers, houses of worship, and county administered facilities, to name a few.

Commercial and service land use is concentrated along all major roads throughout the market area and totals 310.5 acres or 6.8% of the total. Vacant privately owned land dispersed throughout the market area sums to 291.7 acres or 6.4% of the total. Transportation, communications and utilities (not accounting for roads or drives) totals 202.9 acres or 4.4% of the total. Government owned vacant land use includes fifteen properties concentrated along NW 75th Street between NW 28th Avenue and NW 22nd

Court. The remaining land use types, parks, inland water and hotel-motel, total 200.2 acres or 3.9% of the total land use types.

Table 3

Poinciana Park Market Area		
Land Use Type	Acres	Percent
Residential	2533.0	55.5
Industrial	495.5	10.9
Institutional	439.1	9.6
Commercial & Service	310.5	6.8
Vacant Privately Owned	291.7	6.4
Transportation, Communications & Utilities*	202.9	4.4
Vacant Government Owned	110.2	2.4
Parks & Recreation	94.6	2.1
Inland Water	79.4	1.7
Hotel-Motel	4.2	0.1
Total:	4561.0	100.0

Source: Miami-Dade County, Sustainability, Planning and Economic Enhancement, Planning Research Section, November 2011.

*Note: For this analysis, roads and drives are not included.

Land Use with Government Owned Vacant Industrial Land

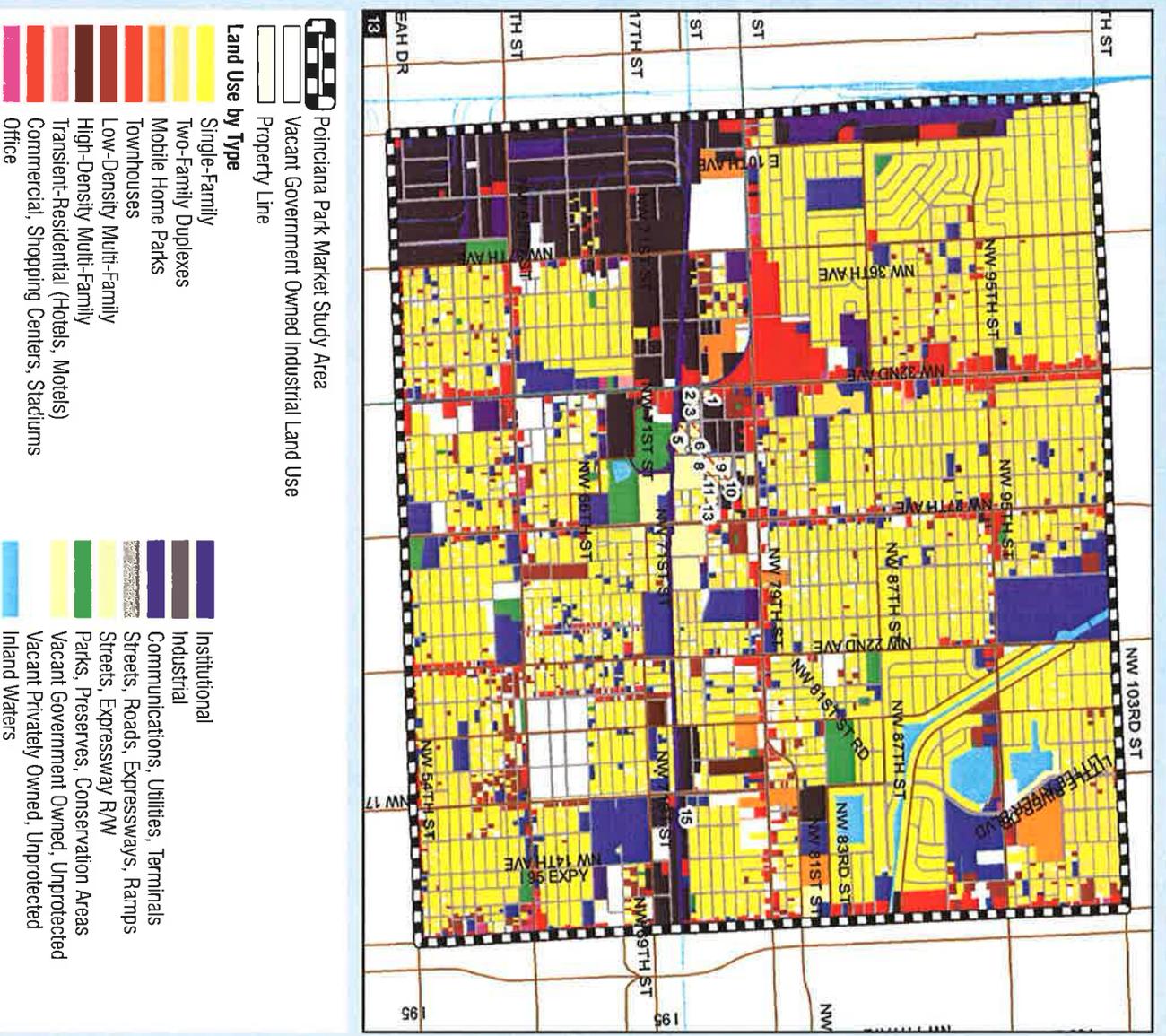


Table 4

Government Owned Vacant Industrial Land Use			
Map ID	Folio	Address	Industrial Land Use (Acres)
1	3031100730010		0.5
2	3031100730020	7440 NW 26 Ave.	0.9
3	3031100730030	2520 NW 75 St.	1.7
4	3031100730040		1.7
5	3031100730060	2430 NW 74 St.	3.1
6	3031100730050		1.8
7	3031100290050	2415 NW 75 St.	0.4
8	3031100740030	7527 NW 24 Ave.	2.7
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10	3031100740010		0.8
11	3031100740040		1.9
12	3031100580030	7609 NW 23 Ave.	0.2
13	3031100740050		1.9
14	3031100740060		0.5
15	3031110353850		0.8
Total:			21.6

Source: Miami-Dade County, Sustainability, Planning and Economic Enhancement, Planning Research Section, and Miami-Dade County, Property Appraiser's GIS Shapefile Extract, November 2011.

Demographics

The purpose of this analysis is to examine the demographic and household conditions in the market area that extends north to NW 103rd Street, east to NW 7th Avenue, South to NW 54th Street and west to NW 37th Avenue. This analysis examines several components that effect demand from the population in the area surrounding the Poinciana Park.

Data for the demand analysis comes from the 2010 Decennial Census as well as the American Community Survey 2005-2009 5 Year Estimates.

Population

The total population within the Poinciana Park Market Area is 61,708. The largest racial ethnic group within the market area is black, not Hispanic at 64.5% (or 39,786 persons). The second largest group is Hispanic with 20,044 persons or 32.5%. This is markedly different from the County where 65% of the population is Hispanic and 17.1% is black, not Hispanic.

Table 5

Population by Race and Ethnicity		
Census 2010		
	Market Area	Miami-Dade County
Total Population	61,708	2,496,435
White, Not Hispanic	1,224	383,551
Percent of the Total	2.0%	15.4%
Black, Not Hispanic	39,786	425,650
Percent of the Total	64.5%	17.1%
Other, Not Hispanic	654	63,375
Percent of the Total	1.1%	2.5%
Hispanic	20,044	1,623,859
Percent of the Total	32.5%	65.0%

Source: U.S. Census Bureau, Census 2010 (Public Law 94-171) Summary File 1, Miami-Dade County, Sustainability, Planning and Economic Enhancement, Planning Research Section, November 2011.

Age and Sex

Table 4 shows the breakdown by age for the market area and the County. The median age is 34.5 years in the market area, whereas it is considerably higher at 38.2 years in the County. This difference is the result of the heavier weighting of those persons under 18 years in the market area and the heavier weighting of those 65 years in the County. In the market area 26.4% of the population is under 18 years and 12.4% are 65 and above, while in the County the corresponding figures are 21.9% and 14.1%.

Table 6

Population by Age and Gender			
Census 2010			
	Market Area	Miami-Dade County	
Total:	61,708	2,496,435	
Male Percent of the Total	48.3%	48.4%	
Female Percent of the Total	51.7%	51.6%	
Age Groups:			
Under 5 Years	4,587	149,937	
5 to 9 Years	4,314	145,253	
10 to 19 Years	9,555	321,055	
20 to 29 Years	9,132	348,952	
30 to 39 Years	7,308	353,071	
40 to 49 Years	8,684	385,917	
50 to 59 Years	7,708	316,017	
60 to 69 Years	5,082	225,200	
70 to 79 Years	3,532	153,136	
80 Years and Over	1,806	97,897	
Under 18 Years	16,272	545,728	
65 Years and Over	7,653	352,013	
Median Age	34.5	38.2	

Source: U.S. Census Bureau, Census 2010 (Public Law 94-171) Summary File 1, Miami-Dade County, Sustainability, Planning and Economic Enhancement, Planning Research Section, November 2011

Households by Type

The major household type within the market area is family households at 70.7% (see Table 7). This is somewhat higher than the County figure of 68.5%. Of the family households in the market area, female headed household with no husband present is the largest household type at 33.7%. This sharply contrasts to the corresponding figure for the County of 17%. Married-couple families make up the second largest family household type in the market area at 30.1%, whereas in the County the figure is significantly higher at 45.4%.

Table 7

Household By Type				
2005-2009 5-Year Estimates				
	Market Area		Miami-Dade County	
	Number	Percent	Number	Percent
Households Total:	20,397	100%	827,931	100%
Family Households:	14,416	70.7%	567,310	68.5%
Married-Couple Family	6,143	30.1%	376,061	45.4%
Other Family	8,273	40.6%	191,249	23.1%
Male householder, no wife present	1,404	6.9%	50,107	6.1%
Female householder, no husband present	6,869	33.7%	141,142	17.0%
Nonfamily households:	5,981	29.3%	260,621	31.5%
Householder living alone	5,044	24.7%	215,038	26.0%
Householder not living alone	937	4.6%	45,583	5.5%

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates, Miami-Dade County, Sustainability, Planning and Economic Enhancement, Research Section, November 2011.

Household Income

Household income data is from the U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates. Median household income for this period in the market area is \$27,104. This represents just 63% of the County figure of \$42,969. In the market area those households at the lower income range of under \$25,000 represent 42.3% of all households, whereas in the County it falls to 30.1%. At the other end of the income spectrum, households with incomes of \$100,000 and above constitute only 3.3% of all households in the market area, while in the County this figure jumps to 16.7%.

Table 8

Household Income				
2005-2009 5-Year Estimates				
	Market Area	Percent	Miami-Dade County	Percent
Households	Number	Percent	Number	Percent
Total:	20,397	100%	827,931	100%
Less than \$10,000	3,768	18.5%	86,170	10.4%
\$10,000 to \$14,999	2,386	11.7%	57,928	7.0%
\$15,000 to \$24,999	3,492	17.1%	105,156	12.7%
\$25,000 to \$34,999	2,876	14.1%	95,305	11.5%
\$35,000 to \$49,999	3,125	15.4%	121,309	14.7%
\$50,000 to \$74,999	2,913	14.2%	139,697	16.9%
\$75,000 to \$99,999	1,157	5.7%	83,818	10.1%
\$100,000 to \$149,999	500	2.4%	79,235	9.6%
\$150,000 to \$199,999	106	0.5%	27,867	3.4%
\$200,000 or more	74	0.4%	31,446	3.8%
Median Household Income	\$27,104		\$42,969	

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates, Miami-Dade County, Sustainability, Planning and Economic Enhancement, Research Section, November 2011.

Educational Attainment

Educational attainment is a factor very closely associated with income levels. As was seen in the preceding section, household income in the market area is considerably below that for the County. In the market area 34.1% of persons 25 years and over have achieved less than a high school diploma, while in the County the comparable figure is lower at 27.5%. At the higher end of educational attainment, Bachelor's degree and above, only 7.9% of the population in the market area has attained this level, whereas in the County the corresponding figure is more than three times higher at 25.9%.

Table 9

Educational Attainment, Population 25 Years and Over				
2005-2009 5-Year Estimates				
	Market Area		Miami-Dade County	
	Persons	Percent	Persons	Percent
Population 25 years and over	39,076	100.0%	1,651,587	100.0%
Less than 9th grade	5,857	15.0%	205,539	12.4%
9th to 12th grade, no diploma	7,473	19.1%	182,628	11.1%
High school graduate (includes equivalency)	14,628	37.4%	454,553	27.5%
Some college, no degree	5,848	15.0%	246,080	14.9%
Associate's degree	2,194	5.6%	135,121	8.2%
Bachelor's degree	2,106	5.4%	272,575	16.5%
Graduate or professional degree	970	2.5%	155,091	9.4%

Source: U.S. Census Bureau, 2005-2009 American Community Survey 5-Year Estimates, Miami-Dade County, Sustainability, Planning and Economic Enhancement, Research Section, November 2011.

Economic Incentive Programs

The study area lies within the Model City Neighborhood Revitalization Strategy Area (NRSA) and the Enterprise Zone.

The development strategies available to an area located within a Neighborhood Revitalization Strategy Area include job creation, housing development, employment and entrepreneurial training and infrastructure to support economic development. The Enterprise Zone program offers fiscal incentives to businesses that locate or expand within the zone. Some of these incentives include property tax credits, county tax incentives on electricity, State of Florida sales and corporate tax incentives paid for new jobs created, as well as savings and refunds for business equipment and building materials.

Additional economic incentives to the study area are available through the Brownfield Economic Development Initiative, the Brownfield Redevelopment Bonus, the Community Development Block, the Community Development Revolving Loan Fund and the NW 79th Street Corridor Community Redevelopment Area. Table 10 summarizes the incentives available to the Poinciana Park Study Area. A detailed description of the incentives is on page 24.



Table 10

Summary of Economic Incentives Available to the Poinciana Park Area	
1	<p>Brownfield Economic Development Initiative (BEDI)</p> <p>Agency: Miami-Dade County Public Housing and Community Development</p> <p>Miami-Dade County, depending upon application and availability may provide Brownfield Economic Development Initiative (BEDI) loan funds for the Site. Economic incentives, tax credits, low interest loans, and waiver of contamination assessment report review fees are some of the resources available to developers who clean up and develop contaminated sites in brownfield areas in Miami-Dade County.</p>
2	<p>Brownfield Redevelopment Bonus</p> <p>Agency: State of Florida - Office of Tourism, Trade and Economic Development</p> <p>The Brownfield Redevelopment Bonus is available to encourage redevelopment and job creation within designated Brownfield areas.</p>
3	<p>Community Development Block Grant (CDBG)</p> <p>Agency: Miami-Dade County Public Housing and Community Development</p> <p>The CDBG entitlement program allocates annual grants to larger cities and urban counties to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.</p>
4	<p>Community Development Revolving Loan Fund (CDRLF)</p> <p>Agency: Miami-Dade County Public Housing and Community Development</p> <p>The CDRLF has been established to assist businesses seeking financial assistance for start-ups and expansions. The goal is to create jobs and enhance business services in low and moderate-income areas of Miami-Dade County.</p>
5	<p>Community Redevelopment Area (79th Street CRA)</p> <p>Agency: Miami-Dade County Office of Management and Budget</p> <p>Economic development and rehabilitation, and the creation of affordable housing are among some of the activities pursued in accordance with the CRA's Community Redevelopment Plan.</p>
6	<p>Department of Commerce EDA FY 2012 Public Works and Economic Adjustment Programs Opportunity</p> <p>Agency: U.S. Department of Commerce's Economic Development Administration</p> <p>This grant will fund construction, non-construction, and revolving loan fund investments. Grants made under these programs will leverage regional assets to support the implementation of regional economic development strategies designed to create jobs, leverage private capital, encourage economic development, and strengthen America's ability to compete in the global marketplace.</p>
7	<p>Enterprise Zone</p> <p>Agencies: Miami-Dade County Public Housing and Community Development & State of Florida - Office of Tourism, Trade and Economic Development</p> <p>The Enterprise Zone is a designated area within Miami-Dade County offering fiscal incentives to businesses that locate or expand within the zone, with the objective of encouraging investment and job creation in economically distressed areas.</p>
8	<p>Florida Capital Investment Tax Credit</p> <p>Agency: State of Florida - Office of Tourism, Trade and Economic Development</p> <p>The Capital Investment Tax Credit is used to attract and grow capital-intensive industries in Florida. It is an annual credit, provided for up to twenty (20) years, against the corporate income tax.</p>
9	<p>Florida Economic Development Transportation Fund</p> <p>Agency: State of Florida - Office of Tourism, Trade and Economic Development</p> <p>The Economic Development Transportation Fund ("Road Fund") provides up to \$2 million to local governments for the construction or improvement of transportation infrastructure needed to accommodate new or existing industry.</p>

Table 10 (Cont.)

Summary of Economic Incentives Available to the Poinciana Park Area (continued)	
10	Florida Qualified Target Industry (QTI) Tax Refund Agency: State of Florida - Office of Tourism, Trade and Economic Development This State of Florida incentive is available for companies that create high wage jobs in targeted high value-added industries. This program is funded by the State of Florida (80%) and Miami-Dade County (20%).
11	Florida Sales Tax Exemption on Electricity & Steam Agency: Florida Department of Revenue, Taxpayer Services Sales Tax Exemption on Electricity & Steam provides for an exemption for electricity charges used directly and exclusively at a fixed location to operate machinery, and equipment that is used for manufacturing.
12	Foreign-Trade Zone Agency: U.S. Foreign-Trade Zones Board Relief from inverted tariffs. Duty exemption on re-exports. Duty elimination on waste, scrap, and yield loss. Weekly Entry Savings. Duty Deferral.
13	Incumbent Worker Training (IWT) Program Agency: Workforce Florida, Inc. The Incumbent Worker Training program provides employers with funds to train currently employed workers in an effort to keep their firms and workers competitive.
14	Kresge Facility Investments and Building Reserves Grant Agency: The Kresge Foundation The primary purpose of this grant is to foster the examination and understanding of comprehensive organizational capitalization through an emphasis on facility investments and building reserves.
15	Miami-Dade County Targeted Jobs Incentive Fund (TJIF) Agency: The Beacon Council The TJIF is a local inducement program modeled after the State of Florida's Qualified Target Industry Tax Refund Program (QTI). In 2000, the Beacon Council, in collaboration with Miami-Dade County, developed this business initiative to attract/relocating businesses and support business expansion throughout the County.
16	New Market Tax Credits (NMTC) Agency: U.S. Department of the Treasury The NMTC is a community development lending tool designed to stimulate the flow of investment in underserved communities by creating new jobs and accelerating economic revitalization.
17	Section 4 Capacity Building for Community Development and Affordable Housing Agency: U.S. Department of Housing and Urban Development To provide grants to national community development intermediaries to enhance the capacity and ability of community development corporations and community housing development organizations to carry out community development and affordable housing activities that benefit low-income families and persons.

Table 11

Detailed Economic Incentives Available to the Poinciana Park Area

<p>1 Brownfield Economic Development Initiative (BEDI)</p>	<p>Brownfield sites are generally abandoned, idled or underused industrial and commercial properties where expansion or redevelopment is complicated by actual or perceived environmental contamination. Brownfield areas are contiguous areas of one or more brownfield sites, some of which may not be contaminated, that have been designated as such by a local government by resolution.</p> <p>Brownfield Areas in Miami-Dade County include all of the unincorporated areas within the Urban Development Boundary of the Enterprise Zones, Enterprise Communities, Empowerment Zones, Targeted Urban Areas and areas eligible for Community Development Block Grant, and include those areas designated brownfield areas by the cities of Hialeah, Homestead, Medley, Miami, and Opa-Locka.</p> <p>Miami-Dade County, depending upon application and availability may provide Brownfield Economic Development Initiative (BEDI) loan funds for the Site. Economic incentives, tax credits, low interest loans, and waiver of contamination assessment report review fees are some of the resources available to redevelopers who clean up and develop contaminated sites in brownfield areas in Miami-Dade County. Businesses seeking funding to start a new business or expand an existing one within a brownfield area may be eligible for financial assistance.</p> <p>The County's Office of Community and Economic Development administers the BED1 loan program. Eligible applicants may apply for loans up to \$500,000 per project to be used for remediation and redevelopment of environmental conditions of a site. The guidelines further require that for each \$35,000 loaned, at least one (1) new permanent full time job must be created. Funds are limited to 50% of the project cost to fill a financing shortfall.</p> <p>Entering into a Brownfield Site Rehabilitation Agreement with Miami-Dade County, delegated the authority to administer the Florida Brownfields Redevelopment Program on behalf of the State of Florida's Department of Environmental Protection, provides eligibility for additional benefits and incentives for site cleanup, including a Voluntary Cleanup Tax Credit, cleanup liability protection for lenders and redevelopers, application of Risk-Based Corrective Action principles to site rehabilitation using rules 62-785 and 62-777, Florida Administrative Code, and a streamlined and expedited development, permitting and technical review process.</p>
<p>2 Brownfield Redevelopment Bonus</p>	<p>The Brownfield Redevelopment Bonus is available to encourage redevelopment and job creation within designated Brownfield areas. A pre-approved applicant may receive a tax refund equal to 20 percent of the average annual wage of new jobs created in a designated Brownfield area, up to a maximum of \$2,500 per new job created. Refunds are based upon taxes paid by the business, including: corporate income, sales, ad valorem, intangible personal property, insurance premium, and certain other taxes. No more than 25 percent of the total refund approved may be paid in any single fiscal year. The Brownfield Development Bonus may be awarded in addition to the Qualified Target Industry (QTI) Tax Refund.</p>
<p>3 Community Development Block Grant (CDBG)</p>	<p>The CDBG entitlement program allocates annual grants to larger cities and urban counties to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.</p> <p>The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses. CDBG is an important tool for helping local governments tackle serious challenges facing their communities. The Public Housing and Community Development awards CDBG funding through a competitive RFA process annually.</p>

Table 11 (Cont.)

Detailed Economic Incentives Available to the Poinciana Park Area (continued)	
4	<p>Community Development Revolving Loan Fund (CDRLF)</p> <p>The CDRLF has been established to assist businesses seeking financial assistance for start-ups and expansions. Loans can be awarded up to a maximum of \$200,000 for working capital and fixed assets. The goal is to create jobs and enhance business services in low and moderate-income areas of Miami-Dade County. In order to be eligible, applicants must fulfill one or more of the following Community Development Block Grant (CDBG) national objectives:</p> <ul style="list-style-type: none"> • Benefit low and moderate income persons via jobs and/or services; • Aid in the prevention or elimination of slum and blighted areas; • Meet community development needs having particular urgency because existing conditions pose serious and immediate threat to the health and welfare of the community.
5	<p>Community Redevelopment Area (79th Street CRA)</p> <p>The 79th Street Redevelopment Area (CRA) is a legal entity created by Miami-Dade County based on the criteria established in Chapter 163 Part III of the Florida Statutes. The CRA has powers such as the ability to issue bonds and its traditional funding source is through the Tax Increment Financing (TIF) mechanism. Economic development and rehabilitation, and the creation of affordable housing are among some of the activities pursued in accordance with the CRA's Community Redevelopment Plan. For further information, please contact Jorge Fernandez: jjorge@miamidadade.gov</p>
6	<p>Department of Commerce EDA FY 2012 Public Works and Economic Adjustment Assistance Programs Opportunity</p> <p>This grant will fund construction, non-construction, and revolving loan fund investments. Grants made under these programs (Public Works and Economic Development Facilities and Economic Adjustment Assistance) will leverage regional assets to support the implementation of regional economic development strategies designed to create jobs, leverage private capital, encourage economic development, and strengthen America's ability to compete in the global marketplace. Applications are requested from rural and urban communities to develop initiatives that advance new ideas and creative approaches to address rapidly evolving economic conditions. EDA supports development in economically distressed areas of the United States by fostering job creation and attracting private investment. Non-federal governments, institutions of higher education, and nonprofits are eligible to apply. Award Ceiling: not specified; the average awards in FY2011 were \$550,000 to \$1.7 million depending on category.</p> <ul style="list-style-type: none"> • EDA is allocating \$11,640,000 for the Public Works and Economic Development Facilities program in FY 2012. The average size of a Public Works investment in FY 2011 was approximately \$1.7 million, though investments ranged in size from \$500,000 to \$2,000,000. • EDA is allocating \$50,060,000 to the Economic Adjustment Assistance program in FY 2012. The average size of an Economic Adjustment Assistance investment in FY 2011 was approximately \$550,000, though investments ranged from \$100,000 to \$1,250,000.3 • The next four funding cycle deadlines are: (i) December 15 for funding cycle 2 of FY 2012; (ii) March 9 for funding cycle 3 of FY 2012; (iii) June 8 for funding cycle 4 of FY 2012; and (iv) September 14 for funding cycle 1 of FY 2013. • Deadline: 03/09/2012 <p>http://www07.grants.gov/search/search.do?&mode=VIEW&oppId=131493</p>
7	<p>Enterprise Zone</p> <p>The Enterprise Zone is a designated area within Miami-Dade County offering fiscal incentives to businesses that locate or expand within the zone, with the objective of encouraging investment and job creation in economically distressed areas. To qualify for these incentives, new jobs have to be created for enterprise zone residents. The reduction in the cost of doing business in Miami-Dade County's Enterprise Zone can be substantial.</p> <p>Miami-Dade County incentives are:</p> <ul style="list-style-type: none"> • Property Tax Abatement • Refund of Impact Fees <p>State of Florida incentives are:</p> <ul style="list-style-type: none"> • Sales Tax Credit for Job Creation • Sales Tax Refund on Business Property • Sales Tax Refund on Building Materials • Corporate Income Job Tax Credit • Property Tax Credit • Community Contribution Tax Incentive <p>To find out if your property is located in the Enterprise Zone, visit the Services Near You website at: http://gisims2.miamidadade.gov/services/CSReport.asp</p> <ul style="list-style-type: none"> • Miami-Dade County's Enterprise Zone Parcels and Maps at: http://www.miamidadade.gov/ced/ezzone_maps.asp • Miami-Dade County's Enterprise Zone Urban Jobs Tax Credit Zone Parcels and Maps at: http://www.miamidadade.gov/ced/ezzone_ujicz_maps.asp • Enterprise Zone Financial Incentives at: http://www.miamidadade.gov/ced/ezzone_incentives.asp • Download State of Florida Enterprise Zone Forms at: http://www.floridaenterprisezones.com/Pageview.asp?edit_id=10

Table 11 (Cont.)

Detailed Economic Incentives Available to the Poinciana Park Area (continued)	
9	<p>Florida Capital Investment Tax Credit</p> <p>The Capital Investment Tax Credit is used to attract and grow capital-intensive industries in Florida. It is an annual credit, provided for up to twenty (20) years, against the corporate income tax. The amount of the annual credit is based on the eligible capital costs associated with a qualifying project. Eligible capital costs include all expenses incurred in the acquisition, construction, installation, and equipping of a project from the beginning of construction to the commencement of operations. To be eligible, the company must create at least one hundred (100) new jobs in Florida in connection with the project, make a cumulative investment of at least \$25 million in connection with the project during the period from beginning of construction to the commencement of operations and operate within designated high impact portions of the following sectors: Life Sciences, Financial Services, Information Technology, Transportation Equipment Manufacturing, and Semiconductors. For further information, please contact the Beacon Council (www.beaconcouncil.com).</p>
9	<p>Florida Economic Development Transportation Fund</p> <p>The Economic Development Transportation Fund ("Road Fund") provides up to \$2 million to local governments for the construction or improvement of transportation infrastructure needed to accommodate new or existing industry. This is an incentive designed to alleviate transportation problems that adversely impact a specific company's location or expansion decision. The elimination of the problem must serve as an inducement for a specific company's location, retention, or expansion project in Florida and create or retain job opportunities for Floridians. The actual amount funded is based on the cost of the necessary improvements and is limited to Five Thousand (\$5,000.00) Dollars per job created and/or retained. A waiver of the per job limit may be granted if the project is located in an area experiencing severe economic distress. For further information, please contact the Beacon Council (www.beaconcouncil.com).</p>
10	<p>Florida Qualified Target Industry (QTI) Tax Refund</p> <p>This State of Florida incentive is available for companies that create high wage jobs in targeted high value-added industries. This program is funded by the State of Florida (80%) and Miami-Dade County (20%). The Qualified Target Industry program provides an incentive for target industries to locate new facilities in Florida or to expand existing facilities in Florida. The program provides tax refunds of Three Thousand (\$3,000.00) Dollars per new job created. This increases to Six Thousand (\$6,000.00) Dollars per job if the company locates in an Enterprise Zone. Higher award amounts are available to companies paying high wages. To qualify for the QTI program, a company must create at least ten (10) new full time jobs (or a ten (10) percent increase for Florida expanding companies), pay an average of at least 115 percent of the State annual average wage, or \$41,516 percent of area wages, have a significant positive impact on the community, and have local support. For businesses paying 150% of the State average annual wage, add \$1,000 per job; for 200% of the State average annual wage, add \$2,000 per job. For companies that locate or expand within any of Miami-Dade County's Enterprise Zones, this incentive is increased up to \$6,000 per new job created, and the minimum salary requirement may be waived. For further information, please contact the Beacon Council (www.beaconcouncil.com).</p>
11	<p>Florida Sales Tax Exemption on Electricity & Steam</p> <p>Sales Tax Exemption on Electricity & Steam provides for an exemption for electricity charges used directly and exclusively at a fixed location to operate machinery, and equipment that is used to manufacture, process, compound, or produce items of tangible personal property for sale, or to operate pollution control equipment, recycling equipment, maintenance equipment, or monitoring or control equipment used in such operations, may be exempt from sales tax. For further information, please contact the Beacon Council (www.beaconcouncil.com).</p>
12	<p>Foreign-Trade Zone</p> <ul style="list-style-type: none"> • Relief from inverted tariffs—In certain instances, there are tariff (import duty) relationships that actually penalize companies for making their product in the United States. This occurs when a component item or raw material carries a higher duty rate than the finished product. Hence, the importer of the finished product pays a lower duty rate than a manufacturer of the same product in the United States. This gives the importer an unfair and unintended advantage over the domestic manufacturer. The Foreign-Trade Zones program levels the playing field in these circumstances. FOR EXAMPLE: A Foreign-Trade Zone user imports a motor (which carries a 4% duty rate) and uses it in the manufacture of a vacuum cleaner (which is free of duty). When the vacuum cleaner leaves the FTZ and enters the commerce of the U.S., the duty rate on the motor drops from the 4% motor rate to the free vacuum cleaner rate. By participating in the Zones program, the vacuum cleaner manufacturer has virtually eliminated duty on this component, and therefore reduced the component cost by 4%. • Duty exemption on re-exports—Without a zone, if a manufacturer or processor imports a component or raw material into the United States, it is required to pay the import tax (duty) at the time the component or raw material enters the country. However, a Foreign-Trade Zone is considered to be outside the commerce of the United States and the U.S. Customs territory. So, when foreign merchandise is brought into a Foreign-Trade Zone, no Customs duty is owed until the merchandise leaves the zone and enters the commerce of the United States. Only then is the merchandise considered imported and the duty paid. If the imported merchandise is exported back out of the country, no Customs duty is ever due. • Duty elimination on waste, scrap, and yield loss—Again, without a zone, an importer pays the Customs duty owed as material is brought into the United States. This is because the material is considered imported at this point. If the processor or manufacturer is conducting its operations within a zone environment, the merchandise is not considered imported, and therefore no duty is owed until it leaves the zone for shipment into the United States. To demonstrate how this would benefit a company that has scrap, waste, or yield loss from an imported component, let's look at a chemical processing plant. FOR EXAMPLE: A chemical plant manufacturing hydroxywidgeipropolyne, which carries a 15% duty rate, uses the raw material oxyovertaxophene, which also carries a 15% duty rate, for one of its raw materials. Part of the production process consists of bringing the imported oxyovertaxophene to extreme temperatures. During this process 30% of the oxyovertaxophene is lost as heat. If a processing company not in the Zones program imports \$10,000,000 per year of oxyovertaxophene, it will pay \$1,500,000 in duty as the raw material enters the United States.

Table 11 (Cont.)

Detailed Economic Incentives Available to the Poinciana Park Area (continued)	
12	<p>Foreign-Trade Zone (continued)</p> <p>If the same company utilizes the zones program, it does not pay duty on the oxyvertaxophene until it leaves the zone and is imported into the United States. The zone user brings the oxyvertaxophene into the zone with no duty owed. It then processes the oxyvertaxophene into hydroxywidgibpropolyme. Remember, during this process 30% of the raw material is lost due to waste factors, so the \$10,000,000 in oxyvertaxophene is now worth only \$7,000,000. Assuming all of the end product is sold into the United States, the 15% Customs duty totals only \$1,050,000. This represents a savings of \$450,000. While at first glance it might look like the Zones program is simply benefiting an importer, it is important to remember that its competitors making the same product overseas already have the benefit of not having to pay on the yield loss in the production of their hydroxywidgibpropolyme.</p> <ul style="list-style-type: none"> • Weekly Entry Savings—On May 18, 2000 the Trade and Development Act of 2000 was passed and signed by President Clinton. This Act had a provision in it that allowed the use of the Weekly Entry procedure for all manufacturing and distribution Foreign-Trade Zones. <p>Weekly Entry (allowed only to Foreign-Trade Zone users) provides economies for both Customs and Foreign-Trade Zone users. Under Weekly Entry procedures, the zone user files only one Customs Entry per week, rather than filing one Customs Entry per shipment. Customs no longer has to process an entry for each and every shipment being imported into the zone, and the Foreign-Trade Zone community no longer has to pay for the processing of each and every entry.</p> <p>Companies located outside Foreign-Trade Zones pay a 21% merchandise processing fee for each and every formal entry processed by U.S. Customs. There is a minimum \$25 processing and a maximum \$485 processing fee per Entry, regardless of the duty rate on the imported merchandise. The maximum processing fee is reached for Entries (shipments) with a value over \$230,952. Companies often receive many shipments over this amount.</p> <p>FOR EXAMPLE: 10 shipments per week, each with a value of over \$230,952, would amount to a merchandise processing fee of \$4,850 (\$485 x 10) per week. If this number is annualized the amount is \$252,200 (\$2 x \$4,850) per year.</p> <p>Companies in a Foreign-Trade Zone may take advantage of the Weekly Entry procedure. In the case of the above example, Weekly Entry would provide for one Entry per week. For example: the 10 (\$230,952) shipments per week would be filed as a single shipment of \$2,309,520 each week. The merchandise processing fee would amount to the maximum of \$485 total for the week. If this fee is annualized utilizing Weekly Entry it is a total of only \$25,220 yearly. In this example Weekly Entry provides a savings of \$226,980 per year. Each company's savings could be significantly more or less depending on the number of shipments received during the year. A graphic example of Weekly Entry savings is shown below.</p> <ul style="list-style-type: none"> • Duty Deferral—Again, since Foreign-Trade Zones are outside the Customs territory of the United States, goods are not imported until they leave the zone. Therefore, Customs duty is deferred until merchandise is imported from a Foreign-Trade Zone into the United States. So, instead of companies having substantial monies tied up in Customs duties on their inventory, they have use of that money for other purposes. There are many other substantial benefits that the Zones program has to offer manufacturers and distributors in the United States, but the benefits listed are the key benefits that attract most companies to the Zones program. <p>There are many other substantial benefits that the Zones program has to offer manufacturers and distributors in the United States, but the benefits listed are the key benefits that attract most companies to the Zones program.</p>
13	<p>Incumbent Worker Training (IWT) Program</p> <p>The Incumbent Worker Training program provides employers with funds to train currently employed workers in an effort to keep their firms and workers competitive. The program addresses retraining to meet changing skill requirements caused by new technology, retooling, new product lines, and new organizational structuring. For further information, please contact the Beacon Council (www.beaconcouncil.com).</p>
14	<p>Kresge Facility Investments and Building Reserves Grant</p> <p>The primary purpose of this grant is to foster the examination and understanding of comprehensive organizational capitalization through an emphasis on facility investments and building reserves. Facility investment grants will prioritize renovation and repair projects. Building reserve grants enhance an organization's building reserve fund for the ongoing maintenance and replacement of an organization's facilities. On occasion, this grant may be awarded for new construction that includes exemplary environmental sustainability practices. Nonprofit organizations whose primary mission is arts and culture and that are not classified as private foundations may apply, including those that have a long-term agreement to operate a government-owned facility. Award ceiling: varies.</p> <p>This is a two part application process. Part 1, the preliminary application, contains a data-entry component and several attachments, including a narrative. If a program officer determines your request is favorable, he or she will ask you to provide additional information. This will constitute Part 2 of the application process. The following entities are not eligible to apply for the grant:</p> <ul style="list-style-type: none"> • Organizations with an active grant from Kresge. • Subsidiary organizations, programs and departments focused on arts and cultural activities, or those associated with parent organizations such as universities or human services agencies. • Startup organizations or those with less than two full years of operation. • Organizations that are both owned and operated by a government entity. • Organizations without an audit as described above. Reviews, compilations or financial statements prepared on a cash or modified cash basis will not be accepted. <p>Organizations located outside the United States.</p> <ul style="list-style-type: none"> • Deadline: 03/01/2012 <p>http://kaboom.org/take-action/playful-city-usa/program-details/playful-city-usa-grants http://www.kresge.org/programs/arts-culture/institutional-capitalization/facility-investments-and-building-reserves</p>

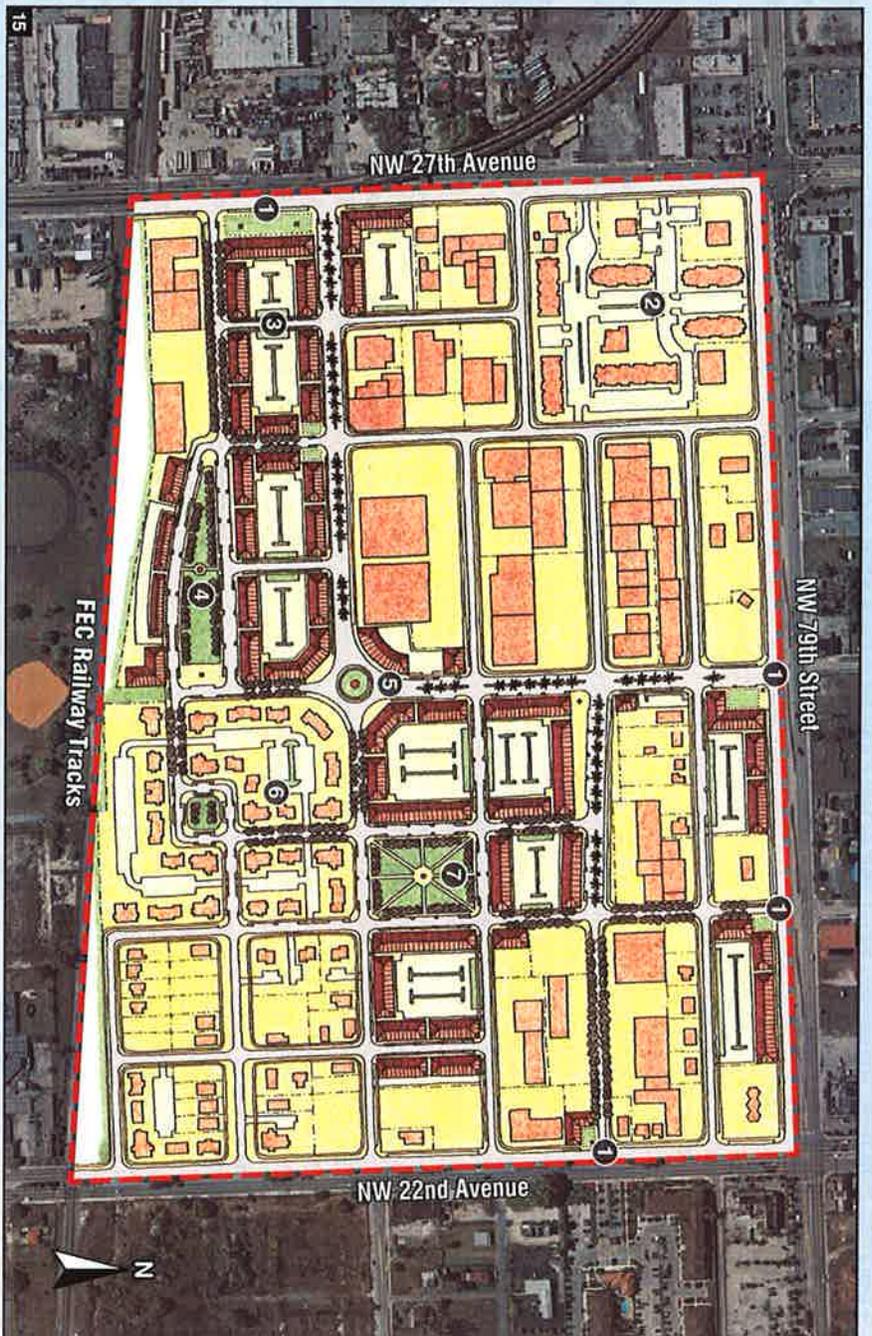
Table 11 (Cont.)

Detailed Economic Incentives Available to the Poinciana Park Area (continued)	
13	<p>Miami-Dade County Targeted Jobs Incentive Fund</p> <p>The Targeted Jobs Incentive Fund (TJIF) is a local inducement program modeled after the State of Florida's Qualified Target Industry Tax Refund Program (QTI). In 2000, the Beacon Council, in collaboration with Miami-Dade County, developed this business initiative to attract relocating businesses and support business expansion throughout the County. The incentive award is based on the amount of capital investment made with bonuses for green construction and businesses locating in a designated priority area in the County.</p> <ul style="list-style-type: none"> • TJIF Application • TJIF Reimbursement Form • TJIF Reimbursement Renewal Form <p>The TJIF program provides tax refunds to expanding or relocating companies that create full-time equivalent jobs in the County (not County employees). The TJIF program provides cash incentives to qualifying companies in selected industries that create at least 10 new jobs, pay average salaries to new hires that at least meet the County or State average, make a minimum capital investment of \$3 million and pay all employees no less than the County adopted Living Wage.</p> <p>The TJIF program provides tax refunds to expanding or relocating companies that create full-time equivalent jobs in the County (not County employees). The TJIF program provides cash incentives to qualifying companies in selected industries that create at least 10 new jobs, pay average salaries to new hires that at least meet the County or State average, make a minimum capital investment of \$3 million and pay all employees no less than the County adopted Living Wage.</p> <p>More specifically, under this locally funded program, the County may provide the company with an incentive equaling to or up to one hundred (100%) percent of the incremental Countywide ad valorem property taxes generated by the company's location or expansion in excess of \$3 million in capital investment. The company may also be eligible for incentives of Three Thousand (\$3,000.00) Dollars per new job created. This is increased to Four Thousand Five Hundred (\$4,500.00) Dollars per job if the company locates in a Designated Priority Area and an additional One Thousand Five Hundred (\$1,500.00) Dollars for each new employee that resides in a Designated Priority Area. The program provides up to Nine Thousand (\$9,000.00) Dollars per new job created in an Enterprise Zone. There is also a bonus of up to One Thousand Five Hundred (\$1,500.00) Dollars per job for companies with a facility that qualifies as "green construction" and an additional One Thousand Five Hundred (\$1,500.00) Dollars per job if the company is in the business of Solar Thermal and Photovoltaic manufacturing, installation, and repair. To qualify, a company must create at least ten (10) new jobs (or a minimum of five (5) jobs or a ten (10%) percent increase for expanding Florida companies, whichever is greater) and pay a Living Wage, as outlined in the Miami-Dade Living Wage Ordinance. For further information, please contact the Beacon Council (www.beaconcouncil.com).</p>
14	<p>New Market Tax Credits</p> <p>The New Markets Tax Credit Program (NMTIC) is a community development lending tool designed to stimulate the flow of investment in underserved communities by creating new jobs and accelerating economic revitalization. The program was created as part of the Community Renewal Tax Relief Act of 2000 (P.L. 106-554, 113 Stat. 2763) which encourages private capital investment in low income communities by providing a 39% federal tax credit to investors. The program is based on the idea that there are viable business opportunities in low-income communities and that a federal tax credit would provide attractive incentive to increase the flow of investment capital to such areas. The NMTIC set out in Section 45D of the Internal Revenue Code provides a 39% income tax credit for qualified equity investments in certain community development entities so long as those entities in turn lend or invest substantially all those dollars into qualified businesses that are active in low-income communities. It shall be the sole responsibility of the Proposer/Developer to determine whether the Site is in a qualified area to receive NMTIC, and if so, whether the proposed development Project is qualified to receive any investment.</p>
15	<p>Section 4 Capacity Building for Community Development and Affordable Housing</p> <p>To provide grants to national community development intermediaries to enhance the capacity and ability of community development corporations and community housing development organizations to carry out community development and affordable housing activities that benefit low-income families and persons.</p> <p>Five organizations, as specified in the authorizing legislation and amendment, are eligible: Living Cities/The National Community Development Initiative, Enterprise Community Partners, Inc. (formerly The Enterprise Foundation), Local Initiatives Support Corporation, Habitat for Humanity International and Youthbuild USA. Current appropriations laws have limited participation to Enterprise Community Partners, Inc., Local Initiatives Support Corporation, and Habitat for Humanity International. The grantees may use the grant for one or more of the following activities relating to capacity building for affordable housing and community development: (1) Training, education, support, and advice to enhance the technical and administrative capabilities of community development corporations (CDCs) and community housing development organizations (CHDOs); (2) Loans, grants, development assistance, predevelopment assistance, or other financial assistance to CDCs and CHDOs to carry out community development and affordable housing activities that benefit low-income families and persons; and (3) Such other activities as may be determined by the grantees in consultation with the Secretary or his designee.</p> <p>Obligations (122): (Project Grants) FY 10 \$49,500,000; FY 11 est \$49,401,000; and FY 12 est \$50,000,000 https://www.cfda.gov/index?s=program&mode=form&lab=step1&id=bc7cd7117d21076821b07420bcbfd8243</p>

Vision Plan

The Illustrative Vision Area Plan shown here and the recommendations in the following pages, result from the application of urban design principles to specific issues within the study area. The Poinciana Park area was carefully studied and the recommendations intend to improve the existing conditions within the study area in order to:

- Enhance the character of the study area
- Encourage mixed-use development
- Improve interconnectivity
- Encourage pedestrian activity
- Reduce vehicular speed
- Provide meaningful, well-defined and accessible open spaces



Illustrative Vision Area Plan

Points of Interest

- 1 Entrance Gateway
- 2 Valencia Point
- 3 Liberty City Health Facility
- 4 Green
- 5 Roundabout
- 6 Scott/Carver Hope VI
- 7 Square

- Poinciana Park Boundary
- Existing Buildings
- Recommended Development

Urban Design Recommendations

The recommendations in this section address issues identified during the planning process regarding both public and private properties. The concepts illustrated demonstrate the application of quality urban design, which Miami-Dade County has been encouraging through its policies and planning efforts for several years.

It is important to note that some recommendations may require zoning changes, variances, change in county policy, special taxing districts or other implementation and/or funding mechanisms, as well as the required approval of county departments and other government agencies.

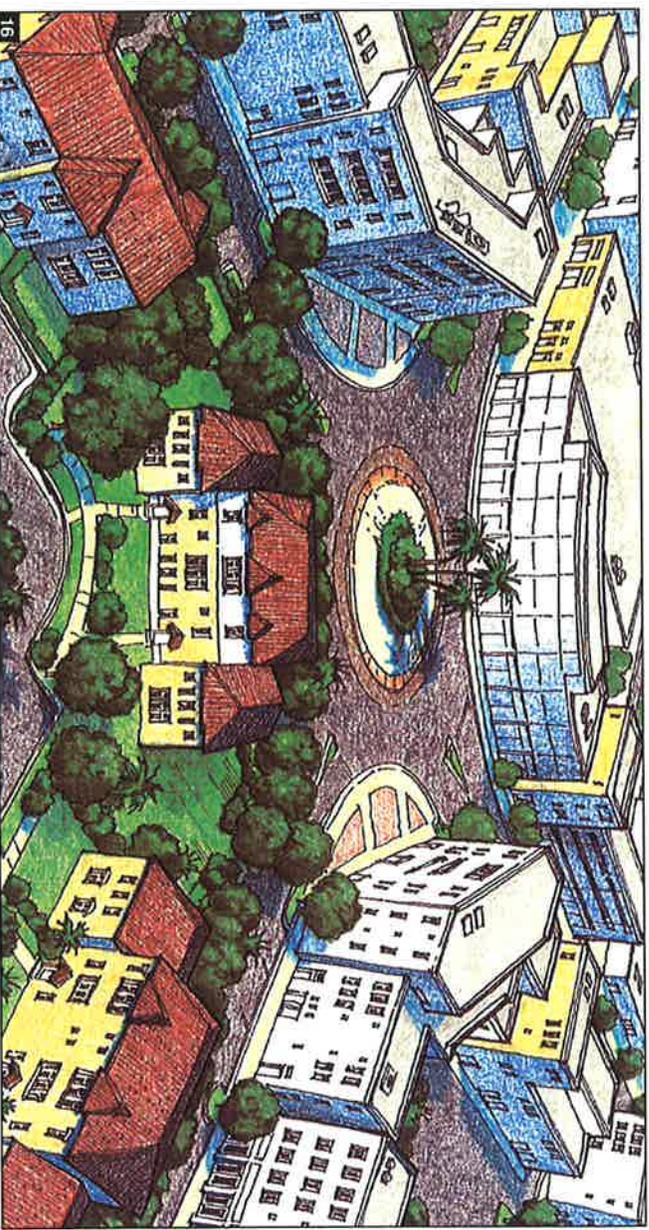


Figure 16: View northwest over NW 75th Street and NW 24th Avenue showing mixed-use development and a roundabout.

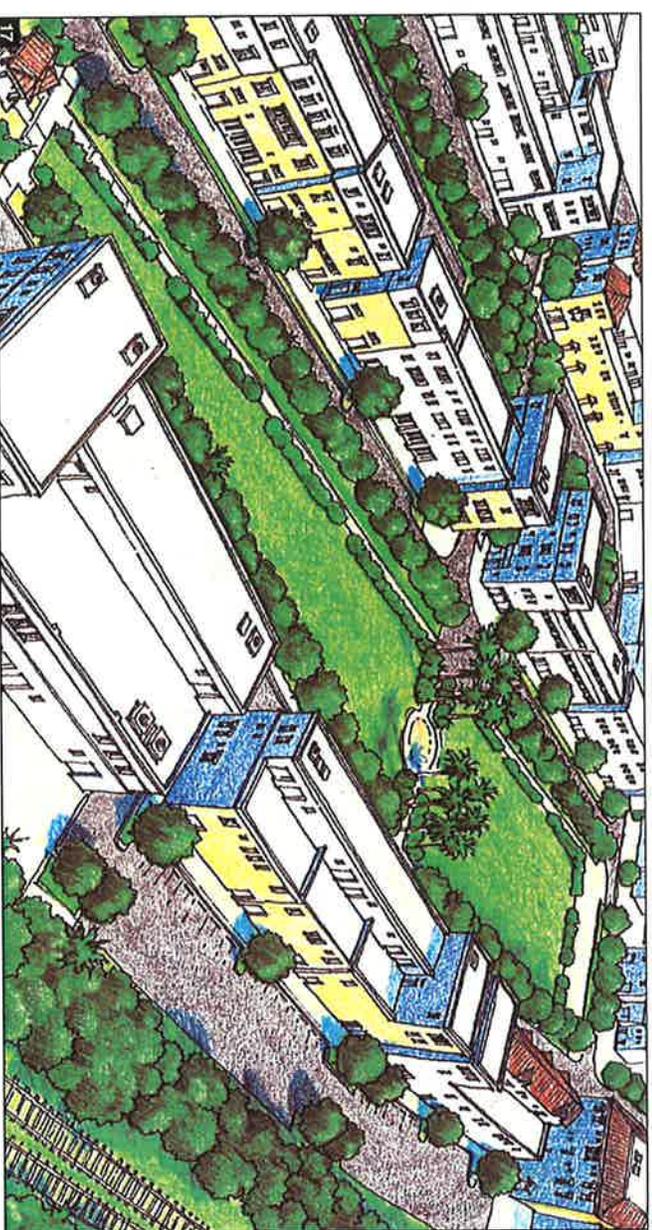
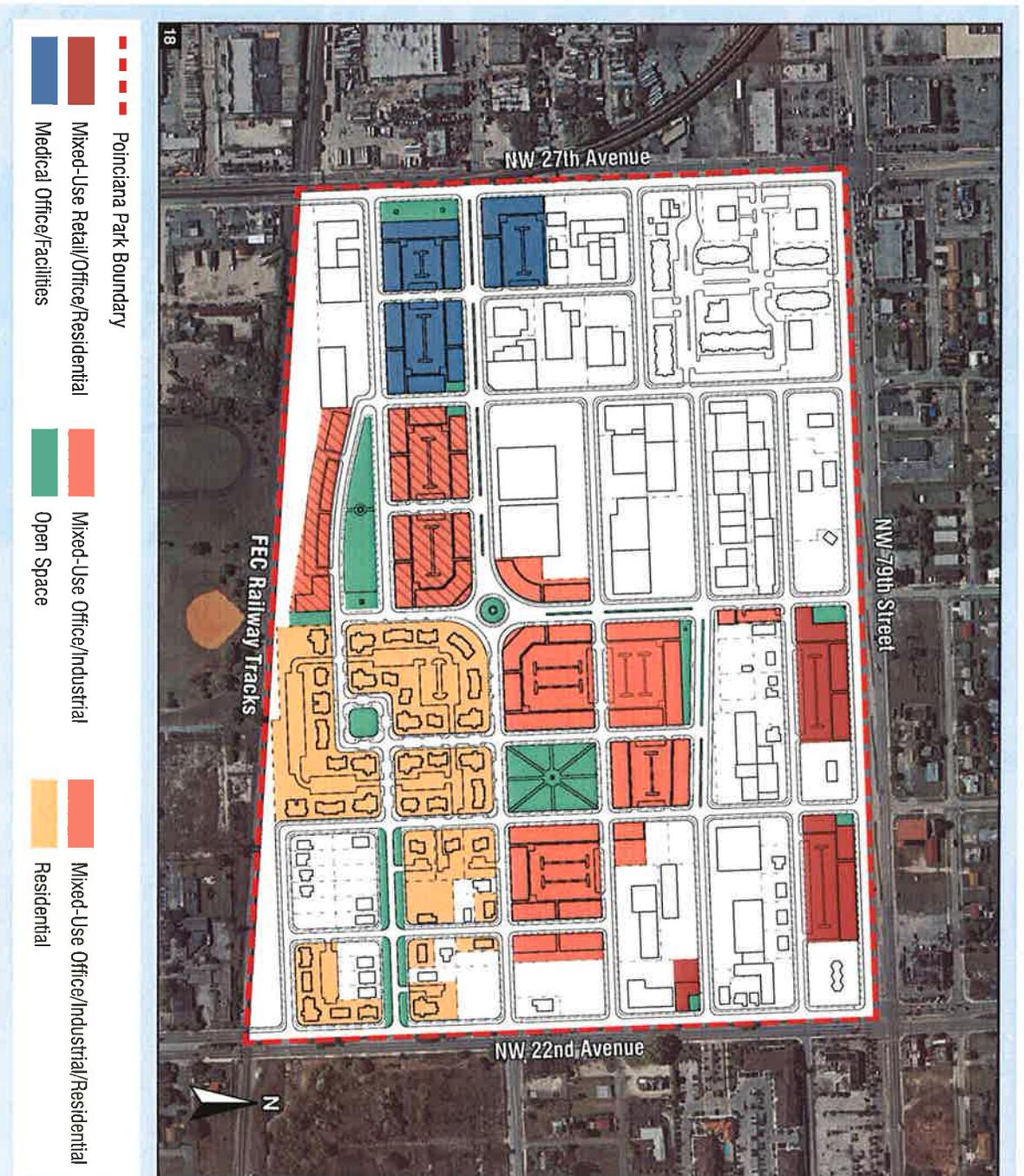


Figure 17: Rendering of a public green along NW 74th Street

Recommended Uses for County Owned Properties

Within the Poinciana Park study area, Miami-Dade County owns 38 properties consisting of approximately 37 acres of land. Twenty-three of these properties are currently vacant parcels and 15 have structures. The County owned properties along NW 79th Street and NW 27th Avenue are located within the boundaries of the North Central Urban Area District (NCUAD). To be consistent with the uses permitted in the NCUAD, it is recommended that the properties along NW 79th Street be developed as a mix of retail, office, civic or residential uses. Along NW 27th Avenue, the County owns three vacant parcels that are currently planned for future health facilities, while the southeast portion of the study area should continue to have residential uses. New development on the County owned parcel at the intersection of NW 22nd Avenue and NW 77th Terrace could include retail, office, civic or residential uses, while it is recommended that the remainder County owned properties within the Poinciana Park study area be developed as a mix of industrial, office or some limited residential uses, which should integrate significant open space. Figure 18 illustrates the recommended uses for the County Owned Properties.



Mix of Uses

The development alternates illustrated in the Vision plan intend to transform the Poinciana Park into a pedestrian-oriented and mixed-use district. New development on the various County owned properties could accommodate a mix of retail, office, industrial, some limited residential uses, civic or open spaces, with buildings placed along the perimeter of the blocks. Ground floors should be occupied by uses that provide interest for passing pedestrians. Primary building entrances should be located near the property lines, facing the primary adjoining street, while parking and service areas should be internalized and screened from surrounding streets. Uses that require extensive truck or vehicular circulation areas should provide them away from the primary street frontage or internalized within the block.

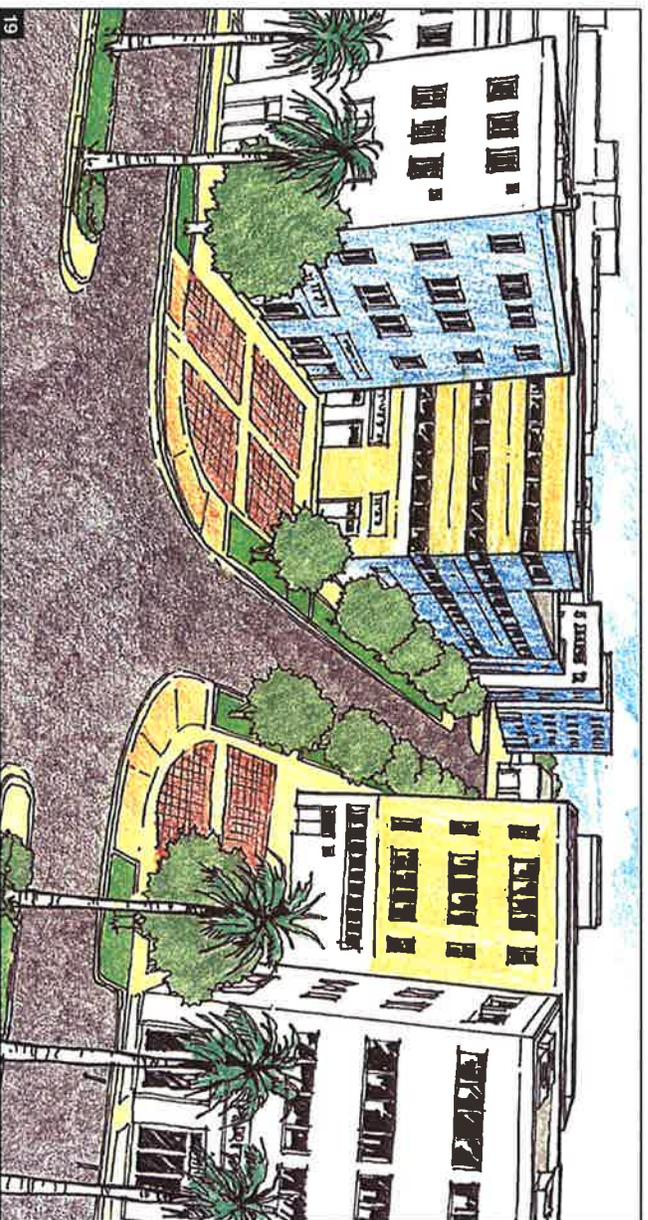


Figure 19: Mixed-use development, view to the south along SW 25th Avenue



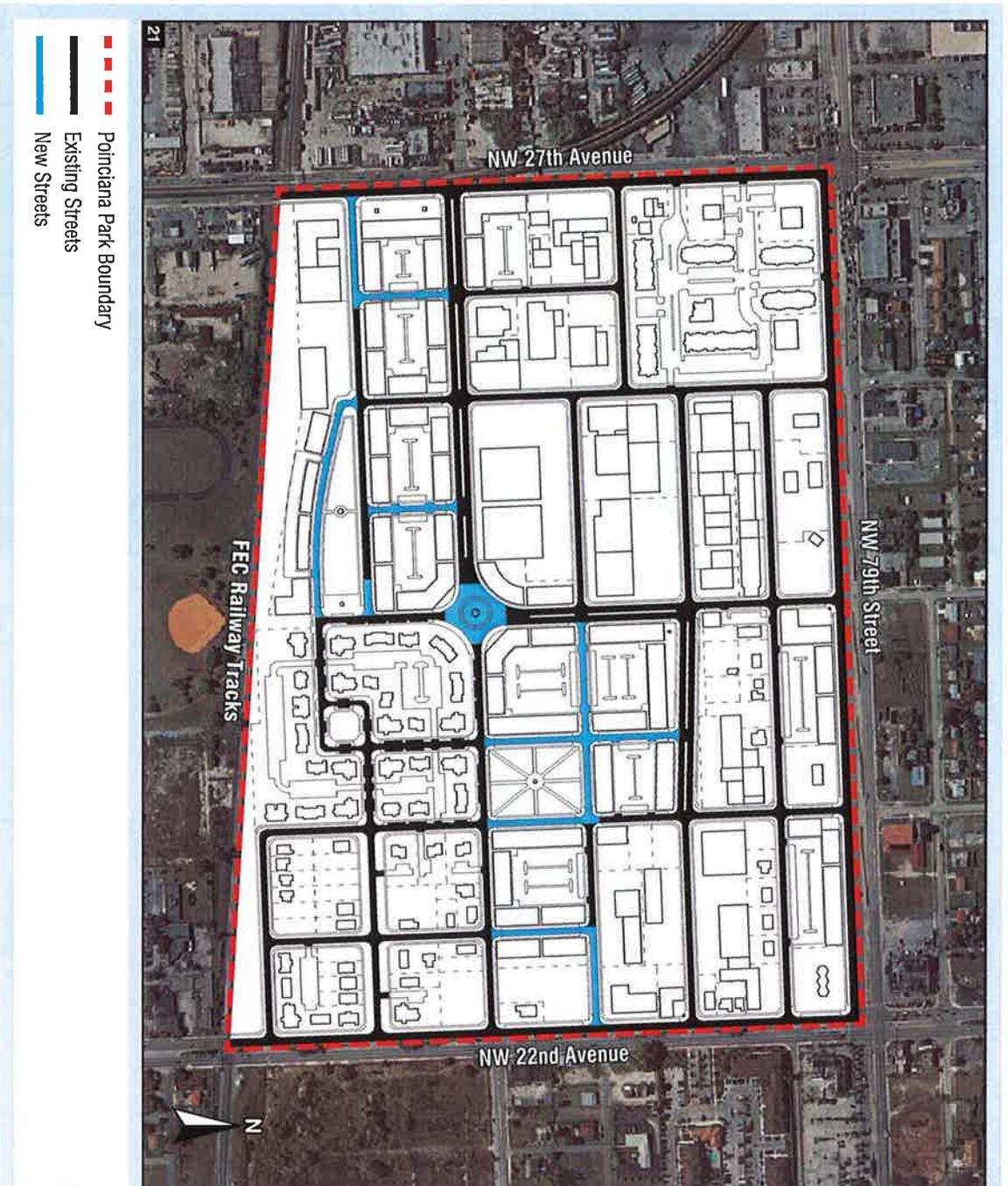
Figure 20: View along NW 75th Street looking north, illustrating a public square surrounded by mixed-use development.

Street Network

Streets are an important element of urban design. They define the blocks and open spaces within a district and should be designed to accommodate convenient, safe and attractive travel for all users. Improving the connectivity of the street network within the study area will enhance access and visibility to businesses, as well as increase the ease in which pedestrians move through the Poinciana Park.

New Streets

The Poinciana Park has an established street network, however after the County acquired properties within the study area, it closed streets creating cul-de-sacs conditions. The Vision Plan reestablishes the original network of streets and identifies new streets that could be created as properties develop over time. An integral part of the Vision Plan is the roundabout at the intersection of NW 75th Street and NW 24th Avenue, which will help provide better connectivity throughout the study area and connect the whole Poinciana Park. Figure 21 illustrates the existing street network, as well as the location of new streets.

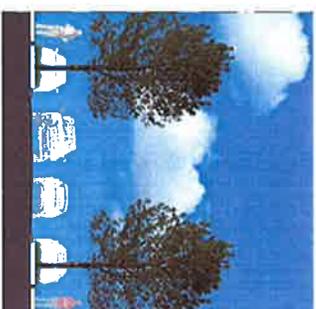


Street Improvements

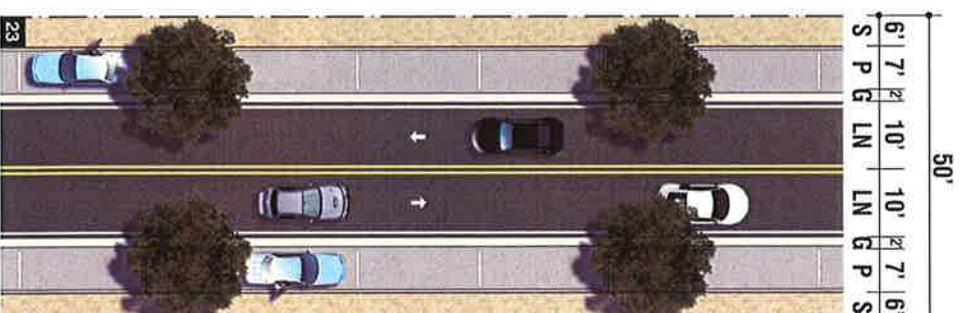
There are two main right-of-way widths throughout the study area, both of which can be retrofitted to allow convenient, safe and appealing movement for pedestrians and motor vehicles. These right-of-ways are recommended to be improved with sidewalks lined with parallel parking and regularly planted street trees, which will provide for a comfortable pedestrian experience along with protection from passing vehicles and the harsh South Florida sun. Parallel parking along the side of the streets could count towards the required parking for new development within the study area. The 80-foot boulevard could accommodate a 14-foot landscaped median and a five-foot bicycle lane in addition to the travel lanes in both directions and the improvements mentioned above. Figures 22 and 23 illustrate the recommended improvements for the 80-foot boulevard and the 50-foot typical street.



Boulevard - 80' R.O.W.



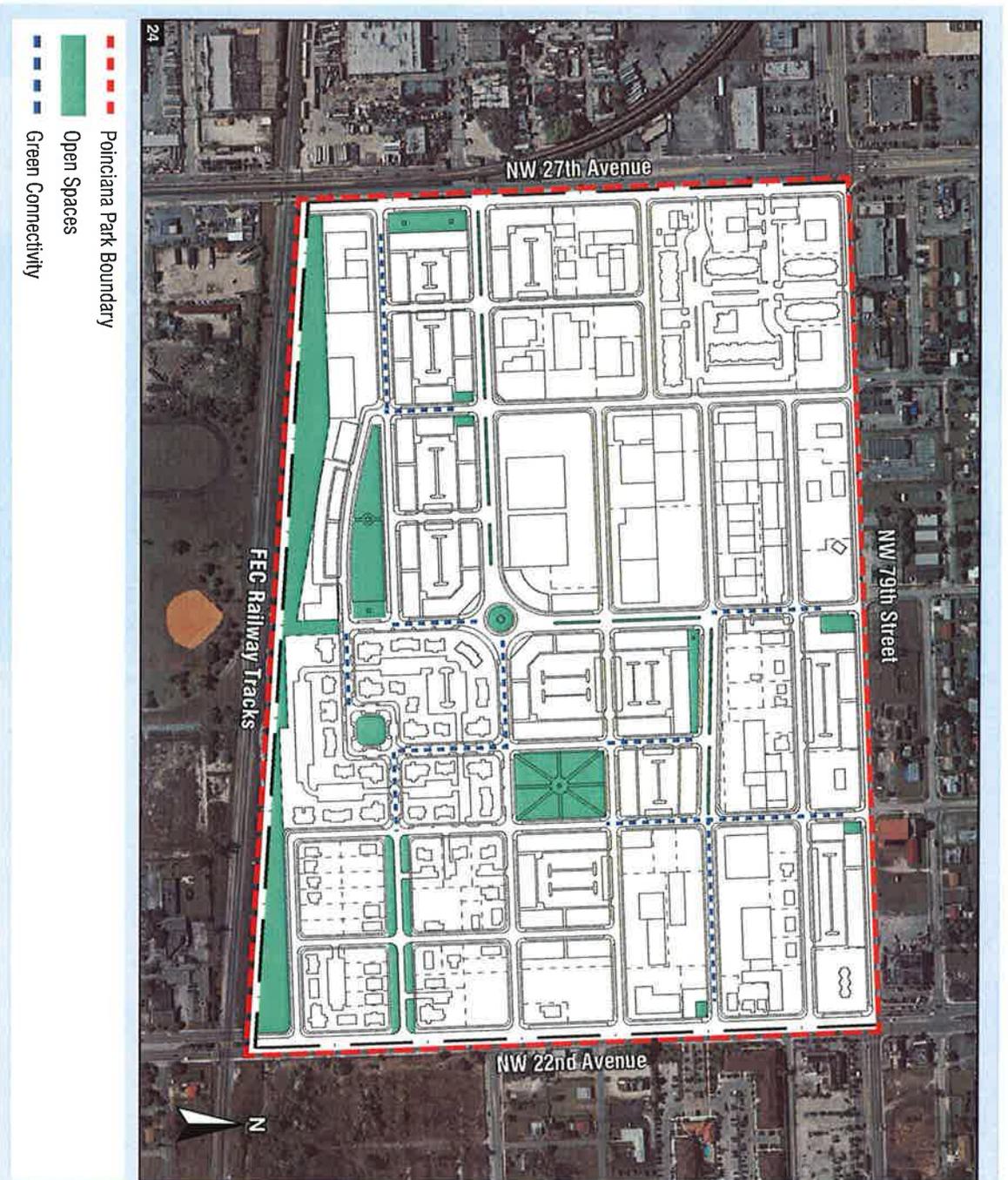
Typical Street - 50' R.O.W.



- S - SIDEWALK
- P - PARKING
- B - BICYCLE LANE
- G - GUTTER
- LN - VEHICULAR LANE
- M - MEDIAN

Open Spaces

With new development, quality open spaces become more critical to the revitalization of the Poinciana Park study area. It is imperative to integrate new public open spaces into the community, which are more accessible to residents, workers and visitors and that respond to the new uses in the study area. A priority should be to establish a balance between the new mix of uses and also a variety of public open spaces, including parks, plazas and green ways. Furthermore, the new open spaces should be organized in a manner that provides a progression through the study area, so that pedestrians or people on bicycle can move from one public open space to another in a safe manner. Figure 24 illustrates an open space network such as described above.



Liberty City Replacement Health Facility

The Liberty City Replacement Health Facility is a new facility to be constructed by the State of Florida Department of Health on the vacant county owned parcels at the intersection of NW 27th Avenue and NW 75th Street.

It is anticipated that the facility will be constructed in phases as funding becomes available. The total overall scope of the final facility includes an approximately 50,000 square foot new facility with STD Care Area, Primary Care Unit, WIC Area, Women's Health/Family Planning Area, Tuberculosis Area, Immunization Area and the common areas required to support this program.

The first phase of the project is budgeted for approximately two million dollars and will provide approximately 10,000 square feet of clinic space, as well as required on-site and off-site improvements. Construction of the first phase is expected to begin in 2012. Appendix A contains the agreement between Miami-Dade County and the Florida Department of Health.

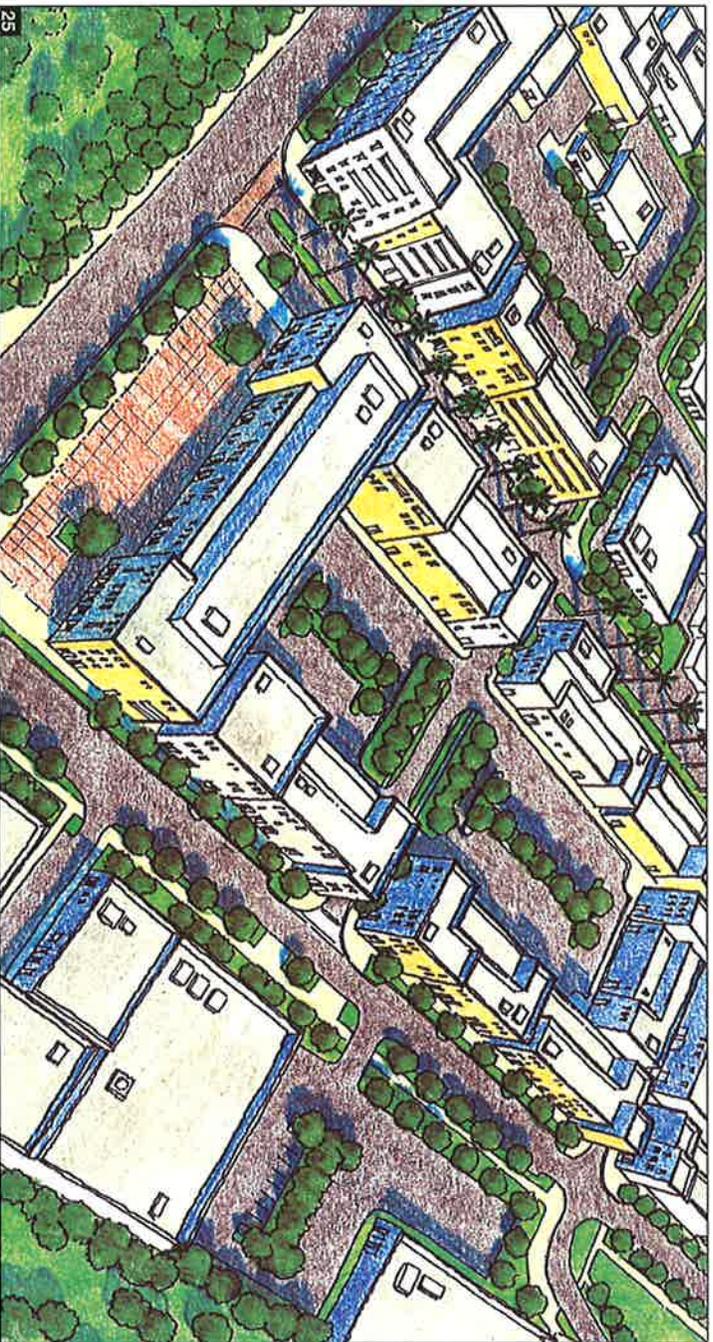


Figure 25: Rendering illustrating a design alternative for the development of the Liberty City Replacement Health Facility.

MEMORANDUM

Substitute
Agenda Item No. 11(A)(3)

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

DATE: July 19, 2011

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

SUBJECT: Resolution approving an
agreement with the Florida
Department of Health to commit
three parcels of land at the
Poinciana Industrial Center for
development of a new
department of health facility

This item differs from the original in that the Resolution has been modified to include a provision making the effectiveness of the agreement contingent upon the amendment of the County's Consolidated Plan with HUD to change the use of the property. The Agreement between Miami-Dade County and the State of Florida, Department of Health that is attached to this item has been modified to include a provision which allows the County to change the anticipated site of the proposed health clinic in the event that certain conditions are met. The name and title of the signatory on behalf of the State of Florida Department of Health has also been provided.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Moncristine.


R. A. Cuevas, Jr.
County Attorney

RAC/jls

1



MEMORANDUM
(Revised)

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

DATE: July 19, 2011

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

SUBJECT: Substitute
Agenda Item No. 11 (A) (3)

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

2

Approved _____ Mayor _____ Substitute
Veto _____ Agenda Item No. 11(A)(3)
Override _____ 7-19-2011

RESOLUTION NO.

RESOLUTION APPROVING AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF HEALTH TO COMMIT THREE PARCELS OF LAND AT THE POINCIANA INDUSTRIAL CENTER FOR THE DEVELOPMENT OF A NEW DEPARTMENT OF HEALTH FACILITY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, the State of Florida Department of Health ("Department") provides services to protect the health of the public living in or visiting the state of Florida pursuant to Chapter 154, Florida Statutes; and

WHEREAS, the Department has requested land from the County in order to construct a new health facility to be funded by the Department which will replace two former, recently closed clinics in District 2, Miami-Dade County Health Department's Juanita Mann Clinic recently located at 7900 NW 27th Ave and the Jessie Trice Community Health Center, Inc.'s James E. Scott Center ("JTCHC") located at 7200 NW 22nd Ave; and

WHEREAS, upon completion of construction of the health facility by the Department and as provided for in the Miami-Dade County core contract, County will assume the ownership of the facility pursuant to the provisions of Chapter 154, Florida Statutes; and

>> WHEREAS, the County wishes to enter into an agreement ("Agreement") with the Department to provide the requested land; and

WHEREAS, the Agreement shall be contingent upon successful amendment of the County's FY 2008-2012 Consolidated Plan with HUD to change the use of the property to that

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Substitute
Agenda Item No. 11(A)(3)
Page No. 2
proposed by the Department, and the Agreement shall be revised prior to execution to include such a contingency; and<< 1

WHEREAS, the approval of this Agreement is in the best interest of the citizens of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies and adopts those matters set forth in the foregoing recitals and approves the Agreement with the Florida Department of Health to commit three parcels of land at the Poinciana Industrial Center to be utilized by the Department for the construction of a health facility >> which includes Jessie Trice Community Health Center, Inc.<<; and authorizes the County Mayor or County Mayor's designee to exercise any and all other rights conferred therein.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

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

¹ The differences between the substitute and the original item are indicated as follows: words stricken through and/or (double bracketed) shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

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Substitute
Agenda Item No. 11(A)(3)
Page No. 3

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of July, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS
HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency:

JRA

Juliette Antoine

1

AGREEMENT BETWEEN

STATE OF FLORIDA DEPARTMENT OF HEALTH

AND

MIAMI-DADE COUNTY, FLORIDA

This agreement ("Agreement") is made and entered into between the State of Florida Department of Health ("Department") and Miami-Dade County, Florida ("County"), through their undersigned authorities, effective ("effective date") upon the last signature affixed hereto.

WHEREAS, the Department provides services to protect the health of the public living in or visiting the state of Florida pursuant to Chapter 154, F.S., the intent of the legislature is to "promote, protect, maintain and improve the health and safety of all citizens and visitors of this state through a system of coordinated county health department services." In accordance with the Department's Land Policy DQHP-250-5-09, as amended, County, through its Board of County Commissioners, shall provide the land for a new facility; its construction to be funded through the Florida Department of Health. Prior to and during the legislative request process for said funding, County and the Department shall enter into this agreement.

THEREFORE, in consideration of the mutual promises set forth herein, the sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

A. County owns the building site described in the legal description attached as Exhibit A ("Property")

B. County agrees to commit the Property for the construction of the Miami-Dade County Health Department ("Project") for a period of five (5) years. The Department agrees to place the Project on the Department prioritized Fixed Capital Outlay ("FCO") listing and request an appropriation from the legislature in accordance with Chapter 216 F.S. If after five (5) years from the effective date of this agreement, adequate funding is not appropriated to construct a mutually agreeable suitable facility, the County may withdraw its commitment to the site. Upon the County's withdrawal of the site all FCO will be returned for re-appropriation. Prior to full appropriation for the mutually agreeable suitable facility, the Department will only conduct partial planning services as it relates to the Property and there shall be no physical improvements or disturbance to the Property. The County reserves the right to fully dedicate the site for the CHD use at any point in the appropriation process. If after 3 years from the signing of this agreement there has been no further funding for the project other than the commitment made in FY 2010-11 Appropriations Item 507, then the County and the Department may mutually agree to withdraw the request and revert the remaining funding for re-appropriation.

>>C. Notwithstanding the foregoing, the parties agree that prior to the commencement of design, the County may substitute an alternative site for this Project provided that (a) the site is large enough to accommodate the Project, and (b) is in a location determined by the DOH as the area to be served by this Project, and (c) is in a location convenient for the population to be served, and (d) will not increase the overall budget for the construction of the clinic.<<

Words stricken through and/or [double bracketed] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Resolution: R-624-11 - Health Facility Agreement (continued)

>>D<<County agrees that upon completion of construction of the Miami-Dade County Health Department by the Department and as provided for in the Miami-Dade County core contract, County will assume the ownership of the facility pursuant to the provisions of Chapter 154 F.S. Maintenance of the facility shall be in accordance with the core contract.

>>E<<County agrees the Miami-Dade County Health Department facility funded by the legislature and then constructed on the land designated in Exhibit A will be used solely for Department services and for its useful life, unless otherwise authorized in writing by the Miami-Dade County Board of County Commissioners and the Secretary of the Department of Health.

>>F<<County agrees that the Miami-Dade County Health Department shall not pay rent for the state funded facility.

>>G<<County agrees that Department and its agents shall, upon reasonable notice, have the right to enter the Property for lawful and agreed upon purposes in connection with this Agreement. Department shall not in the course of such entry make any invasive tests, alterations or improvements to the balance of the parent tract owned by County, except with the express written consent of County. If completion of the project does not occur, Department shall repair and restore Property to the condition existing prior to any test or construction on the site, unless this requirement is waived by County.

>>H<<Both Miami-Dade County and the Florida Department of Health, a subdivision of the state and a state agency respectively, agree to be fully responsible to the limits set forth in section 768.28 for their own negligent acts which result in claims or suits against each party and agree to be liable to the limits set forth in section 768.28 for any damages caused by said acts. Nothing herein shall be construed as a waiver of sovereign immunity by Miami-Dade County or the Florida Department of Health.

Words stricken through and/or [double bracketed] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged

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>>I<<This contract shall be governed by the laws of the State of Florida. Venue shall lie in Miami-Dade County, Florida.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed by their undersigned officials as duly authorized, effective the ____ day of _____, 20__.

FLORIDA DEPARTMENT OF HEALTH

Attest:

By: _____

Name: _____

Title: _____

By: _____

Name: >>Garv Mahoney<<

Title: >>Director, Division of Administration<<

MIAMI-DADE COUNTY

Attest:

By: _____

Name: _____

Title: _____

Clerk

Approve as to form and legal sufficiency, Assistant County Attorney _____

Words stricken through and/or [double bracketed] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Acknowledgements

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