MEMORANDUM

Agenda Item No. 11(A)(22)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	May 6, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing County Mayor to prepare and submit a report within twenty (20) days to the Board of County Commissioners regarding the maximum amount of any cap or comparable restriction on tax increment revenues appropriated to each Community Redevelopment Agency in Miami-Dade County

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 6, 2014

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

SUBJECT: Agenda Item No. 11(A)(22)

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 Mayor's report for public hearing**

✓ **No committee review**

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

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(22)
5-6-14

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A REPORT WITHIN TWENTY (20) DAYS TO THE BOARD OF COUNTY COMMISSIONERS REGARDING THE MAXIMUM AMOUNT OF ANY CAP OR COMPARABLE RESTRICTION ON TAX INCREMENT REVENUES APPROPRIATED TO EACH COMMUNITY REDEVELOPMENT AGENCY IN MIAMI-DADE COUNTY

WHEREAS, pursuant to Chapter 163, Part III of the Florida Statutes, the Board of County Commissioners, after making findings of necessity that among other findings that one or more redevelopment areas within Miami-Dade County are slum and blighted areas, created or delegated the creation of certain community redevelopment agencies, which include Southeast Overtown/Park West Community Redevelopment Agency, Omni Community Redevelopment Agency, Naranja Lakes Community Redevelopment Agency, West Perrine Community Redevelopment Agency, Miami Beach City Center District Community Redevelopment Agency, N.W. 7th Avenue Corridor Community Redevelopment Agency, N.W. 79th Street Corridor Community Redevelopment Agency, Midtown Miami Community Redevelopment Agency, Opa-locka Community Redevelopment Agency, South Miami Community Redevelopment Agency, Florida City Community Redevelopment Agency, Homestead Community Redevelopment Agency, North Miami Beach Community Redevelopment Agency, and North Miami Community Redevelopment Agency (collectively referred to as "Agencies"); and

WHEREAS, upon the creation of the Agencies, the Board, through the enactment of certain ordinances, established redevelopment trust funds whereby the County and other taxing

authorities annually allocate and deposit funds to be used by the Agencies to finance or refinance community redevelopment the Agencies undertake pursuant to their approved redevelopment plans; and

WHEREAS, generally, the calculation of the amount of funds to be appropriated by each taxing authority to the Agencies is governed by Section 163.387 of the Florida Statutes, as amended, or as may be amended by interlocal agreements between Miami-Dade County, other taxing authorities and the affected Agency; and

WHEREAS, the Board enacted Ordinance No. 82-115, as subsequently codified in Section 29-6 of the Miami-Dade County Code ("Code"), which established the Southeast Overtown/Park West Community Redevelopment Agency; and

WHEREAS, the Code states in pertinent part, that:

> Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness and in every year thereafter, the County's annual appropriation to the fund shall not exceed the amount which is deposited in the nineteenth year. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without approval of the Board of County Commissioners; and

WHEREAS, the Board desires to know if the County imposes a cap or other comparable restriction on the County's annual appropriations to the other Agencies' trust funds,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The County Mayor or the County Mayor's designee is hereby directed to prepare and submit a report to the Board within twenty (20) days of the effective date of this resolution. The report shall include the following information:

(a) The names of each of the Agencies;

(b) The dates each of the Agencies and their trust funds were created;

(c) Whether the ordinances that created each Agency and their trust funds impose a cap or comparable restriction on the County's annual appropriations similar to the cap imposed on the Southeast Overtown Park West Community Redevelopment Agency; and

(d) If a cap or other comparable restriction has been imposed on any of the Agencies, the reason(s) why, including the reason(s) for the imposition of the cap on the Southeast Overtown Park West Community Redevelopment Agency.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith