

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

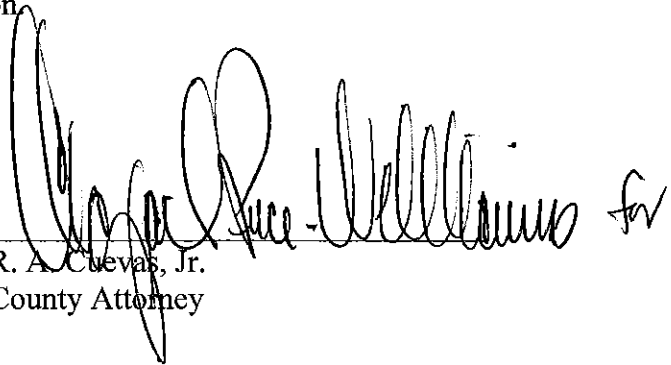
DATE: June 30, 2015

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

SUBJECT: Resolution directing County Mayor to explore the feasibility of extending the lives of the Southeast Overtown Park West Community Redevelopment Agency and Omni Community Redevelopment Agency and to prepare and submit a report within 90 days

This item was amended at the 6-11-15 Economic Prosperity Committee to correct the date the Omni Community Redevelopment Agency is scheduled to sunset. The date they are scheduled to sunset is March 31, 2030 rather than March 30, 2030.

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




MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

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

SUBJECT: Agenda Item No. 11(A)(8)

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)(8)
6-30-15

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPLORE THE FEASIBILITY OF EXTENDING THE LIVES OF THE SOUTHEAST OVERTOWN PARK WEST COMMUNITY REDEVELOPMENT AGENCY AND OMNI COMMUNITY REDEVELOPMENT AGENCY AND TO PREPARE AND SUBMIT A REPORT WITHIN 90 DAYS

WHEREAS, the Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified at Chapter 163, Part III, Florida Statutes, as amended, (the "Act"); and

WHEREAS, the Act confers certain powers to counties with home rule charters, which such counties in their sole discretion may delegate to a municipality and/or a community redevelopment agency; and

WHEREAS, the purpose of the Act is to provide a mechanism for counties and municipalities to eliminate slum or blighted areas through the creation of such community redevelopment agencies; and

WHEREAS, pursuant to Section 163.387 of the Act, the Miami-Dade Board of County Commissioners (the "Board") adopted Ordinance No. 82-115 establishing a redevelopment trust fund for the Southeast Overtown Park West Community Redevelopment Agency (the "Overtown Agency") for the purposes of eliminating slum and blight within the Overtown/Park West community redevelopment area (the "Overtown Area"); and

WHEREAS, Miami-Dade County (the "County") and the City of Miami (the "City") entered into an Interlocal Cooperation Agreement, dated March 31, 1983, as amended, which

provided for the exercise of redevelopment powers by the City for the Overtown Agency, the implementation of the Overtown Agency's community redevelopment plan, as amended, (the "Overtown Plan"), the delegation by the County to the City Commission to act as the community redevelopment agency for the Overtown Area, and the use of tax increment financing (the "Overtown Tax Increment") to pay for the costs of the implementation of the Overtown Plan; and

WHEREAS, the Overtown Area continues to suffer from significant slum and/or blighted conditions and poverty rates that significantly exceed those of most communities across the County; and

WHEREAS, notwithstanding the positive changes experienced within the Overtown Area, slum and/or blighted conditions and poverty remain pervasive within the area requiring additional public investment to eliminate such conditions beyond the current expiration date; and

WHEREAS, the life of the Overtown Agency is scheduled to expire on March 31, 2030; and

WHEREAS, the Board through the adoption of Resolution R-825-87 and Ordinance No. 87-47 approved a redevelopment plan, as amended, for the redevelopment of the Omni area (the "Omni Plan") and established a trust fund for the Omni Community Redevelopment Area (the "Omni Area"); and

WHEREAS, in accordance with Section 163.357 and 163.410 of the Act, the County also designated the City Commission to act as the community redevelopment agency, thus establishing the Omni Community Redevelopment Agency (the "Omni Agency"); and

WHEREAS, pursuant to Resolution No. R-280-96, the County, the City and the Omni Agency entered into an Interlocal Cooperation Agreement, dated June 24, 1996, as amended, which obligated the Omni Agency to pay debt service on the primary redevelopment project, the Performing Arts Center; and

WHEREAS, the Omni Agency has been a net contributor of more than \$37 million in tax increment financing revenues for the Performing Arts Center debt service payments to the County between 1997 to 2015; and

WHEREAS, notwithstanding positive changes experienced within the Omni Area since 2001, slum and/or blighted conditions remain pervasive within portions of the Omni CRA requiring significant, additional public investment to eliminate such conditions; and

WHEREAS, the life of the Omni Agency is set to expire on March ~~[[30]]~~¹ >>31<<,2030; and

WHEREAS, it is anticipated that planned investment within portions of both the Overtown Area and Omni Area will generate significant tax increment revenues that can be reinvested to eliminate existing slum and/or blighted conditions within both redevelopment areas, and also advance other redevelopment objectives identified in the Overtown Plan and Omni Plan; and

WHEREAS, this Board wishes to explore the feasibility of extending the life of the Overtown Agency to the statutory limits, i.e. until March 31, 2042, to continue funding programs that will address the slum and/or blight conditions that remain in the Overtown Agency's area; and

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

WHEREAS, the County also wishes to explore the feasibility of extending the life of the Omni Agency until March 31, 2045, to continue to address the slum and/or blight conditions that remain within the Omni Agency's Area,

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 County Mayor's designee is hereby directed to explore the feasibility of extending the lives of the Overtown Agency and the Omni Agency, and to prepare and submit a report to this Board. The report shall include but not be limited to: (a) an analysis that includes a projection of the additional annual tax increment revenue the County will be obligated to deposit into each agency's trust fund; and (b) an analysis of the projected ad valorem tax revenues to be raised within each redevelopment area that can continue to be used to address the health, safety, morals, and welfare of the businesses and residents located within the Omni and Overtown Areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford. The County Mayor or County Mayor's designee shall provide the report to this Board within 90 days of the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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