

# MEMORANDUM

Agenda Item No. 11(A)(2)

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**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

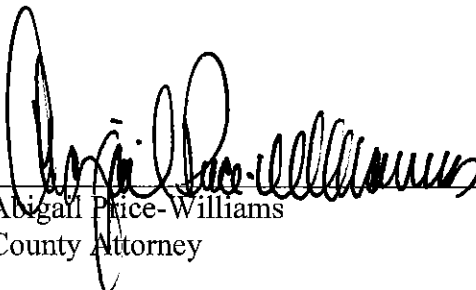
**DATE:** May 1, 2018

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution designating the unincorporated areas within the Miami-Dade County Transportation Infrastructure Improvement District, which includes the SMART Plan Corridors, as areas or facilities of countywide significance pursuant to sections 20-8.6 and 20-28.1 of the Code of Miami-Dade County, Florida

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Esteban L. Bovo, Jr.

  
Abigail Price-Williams  
County Attorney


APW/smm



**MEMORANDUM**  
(Revised)

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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
- Statement of social equity 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)(2)  
5-1-18

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

RESOLUTION DESIGNATING THE UNINCORPORATED AREAS WITHIN THE MIAMI-DADE COUNTY TRANSPORTATION INFRASTRUCTURE IMPROVEMENT DISTRICT, WHICH INCLUDES THE SMART PLAN CORRIDORS, AS AREAS OR FACILITIES OF COUNTYWIDE SIGNIFICANCE PURSUANT TO SECTIONS 20-8.6 AND 20-28.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, sections 20-8.6 and 20-28.1 of the Code of Miami-Dade County, Florida, authorize the Board of County Commissioners to designate portions of the unincorporated area of Miami-Dade County as areas or facilities of Countywide significance; and

**WHEREAS**, once an area is designated as an area or facility of Countywide significance, sections 20-8.6 and 20-28.1 of the Code provide that regulatory jurisdiction over the area would remain with Miami-Dade County notwithstanding subsequent annexation to an existing municipality or the inclusion of such area as part of a newly incorporated municipality; and

**WHEREAS**, according to those sections of the Code, the Board may designate areas or facilities of Countywide significance by resolution, upon a finding that: 1) the area or facility is susceptible to substantial change and development that will detrimentally affect the facility or land; 2) there is a need for the continued, unimpaired functioning of the area or facility by the greater community; and 3) the service provided at or by the area or facility, or at a combination of areas or facilities, is a significant resource to the greater community; and

**WHEREAS**, on June 7, 2016, in Resolution No. R-523-16, this Board endorsed the Strategic Miami Area Rapid Transit (SMART) Plan as approved by the Transportation Planning Organization (TPO), which calls for expanding the central metropolitan transit system with six rapid transit corridors: Beach Corridor, East-West Corridor, Kendall Corridor, North Corridor, Northeast Corridor, and South Dade Transitway; and

**WHEREAS**, in February of 2018, this Board adopted Ordinance No. 18-8, which created the Miami-Dade County Transportation Infrastructure Improvement District (the “TIID” or the “District”) and a corresponding trust fund, to use tax increment financing for the development, construction, maintenance, and operation of the SMART Plan rapid transit corridor projects; and

**WHEREAS**, pursuant to section 2-2363 of the Code, the boundaries of this District include: “all real properties wholly or partially located within ½ mile of the existing Metrorail corridor and proposed alignments, pursuant to Resolution No. R-523-16, of the SMART Plan rapid transit corridors, except for the East-West Corridor. With respect to the East-West Corridor, all real properties wholly or partially located within 1 mile of the proposed alignment, pursuant to Resolution No. R-523-16, shall be included within the District. If any portion of a parcel of real property is located within the geographical boundaries of the District, the whole parcel shall be deemed to be located within the District”; and

**WHEREAS**, section 2-2363 of the Code further provides that, “[t]he geographical boundaries of the District and the legal descriptions of the real properties included therein shall be based on the Property Appraiser’s 2017 first certified tax roll as of October 26, 2017. A document listing the real properties that are within the boundaries of the District, in accordance with this section, shall be kept on file with the Miami-Dade County Department of Regulatory and Economic Resources or its successor department”; and

**WHEREAS**, the Federal Transit Administration’s (FTA) New Starts Process considers existing and potential land uses around transportation corridors as part of its evaluation criteria in awarding federal funding; and

**WHEREAS**, consistent with the County's adopted land use policies in the Comprehensive Development Master Plan (CDMP), the County has been evaluating and subsequently designating Urban Centers and Mixed-Use Corridor Districts in this community since 1995, particularly around the Rapid Transit Zone defined in chapter 33C of the County Code; and

**WHEREAS**, Urban Centers and Mixed-Use Corridor Districts specifically promote transit-supportive and transit-oriented development around the County's premium transit stops and services; and

**WHEREAS**, redevelopment and intensification of all areas within the TIID are essential to the viability of a central metropolitan transit system and the pursuit of FTA funding; and

**WHEREAS**, the Board finds: that the unincorporated areas located within the TIID, as defined in section 2-2363 of the Code, meet the criteria in sections 20-8.6 and 20-28.1; that these areas are susceptible to substantial change and development that will detrimentally affect the SMART Plan; that there is a need for the continued, unimpaired functioning of the SMART Plan corridor areas by the greater community; and that the service provided at or by the SMART Plan corridors, or at a combination of areas or facilities nearby, including the Miami International Airport, are a significant resource to the greater community,

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

**Section 1.** The foregoing recitations are true and correct and are incorporated herein by reference.

**Section 2.** Pursuant to sections 20-8.6 and 20-28.1 of the Code, the unincorporated areas located within the Miami-Dade County Transportation Infrastructure District (“TIID”), as defined in section 2-2363 of the Code, are hereby designated as “Areas or Facilities of Countywide Significance,” and this designation shall cover all such areas within the TIID that are unincorporated as of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Chairman Esteban L. Bovo, Jr. 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
District 5 - Vacant	

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of May, 2018. 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.



~~For~~  
Dennis A. Kerbel