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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA
(Second Reading 02-06-07)

Memorandum

MIAMI-DADE COUNTY

Date: December 19, 2006

Agenda Item No. 7(Q)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance Granting Enterprise Zone Ad Valorem Tax Exemption Under Ordinance 96-74 for Town Center 0-L1, LLC

0#07-31

RECOMMENDATION

It is recommended that the Board approve the attached ordinance granting Enterprise Zone Ad Valorem Tax Exemption to Town Center 0-L1, LLC., hereinafter referred to as "Business," pursuant to the provisions of Section 196.1995, Florida Statutes, and Miami-Dade County Ordinance 96-74.

BACKGROUND

On April 19, 1988, the Board enacted Ordinance No. 88-27, which authorized Enterprise Zone Ad Valorem Tax Exemption for new or expanding businesses, which invest in these zones. On May 21, 1996, the aforementioned ordinance was revised and enacted as Ordinance No. 96-74.

The Business has filed an application for Enterprise Zone Ad Valorem Tax Exemption for improvements made to its real properties and for acquisition of tangible personal property. The Property Appraiser reviewed the application and inspected the property to arrive at determinations of the appropriate exemption.

To be eligible for this exemption, a new or expanded business shall create a minimum of five new full-time jobs. If, on any given year of the 5-year exemption, 20 percent or more of a business' permanent full-time employees are residents of the Enterprise Zone, the exemption for that year will be 100 percent of the assessed value of all improvements to real property and 100 percent of the assessed value of all tangible personal property. If the company cannot comply with the 20 percent residency requirement of employees living within the Enterprise Zone, then the exemption for that year will be 50 percent of the assessed value of the improvements to real estate and improvements to tangible personal property.

Once the Board has granted approval, Miami-Dade's Office of Community and Economic Development (OCED) will monitor the firm's compliance during the life of the tax exemption.

State of Florida incentives available in the Enterprise Zone include jobs tax credit, property tax credit, community contribution tax credit, sales tax exemption on building materials and sales tax exemption on business equipment. The Business has indicated that the availability of these incentives was a contributing factor in its decision to expand in the Enterprise Zone.

Detailed information regarding the Business is provided below. The tax exemption is based on the estimated countywide millage rate of 5.835 for FY 2005-06, which is the year the Business became eligible for the tax abatement.

Town Center 0-L1, LLC

Address:	780 Fisherman Street, Opa-Locka, FL 33054	
Community Redevelopment Area (CRA):	No	
Business:	Mix-office use and retail building	
Contact Person:	Carlos E. Aybar, (305) 981-4744	
Employment:	91 new jobs	
Basis for Application:	Improvement to real estate	
Total New Investment	$5,500,000	
Exemption Eligibility:	$5,239,061 $ ---	(real property) (tangible personal property)
Estimated County Tax Exemption Per Year:	$30,570 $ --	(real property) (tangible personal property)
Total:	**$30,570**	
Period:	5 Years	

ECONOMIC IMPACT ANALYSIS

If the full exemption was granted, the impact on the County budget would be to reduce revenues by $30,570 for FY 2005-06, based on the FY 2005-06 countywide millage rate. The entire amount, which applies to improvements to real property, remains relatively constant for the duration of the exemption period.

The impact of the exemption on the private sector is to reduce the applicant's operating costs by these amounts, which is intended as an incentive to invest and create jobs in the most distressed areas of Miami-Dade County. The Business created 91 new jobs which include a total of 31 jobs for residents of the Enterprise Zone. Exemption recipients are monitored annually for compliance with maintaining five new full-time job requirements. Businesses found not to be in compliance with maintaining five new full-time employees will lose their tax exemption.

ECONOMIC IMPACT ANALYSIS CHART

Company	Exemption	Term	Total Jobs Existing	Projected New Jobs Since Investment	Projected EZ Jobs	Total New Investment
Town Center 0-L1, LLC	$30,570	5 Yrs.	91	91	31 (34%)	$5,500,000

The initial cost of processing the application is offset by a $50 application fee, plus 10% of the first year's exemption. The public benefits of this project are the investment and job creation in Miami-Dade County's distressed areas. The additional payroll and economic activity generates other taxable activity. In addition, once the exemption period ends, the County will receive the increased taxes from the expanded business.

Please see attached revenue implication statement prepared by the Property Appraiser's Office for this project.

Attachments

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(Q)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

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

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(Q)

02-06-07

ORDINANCE NO. 07-31

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO TOWN CENTER 0-L1, LLC, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE

WHEREAS, this Board recognizes the need to stimulate economic development in certain areas of Dade County which are economically depressed, where housing and structural conditions are blighted and deteriorated, and where unemployment and poverty are prevalent, said areas being designated "Enterprise Zones" as defined in Section 196.012 and Section 290.004, Florida Statutes; and

WHEREAS, pursuant to Article VII, Section 3 of the Florida Constitution, the State has enacted Section 196.1995, Florida Statutes, providing a local government option for ad valorem tax exemption to new businesses and expansions of existing businesses in each such Enterprise Zone; and

WHEREAS, this Board authorized Enterprise Zone Ad Valorem Tax Exemptions to new businesses and for the expansion of existing businesses located in the Enterprise Zone through Ordinance No. 96-74, enacted on May 21, 1996; and

WHEREAS, this Board desires to encourage economic growth and development and alleviate the conditions of unemployment, economic disinvestments and poverty by creating new construction, new jobs, and an enhanced business climate particularly for small or minority owned businesses; and

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WHEREAS, Town Center 0-L1, LLC, hereinafter referred to as "Business", located at 780 Fisherman Street, Opa-Locka, FL 33054, within Enterprise Zone No. 1301 has made application for ad valorem tax exemptions; and

WHEREAS, the Business has committed to this Board that it will maintain a work force of at least five (5) employees of whom at least twenty percent (20%) must be residents of the Enterprise Zone; and

WHEREAS, this Board finds that the Business has tax bills which are current; and

WHEREAS, this Board finds that ad valorem tax exemption is appropriate and consistent with the public purpose to eliminate the serious and distressing economic conditions of the designated "Enterprise Zone" in Miami-Dade County,

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

Section 1. Legislative Intent and Findings of Public Purpose. The above recitations of legislative intent and findings of public purpose are fully incorporated herein as part of this ordinance.

Section 2. Eligibility Requirements. This Board finds the Business is a "new business" as defined in Section 196.012(15) (b) Florida Statutes (1991) and as defined in Miami-Dade County Code Section 29-82(b), and after careful consideration of certain factors including those enumerated in Section 29-84(a) and (b) of the Miami-Dade County Code finds and determines the Business is eligible for ad valorem tax exemption.

Section 3. Granting the Exemption. This Board hereby grants ad valorem tax exemptions pursuant to Ordinance No. 96-74, enacted on May 21, 1996, to Town Center 0-L1, LLC, located at 780 Fisherman Street, Opa-Locka, FL 33054, a "new business". The exemption shall be up to 100% of the eligible assessed value of the improvements to real property and the eligible tangible personal property, if the company complies with the 20% residency requirement of their employees living in the Enterprise Zone. If the company cannot comply with the 20% residency requirement of their employees living in the Enterprise Zone, then the exemption, for that year, will be 50% of the eligible assessed value of the improvements to real property and the eligible tangible personal property acquired and owned by the Business and located at 780 Fisherman Street, Opa-Locka, FL 33054.

Section 4. Revenue Implications. The total amount of revenue available to the County from ad valorem tax sources for FY 2005-06 is $1.022 billion. The total amount of revenue foregone by the County for FY 2005-06 by virtue of Enterprise Zone Ad Valorem Tax Exemptions is $618,945. The revenue foregone by the County attributable to the exemption of the Business named in the ordinance is estimated at $30,570 for real property, based on the assessment by the Property Appraiser of Miami-Dade County.

Section 5. Duration and Expiration of the Tax Exemption. The duration of the Enterprise Zone Ad Valorem Tax Exemption granted to the Business is five (5) years. The tax exemption granted in this ordinance shall expire after the 2009 tax assessment rolls of Miami-Dade County. Notwithstanding the foregoing, the Business must apply for a renewal of the exemption each year for which the exemption is sought. Failure to file a renewal application with the Office of Community and Economic Development by March 1 of each year shall constitute a waiver of the exemption for the year.

Section 6. Scope of Exemptions. The property tax exemption authorized through this ordinance shall be up to 100% of the eligible assessed value of the improvements to real property and the eligible tangible personal property, if the company complies with the 20% residency requirement of their employees living in the Enterprise Zone. If the company cannot comply with the 20% residency requirement of their employees living in the Enterprise Zone, then the exemption, for that year, will be 50% of the eligible assessed value of the improvements to real property and the eligible tangible personal property made by or for the use of the Business. The exemption shall apply only to Miami-Dade County countywide operating millage and, when applicable, the unincorporated municipal service area millage and shall not apply to taxes levied for payment of bonds or to taxes authorized by vote of the electors pursuant to Section 9(b) of Section 12, Article VII of the State Constitution. The exemption shall not be prolonged or extended by granting exemption from additional taxes or by virtue of any reorganization or sale of the Business receiving the exemption.

Section 7. Penalties. Non-compliance during the life of the tax exemptions unless expressly waived by the Board, with any of the eligibility requirements of Section 29-87 of the Miami-Dade County Code will nullify the tax exemption benefits granted through this ordinance and the Business shall be required to make payments of taxes exempted in addition to interest accrued from the date of non-compliance.

Section 8. Fee. The Business named in the ordinance will pay a $50 application fee and a fee of 10% of the first year tax exemption to cover administrative expenses of Miami-Dade County in processing the application for tax exemption. All fees are non-refundable even if Miami-Dade County rescinds the tax exemptions due to non-compliance with eligibility requirements. Fees are payable to Miami-Dade County Board of County Commissioners.

Section 9. Renewal Provisions. Enterprise Zone Ad Valorem Tax Exemptions granted through this ordinance can be renewed each year for the duration of the term of the exemption as indicated in Section 5 of this ordinance; however, the Business must re-apply to maintain the exemptions on or before March 1 of each year for which the renewal is sought. Failure to file a renewal by March 1 of every year with the Office of Community and Economic Development (OCED) shall constitute a waiver of the exemption for that year.

Section 10. Severability. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 11. Effective Date. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 12. Sunset. This ordinance shall stand repealed five (5) years from its effective date.

PASSED AND ADOPTED: February 6, 2007

Approved by County Attorney as to form and legal sufficiency.

Prepared by:

Shannon D. Summerset

Enterprise Zone Abatement
Property Tax Assessments/Revenue Implications

Business Name: Town Center O-L1, LLC
Address: 11077 Biscayne Blvd., Suite 205 Miami, FL. 33161
Folio #: 08-2121-004-0980

Estimate- 2005

1. Assessed Value of Improvements/Additions to:
   (a) Real Property — $5,239,061
   (b) Tangible Personal Property — N/A

2. Total Taxes Levied on Improvements and Additions to:

   (a) Real Property (excluding land) — $111,677

(I) County Operating	$30,570
(ii) Unincorporated Municipal Service Area	$0
(iii) Debt Service	$1,493
(v) All other property taxes	$79,614
	$111,677.40

   (b) Tangible Personal Property — N/A

   (I) County Operating
   (ii) Unincorporated Municipal Service Area
   (iii) Debt Service
   (v) All other property taxes

Revenue Implications :

3. Total property tax revenue for the current tax year from ad valorem taxes: $1,022,425,680

4 Total revenue forgone for the current fiscal year by virtue of exemptions previously granted under this section: $618,945

5. Total revenue forgone for the current fiscal year if exemption applied for is granted: **R.E. :** $30,570 **P.P. :** $0 — $30,570

6. Taxable value forgone if the exemption applied for were granted on: $5,239,061
   (a) Improvement to Real Property — $5,239,061
   (b) Tangible personal Property — $0

7. Last year for which exemption may be applied for 2009.

Date: 8/25/2006

Signed: Property Appraiser

PTARI FORM

Town Center One

Name		Address	Residence City

Town Center Properties

Aybar, Carlos	1	2575 NW 207th Street #129	Miami Gardens, FL 33056
Leonard, King	1	2501 NW 151st Street	Opalocka, FL 33054
Misle, Carolina	1	955 NW 82nd Avenue #219	Miami, FL 33126
Stackhouse, Dennis	1	2845 NE 9h Street Unit 1001	Ft. Lauderdale, FL 33304
Walczak, Susie	1	930 E 33rd Street	Hialeah, FL 33013

Lee, Carl	1	5705 SW 39th Street	Hollywood, FL 33023
Harris, Mel	1	936 NW 65th Street	Miami, FL 33150
Banks, Emounte	1	2771 NW 152nd Terrace	Miami, FL 33054

Youth Co-Op

Daughtrey, Sylvia			Miami Gardens
Mejia, Linda			Miami
Watson, Darren			Miami Gardens
Lopez, Ricelda			Little River
Gonzalez, Edwin			Kendall
Dawson, Susan			Miami Gardens
Decius, Ugens			North Miami
Wynn, Tami			Brownsville
Wiggins, Javon			Miami

North-Dade Academy

Augustin, Dorcina	1	1546 NE 154th Terrace	Miami, FL 33162
Baez, Maria	1	949 West 79th Place	Hialeah, FL 33014
Bain, Donald	1	2020 NW 69th Terrace	Miami, FL 33147
Barnett, Lorna	1	4341 NW 193rd Street	Opa-Locka, FL 33054
Beasley, Shawnta	1	17160 NW 40th Avenue	Miami, FL 33055
Belfon, Lydia	1	19211 NW 35th Avenue	Carol City, FL 33056
Donald, Mary	1	12750 NW 27th Avenue #25	Opa-Locka, FL 33054
Dufleran, Ginette	1	1265 Sharazad Blvd #9	Opa-Locka, FL 33054
Gordon, Ifeoma	1	13142 Port Said Road # 1126	Opa-Locka, FL 33054
Griffin, Gail	1	3180 Biscayne Blvd.	Miami, FL 33142
Hernandez, Jane	1	11505 NW 22nd Avenue	Opa-Locka, FL 33054
Jackson, Renee	1	2482 NW 66th Street	Miami, FL 33147
James, Jonieka	1	2225 NW 195th Street	Miami, FL 33056
Jimenez, Inez	1	1126 Dunad Avenue	Opa-Locka, FL 33054
Lafrance, Marie	1	1073 NE 203rd Lane	Miami, FL 33179
Lopez, Maria	1	330 Perviz Avenue #6	Opa-Locka, FL 33054
Luberon, Wilfred	1	4720 NE Miami Place	Opa-Locka, FL 33054
Mierez, Sylvie	1	1835 NW 175th Street	Miami, FL 33056
Minnis, Angela	1	13002 Alexandria Drive # 201	Opa-Locka, FL 33054
Muldrow, Charenette	1	14260 NW 21st Court	Opa-Locka, FL 33054
Pierre, Judith	1	1615 NW 130th Street	Opa-Locka, FL 33054
Raymond, Yvronique	1	1165 NW 136th Street	Miami, FL 33168
Reed, Kathy	1	2480 NW 66th Street	Opa-Locka, FL 33054
Rosales, Luis	1	2625 NW Opa-Locka Blvd	Opa-Locka, FL 33054
Russaw, Linda	1	6604 NW 2nd Place	Miami, FL 33150
Strachan, Kathleen	1	783 NW 91st Street # 4	Miami, FL 33150
Thompson, Barry	1	2480 NW 140th Street	Opa-Locka, FL 33054

Portrait of Empowerment

Johnson, Dorothy	1	13724 NW 22nd Place	Opa-locka, FL 33054
Johnson, Mark	1	13724 NW 22nd Place	Opa-locka, FL 33054
Johnson, Tamika	1	13724 NW 22nd Place	Opa-locka, FL 33054

The Carrie Meek Foundation

Bacon, Sharon	1	2739 NW 199 Terrace	Miami, FL 33056
Meek, Carrie	1	6830 NW 28th Avenue	Miami, FL 33147

National Publishing

Bell, Susan	1	3501NW 172nd Avenue	Opa-Locka, FL 33056
Butler, Euphemia M.	1	15400 NW 30th Avenue	Opa-locka, FL 33054
Chetram, Nicholas	1	391 NE 191st Street	Miami, FL 33179
Colantoon, Robert	1	4941 West Lakes Drive	Deerfield Beach, FL 33442
Dawson, Lawrence	1	1110 NE 153rd Street	NM Beach, FL 33162
Delmar, Dominique	1	472 NE 85th Street #10	Miami, FL 33138
Dobson, Lloyd	1	2095 NE 135th Lane	NM Beach, FL 33162
Durham, Brendon	1	1700 NE 105th Street	Miami, FL
Durham, Wileva	1	2745 NW 163rd Street	Opa-locka, FL 33054
Elmovitz, Sam	1	873 NE 195th Street	NM Beach, FL 33179
Finney, Cynthia	1	54 NW 106th Street	Miami Shores, FL 33150
Gang, Rona	1	873 NE 195th Street	NM Beach, FL 33179
Grande, Francine	1	11271 NW 7th Street	Miami, FL 33172
Hamilton, Robert	1	17950 NE 31st Court	Aventura, FL 33160
Harkness, Harold	1	487 Meridan #307	Miami Beach, FL 33139
Hartfield, Kenneth	1	16941 NW 52nd Avenue	Opa-Locka, FL 33055
Jones, Richard	1	4311 E Country Club Circle	Plantation, FL 33317
Lantigua, Sandra	1	478 NW 48th Street	Miami, FL 33138
Laurence, William	1	9911 SW 48th Street	Miami, FL 33165
Leonard, Maria	1	2501 NW 151st Street	Opa-locka, FL 33054
Lester, Felicia	1	2951 NW 195th Street	Opa-Locka, FL 33056
Linka, Leslie	1	284 NE 200th Terrace	Miami, FL 33179
Llanes, Jacqueline	1	740 Sulten Avenue	Opa-locka, FL 33054
Mahan, James	1	1202 Columbus Bvld.	Coral Gables, FL 33134
Mayo, Ellen	1	709 NE 126th Street	North Miami, FL 33161
McCullough, Don	1	4209 NE 21st Avenue	Fort Lauderdale, Fl 33308
Nozza, Florence	1	112 Peruis Avenue	Opa-Locka, FL33054
Nozza, Melville	1	112 Peruis Avenue	Opa-Locka, FL33054
Paskell, Darrell	1	2255 NW 119th Street Apt. 4	Miami, FL 33167
Patterson, Floyd	1	733 NE 118th Street	Biscayne Park, FL 33161
Pericles, Peter	1	390 NE 87th Street #1	Miami, FL 33138
Pitaluga, Steve	1	10931 SW 7th Street #2	Miami, FL 33174
Polinski, David	1	4009 NE 21st Avenue	Fort Lauderdale, Fl 33308
Roberts, Rick	1	31790 U.S. Hwy 19 North #15	Palm Harbor, FL 34684
Robins, Mary	1	13890 NE 5h Avenue	North Miami, FL 33161
Stall, Peggy	1	2945 NE 185th Street #1403	Aventura, FL 33180
Wellington, Kertena	1	1075 NW 76th Street (Rear)	Miami, FL 33150
White, Cherokee	1	17510 NW 11th Avenue	Miami Gardens, FL 33169
White, Shauna	1	760 NW 70th Street	Miami, FL 33150
White, Walter N.	1	17510 NW 11th Avenue	Miami Gardens, FL 33169
Worsley, Chanik	1	245 NW 49th Street	Miami, FL 33127
Zirin, James	1	7305 Harding Avenue #15	Miami Beach, FL 33141

EZ Employees 31
Total Employees 91
% EZ Employees 34%