

RESOLUTION NO. R-14-93

RESOLUTION DECLARING A CERTAIN GEOGRAPHIC AREA WITHIN THE CITY OF MIAMI BEACH DESCRIBED GENERALLY AS BEING BOUNDED ON THE EAST BY THE ATLANTIC OCEAN, ON THE NORTH BY 24TH STREET, ON THE WEST BY WEST AVENUE, AND ON THE SOUTH BY 14TH LANE, TO BE A "BLIGHTED AREA," MAKING A FINDING OF NECESSITY AS TO THE REHABILITATION, CONSERVATION OR REDEVELOPMENT, OR COMBINATION THEREOF, OF SUCH AREA, AND DELEGATING CERTAIN POWERS TO THE CITY OF MIAMI BEACH PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES, FOR THE REDEVELOPMENT OF SAID AREA; PROVIDING SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Legislature of Florida enacted the Community Redevelopment Act of 1969 during its 1969 Legislative Session, which enactment is presently codified in the Florida Statutes as Part III of Chapter 163, Sections 163.330 through 163.450; and

WHEREAS, all powers arising through the aforesaid enactment are conferred by that enactment upon counties with home rule charters, which counties in turn are authorized to delegate such powers to municipalities within their boundaries; and

WHEREAS, such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

163.410 Exercise of powers in counties with home rule charters.--In any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipi-

pality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter.

and

WHEREAS, the City of Miami Beach has adopted a Resolution (the "City Resolution") (a copy of which is appended hereto as "Appendix A" and incorporated herein by reference) which City Resolution accepted a preliminary report (the "Preliminary Report") ("Exhibit A" to the City Resolution attached hereto, and also incorporated herein by reference), which Preliminary Report concludes that there exists a defined geographic area within the corporate limits of the City of Miami Beach which contains a large number of commercial buildings which are deteriorated or deteriorating as well as a large number of substandard housing units which contribute to ill health and pose other potential dangers to the residents, such area being generally described as being bounded on the East by the Atlantic Ocean, on the North by 24th Street, on the West by West Avenue, and on the South by 14th Lane, all as more particularly described in Appendix "B" to this Resolution (which Appendix "B" is incorporated herein by reference and which described geographic area is hereinafter sometimes referred to as the "City Center/Historic Convention Village Redevelopment and Revitalization Area," (the "Redevelopment Area")); and

WHEREAS, the City of Miami Beach (the "City") has requested the Board of County Commissioners of Dade County, Florida (the "Board")

to adopt a resolution delegating to the City authority to exercise certain redevelopment powers conferred upon Dade County, Florida (the "County") within the Redevelopment Area in accordance with Part III, Chapter 163, Florida Statutes, so as to enable the City Commission of the City of Miami Beach (the "City Commission") to exercise such powers, develop a plan for redevelopment, and thereby undertake projects which will involve the acquisition and redevelopment of properties in accordance with such plan; and

WHEREAS, such delegation will not involve the County in any expenditure of County funds prior to establishment of a tax increment redevelopment trust fund or involve the County in any financial liability of any kind, contingent or otherwise; and

WHEREAS, the County is sympathetic to the needs of the City to reverse the economic decline of said Redevelopment Area and concurs that it is a blighted area and that it is necessary to redevelop said Redevelopment Area and establish a community development agency to redevelop such area, all in accordance with Part III, Chapter 163, Florida Statutes; and

WHEREAS, the Board has reviewed and hereby accepts the Preliminary Report; and

WHEREAS, this Board desires to accomplish the purposes outlined in the memorandum from the County Manager, a copy of which is attached to this resolution and incorporated herein, for the reasons delineated therein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. The foregoing recitations are deemed true and correct and are hereby incorporated as a part of this resolution.

Section 2. This Board hereby finds and determines that there is a shortage of housing affordable to residents of low or moderate income, including the elderly in the Redevelopment Area and finds and determines the Redevelopment Area to be a "blighted area" within the meaning of Part III of Chapter 163, Florida Statutes.

Section 2. This Board hereby finds and determines that the rehabilitation, conservation, or redevelopment, or combination thereof, of the Redevelopment Area is necessary in the interest of the public health, safety, morals, or welfare of the residents of Dade County and the City, said finding of necessity being made within the meaning of Part III of Chapter 163, Florida Statutes.

Section 3. This Board hereby delegates, pursuant to Section 163.410, Florida Statutes, to the City Commission of the City of Miami Beach as the governing body of the City the following powers originating in the Community Redevelopment Act of 1969 and conferred thereby upon the Board of County Commissioners of Dade County as the governing body of Dade County, Florida:

- a. The power to make findings and determine the City Center/Historic Convention Village Redevelopment and Revitalization Area to be a slum or blighted area, or

combination thereof, and to hold any public hearings required with respect thereto;

b. The power to make findings of necessity as to the rehabilitation, conservation, or redevelopment, or combination thereof, of such area;

c. The power to declare the need for and create a community redevelopment agency and to delegate powers to that agency or to declare itself as the agency with the power to exercise such powers which may be assigned to the agency; and

d. The power to initiate, prepare and adopt a plan of redevelopment and any amendments thereto, which plan and amendments shall be subject to the subsequent review and approval by the Board.

Said delegation is made solely with respect to the geographic area described in Appendix B attached hereto, known as the "City Center/Historic Convention Village Redevelopment and Revitalization Area," which is bounded on the East by the Atlantic Ocean, on the North by 24th Street, on the West by West Avenue, and on the South by 14th Lane. All powers not specifically delegated herein are reserved exclusively to this Board.

Section 4. If any section, subsection, sentence, clause or provision of this resolution is held invalid, the remainder of this resolution shall not be affected by such invalidity.

Section 5. This resolution shall take effect immediately upon its passage.

The foregoing resolution was offered by Commissioner Joseph M. Gersten, who moved its adoption. The motion was seconded by Commissioner Arthur E. Teele, Jr. and upon being put to a vote, the vote was as follows:

Mary Collins	aye
Charles Dusseau	aye
Joseph M. Gersten	aye
Larry Hawkins	aye
Alexander Penelas	aye
Arthur E. Teele, Jr.	aye
Sherman S. Winn	absent
Stephen P. Clark	aye

The Mayor thereupon declared the resolution duly passed and adopted this 26th day of January, 1993.

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as to form and legal sufficiency.



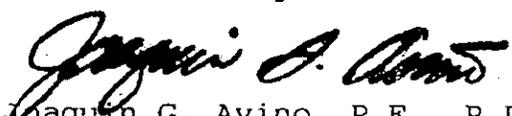
WILLIAM G. OLIVER
Deputy Clerk

M E M O R A N D U M

Agenda Item No. 2(q)

TO: Honorable Mayor and Members
Board of County Commissioners

DATE: January 26, 1993

FROM: 
Joaquin G. Avino, P.E., P.L.S.
County Manager

SUBJECT: Redevelopment Area:
Finding of Necessity
and the Delegation of
Certain Redevelopment
Powers

The attached item is being placed on today's agenda at the request of Commissioner Gersten and Commissioner Teele.

Attachment

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MEMORANDUM

Agenda Item No. 2(g)

TO: Honorable Mayor and Members
Board of County Commissioners

DATE: January 26, 1993

FROM: *Joaquin G. Aviñón*
Joaquin G. Aviñón, P.E., P.L.S.
County Manager

SUBJECT: Redevelopment Area:
Finding of Necessity
and the Delegation of
Certain Redevelopment
Powers

RECOMMENDATION

It is recommended that the Board of County Commissioners makes the necessary findings to declare a portion of the City of Miami Beach a redevelopment area pursuant to Chapter 163, Part III, Florida Statutes. Such area is referred to as the "City Center/Historic Convention Village Redevelopment and Revitalization Area" (the "Redevelopment Area") and is bounded on the East by the Atlantic Ocean, on the North by 24th Street, on the West by West Avenue, and on the South by 14th Lane.

It is also recommended that the Board delegate certain redevelopment powers to the City of Miami Beach so that the City may take appropriate measures necessary for the redevelopment of the Redevelopment Area.

BACKGROUND

In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969 as is presently contained in Part III of Chapter 163, Florida Statutes, as amended (the "Act"). The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies and to prepare community redevelopment plans for certain defined areas within their boundaries, designated as community redevelopment areas within which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum or blighted areas through the use of creative financing mechanisms.

In order to implement the Act, the County must adopt a resolution finding that:

1. One or more slum or blighted areas exist within the proposed Redevelopment Area; and
2. That rehabilitation, conservation, or redevelopment, or a combination thereof, of the Redevelopment Area is necessary in the interest of the public health, safety, morals or welfare of the residents of the County.

A Preliminary Report (see Exhibit A) prepared by the consulting firms of Wallace, Roberts and Todd and Casella and Associates examined conditions in the proposed Redevelopment Area and concluded that blight, as defined in the Act, exists. Dade

County staff has reviewed the report and supports its conclusion. Attached is a summary of the findings.

The City of Miami Beach, however, cannot proceed with the redevelopment of the proposed Redevelopment Area unless the Board delegates certain redevelopment powers to the City. At its request and in order to assist the City in its redevelopment efforts, it is recommended that the City be delegated the power to:

- a. Make findings and determine the City Center/Historic Convention Village Redevelopment and Revitalization Area to be a slum or blighted area, or combination thereof, and to hold any public hearings required with respect thereto;
- b. Make findings of necessity as to the rehabilitation, conservation, or redevelopment, or combination thereof, of such area;
- c. Declare the need for and create a community redevelopment agency and to delegate powers to that agency or to declare itself as the agency with the power to exercise such powers which may be assigned to the agency; and
- d. Initiate, prepare and adopt a plan of redevelopment and any amendments thereto, which plan and amendments shall be subject to the subsequent review and approval by the Board.

All powers not specifically delegated to the City of Miami Beach are reserved exclusively for the Board.

It is anticipated that the City will finalize the redevelopment plan and submit it for County review by the end of February 1993. County staff will work with the City to prepare an interlocal agreement and an ordinance for the Board's consideration at its second meeting of March 1993.

The Finance & Government Relations Committee, at its meeting of January 15, 1993, approved this item for submission to the Board of County Commissioners.

SUMMARY
Historic Convention Village Redevelopment Area
Conditions of Blight

Total No. of blocks in the redevelopment area: 55

Total No. of buildings in redevelopment area: 275

CONDITIONS	% OF BUILDINGS/BLOCKS	UNITS
1. Building deterioration	61% of all buildings	169 buildings
2. Site deterioration	38% of all blocks	21 blocks
3. Drainage deficiencies	18% of all blocks	10 blocks
4. Unsanitary conditions	51% of all blocks	28 blocks
5. Excessive diversity of ownership	49% of all blocks	12 owners (average per block)
6. Age of structures (40 years and over)	51% of all blocks	48 years (average per block)
7. Non-conforming structures by:		
-Unit size	61% of blocks contain one or more of such structures	112 buildings {1}
-Parking	85% of blocks contain one or more of such structures	231 buildings {2}
-Setbacks	73% of blocks contain one or more of such structures	139 buildings {3}
-Floor-area ratio	84% of blocks contain one or more of such structures	185 buildings {2}
8. Closed buildings	11% of blocks contain one or more of such structures	18 buildings
9. Vacant lots	40% of blocks contain one or more vacant lots	32 lots
10. Fire-Code violations	36% of blocks contain one or more of such structures	38 buildings
11. Property Maintenance and commercial-code violations	51% of blocks contain one or more of such structures	59 buildings
12. Major crimes	12% of the city's major crimes (area represents 9% of the city's population)	800 crimes (Jan/Sep, 1992)

Sub-Notes:

- {1} Data available for 33 blocks
- {2} Data available for 46 blocks
- {3} Data available for 40 blocks