



MEMORANDUM

Amended
Agenda Item No. 2(t)

TO: Honorable Mayor and Members
Board of County Commissioners

DATE: March 30, 1993
SUBJECT: Miami Beach City
Center/Historic
Convention Village
Redevelopment and
Revitalization Area:
Redevelopment Plan
and Interlocal
Agreement

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

R#317-93

Recommendation

It is recommended that the Board approve:

- The attached City Center/Historic Convention Village Redevelopment and Revitalization Area Plan.
- The delegation of redevelopment powers under Chapter 163, Florida Statutes except those specifically identified in the resolution.
- The attached Interlocal Cooperation Agreement between Dade County and the City of Miami Beach which establishes terms and conditions, including the County and City responsibilities for the implementation of the City Center/Historic Convention Village Redevelopment and Revitalization Area Plan.

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, to prepare redevelopment plans for certain defined areas within their boundaries, designated as community redevelopment areas and to delegate redevelopment powers at the discretion of the County, after a finding has been made determining that slum or blight exists within a defined area.

On January 26, 1993, the Board by Resolution No. R-14-92, found the City Center/Historic Convention Village Redevelopment and Revitalization Area to be a slum or blighted area and delegated certain redevelopment powers consistent with the Act to City of Miami Beach so that the City could proceed with the creation of a Community Redevelopment Agency and the preparation of a Redevelopment Plan for said area.

Honorable Mayor and Members
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The City has prepared a Redevelopment Plan which was adopted by the City Commission on February 12, 1993 (Resolution No. 93-20721). County staff has reviewed this plan and found it to be consistent with the Act and the County's Comprehensive Master Plan and, therefore, recommends its approval by the Board.

In order to implement the Redevelopment Plan, the City Commission has requested that all redevelopment powers under the Act be delegated to it by the Board. Said delegation is to be granted by this Board and formalized through an interlocal agreement between the County and the City. County staff has reviewed this request and recommends that every redevelopment power under the Act, except those pertaining to approval of annual budgets and the amount, duration and purpose of any bonds, notes, etc. for the Redevelopment Area pledging or otherwise obligating tax increment funds, and amendments to the redevelopment plan, be delegated to the City of Miami Beach.

RESOLUTION NO. 317-93

RESOLUTION REGARDING CERTAIN GEOGRAPHIC AREA WITHIN CITY OF MIAMI BEACH CALLED CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA, DESCRIBED GENERALLY AS BEING BOUNDED ON EAST BY ATLANTIC OCEAN, ON NORTH BY 24TH STREET, ON WEST BY WEST AVENUE, AND ON SOUTH BY 14TH LANE; ACCEPTING DELIVERY OF REDEVELOPMENT PLAN FROM CITY OF MIAMI BEACH AND MAKING CERTAIN FINDINGS WITH RESPECT TO SAID REDEVELOPMENT PLAN AND SAID GEOGRAPHIC AREA; ADOPTING SAID REDEVELOPMENT PLAN; DELEGATING CERTAIN POWERS TO CITY COMMISSION OF THE CITY OF MIAMI BEACH PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES, FOR REDEVELOPMENT OF SAID GEOGRAPHIC AREA; APPROVING INTERLOCAL COOPERATION AGREEMENT AND AUTHORIZING EXECUTION OF SAID AGREEMENT

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 municipality. 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 Commission ("City Commission") of the City of Miami Beach ("City") adopted Resolution No. 92-20646 ("City Resolution No. 92-20646") which, among other things, 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 "A" to this Resolution (which Appendix "A" 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

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WHEREAS, the Board of County Commissioners of Dade County, Florida (the "Board") adopted Resolution No. R-14-93 on January 26, 1993 ("County Resolution No. R-14-93") which, among other things, declared the Redevelopment Area to be a blighted area, determined that it is necessary to redevelop said Redevelopment Area and establish a community development agency to redevelop such area, and delegated to the City Commission 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 to, among other things, exercise such delegated powers, make a finding of necessity with respect to the Redevelopment Area, establish and designate a community redevelopment agency, delegate certain powers to the redevelopment agency, and develop and approve a redevelopment plan for final approval by the County Commission; and

WHEREAS, the City Commission adopted Resolution No. 93-20709 on February 3, 1993 ("City Resolution No. 93-20709") which, among other things, accepted the County's findings and delegations in County Resolution No. R-14-93, declared the Redevelopment Area to be a "blighted area", made a finding of necessity as to the rehabilitation, conservation or redevelopment, or combination thereof, of such Redevelopment Area, declared the need to establish a community redevelopment agency, and declared the members of the City Commission as the members of the community redevelopment agency, declared that the existing Miami Beach

Redevelopment Agency ("Agency") may act as the community redevelopment agency with full power to exercise all the powers permitted by Part III of Chapter 163, Florida Statutes, which were delegated by Dade County to the City Commission, and directed the initiation, preparation and adoption of a redevelopment plan and any amendments thereto by the Agency, all for the redevelopment of said Redevelopment Area; and

WHEREAS, the Agency adopted Resolution No. 126-93 on February 3, 1993 ("Agency Resolution 126-93") which accepted the findings and delegations in City Resolution No. 93-20709 and caused there to be prepared a redevelopment plan (the "Redevelopment Plan") which was submitted to the Planning Board of the City of Miami Beach as the local planning agency of the City of Miami Beach for review and recommendations as to conformity with the comprehensive plan; and

WHEREAS, the Planning Board of the City of Miami Beach ("Planning Board") as the local planning agency of the City of Miami Beach, reviewed said Redevelopment Plan and held a public hearing with respect thereto, and the Planning Board adopted Resolution No. 93-1 on February 5, 1993 which found the Redevelopment Plan in conformity with the comprehensive plan of the City of Miami Beach; and

WHEREAS, the agency adopted Resolution No. 128-93 on February 12, 1993 which, after making certain findings at a public hearing with respect thereto, approved the Redevelopment

Plan and recommended the Redevelopment Plan for approval by the City Commission of the City of Miami Beach; and

WHEREAS, the City Commission adopted Resolution No. 93-20721 on February 12, 1993 ("City Resolution No. 93-20721") which, after making certain findings at a duly advertised public hearing with respect thereto, approved and adopted the Redevelopment Plan, a true copy of which is attached hereto as Appendix "B" and an original certified copy of which is on file with the Clerk of the Board of County Commissioners of Dade County, Florida recommended final approval of the Redevelopment Plan by the Board, recommended a further delegation by the Board to the City Commission of the right to exercise all redevelopment powers authorized under Part III of Chapter 163, Florida Statutes, in order for the City Commission to fully implement the adopted Redevelopment Plan, as well as any duly adopted amendment to the Redevelopment Plan as those amendments are from time to time adopted, recommended and directed its staff to negotiate and execute an appropriate interlocal cooperation agreement (the "Interlocal Agreement") between the City of Miami Beach and Dade County, Florida in connection with the implementation of the Redevelopment Plan, and directed its staff to take all further actions necessary and do all things required to accomplish implementation of the Redevelopment Plan and any amendments thereto including the adoption of an ordinance establishing a tax increment redevelopment trust fund, all with respect to the Redevelopment Area and all in accordance with Part III, Chapter

163, Florida Statutes, so as to enable the City Commission to exercise such powers, implement the adopted Redevelopment Plan for redevelopment and undertake projects which will involve the acquisition and redevelopment of properties in accordance with such Redevelopment Plan; and

WHEREAS, the Board has at this meeting conducted a public hearing with respect to the findings, conclusions and other matters set forth hereinabove and hereinbelow; and

WHEREAS, the County is sympathetic to the needs of the City to reverse the economic decline of said Redevelopment Area and concurs with the findings of the City Commission in City Resolution No. 93-20721; and

WHEREAS, the Board desires to enter into and execute an Interlocal Agreement between the City and the County which shall govern certain activities of the City Commission with respect to the exercise of the delegated authority with respect to said Redevelopment Area, all in accordance with Part III, Chapter 163, Florida Statutes; and

WHEREAS, this Board has taken all steps, approved all matters and made all findings necessary and appropriate to approve the Redevelopment Plan and to make the delegations, findings, resolutions and agreements referenced hereinabove and hereinbelow; 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, that

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 accepts the delivery of the Plan delivered to it by the City Commission. This Board hereby finds and determines that:

(a) The redevelopment of the Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City of Miami Beach and in the interests of implementing Part III of Chapter 163, Florida Statutes, by revitalizing the area economically and socially, thereby inhibiting the spread of disease and crime, and inter alia improving the tax base, promoting sound growth, and providing improved housing conditions.

(b) A feasible method exists for the location of families who will be displaced from the Redevelopment Area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.

(c) The Plan conforms to the comprehensive plan of the City of Miami Beach and the County as a whole.

(d) The Plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

(e) The Plan will afford maximum opportunity, consistent with the sound needs of Dade County and the City of Miami Beach as a whole, for the rehabilitation or redevelopment of the Redevelopment Area by private enterprise.

(f) To the extent that the Redevelopment Area consists of an area of open land to be acquired by the City of Miami Beach or the Redevelopment Agency so as to be developed for residential uses, such areas may be acquired because it is hereby determined that: (i) a shortage of housing of sound standards and design which is decent, safe, affordable to residents of low or moderate income, including the elderly, and sanitary exists in the City of Miami Beach, (ii) the need for housing accommodations has increased in the Redevelopment Area, (iii) the conditions of blight in the Redevelopment Area or the shortage of decent, safe, affordable, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals or welfare, and

(iv) the acquisition of the area for residential uses is an integral part of and is essential to the project set forth in the Plan.

(g) With respect to any open areas in the Redevelopment Area which are to be acquired so as to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, and acquisition may require the exercise of governmental action as provided in Part III of Chapter 163, Florida Statutes, because of:

1. Defective, or unusual conditions of, title or diversity of ownership which prevents the free alienability of such land;
2. Tax delinquency;
3. Outmoded street patterns;
4. Deterioration of site;
5. Economic disuse;
6. Unsuitable topography or faulty lot layouts;
7. Lack of correlation of the Redevelopment Area with other areas of the City of Miami Beach by streets and modern traffic requirements; or
8. Any combination of such factors or the other conditions set forth in the Plan which retard development of the area.

Section 3. This Board hereby further finds and determines that: (a) the Redevelopment Plan conforms to the comprehensive plan of the City of Miami Beach; (b) the Redevelopment Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the Redevelopment Area; zoning and planning changes, if any; land uses; maximum densities; and building requirements; (c) the Redevelopment Plan conforms with Part III of Chapter 163, Florida Statutes; and (d) the Redevelopment Plan is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City of Miami Beach and will effectuate the purposes of the aforesaid statute, by revitalizing the Redevelopment Area economically and socially, thereby increasing the tax base, promoting sound growth, improving housing conditions, and eliminating the conditions which the Florida Legislature in such statute found constituted a menace which was injurious to the public health, safety, welfare, and morals of the residents.

Section 4. This Board, after having conducted a public hearing on the matter for the purpose of giving all interested persons an opportunity to express their views, notice of which public hearing was published on March 15, 1993 in The Miami Herald, a true copy of which notice is attached hereto as "Appendix C" and made a part hereof, and having made the findings expressed above, hereby approves and adopts the Redevelopment

Plan for the Redevelopment Area in accordance with Part III of Chapter 163, Florida Statutes, as amended. The Plan is hereby designated as the official redevelopment plan for the aforesaid Redevelopment Area and it is the purpose and intent of the City Commission that said Redevelopment Plan, as same may be supplemented and amended by the City Commission and approved by this Board, be implemented in the Redevelopment Area.

Section 5. Except for the specific powers retained by this Board as set forth in Section 6 below, this Board hereby delegates, pursuant to Section 163.410, Florida Statutes, to the City Commission as the governing body of the City, every power originating in Part III, Chapter 163, Florida Statutes, as amended, and conferred thereby upon the Board of County Commissioners of Dade County as the governing body of Dade County, Florida, a Home Rule County, including, without limitation, the following:

(a) The power to implement the Redevelopment Plan, as same may be amended from time to time;

(b) The power from time to time to adopt any amendments to the Plan, which amendments shall be subject to the final approval by this Board;

(c) The power to further delegate the powers delegated hereto to a community redevelopment agency, including, without limitation, to itself as the community redevelopment agency with the power to exercise such powers which may be assigned to the agency;

(d) The power to authorize the issuance of revenue bonds as set forth in Section 163.385;

(f) The power to approve the acquisition, demolition, removal or disposal of property as provided in Section 163.370(3)(a) and the power to assume the responsibility to bear loss as provided in Section 163.370(3)(b);

(g) The powers enunciated in Section 163.370(1) and in Section 163.375, Section 163.380, Section 163.385 and in Section 163.387, Florida Statutes, as amended, and any other powers which are exercisable by the Board and delegable to the City pursuant to Part III of Chapter 163, Florida Statutes, as amended; and

(h) The power to hold any public hearings with respect to the implementation of the Plan and the exercise of the powers herein conferred.

Said delegation is made solely with respect to the Redevelopment Area which is the geographic area described in Appendix "A" 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.

Section 6. This Board retains the power to: approve the annual budget for the Redevelopment Area; approve the amount, duration and purpose of any bonds, notes, advances or other indebtedness for the Redevelopment Area pledging or otherwise

obligating tax increment funds; and approve any amendments to the Redevelopment Plan. Any approval required by this Board as to the annual budget, amendments to the Plan or the amount, duration and purpose of bonds, notes or other indebtedness for the Redevelopment Area shall: not be unreasonably withheld or delayed; be deemed approved if not disapproved within 90 days of written submission by the City; and not adversely affect any matters previously approved either in a previous annual budget or pursuant to any previously approved bond, note or other form of indebtedness pledging or obligating tax increment revenues. The delegation in Section 5 herein shall be subject to the provisions of the Interlocal Agreement attached hereto as Appendix "D" and the exercise of said powers shall conform to the terms of the Interlocal Agreement.

Section 7. This Board hereby approves the Interlocal Agreement as attached hereto and made a part hereof and authorizes the County Manager to execute and deliver the Interlocal Agreement as attached hereto and to take all further actions necessary or appropriate to accomplish implementation of the Redevelopment Plan and to perform under the Interlocal Agreement.

Section 8. 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 9. This resolution shall take effect immediately upon its passage.

The foregoing resolution was offered by Commissioner Mary Collins, who moved its adoption. The motion was seconded by Commissioner Charles Dusseau and upon being put to a vote, the vote was as follows:

Mary Collins	aye
Charles Dusseau	aye
Joseph M. Gersten	absent
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 30th day of March, 1993.

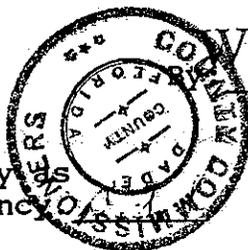
DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

WILLIAM G. OLIVER

Deputy Clerk

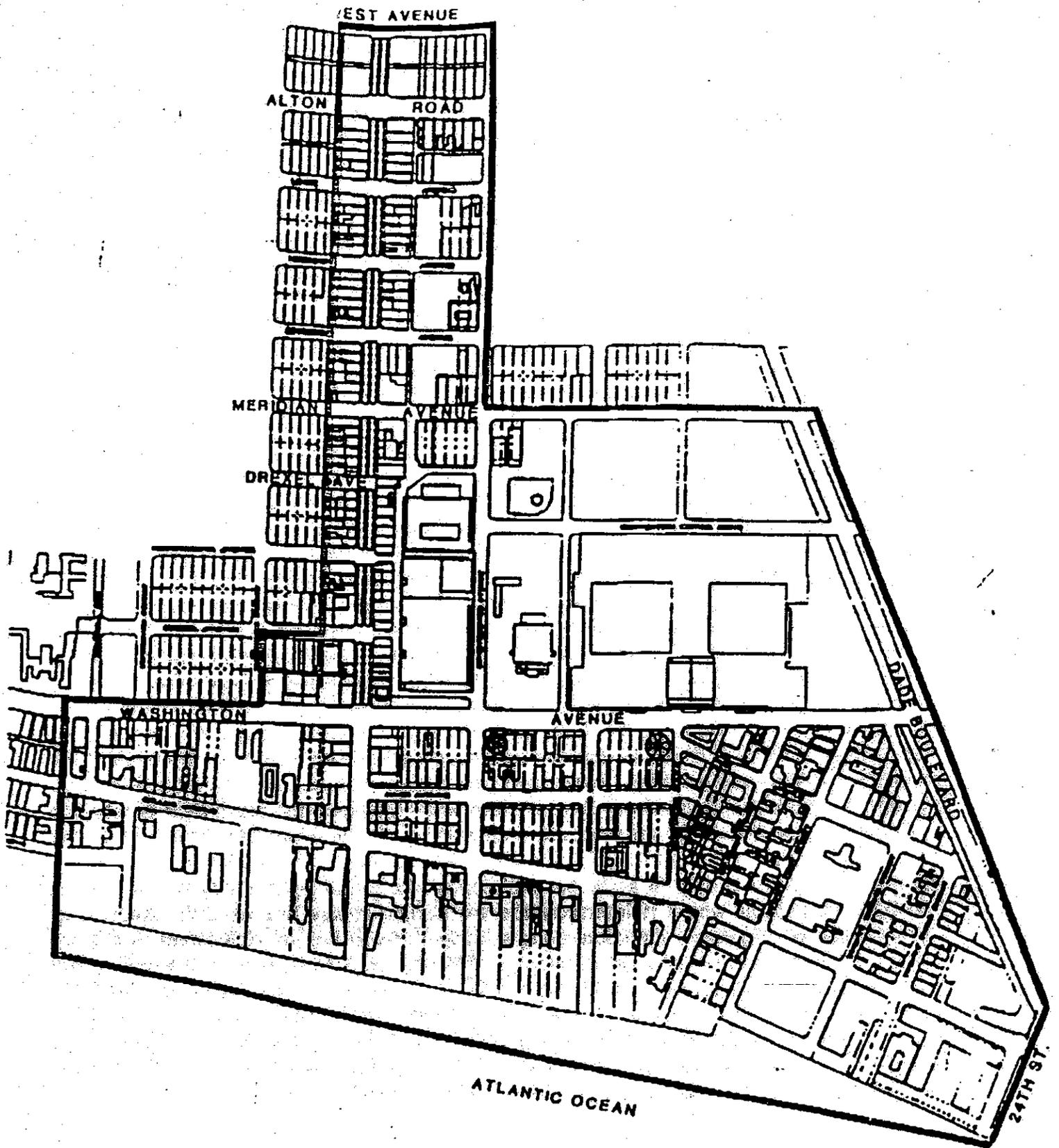
Approved by County Attorney
to form and legal sufficiency



LEGAL DESCRIPTION

PROPOSED CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA

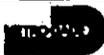
All that land area within the corporate limits of the City of Miami Beach, Florida, which is bounded by the line proceeding northerly from a POINT OF BEGINNING where the eastern extension of the south right-of-way line of 14th Lane meets the Erosion Control Line along the western shore of the Atlantic Ocean, said line following the Erosion Control Line to a point where it intersects the eastern extension of the north right-of-way line of 24th Street; then proceeding in a westerly direction along this extension and the north right-of-way line of 24th Street to a point where it intersects the north bulkhead wall of the Collins Canal; then proceeding in a southwesterly direction along the north bulkhead wall of the Collins Canal to a point where it intersects the east right-of-way line of Pine Tree Drive; then proceeding due west in a line traversing the intersection of Dade Boulevard and Pine Tree Drive to a point where it intersects the north right-of-way line of Dade Boulevard; then proceeding in a southwesterly direction along said right-of-way line of Dade Boulevard to a point intersecting the west right-of-way line of Meridian Avenue; then proceeding south from said point along the west right-of-way line of Meridian Avenue to a point where it intersects the north right-of-way line of 17th Street; then proceeding in a westerly direction along said right-of-way line of 17th Street to a point where it intersects the west right-of-way line of West Avenue; then proceeding in a southerly direction along said right-of-way line of West Avenue to a point where it intersects the eastern extension of the southern property line of lot 8 in Block 44; then proceeding in an easterly direction across West Avenue to the south property line of lot 12, Block 45; then proceeding easterly along the south property lines of lots 12 and 8, Block 45, thereby traversing Alton Court to a point intersecting the west right-of-way line of Alton Road; then proceeding southeast across Alton Road to a point where the east right-of-way line of Alton Road intersects the south right-of-way line of Lincoln Lane South; then proceeding in an easterly direction along the said right-of-way line of Lincoln Lane South to a point where it intersects the west right-of-way line of Drexel Avenue; then proceeding in a southerly direction along said right-of-way line of Drexel Avenue to a point where it intersects the south right-of-way line of 16th Street; then proceeding in an easterly direction along said right-of-way line of 16th Street to a point where it intersects the west right-of-way line of Washington Avenue; then proceeding in a southerly direction along said right-of-way line of Washington Avenue to a point where it intersects the western extension of the south right-of-way line of 14th Lane; then proceeding in an easterly direction along said right-of-way line of 14th Lane to the POINT OF BEGINNING where the eastern extension of the south right-of-way line of 14th Lane intersects the Erosion Control Line along the Atlantic Ocean.



APPENDIX A

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**PROPOSED CITY CENTER/HISTORIC CONVENTION VILLAGE
REDEVELOPMENT AND REVITALIZATION AREA MAP**



PUBLIC HEARING

METROPOLITAN DADE COUNTY, FLORIDA NOTICE OF PUBLIC HEARING

A public hearing will be held on Tuesday, March 30, 1993, at 9:00 a.m. by the Dade County Board of County Commissioners in the Commission Chambers located on the second floor of the Metro-Dade Center, 111 N.W. First Street, Miami, Florida, at which time the Board will consider adoption of a resolution entitled:

RESOLUTION REGARDING CERTAIN GEOGRAPHIC AREA WITHIN CITY OF MIAMI BEACH CALLED CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA, DESCRIBED GENERALLY AS BEING BOUNDED ON EAST BY ATLANTIC OCEAN, ON NORTH BY 24TH STREET, ON WEST BY WEST AVENUE, AND ON SOUTH BY 14TH LANE; ACCEPTING DELIVERY OF REDEVELOPMENT PLAN FROM CITY OF MIAMI BEACH AND MAKING CERTAIN FINDINGS WITH RESPECT TO SAID REDEVELOPMENT PLAN AND SAID GEOGRAPHIC AREA; ADOPTING SAID REDEVELOPMENT PLAN; DELEGATING CERTAIN POWERS TO THE CITY COMMISSION OF THE CITY OF MIAMI BEACH PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES, FOR REDEVELOPMENT OF SAID GEOGRAPHIC AREA; APPROVING INTERLOCAL COOPERATION AGREEMENT AND AUTHORIZING EXECUTION OF SAID AGREEMENT.

The general scope of the community redevelopment plan to be considered is as follows:

1. Development and installation of public facilities such as the upgrading of streets, construction of public parking facilities, landscaping, graphics, lighting, street furniture, park improvements, and other improvements of public areas.
2. Initiation of a rehabilitation program for private properties, particularly those which have historical or architectural importance. Programs may include property surveys, design, marketing, construction, and development of rehabilitation standards. Development in the Area shall be subject to such urban design guidelines as shall be adopted from time to time by the City Commission.
3. Acquisition of specific buildings to allow for rehabilitation and economic reuse.
4. Land assembly to promote redevelopment and facilitate development of a convention center hotel.
5. Vacation or realignment of streets, rights of ways and underground placement of utilities. Establish reservation of areas for public streets, rights of way and other public purposes. Install and relocate site improvements, utilities and facilities.
6. Administration of the redevelopment program to assure the general welfare of the project area is maintained.

All interested parties may appear and be heard at the time and place specified. Copies of this resolution may be obtained from the Clerk, Board of County Commissioners, Suite 210, Metro-Dade Center.

"A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at its meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based."

BOARD OF COUNTY COMMISSIONERS
HARVEY RUVIN, CLERK OF THE BOARD
BY: WILLIAM G. OLIVER, DEPUTY CLERK

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement"), made this _____ day of _____, 1993, by and between Metropolitan Dade County, a political subdivision of the State of Florida (hereinafter referred to as the "County"), and the City of Miami Beach, a municipal corporation under the laws of the State of Florida (hereinafter referred to as the "City").

WITNESSETH:

WHEREAS, by Resolution No. _____ adopted March 30, 1993 (the "Resolution") the County has, among other things, approved a community redevelopment plan (the "Plan"), and has delegated certain powers conferred on the Board of County Commissioners of Dade County ("Board") by Part III of Chapter 163, Florida Statutes, to implement the Plan to the City Commission of the City of Miami Beach ("City Commission"), all for the project area commonly called the City Center/Historic Convention Village Redevelopment and Revitalization Area (hereinafter referred to as the "Project"); and

WHEREAS, the Board has approved the first reading of a trust fund ordinance which provides for calculation and appropriation of tax increment funds; and

WHEREAS, the Project will take place within the corporate limits of the City; and

WHEREAS, the City played the major role in the preparation of the Plan; and

WHEREAS, the County and the City desire to delineate their areas of responsibility with respect to the redevelopment of the Project.

NOW, THEREFORE, the County, through the Board, and the City, through the City Commission, agree as follows:

I. Exercise of Delegated Powers and Implementation of Plan.

A. The City Commission, either directly or through its duly designated redevelopment agency, shall have the sole right and responsibility to exercise every power conferred upon the Board pursuant to Part III of Chapter 163, Florida Statutes, as amended, except those retained in the Resolution, which have been delegated to the City Commission by the Board at its meeting on March 30, 1993; provided, however, that said powers may be exercised only with respect to the Project and only with respect to the Plan as adopted by the City Commission and approved and adopted by the Board, together with any supplements or amendments to the Plan provided that any supplements or amendments to the Plan must also be approved by the Board, which approval will not be unreasonably withheld or delayed.

B. No more than 20% of the funds contemplated to be expended under the Plan shall be used for total administrative expenses allowable under Section 163.387(6)(a), Florida Statutes, including indirect and overhead expenses which may not exceed 6% of such funds contemplated to be spent under the Plan.

II. City/County Coordination.

A. The County Manager shall designate a Project Coordinator (the "Project Coordinator"). The Project Coordinator

shall serve as the County's liaison to the City for the Project. The County's Project Coordinator shall carry out the day-to-day County responsibilities for the Project and shall be the designated person to receive all data and reports pertaining to the Plan.

B. The City shall be responsible for implementing and conforming to the adopted Plan, including developing and implementing proposals for indebtedness and bond financing, acquisition, disposition and relocation activities, eminent domain activities, coordination and implementation of the design and construction of public improvements necessary to support the redevelopment of the Project, and such other projects and activities as are contemplated by the Plan. The City shall deliver copies of all accepted proposals for the Project to the County's Project Coordinator. Annual budget and Project progress reports will be submitted to the County each year. The annual budget shall be subject to review and approval by the County, provided however, that any such approval will not be unreasonably withheld or delayed. At the request of the County, the City shall submit additional progress reports on the Plan and Project activities.

C. Once adopted, the amendments and supplements shall become a part of the Plan and the powers previously delegated to the City Commission shall be exercisable with respect to the amendments and supplements. All powers delegated by the Board to the City Commission shall be delegable by the City Commission to, and shall be exercisable by, the Miami Beach Redevelopment Agency

("MBRA") to the extent delegated to the MBRA by the City Commission and further to the extent permitted by Part III of Chapter 163, Florida Statutes, as amended.

III. City Responsibilities

A. Land Disposition

1. The City shall prepare, or cause to be prepared, land disposition guidelines and procedures for voluntary purchases in accordance with the Plan. The City shall be responsible for all land acquisition and disposition including eminent domain. The City shall advise the Project Coordinator whenever the City requires the use of eminent domain to acquire any land; however, no prior approval of the County shall be required to proceed with eminent domain or other methods of land acquisition or disposition.
2. The City shall prepare Project marketing materials and shall be responsible for advertising for developers to submit proposals. The City shall perform the function of evaluating proposals and recommending and selecting a developer according to the established Plan for the Project.
3. The City shall approve the selection of one or more developers whose proposal complies with requirements of the adopted Plan as well as with any request for proposals approved by the City. Any disposition of land for the Project shall be

accomplished in accordance with applicable provisions of state law and established City guidelines.

4. The City shall convey or lease the land to a developer for fair value as required by applicable law in accordance with the Plan. The City shall deposit the proceeds from the aforementioned sale or lease in an appropriate redevelopment account to be utilized in accordance with the Project budget and applicable law. The City may convey or lease land to qualified non-profit organizations pursuant to City procedures. Guidelines for selection of qualified non-profit organizations must be established by the City and comply with the Plan and applicable law.

B. Other Project Activities

1. The City shall be responsible for the administration and funding of all relocation activities. The City may contract with County agencies to assist in residential relocation.
2. The City shall design and construct public improvements necessary to support the redevelopment of the Project. Such activities shall comply with applicable federal, state and County laws and regulations relating to affirmative action.

3. All redevelopment activities conducted with respect to the Project shall be in conformance with the Plan as the same may be amended. Any amendments to the adopted Plan as required by Section 163.361, Florida Statutes, must have prior approval of the Board before the City may implement the changes contemplated by the amendments. Once approved, however, the City may implement the amendments thereto.
4. The City shall use its best efforts to enter into a development agreement with a developer as to a convention center hotel project within one of the project areas specified in the Plan for a convention hotel. By December 31, 1996, the City shall report to the County as to its progress with respect to the execution of such a development agreement. If no such development agreement is signed by December 31, 1996, then the City shall have one year (i.e. by December 31, 1997) within which to enter into a development agreement with a developer or submit a Plan amendment to the County eliminating or reconfiguring the Convention Center Redevelopment areas and changing the convention center hotel element of the Plan, which amendment shall be subject to approval of the County.

C. Project Financing

1. The City shall establish and maintain the Redevelopment Trust Fund (the "Fund") as required by applicable law. Both the City and the County shall deposit annually into the Fund an amount calculated pursuant to Section 163.387, Florida Statutes, and other provisions of applicable law.
2. The City shall develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the City may, expeditiously and without undue delay, utilize such funds in accordance with the approved budget for the Project.
3. The City shall prepare and submit for County approval at the beginning of each County fiscal year the Project budget in a format approved by the County.
4. The City shall select financial and legal consultants as necessary to assist in the preparation of the tax increment financing plans.
5. The City may sell bonds and execute notes and other forms of indebtedness, as well as collateral documents, to finance the Project; however, County approval as to amount, duration and purpose of such bonds, notes or other indebtedness, including

advances pledging or obligating tax increment revenues, must be obtained prior to issuance of any such bond, note or other form of indebtedness including advances pledging or obligating tax increment revenues. The County's obligation to annually appropriate to the Fund shall continue until all loans, advances and indebtedness, if any, and interest thereon, of a Community Redevelopment Agency incurred as a result of redevelopment in the Redevelopment Area, have been paid, or for as long as required by applicable law, whichever is later. In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined pursuant to Part III of Chapter 163, Florida Statutes. In any year in which the County appropriates tax increment revenues to the Fund pursuant to Section 163.387(3), Florida Statutes, the City shall promptly disburse the applicable portion of said increment revenues out of the Fund back to the County if and to the extent that such increment revenues are not: pledged, obligated or otherwise to be used for repayment of any bond, note or other form of indebtedness or obligation including advances pledging or obligating tax increment revenues; or pledged, obligated or otherwise to be used for payment or repayment of

any expenditure or obligation contemplated by any budget for the Redevelopment Area or any amendment to the Plan.

D. Citizen Participation

To carry out the citizen participation process, the City may utilize community groups and seek community involvement and consider citizen input in the development of Project activities.

E. Project Management, Administration and Coordination

The City shall consider any reasonable request of the County with respect to implementing any plan of action with respect to the Plan. The City shall develop implementation schedules and timetables for all significant Project activities as determined by the City, copies of which shall be delivered to the Project Coordinator. The City shall monitor the implementation schedules and timetables and shall submit annual progress reports to the Project Coordinator beginning one year from the implementation of this Agreement. The City shall also deliver additional interim reports to the County upon request.

IV. City Assurances Regarding Affirmative Action.

As part of this Agreement the City shall follow applicable federal, state and County laws and regulations concerning affirmative action and race conscious concerns in the hiring of all consultants.

V. Board Approval.

Any approval required by this Board as to the annual budget, amendments to the Plan or amount, duration and purpose of bonds,

notes or other indebtedness for the Redevelopment Area shall not be unreasonably withheld or delayed, shall not adversely affect any matters previously approved either in a previous annual budget or pursuant to any previously approved bond, note or other form of indebtedness pledging or obligating tax increment revenues and shall be deemed approved if not disapproved within 90 days of written submission by the City.

VI. Amendments.

This Agreement may be amended only by a written agreement signed by the City and the County.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their names by their duly authorized officers and the corporate seals to be affixed hereto, all as of the day and year first above written.

WITNESS our hands and seals on this ____ day of _____, 1993.

CITY OF MIAMI BEACH, a municipal corporation of the State of Florida

METROPOLITAN DADE COUNTY, a political subdivision of the State of Florida

By: _____
Roger M. Carlton, City Manager

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

ATTEST:

By: _____
City Clerk

By: _____
Deputy Clerk

Approved as to form and legal sufficiency.

Approved as to form and legal sufficiency.

City Attorney

County Attorney