

RESOLUTION NO. R-825-87

RESOLUTION DECLARING THE OMNI AREA GENERALLY BOUNDED BY NORTH 20TH STREET ON THE NORTH, THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY ON THE WEST, I-395 ON THE SOUTH, AND BISCAYNE BAY ON THE EAST TO BE A SLUM OR BLIGHTED AREA; FINDING A NEED FOR REHABILITATION, CONSERVATION OR REDEVELOPMENT; FINDING CONFORMANCE WITH GENERAL PLANS; FINDING ADEQUACY OF RECREATIONAL FACILITIES; FINDINGS REGARDING RELOCATION; FINDING OF MAXIMUM OPPORTUNITY; DELETING CERTAIN AREAS WITHIN OMNI AREA FROM CENTRAL MIAMI URBAN RENEWAL AREA ESTABLISHED BY RESOLUTION NO. R-39-81

WHEREAS, the Legislature of the State of Florida enacted Community Redevelopment Act of 1969 (hereinafter the "Act") as is presently contained in Part III of Chapter 163, Florida Statutes, as amended; and

WHEREAS, 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, to be designated as community redevelopment areas and within which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum and blighted areas through the use of creative tax increment financing mechanisms; and

WHEREAS, the Board of County Commissioners (the "Board") of Metropolitan Dade County, Florida (the "County") is the duly empowered and authorized governing body of Dade County for purposes of approving such plans and programs; and

WHEREAS, in order to use the redevelopment authority conferred by the Act, Section 163.355, Florida Statutes provides that the Commission must find:

(1) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in such county or municipality; and

(2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in

the interest of the public health, safety, morals, or welfare of the residents of such county or municipality; and

WHEREAS, the Omni Area (the "Area"), generally bounded by North 20th Street on the north, the Florida East Coast (F.E.C.) Railway right-of-way on the west, Interstate I-395 on the south, and Biscayne Bay on the east (graphically depicted and legally described herein in Exhibit "A"), contains approximately 292 buildings of which 109 are dilapidated and in need of major repair and where over 35 percent of the land is vacant or used for surface parking; and

WHEREAS, the Omni Area has seen little growth or improvement since 1940 and has, in fact, experienced substantial decline because of the exodus of major businesses, and

WHEREAS, the Omni Area has the highest petty crime rate in the City of Miami (the "City") and is among the highest for violent crime; and

WHEREAS, the County and City both recognize the need for rehabilitation, conservation, and redevelopment of the slum or blighted Omni Area; and

WHEREAS, the City requested that the County create a tax increment redevelopment district in the Omni Area (Resolution No. 86-868, dated October 23, 1986); and

WHEREAS, there has been presented to this Board evidence that the above proposed Area contains sufficient slum or blighted conditions that would warrant the creation of an Omni Area Tax Increment Redevelopment District under the Act and Chapter 30A of the Code of Metropolitan Dade County, Florida; and

WHEREAS, Dade County Resolution R-39-81 declared a portion of downtown Miami, which included a portion of the Omni Area bounded by North 18th/17th Street on the north, the F.E.C. Railway right-of-way on the west, Interstate I-395 on the south, and Biscayne Boulevard on the east, to be slum and blighted and within the Central Miami Urban Renewal Area; and

WHEREAS, it is necessary to delete the portion of the Omni Area contained in the Central Miami Renewal Area from the Central Miami Renewal Plan in order for the Omni Area, as a whole, to be established as a separate community redevelopment Area for tax increment financing purposes; and

WHEREAS, the City of Miami Commission approved an Omni Area Redevelopment Plan (attached hereto as Exhibit "B") by Resolution No. 86-868, on October 23, 1986; and

WHEREAS, the Dade County Housing and Urban Development Advisory Board recommended approval of the Omni Area Redevelopment Plan on November 5, 1986 with the following provisions:

1. All proposed amendments to said plan will be brought before the HUD Advisory Board for consideration and review.

2. In the event that any proposed amendment is anticipated to result in displacement of a business or residence in the area, a detailed evaluation of the proposed amendment, including a detailed survey of any and all hardships resulting from the proposed action (to the property owner, renter, or business persons in the area) as a result of the proposed amendment, will be submitted to the Board for its review and recommendation. The report shall also include a detailed action plan that will remedy all anticipated hardships in a timely and appropriate fashion, and

WHEREAS, the Dade County Housing and Urban Development Advisory Board recommended approval of the Addendum to the Omni Area Redevelopment Plan (attached hereto as Exhibit "C") dated June 17, 1987 on June 17, 1987 with the following provisions:

1. That the existing property owners be encouraged to participate in development activities, and

2. That no residential displacement be allowed without prior HUD Advisory Board approval, and

3. That no money from the tax increment trust fund be expended on development activities without HUD Advisory Board review.

WHEREAS, the Dade County Planning Advisory Board approved and found the Omni Area Redevelopment Plan to conform with County plans and programs; and

WHEREAS, this Board desires to accomplish the purposes outlined in the memorandum from the County Manager, a copy of which is incorporated herein by reference; and

WHEREAS, this Board hereby finds that these findings and approvals serve a public purpose.

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

Section 1. The Board of County Commissioners for Metropolitan Dade County, Florida (the "Board") finds, determines and declares that the matters set forth in the foregoing recitals and attached memorandum and plan are true and correct and they are incorporated as a portion of this resolution.

Section 2. Finding of slum and blight. This Board finds, determines and declares the Omni Area, generally bounded by North 20th Street on the north, the Florida East Coast Railway right-of-way on the west, Interstate I-395 on the south, and Biscayne Bay on the east (legally described and attached in Exhibit "A"), to be a slum or blighted area within the meaning of Part III of Chapter 163, Florida Statutes.

Section 3. Finding of need for rehabilitation, conservation, or redevelopment. This Board finds, determines, and declares that rehabilitation, conservation, or redevelopment, or a combination thereof, of the Omni Area, described in Section 2 herein, is necessary in the interest of the public health, safety, morals, or welfare of the residents of Dade County and the City of Miami.

Section 4. Conformance with comprehensive plan. This Board hereby finds, determines, and declares that the Omni Area Redevelopment Plan (attached hereto as Exhibit "B") has been recommended for approval by the Dade County Planning Advisory Board and is found to be in conformance with the general plan of Dade County as a whole and particularly the Comprehensive Land Use Plan.

Section 5. Adequacy of recreational facilities. This Board hereby finds, determines, and declares that the Omni Area Redevelopment 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 those residing in the general vicinity of the site covered by the plan.

Section 6. Finding of Relocation. This Board hereby finds that a feasible method exists for the location of families that may be displaced from the Omni Area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.

Section 7. Finding of maximum opportunity. This Board hereby finds that the proposed Omni Redevelopment Plan as supplemented by the addendum will afford the maximum opportunity, consistent with the sound needs of the county and city, as a whole, for the rehabilitation or redevelopment of the Omni Area by private enterprise.

Section 8. Deletion from Central Miami Urban Renewal Area. This Board approves the deletion from the Central Miami Urban Renewal Area all of those portions of the Omni Area that were located within the Central Miami Urban Renewal Area by Resolution No. R-39-81.

The foregoing resolution was offered by Commissioner Sherman S. Winn, who moved its adoption. The motion was seconded by Commissioner Jorge E. Valdes, and upon being put to a vote, the vote was as follows:

Barbara M. Carey	aye
Clara Oesterle	aye
Beverly B. Phillips	absent
James F. Redford, Jr.	nay
Harvey Ruvin	aye
Barry D. Schreiber	absent
Jorge E. Valdes	aye
Sherman S. Winn	aye
Stephen P. Clark	aye

The Mayor thereupon declared the resolution duly passed and adopted this 7th day of July, 1987.

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

RICHARD P. BRINKER, CLERK

Approved by County Attorney as
to form and legal sufficiency. TR

By: RAYMOND REED



