

MEMORANDUM

Agenda Item No. 5(M)

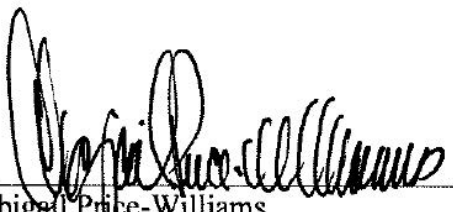
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: (Public Hearing 10-20-20)
October 6, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance related to the
Homestead Community
Redevelopment and
Revitalization Trust Fund;
amending section 30A-103
of the Code; extending Miami-
Dade County's and the City of
Homestead's obligations to fund
the Trust Fund until a certain
date

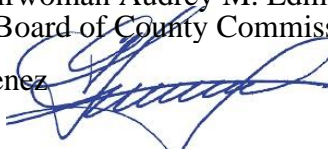
The accompanying ordinance was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsor Commissioner Daniella Levine Cava.


Abigail Price-Williams
County Attorney

APW/smm

Date: October 20, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance Extending the City of Homestead Community Redevelopment and Revitalization Trust Fund

Recommendation

It is recommended that the Board of County Commissioners (Board) consider the attached ordinance extending the obligations of the County and other taxing authorities to fund the Homestead Community Redevelopment and Revitalization Trust Fund (trust fund) until September 30, 2051. Upon enactment of this ordinance, incremental countywide and City of Homestead (City) ad valorem revenues generated in the community redevelopment area (redevelopment area), will continue to be transferred into the trust fund to fund the projects and activities set forth in the redevelopment plan (plan) for the redevelopment area until September 30, 2051.

Scope

The redevelopment area encompasses approximately 1,190 acres of land in the City, which lies within County Commission Districts 8 and 9, represented by Commissioner Daniella Levine Cava and Commissioner Dennis C. Moss, respectively.

Fiscal Impact/Funding Source

The Agency's revenue source is generated through the incremental growth of ad valorem revenues beyond an established base year, tax increment financing (TIF), as more fully described in section 163.387, Florida Statutes. The County and the City currently contribute to the trust fund, the extension of the trust fund will require the County and City to continue contributing until September 30, 2051. The countywide and municipal revenues will be deposited into the trust fund and used within the redevelopment area to fund projects and activities prescribed by the plan to eradicate the slum and blight in the community.

Although the County and City have been contributing into the trust fund at 95 percent, the Interlocal Agreement requires the Agency to provide the County a refund of 25 percent to be used to fund the County's Strategic Miami Area Rapid Transit Plan (SMART Plan), specifically for the South Dade Corridor. The refund to the County will begin in FY 2020-21, and will be used to reimburse the County's Transportation Infrastructure Improvement District (TIID District) for \$5.7 million that is being negotiated to provide to the City from the TIID District for the construction and debt service costs associated with the transit and transportation components of the Homestead Multimodal Center Project. After the \$5.7 million has been repaid to the TIID District, the County will continue to receive 15 percent for the SMART Plan, and the Agency will retain 10 percent for use on transitway improvements as identified in the Miami-Dade Transportation Planning Organization's Economic Mobility and Accessibility December 2019 Study for the South Dade Transitway Corridor.

Based on conservative estimates and a contribution of 95 percent of the increment, it is projected that the TIF revenues from FY 2024-25 through FY 2050-51 will total \$214 million (\$94.4 million from the County and \$119.8 million from the City) as noted in the table below.

	County TIF	City TIF	Total TIF	SMART Refund*	County Refund	Net County Contribution
FY 2025 through FY 2051	\$94,403,436	\$119,781,857	\$214,185,293	\$15,755,292	\$23,600,859	\$55,047,285
Net Present Value	\$45,768,321	\$58,072,192	\$103,840,513	\$8,173,248	\$11,442,080	\$26,152,992

* SMART reimbursement begins in FY 2020-21

Additionally, reimbursements to the County for the TIID District will total approximately \$15.8 million (inclusive of the \$5.7 million repayment to the TIID District beginning in FY 2020-21) and reimbursements to the County's general fund will total approximately \$23.6 million. As noted above, once the \$5.7 million has been repaid, the Agency will withhold 10 percent of the TIID revenue for use on transportation projects identified in the Miami-Dade Transportation Planning Organization's study which will total approximately \$7.8 million. These estimates do not assume property tax roll increases associated with significant redevelopment as these are difficult to predict.

Track Record/Monitor

This ordinance does not provide for contracting with any specific entity. It extends the obligations of the taxing authorities, including the County, to fund the trust fund where TIF funds are to be deposited and used in conjunction with other revenues to finance the proposed community redevelopment area activities and facilitates the implementation of TIF strategies by the Agency as defined in the plan.

Background

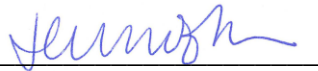
On March 2, 1993, the Board adopted Resolution No. R-288-93 adopting a finding of necessity declaring a certain geographical area in the City as slum and blight. On June 7, 1994, the Board approved the establishment of the Agency when it adopted the plan pursuant to Resolution No. R-915-94 and funded the plan when it enacted Ordinance No. 94-125 (trust fund). An interlocal agreement between Miami-Dade County and the Agency was also approved by the Board on June 7, 1994 and was later amended on July 27, 2004 to include a community policing program. Additionally, the Board is considering a separate item to adopt an amendment to the plan that would outline redevelopment strategies for such area until September 30, 2051, and a restated interlocal agreement for the Agency.

It should be noted that in 2019, the Florida Legislature amended the Community Redevelopment Act (Act) to require that a community redevelopment agency in existence on October 1, 2019, shall terminate on the expiration date provided in the agency's charter on October 1, 2019, or on September 30, 2039, whichever is earlier, unless the governing body of the county that created the community redevelopment agency, such as the Board, approves such community redevelopment agency's continued existence by a majority vote of the members of the governing body. The Act further provides that if the governing body does not approve its continued existence by a majority vote, a community redevelopment agency with outstanding bonds as of October 1, 2019, that do not mature until after the termination date of the agency or September 30, 2039, whichever is earlier, remains in existence until the date the bonds mature. Finally, the Act provides that a community redevelopment agency operating on or after September 30, 2039, may not extend the maturity date of any outstanding bonds. The Agency has no outstanding bonds.

Social Equity

The proposed ordinance amends the trust fund ordinance. The County and City will be required to deposit countywide and city TIF funds into the trust fund until September 30, 2051. The TIF will be used by the

Agency to fund projects and programs detailed in the Agency's plan, as may be amended, and allowable under Florida law. The projects and grants funded by the Agency will have a positive impact on the residents within the redevelopment area by increasing the job opportunities and environment for residents. As the residents within the redevelopment area will benefit from future additional funding from countywide taxes, those countywide residents that are not in the redevelopment area will not benefit from any future increases in countywide revenue that would have provided countywide services, since this funding will be used within the redevelopment boundaries.



Jennifer Moon
Deputy Mayor

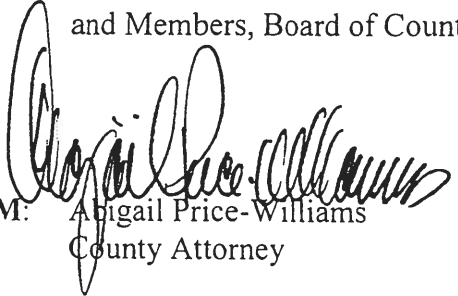


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 20, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(M)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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. 5(M)
10-20-20

ORDINANCE NO. _____

ORDINANCE RELATED TO THE HOMESTEAD
COMMUNITY REDEVELOPMENT AND REVITALIZATION
TRUST FUND; AMENDING SECTION 30A-103 OF THE CODE
OF MIAMI-DADE COUNTY, FLORIDA; EXTENDING MIAMI-
DADE COUNTY'S AND THE CITY OF HOMESTEAD'S
OBLIGATIONS TO FUND THE TRUST FUND UNTIL A
CERTAIN DATE; PROVIDING SEVERABILITY, REPEAL,
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying
memorandum, a copy of which is incorporated herein by reference,

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

Section 1. Section 30A-103 of the Code of Miami-Dade County, Florida, is hereby
amended to read as follows:¹

Sec. 30A-103. - Obligation to appropriate; duration of obligation;
limitations on obligation, bond sales and refundings; accounting
requirements for county increment.

Each taxing authority shall by January 1st of each year appropriate to the
fund for so long as any indebtedness pledging the tax increment due the
fund is outstanding ~~[[but not to exceed thirty (30) years]]~~ >>until
September 30, 2051<<, a sum not less than the increment as defined and
determined by Section 30A-102. In no year shall the County's >>or the City
of Homestead's ("City")<< obligation to the fund exceed the amount of that
year's tax increment as determined in Section 30A-102. Beginning with the
twentieth year after the date of sale of the initial bonding or indebtedness
pledging tax increment funds, no new sale of bonds or indebtedness
supported by the County's tax increment may occur nor may existing

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored
and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now
in effect and remain unchanged.

indebtedness so supported be refunded without amending this article [Ordinance No. 94-125]. The County's >>and the City's<< obligation to fund the fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the community redevelopment agency incurred as a result of redevelopment in the redevelopment area have been paid. >>Notwithstanding the foregoing, the County or the City shall have no obligation to fund the Fund on or after September 30, 2051<<. The County's increment contribution is to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

Section 2. 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 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall stand repealed on September 30, 2051.

Section 5. 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.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Brenda Kuhns Neuman

Handwritten signatures of APW and BKN.