

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 8, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution amending Resolution No. R-709-20 to extend the time for the City of Miami and the West Grove Community Redevelopment Agency to submit to Miami-Dade County, for the Board's approval, an interlocal cooperation agreement and community redevelopment plan for the West Grove Community Redevelopment Area

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 8, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

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. 11(A)(8)
7-8-21

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION NO. R-709-20 TO EXTEND THE TIME FOR THE CITY OF MIAMI AND THE WEST GROVE COMMUNITY REDEVELOPMENT AGENCY TO SUBMIT TO MIAMI-DADE COUNTY, FOR THE BOARD'S APPROVAL, AN INTERLOCAL COOPERATION AGREEMENT AND COMMUNITY REDEVELOPMENT PLAN FOR THE WEST GROVE COMMUNITY REDEVELOPMENT AREA

WHEREAS, pursuant to section 163.355, Florida Statutes, on July 21, 2020, this Board adopted Resolution No. R-709-20, finding and declaring, in part, based on a finding of necessity study, that an area located within the municipal boundaries of the City of Miami ("City"), generally as bounded on the north by Bird Road (SW 40 Street) and the properties north of Bird Road, on the east by McDonald Street and Main Street, on the south by Marler Avenue and Loquat Street, and on the west by 39th Avenue, to be a slum or blighted area, as defined by section 163.340 (7) and (8), Florida Statutes; and

WHEREAS, the aforementioned area is known as the West Grove Community Redevelopment Area ("West Grove Area"); and

WHEREAS, as set forth in Resolution No. R-709-20, this Board further found that there is a need for a community redevelopment agency to be known as the West Grove Community Redevelopment Agency ("Agency"), to function in the West Grove Area to carry out the community redevelopment purposes prescribed by chapter 163, part III, Florida Statutes; and

WHEREAS, this Board, in accordance with section 163.410, Florida Statutes, delegated the community redevelopment power to the City to create the Agency in accordance with section 163.357, Florida Statutes, which Agency shall have the sole power initially to prepare and adopt a

plan of redevelopment for the West Grove Area, to submit such plan to the County for its review, and upon the completion of such review, to submit such plan to this Board for its approval, in its sole discretion, after notice and a public hearing; and

WHEREAS, in accordance with Resolution No. R-709-20, the County Mayor or the County Mayor's designee is authorized to (a) negotiate the terms of an interlocal cooperation agreement ("interlocal agreement") by and among the County, the City and the Agency, and (b) negotiate such other terms related to the County's Strategic Miami Area Rapid Transit Transportation Infrastructure Improvement District; and

WHEREAS, Resolution No. R-709-20 states that the Agency shall cease to exist 12 months from the adoption of the resolution if (a) the City has not approved a redevelopment plan and interlocal agreement acceptable to the County; and (b) this Board has not approved same; and

WHEREAS, in addition to the requirements set forth in Resolution No. R-709-20, section 163.360(5), Florida Statutes, requires the Agency to submit any community redevelopment plan it recommends for approval, together with its written recommendations, to the County, as the governing body, and to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the West Grove Area; and

WHEREAS, thereafter, this Board, in accordance with section 163.360(5), is required to proceed with the hearing on the proposed community redevelopment plan as prescribed by law; and

WHEREAS, on March 25, 2021, the City adopted Resolution No. R-21-0128, which authorizes the City Manager to negotiate the terms of the interlocal cooperation agreement with the County and the Agency and has approved the proposed redevelopment plan; and

WHEREAS, the County, the City and the Agency have not completed the negotiations related to the interlocal agreement; and

WHEREAS, additionally, unlike the City, the Agency has not approved either the interlocal agreement or the redevelopment plan, and, therefore, the Agency requires additional time to submit both to the County for this Board's approval; and

WHEREAS, this Board has no objections to extending the time set forth in Resolution No. R-709-20 to allow the County, the City, and the Agency to negotiate the terms of the interlocal agreement and to allow the Agency sufficient time to meet and approve the interlocal agreement and the redevelopment plan,

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

Section 1. The foregoing recitations are incorporated herein by reference.

Section 2. This Board hereby amends section 6 of Resolution No. R-709-20 to read as follows:

The Agency shall cease to exist on November 16, 2021 if (a) the City and the Agency have not approved a redevelopment plan and interlocal cooperation agreement acceptable to the County; and (b) this Board has not approved same.

All other provisions set forth in Resolution No. R-709-20 shall remain in full force and effect.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman
Oliver G. Gilbert, III, Vice-Chairman

Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 8th day of July, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Terrence A. Smith