

MEMORANDUM

Agenda Item No. 11(A)(12)

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

DATE: March 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution amending Resolution
No. R-1072-21 to extend the time
for the Board of County
Commissioners to consider and
approve the interlocal
cooperation agreement between
Miami-Dade County, the City of
Miami and the West Grove
Community Redevelopment
Agency, and the community
redevelopment plan for the West
Grove Community
Redevelopment Area

Resolution No. R-278-22

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: March 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(12)

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)(12)
3-15-22

RESOLUTION NO. R-278-22

RESOLUTION AMENDING RESOLUTION NO. R-1072-21 TO
EXTEND THE TIME FOR THE BOARD OF COUNTY
COMMISSIONERS TO CONSIDER AND APPROVE THE
INTERLOCAL COOPERATION AGREEMENT BETWEEN
MIAMI-DADE COUNTY, THE CITY OF MIAMI AND THE
WEST GROVE COMMUNITY REDEVELOPMENT AGENCY,
AND THE 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 authorized the City Manager to negotiate the terms of the interlocal cooperation agreement with the County and the Agency and approved the proposed redevelopment plan; and

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

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

WHEREAS, accordingly, on July 8, 2021, this Board adopted Resolution No. R-669-21, which amended Resolution No. R-709-20, to require (a) the City and the Agency to approve a redevelopment plan and interlocal agreement acceptable to the County; and (b) this Board to approve same by November 16, 2021; and

WHEREAS, Resolution No. R-709-20 also provided that if the before-mentioned conditions were not met by November 16, 2021, then the Agency would cease to exist; and

WHEREAS, on August 10, 2021, the Agency adopted Resolution Nos. WG-CRA-R-21-0001 and WG-CRA-R-21-0002, which approved and accepted the redevelopment plan and the interlocal agreement, respectively, for submission to the County for this Board's approval; and

WHEREAS, on September 13, 2021, the City adopted Resolution No. R-21-0390, which approved the redevelopment plan and directed the City Manager to submit the plan to the County for this Board's approval; and

WHEREAS, although the City and the Agency have timely submitted the redevelopment plan and interlocal agreement to the County, the County Mayor or the County Mayor's designee required sufficient time to review the redevelopment plan and the interlocal agreement before they are submitted to this Board for its approval; and

WHEREAS, on November 2, 2021, this Board adopted Resolution No. R-1072-21 to provide additional time for the County Mayor or the County Mayor's designee to submit and this Board to approve the redevelopment plan and the interlocal agreement; and

WHEREAS, in accordance with Resolution No. R-1072-21, this Board extended the time until on or before the last meeting of this Board in March 2022, for the County Mayor or the County Mayor's designee to submit and this Board to approve the redevelopment plan and the interlocal agreement; and

WHEREAS, although the County Mayor or the County Mayor's designee completed their review of the redevelopment plan and the interlocal agreement, this Board requires additional time to consider and approve same; and

WHEREAS, accordingly, this Board desires to extend the time for its consideration and approval of the redevelopment plan and the interlocal agreement until June 30, 2022,

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 Resolution No. R-1072-21 to extend the time for it to consider and approve the interlocal cooperation agreement between the County, the City and the Agency, and the community redevelopment plan for the West Grove Community Redevelopment Area until on or before June 30, 2022.

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

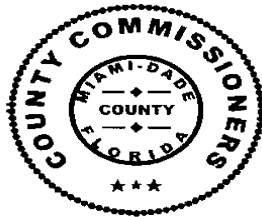
Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	nay
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of March, 2022. 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: **Basia Pruna**
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith