MEMORANDUM

Amended
Agenda Item No. 11(A)(5)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 20, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing a County policy related to the North Beach Community Redevelopment Agency ("Agency") and approval by the Board of County Commissioners of certain matters related to the Agency and the North Beach Community Redevelopment Area

Resolution No. R-1031-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.

Geri Bonzon-Keenan
County Attorney

GBK/smm

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(Revised)

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and Members, Board of County Commissioners

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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 ____, majority plus one ____, 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) ____, 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	Amended Agenda Item No. 11(A)(5)
Veto	__________	11-20-24
Override	__________	

RESOLUTION NO. **R-1031-24**

RESOLUTION ESTABLISHING A COUNTY POLICY RELATED TO THE NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY ("AGENCY") AND APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF CERTAIN MATTERS RELATED TO THE AGENCY AND THE NORTH BEACH COMMUNITY REDEVELOPMENT AREA

WHEREAS, the Florida Legislature during its 1969 Legislative Session enacted the Community Redevelopment Act of 1969 which is presently codified in chapter 163, part III, Florida Statutes, as amended (the "Act"); and

WHEREAS, all powers arising pursuant to the Act are conferred upon counties with home rule charters, which counties in turn are authorized to delegate certain such powers to municipalities within their boundaries; and

WHEREAS, counties may also confer powers to a citizen board established pursuant to section 163.356 of the Act; and

WHEREAS, pursuant to the Act, the Miami-Dade County Board of County Commissioners (the "Board"), as the governing body, has the power to create a community redevelopment agency or, as a county with a home rule charter, to delegate such power to municipalities in accordance with section 163.410 of the Act; and

WHEREAS, on June 8, 2020, this Board adopted Resolution No. R-619-20, which declared a certain area commonly known as the North Beach Community Redevelopment Area ('redevelopment area") to be slum and blight, and delegated to the City of Miami Beach ("City"), in accordance with the Act, the power to create a community redevelopment agency to be known as the North Beach Community Redevelopment Agency ("Agency"); and

WHEREAS, on July 20, 2021, this Board adopted Resolution No. R-696-21 which, among other things, approved the community redevelopment plan and the Interlocal Cooperation Agreement among the County, City and Agency, which delegated certain powers to the Agency in accordance with the Act; and

WHEREAS, on July 20, 2021, this Board also adopted Ordinance No. 21-70, which created the redevelopment trust fund; and

WHEREAS, notwithstanding the delegation of power to the City and the Agency, there are certain powers that are reserved to this Board, including, but not limited to, the power to: (i) authorize and approve the issuance of revenue bonds; (ii) authorize the application and acceptance of advances, loans, contributions, or any form of financial assistance; (iii) approve the Agency's annual budgets and any amendments thereto; (iv) approve the community redevelopment plan and any amendments to such plan, including, but not limited to, expansion of the redevelopment area's boundaries; and (v) approve the extension of the life of Agency and the redevelopment area; and

WHEREAS, this Board wishes to establish a policy that it will not authorize or approve any future requests by or from the Agency or the City seeking this Board's approval to allow the Agency to: (i) issue revenue bonds, (ii) apply for and accept advances, loans, contributions, or any form of financial assistance; (iii) amend the redevelopment plan, including, but not limited to, expanding the redevelopment area's boundaries; or (iv) extend the life of Agency and the redevelopment area,

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

Section 1. The foregoing recitals are incorporated in the body of this resolution by reference and are approved.

Section 2. Subject to the requirements of chapter 163, part II, Florida Statutes (the "Act") and other applicable laws, this Board hereby establishes a County policy ("Policy") that it will not consider or approve any future requests by the Agency or the City seeking this Board's approval to allow the Agency to: (i) issue revenue bonds; (ii) apply for and accept advances, loans, contributions, or any form of financial assistance; (iii) amend the redevelopment plan, including, but not limited to, expanding the redevelopment area's boundaries; or (iv) extend the life of Agency and the redevelopment area. Notwithstanding the foregoing, (a) this Board will continue to consider and approve, in its sole discretion, the annual budgets and any amendments thereto that are submitted to the County by the Agency as required by the Act, and (b) will only reconsider, in its sole discretion, the matters set forth in the Policy upon the execution of the interlocal agreements that transfer the funding from the City of Miami Beach and the Miami Beach Redevelopment Agency ("RDA") to the County through the allocation of the four percent Resort Bed Tax revenue generated by the Miami Beach Convention Center Headquarter Hotel, or an amount equivalent thereto from other legally available funding sources, with a minimum of $4,000,000.00, adjusted annually by the lesser of the Miami Urban Area Consumer Price Index or two percent, with any deficit paid to the County out of surplus revenues generated by the RDA. In the event such payments are not made to the County in a timely manner, this Board shall not consider any requests by the Agency for this Board's approval of those matters set forth in the Policy.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman **aye**
Anthony Rodríguez, Vice Chairman **aye**

Marleine Bastien	**aye**	Juan Carlos Bermudez	**aye**
Kevin Marino Cabrera	**aye**	Sen. René García	**aye**
Roberto J. Gonzalez	**nay**	Keon Hardemon	**aye**
Danielle Cohen Higgins	**aye**	Eileen Higgins	**aye**
Kionne L. McGhee	**aye**	Raquel A. Regalado	**aye**
Micky Steinberg	**aye**		

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of November, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith