

MEMORANDUM

Agenda Item No. 5(A)

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

DATE: June 21, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution finding and declaring, pursuant to section 163.355, Florida Statutes, and after a public hearing, a certain geographic area of Miami-Dade County, Florida, which is generally bounded by Southwest 216th Street on the north; Southwest 232nd Street on the south; Southwest 126th Avenue and Harriet Tubman Highway on the east; and Southwest 134th Avenue on the west (“redevelopment area”), to be a slum or blighted area, and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such redevelopment area, including the development of housing which residents of low- or moderate-income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of Miami-Dade County, Florida; and declaring the need for a community redevelopment agency

Resolution No. R-500-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney


GBK/uw



MEMORANDUM
(Revised)

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

DATE: June 21, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(A)

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(A)
6-21-23

RESOLUTION NO. _____ R-500-23

RESOLUTION FINDING AND DECLARING, PURSUANT TO SECTION 163.355, FLORIDA STATUTES, AND AFTER A PUBLIC HEARING, A CERTAIN GEOGRAPHIC AREA OF MIAMI-DADE COUNTY, FLORIDA, WHICH IS GENERALLY BOUNDED BY SOUTHWEST 216TH STREET ON THE NORTH; SOUTHWEST 232ND STREET ON THE SOUTH; SOUTHWEST 126TH AVENUE AND HARRIET TUBMAN HIGHWAY ON THE EAST; AND SOUTHWEST 134TH AVENUE ON THE WEST (“REDEVELOPMENT AREA”), TO BE A SLUM OR BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, OR REDEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH REDEVELOPMENT AREA, INCLUDING THE DEVELOPMENT OF HOUSING WHICH RESIDENTS OF LOW- OR MODERATE-INCOME, INCLUDING THE ELDERLY, CAN AFFORD, IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE RESIDENTS OF MIAMI-DADE COUNTY, FLORIDA; AND DECLARING THE NEED FOR A COMMUNITY REDEVELOPMENT AGENCY

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

WHEREAS, section 163.355 of the Act, provides that no county or municipality shall exercise the community redevelopment authority conferred by [the Act] until after the governing body has adopted a resolution, supported by data and analysis, which makes a legislative finding that slum or blighted conditions in the area exist; and

WHEREAS, section 163.355 of the Act requires that this Board, as the governing body, adopt a resolution that finds that: (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 the redevelopment area; and (2) the rehabilitation, conservation, or redevelopment, or a combination thereof, of such redevelopment area, including, if appropriate, the development of housing which residents of low- or moderate-income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of the county; and

WHEREAS, on May 4, 2021, this Board directed the County Mayor or County Mayor's designee to competitively select and contract with a consultant to prepare a finding of necessity study to assist in the determination of whether slum or blighted conditions exists in the geographical area, generally described as bounded by Southwest 216th Street on the north; Southwest 232nd Street on the south; Southwest 126th Avenue and Harriet Tubman Highway on the east; and Southwest 134th Avenue on the west (the "redevelopment area"), as more fully depicted in Attachment "A" attached hereto and incorporated herein by reference; and

WHEREAS, a finding of necessity study (the "study"), which is attached hereto as Attachment "B" and incorporated herein by reference, has been conducted by the consulting firm CMA Enterprise Incorporated (the "consultant"); and

WHEREAS, the study concludes that slum and blighted areas within the redevelopment area exist, and will continue to exist in one form or another if no improvements are done to correct the deficiencies within the redevelopment area; and

WHEREAS, this Board concurs with the consultant's findings as set forth in the study, and believes that one or more slum or blighted areas, as defined in section 163.340(7) and (8), respectively, of the Act, exist within the redevelopment area; and

WHEREAS, this Board further believes that there is a need for a community redevelopment agency to carry out the community redevelopment purposes of the Act within 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 this resolution and are approved.

Section 2. Pursuant to chapter 163, part III, Florida Statutes (the “Act”), specifically, section 163.355, Florida Statutes, this Board finds and declares, after a public hearing, that based on the findings of the study a slum or blighted area, as defined by section 163.340 (7) and (8), respectively, of the Act, exists in the geographical area, generally described as bounded by Southwest 216th Street on the north; Southwest 232nd Street on the south; Southwest 126th Avenue and Harriet Tubman Highway on the east; and Southwest 134th Avenue on the west (“redevelopment area”), which is specifically described in Attachment “A” attached hereto and incorporated herein by reference.

Section 3. This Board further finds and declares that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such redevelopment area, including, if appropriate, the development of housing which residents of low- or moderate-income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of Miami-Dade County.

Section 4. This Board further finds that there is a need for a community redevelopment agency to function in the redevelopment area to carry out the community redevelopment purposes of the Act.

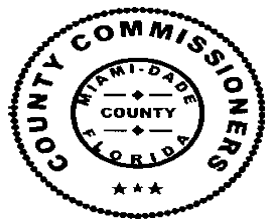
The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. It was offered by Commissioner **Danielle Cohen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	absent		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	absent	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of June, 2023. 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

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith
Richard Appleton