

RESOLUTION NO. 2003-25241

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PASSING AND ADOPTING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF MIAMI BEACH AND METROPOLITAN DADE COUNTY, DATED NOVEMBER 16, 1993; SAID AMENDMENT CONFIRMS THE DELEGATION OF POWERS FROM MIAMI-DADE COUNTY TO THE CITY OF MIAMI BEACH, AND IN TURN TO THE MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY, TO IMPLEMENT AMENDMENTS TO THE CITY CENTER HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA PLAN.

WHEREAS, on November 16, 1993, Metropolitan Dade County, a political subdivision of the State of Florida (now known as Miami-Dade County, and hereinafter referred to as the "County"), and the City of Miami Beach, a municipal corporation under the State of Florida (hereinafter referred to as the "City"), entered into an Interlocal Cooperation Agreement; and

WHEREAS, said Interlocal Cooperation Agreement addressed and embodied that Redevelopment Plan approved by the County on March 10, 1993 by Resolution No. 317-93 (the Plan); and

WHEREAS, recent changes to Chapter 163.361, Florida Statutes, enable community redevelopment areas, to implement and fund community policing innovations, defined as a policing technique or strategy designed to reduce crime by reducing opportunities for and increasing the perceived risks of engaging in, criminal activity through visible presence of police in the community, including but not limited to, community mobilization, neighborhood block watch, citizen patrol, citizen contact patrol, foot patrol, neighborhood storefront police stations, field interrogation, or intensified motorized patrol; and

WHEREAS, the RDA believes it is necessary to amend the City Center Redevelopment Plan to include a community policing innovation program, which will provide an opportunity for the RDA to provide enhanced levels of police services within the boundaries of the City Center Redevelopment Area; and

WHEREAS, on May 10, 2002, the Administration gave a presentation to the County's Tax Increment Finance (TIF) Committee, regarding certain proposed Amendments to the City Center Redevelopment Plan; providing that the Plan:

- 1) incorporate by reference, the Proposed Master Plan for the 17th Street Surface Lots, prepared by Zyscovich, Inc., on September 21, 2001, and revised as of June 19, 2002, to reflect certain input by the Mayor and City Commission; and
- 2) take advantage of the aforesaid provision under Section 163.361, Florida

Statutes, to implement and fund community policing innovations in the City Center area; and

WHEREAS, on June 19, 2002, The Mayor and City Commission adopted two Resolutions: Resolution No. 2002-24899, approving the proposed City Center Redevelopment Plan amendments, as recommended by the Miami Beach Redevelopment Agency (RDA); and Resolution No. 2002-24890, adopting an amendment to the Interlocal Cooperation Agreement, between the County and the City, dated November 16, 1993, confirming the delegation of powers from the County to the City, and in turn to the Miami Beach Redevelopment Agency, to implement said Plan amendments to the City Center Redevelopment Plan which would reflect updated conditions in the area; and

WHEREAS, on December 11, 2002, Miami-Dade County Commissioner Bruno Barreiro addressed the Miami Beach City Commission in connection with the City's proposed amendments to the City Center Redevelopment Plan and Interlocal Agreement, which were pending approval by the Board of Miami-Dade County Commissioners; and

WHEREAS, Commissioner Barreiro expressed concern that the proposed community policing element was going to provide funding for existing levels of police service in the City Center Area, thereby supplementing the City's General Fund expenditures; and

WHEREAS, on January 23, 2003, the Board of County Commissioners only adopted a Resolution approving the City Center Redevelopment Plan, amendment involving the Master Plan for the 17th Street Surface Lots; and

WHEREAS, the Administration has continued to meet with the County Administration, and with Commissioner Barreiro, who has now agreed to support the remaining amendment to the City Center Redevelopment Plan regarding the community policing element; provided it is only used to fund new or enhanced policing initiatives; and

WHEREAS, the Miami-Dade County Attorney's Office has requested that the City pursue a second public hearing process to consider adopting community policing innovations as an amendment to the City Center Redevelopment Plan, thereby complying with Section 163.361, Florida Statutes; and

WHEREAS, the Miami-Dade County Attorney's Office has also requested that the City Commission adopt a second resolution approving the amendments to the Interlocal Cooperation Agreement between the County and the City to confirm the delegation of powers from the County to the City, and in turn to the Miami Beach Redevelopment Agency, to implement amendments to the Redevelopment Plan as provided for in City of Miami Beach Resolution No. 2002-24899, adopted on June 19, 2002 and City of Miami Beach Resolution No. 2003 - 25241 .., adopted on June 11, 2003.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH:

Section I. That the Interlocal Cooperation Agreement by and between the City of Miami Beach and Metropolitan Miami-Dade County, dated November 16, 1993, be amended to confirm the delegation of additional powers from Miami-Dade County to the City of Miami Beach and, in turn, to the Miami Beach Community Redevelopment Agency, as set forth in Appendix I.

Section II. The Mayor and City Clerk are hereby authorized and directed to execute and attest to respectively the First Amendment to Interlocal Agreement (Appendix I).

Section III. This Resolution shall become effective upon adoption.

PASSED and ADOPTED this 11th day of June, 2003.



VICE MAYOR

ATTEST:



CITY CLERK

CITY CLERK

T:\AGENDA\2003\JUN1103\REGULAR\InterlocalAmend_Reso.doc

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

5-29-03
Date

First Amendment to Interlocal Agreement

This Amendment made and entered into this ____ day of _____, 2003 by and between Metropolitan Miami-Dade County (County) and the City of Miami Beach (City)

WITNESSETH:

WHEREAS, the parties on November 16, 1993 entered into an Interlocal Cooperation Agreement, a true copy whereof being attached hereto and made a part of this instrument; and

WHEREAS, said Interlocal Cooperation Agreement addressed and embodied that Redevelopment Plan approved by the County on March 10, 1993 by Resolution No. 317-93 (the Plan); and

WHEREAS, the City has proposed and the County has approved amendments to the Plan by the adoption of Resolution No. 2003-25241 attached hereto and made a part hereof which addressed additional powers not specifically delegated in Resolution No. 317-93; and

WHEREAS, the parties wish to confirm the delegation of powers from the County to the City (and in turn, to the Miami Beach Community Redevelopment Agency) to implement the amendments to the Redevelopment Plan as provided in Resolution No. 2002-24899 and Resolution No. 2003- 25237.

NOW, THEREFORE, THE COUNTY AND THE CITY agree as follows:

- I. The recitations set forth above are true and correct and adopted as part of this Amendment.
- II. The Interlocal Cooperation Agreement of November 16, 1993 attached and made a part hereof is hereby amended in the following respects:

A. Section I.A. is amended to read as follows:

I. Exercise of Delegated Powers and Implementation of Plan.

A. The City Commission, either directly or through its duly designated redevelopment agency, shall have the sole right and responsibility to exercise every power conferred upon the Board pursuant to part III of Chapter 163, Florida Statutes, as amended, which have been delegated to the City Commission by the Board at its meetings on March 30, 1993 and October 22, 2002, and are specifically enumerated in Resolutions numbered R317-93, 2002-24899 and 2003- 25241, respectively,

provided, however, that said powers may be exercised only with respect to the Project and only with respect to the Plan as amended and adopted by the City Commission and approved and adopted by the Board, together with any supplements or amendments to the Plan provided that any supplements or amendments to the Plan must also be approved by the Board, which approval will not be unreasonably withheld or delayed. Any power not specifically delegated by the Board to the City Commission shall be reserved exclusively to the Board.

III. In all other respects, the Interlocal Cooperation Agreement is ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their names by their duly authorized officers and the corporate seals to be affixed hereto, all as of the day and year first above written.

WITNESS our hands and seals on this ____ day of _____, 2003.

CITY OF MIAMI BEACH, a municipal corporation of the State of Florida

METROPOLITAN MIAMI-DADE COUNTY, a political subdivision of the State of Florida

By: 
Luis Garcia, Vice-Mayor

By: _____
Steven Shiver, County Manager

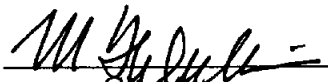
ATTEST:

By: 
City Clerk

By: _____
Deputy Clerk

APPROVED AS TO FORM & LANGUAGE AND FOR EXECUTION

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

 5-29-03
City Attorney Date

County Attorney

First Amendment to Interlocal Agreement

This Amendment made and entered into this ____ day of _____, 2003 by and between Metropolitan Miami-Dade County (County) and the City of Miami Beach (City)

WITNESSETH:

WHEREAS, the parties on November 16, 1993 entered into an Interlocal Cooperation Agreement, a true copy whereof being attached hereto and made a part of this instrument; and

WHEREAS, said Interlocal Cooperation Agreement addressed and embodied that Redevelopment Plan approved by the County on March 10, 1993 by Resolution No. 317-93 (the Plan); and

WHEREAS, the City has proposed and the County has approved amendments to the Plan by the adoption of Resolution No. 2003-25241 attached hereto and made a part hereof which addressed additional powers not specifically delegated in Resolution No. 317-93; and

WHEREAS, the parties wish to confirm the delegation of powers from the County to the City (and in turn, to the Miami Beach Community Redevelopment Agency) to implement the amendments to the Redevelopment Plan as provided in Resolution No. 2002-24899 and Resolution No. 2003- _____.

NOW, THEREFORE, THE COUNTY AND THE CITY agree as follows:

- I. The recitations set forth above are true and correct and adopted as part of this Amendment.
- II. The Interlocal Cooperation Agreement of November 16, 1993 attached and made a part hereof is hereby amended in the following respects:

A. Section I.A. is amended to read as follows:

I. Exercise of Delegated Powers and Implementation of Plan.

A. The City Commission, either directly or through its duly designated redevelopment agency, shall have the sole right and responsibility to exercise every power conferred upon the Board pursuant to part III of Chapter 163, Florida Statutes, as amended, which have been delegated to the City Commission by the Board at its meetings on March 30, 1993 and October 22, 2002, and are specifically enumerated in Resolutions numbered R317-93, 2002-24899 and 2003- _____, respectively,

provided, however, that said powers may be exercised only with respect to the Project and only with respect to the Plan as amended and adopted by the City Commission and approved and adopted by the Board, together with any supplements or amendments to the Plan provided that any supplements or amendments to the Plan must also be approved by the Board, which approval will not be unreasonably withheld or delayed. Any power not specifically delegated by the Board to the City Commission shall be reserved exclusively to the Board.

III. In all other respects, the Interlocal Cooperation Agreement is ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their names by their duly authorized officers and the corporate seals to be affixed herto, all as of the day and year first above written.

WITNESS our hands and seals on this ____ day of _____, 2003.

CITY OF MIAMI BEACH, a municipal corporation of the State of Florida

METROPOLITAN MIAMI-DADE COUNTY, a political subdivision of the State of Florida

By: _____
Luis Garcia, Vice-Mayor

By: _____
Steven Shiver, County Manager

ATTEST:

By: _____
City Clerk

By: _____
Deputy Clerk

APPROVED AS TO FORM & LANGUAGE AND FOR EXECUTION

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

 _____
City Attorney

5-29-03
Date

County Attorney

**CITY OF MIAMI BEACH
AGENDA ITEM SUMMARY**



Condensed Title:

A Resolution adopting an Amendment to the 1993 Interlocal Agreement with Miami-Dade County to delegate powers from Miami-Dade County to the City of Miami Beach, and in turn to the Miami Beach Community Redevelopment Agency, to implement amendments to the City Center Historic Convention Village Redevelopment and Revitalization Area Plan.

Issue:

Shall the Interlocal Agreement between the City and County be amended to incorporate recent changes to the Redevelopment Plan including community policing, business assistance and 17th Street Master Plan elements?

Item Summary/Recommendation:

An Interlocal Cooperation Agreement was executed on November 16, 1993, by the County and the City which embodied the Redevelopment Plan approved by the County on March 30, 1993, and which delegated certain powers to the City Commission for the City Center/Historic Convention Village Redevelopment and Revitalization Area.

On May 10, 2002, the City's Administration gave a presentation to the County's Tax Increment Finance (TIF) Committee, regarding certain proposed amendments to the City Center Historic Convention Village Redevelopment and Revitalization Area Plan; providing that the Plan:

1. incorporate by reference, the Proposed Master Plan for the 17th Street Surface Lots, prepared by Zyscovich, Inc., on September 21, 2001, and revised as of June 19, 2002, to reflect certain input by the Mayor and City Commission; and,
2. take advantage of a provision under Section 163.361, Florida Statutes, to implement and fund "community policing innovations" in the area.

On June 19, 2002, The Mayor and City Commission adopted two Resolutions, one approving the proposed Plan amendments as recommended by the Redevelopment Agency, and the other, adopting an amendment to the Interlocal Cooperation Agreement, between the County and the City, dated November 16, 1993, confirming the delegation of powers from the County to the City, and in turn to the Miami Beach Redevelopment Agency, to implement said amendments to the City Center Redevelopment Plan. On January 23, 2003, due to certain differences between the City Administration and County Commissioner, Bruno Barreiro, the Board of County Commissioners only adopted a Resolution approving the amendment involving the 17th Street Master Plan.

Since this time, the Administration has met with Commissioner Barreiro, who has agreed to support the community policing element, provided it is only used to fund new or enhanced policing initiatives in the area. Based on this direction, the Administration is now seeking to implement community policing in City Center as well as the South Pointe Redevelopment Areas. Pursuant to instructions from the County Attorney's Office, the RDA needs to pursue a second Public Hearing process before this item can be brought back to the Board of County Commissioners for approval. It was also recommended that a second resolution be passed approving the amendments to the Interlocal Cooperation Agreement between the County and the City to confirm the delegation of powers from the County to the City, and in turn to the Miami Beach Redevelopment Agency, to implement said amendments to the Redevelopment Plan. Therefore, the Administration recommends that the Mayor and City Commission pass and adopt the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of Funds:		Amount	Account	Approved
<input type="checkbox"/>	1			
	2			
	3			
	4			
	Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM 187E
DATE 6-11-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http://ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: June 11, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PASSING AND ADOPTING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF MIAMI BEACH AND METROPOLITAN DADE COUNTY, DATED NOVEMBER 16, 1993; SAID AMENDMENT CONFIRMS THE DELEGATION OF POWERS FROM MIAMI-DADE COUNTY TO THE CITY OF MIAMI BEACH, AND IN TURN TO THE MIAMI BEACH REDEVELOPMENT AGENCY, TO IMPLEMENT AMENDMENTS TO THE CITY CENTER HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA PLAN.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

An Interlocal Cooperation Agreement was executed on November 16, 1993, by the County and the City which embodied the Redevelopment Plan approved by the County on March 30, 1993, and which delegated certain powers to the City Commission for the City Center/Historic Convention Village Redevelopment and Revitalization Area.

Section 163.361, Florida Statutes, provides that the "governing body" of the Redevelopment Agency may amend the Redevelopment Plan from time to time, upon recommendation of the Agency. The Administration believes it is opportune to amend the City Center/Historic Convention Village Redevelopment Area and the South Pointe Revitalization Plan to take advantage of a provision under Section 163.361, Florida Statutes, to implement and fund community policing innovations in the areas.

On May 10, 2002, the City's Administration gave a presentation to the County's Tax Increment Finance (TIF) Committee, regarding certain proposed amendments to the City Center Historic Convention Village Redevelopment and Revitalization Area Plan; providing that the Plan:

1. incorporate by reference, the Proposed Master Plan for the 17th Street Surface Lots, prepared by Zyscovich, Inc., on September 21, 2001, and revised as of June 19, 2002, to reflect certain input by the Mayor and City Commission; and,

2. take advantage of a provision under Section 163.361, Florida Statutes, to implement and fund "community policing innovations" in the area.

On June 13, 2002, a second presentation was made before the County's TIF Committee, whereupon the Committee voted to approve the amendments as proposed.

On June 19, 2002, The Mayor and City Commission adopted two Resolutions, one approving the proposed Plan amendments as recommended by the Redevelopment Agency, and the other, adopting an amendment to the Interlocal Cooperation Agreement, between the County and the City, dated November 16, 1993, confirming the delegation of powers from the County to the City, and in turn to the Miami Beach Redevelopment Agency, to implement said amendments to the City Center Redevelopment Plan.

On December 11, 2002, Miami-Dade County Commissioner Bruno Barreiro addressed the Miami Beach City Commission in connection with the proposed amendments to the City Center Redevelopment Plan and Interlocal Agreement, that were pending approval by the Board of Miami-Dade County Commissioners. Commissioner Barreiro expressed concern that the proposed community policing element was going to provide funding for existing levels of police service in the City Center Area, thereby supplementing the City's General Fund expenditures. Commissioner Barreiro also proposed to add two County Commissioners as voting members to the Miami Beach Redevelopment Agency, to provide additional oversight in the policy decisions of the RDA. The City Commission declined the proposal. Subsequently, on January 23, 2003, the Board of County Commissioners only adopted a Resolution approving the amendment involving the 17th Street Master Plan.

Since this time, the Administration has met with Commissioner Barreiro, who has agreed to support the community policing element, provided it is only used to fund new or enhanced policing initiatives in the area. Based on this direction, the Administration is now seeking to implement community policing in City Center as well as the South Pointe Redevelopment Areas. As such, the RDA has been working with the Police Department to draft workable programs for the respective areas.

Pursuant to instructions from the County Attorney's Office, the RDA needs to pursue a second Public Hearing process before this item can be brought back to the Board of County Commissioners for approval. It was also recommended that a second resolution be passed approving the amendments to the Interlocal Cooperation Agreement between the County and the City to confirm the delegation of powers from the County to the City, and in turn to the Miami Beach Redevelopment Agency, to implement said amendments to the Redevelopment Plan.

JMG/^{AMC}CMC/kob