

Approved _____ Mayor
Veto _____
Override _____

No. In
Agenda Item No. 4 (HH)
7-27-04

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA**

RESOLUTION NO. R-958-04

RESOLUTION APPROVING TERMS AND EXECUTION OF INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY, CITY OF MIAMI BEACH AND MIAMI BEACH REDEVELOPMENT AGENCY TO PROVIDE FOR ANNUAL ADMINISTRATIVE FEE TO BE PAID TO COUNTY AND CITY FROM TAX INCREMENT REVENUES DERIVED FROM SOUTH POINTE REDEVELOPMENT AREA AND CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA AND TO PROVIDE APPROVAL FOR ISSUANCE BY MIAMI BEACH REDEVELOPMENT AGENCY OF CERTAIN REFUNDING BONDS

WHEREAS, the Miami Beach Community Redevelopment Agency ("CRA") has jurisdiction over two community redevelopment districts located in the City of Miami Beach ("City") known as City Center/Historic Convention Village and South Pointe ("CRA Districts"); and

WHEREAS, the CRA has various series of community redevelopment revenue bonds currently outstanding in the aggregate principal amount of \$94,890,000 (the "Bonds") issued under certain bond resolutions (the "Bond Resolutions") to which the CRA has pledged all current and future tax increment revenues the CRA is entitled to receive pursuant to the Act from all non-exempt taxing authorities, like the Trust, created subsequent to the issuance of the Bonds; and

WHEREAS, the CRA wishes to refinance the Bonds to lower the interest cost without extending the maturity on the Bonds that requires the prior approval of the County; and

WHEREAS, during the 2003-2004 County budget hearing, the Board approved an administrative charge of 11/2 % of tax increment revenues collected within a community redevelopment district to be payable by all community redevelopment agencies in the County to recover costs associated with overseeing community redevelopment agency activities and for processing related items by County staff; and

WHEREAS, the CRA and the City agree to the assessment by the County of the administrative charge with respect to the CRA Districts upon the conditions described in the County Manager's memorandum which is incorporated in the resolution by reference; and

WHEREAS, the CRA, the County and the City wish to memorialize their understanding regarding the refunding bonds and the administrative fees by entering into an Interlocal Agreement in the form attached as Exhibit "A" to this resolution ("Interlocal Agreement") pursuant to Chapter 163, Part I, Florida Statutes; and

WHEREAS, this Board wishes to approve the form of the Interlocal Agreement and authorize its execution by the County Manager after review by the County Attorney's Office,

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

Section 1. The matters contained in the foregoing recitals are incorporated in this resolution by reference.

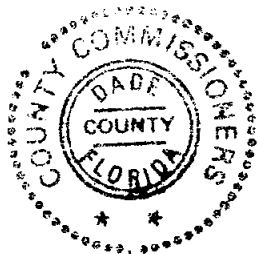
Section 2. The Board approves the terms of and authorizes the County Manager to execute the Interlocal Agreement in substantially the form attached to this resolution as Exhibit "A" after review by the County Attorney's Office.

Section 3. The provisions of Resolution No. 377-04 pertaining to the effective date of County contracts is waived with respect to the Interlocal Agreement.

The foregoing resolution was offered by Commissioner Bruno A. Barriero, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:


| | | | |
|---------------------------------------|--------|------------------|-----|
| Dr. Barbara Carey-Shuler, Chairperson | absent | | |
| Katy Sorenson, Vice-Chairperson | aye | | |
| Bruno A. Barreiro | aye | Jose "Pepe" Diaz | aye |
| Betty T. Ferguson | aye | Sally A. Heyman | aye |
| Joe A. Martinez | aye | Jimmy L. Morales | aye |
| Dennis C. Moss | aye | Dorrin D. Rolle | aye |
| Natacha Seijas | absent | Rebeca Sosa | aye |
| Sen. Javier D. Souto | aye | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 27th day of July, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



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

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency 

By: KAY SULLIVAN
Deputy Clerk

Gerald T. Heffernan



MEMORANDUM Not On

Agenda Item No. 4(HH)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. **DATE:** July 27, 2004
and Members, Board of County Commissioners

FROM: George M. Burgess
County Manager

SUBJECT: Agreement with City of
Miami Beach and Miami
Beach Redevelopment
Agency on Administrative
Charge Reimbursement
and Issuance of Bonds by
CRA and/or City

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the accompanying resolution that approves the form of the attached interlocal agreement ("Agreement") with the Miami Beach Redevelopment Agency ("CRA") and the City of Miami Beach ("City") and authorizes its execution by the County Manager. This Agreement provides for the assessment of an annual administrative charge by the County and the City for their oversight of the two community redevelopment districts under the jurisdiction of the CRA and approves the issuance of certain refunding bonds by the CRA and/or City.

BACKGROUND

The CRA administers the South Point Tax Increment District (created in 1973) and the City Center/Historic Convention Tax Increment District (created in 1992) established under provisions of the Florida Statutes, Chapter 163, part III. In FY 2003-04 budget, the Board of County Commissioners (the "BCC") adopted a new 1.5% administrative fee to be charged to all Community Redevelopment Agencies (the "Agencies") in the County for the oversight and processing of Agency related items by the County. The fee is necessary to recover the increasing cost of providing the work of the County's Tax Increment Financing and Coordinating Committee members and support staff who process, review and recommend the budgets and all other proposals of the Agencies coming before the BCC. Furthermore, the BCC authorized the County Manager to negotiate and execute interlocal agreements in order to ensure the implementation of this fee. The Florida Statutes allow Agencies to expend funds for administrative and overhead expenses necessary or incidental to the implementation of community redevelopment plans. The same Statutes also provide that the City and County are eligible to share in any Tax Increment Revenues not budgeted for a particular use and remaining at the end of an Agency's fiscal year. The proposed interlocal agreement relies on the latter provision as the mechanism to pay the fee to the County.

The City, by agreeing to pay the County fee, has required the County to also approve that the City shall also receive a 1.5% reimbursement on the City's tax increment distributions to the CRA. This provision allows the City to recover a greater fee than the County, in that the City's share of tax increment revenues exceeds the County's.

Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
Page 2

Furthermore, for cooperating with the County's fee on the CRA, the City and the CRA, in turn, require the County to approve the issuance by the CRA of not to exceed \$101,090,000 principal amount of refunding bonds for the purpose of refinancing the revenue bonds for the City Center/Historic Convention Village Community Redevelopment District while providing such bonds mature no later than the outstanding bonds. This enables the CRA to lock in more advantageous interest rates, while having no financial impact on the County.

The Fiscal Impact to the County of the CRA administrative fee being established by the proposed interlocal agreement is that of receiving approximate annual payments of \$200,000, or a 1.5% reimbursement on the approximately \$14 million of Tax Increment Payments made by the County to the CRA. The additional payment by the CRA to the City, and the issuance of refunding bonds, will have no impact on the County, as the Tax Increment payments by the County are pre-determined as 95% of ad valorem taxes revenues generated from incremental property tax rolls in the tax increment districts.

Attachment


Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: July 27, 2004

FROM: Robert A. Ginsburg
County Attorney

Not On

SUBJECT: Agenda Item No. 4(HH)

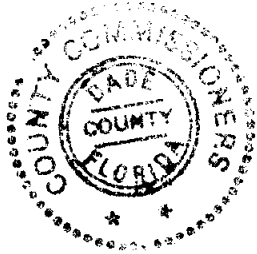
Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution R-958-04, adopted by said Board of County Commissioners at its meeting held on July 27, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 12th day of August, 2004.



Seal

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By *[Signature]*
Deputy Clerk