

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE "AD HOC NORTH BEACH CRA ADVISORY COMMITTEE," TO ADVISE THE ADMINISTRATION AND CITY COMMISSION IN CONNECTION WITH THE PROPOSED NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY (THE "NORTH BEACH CRA"), INCLUDING REVIEW AND INPUT WITH REGARD TO THE PROPOSED REDEVELOPMENT PLAN FOR THE NORTH BEACH CRA ("REDEVELOPMENT PLAN"), AND THE PRIORITIZATION OF PUBLIC PROJECTS TO BE INCLUDED IN THE REDEVELOPMENT PLAN; PRESCRIBING THE PURPOSE, POWERS AND DUTIES, COMPOSITION, TERMS OF OFFICE, KNOWLEDGE AND EXPERIENCE OF THE COMMITTEE MEMBERS; AND, PROVIDING FOR AN ADMINISTRATIVE LIAISON TO THE COMMITTEE.

WHEREAS, the Community Redevelopment Act of 1969, Chapter 163 of the Florida Statutes, allows local governments to use property taxes generated in designated communities for economic revitalization purposes within the district; and

WHEREAS, economic development is a primary Citywide goal, and the Miami Beach City Commission has emphasized a focus on North Beach, the area of Miami Beach north of 63rd Street; and

WHEREAS, within North Beach, there exists a defined geographic area containing a large number of deteriorated buildings and substandard housing units, which pose a public concern and demonstrate economic distress, as defined in Section 163.340, Florida Statutes; and

WHEREAS, both the 2014 North Beach Revitalization Plan, adopted pursuant to City Commission Resolution No. 2014-28879, and the 2016 North Beach Master Plan, adopted pursuant to Resolution No. 2016-29608 and reaffirmed by Resolution No. 2017-30013, identified use of a Community Redevelopment Agency as a potential funding mechanism for the numerous planning and improvement initiatives necessary for North Beach; and

WHEREAS, on July 25, 2018, the Mayor and City Commission adopted Resolution No. 2018-30432, accepting the recommendation of the NCAC to commence CRA discussions with the County; and

WHEREAS, in order to designate a CRA, the Community Redevelopment Act of 1969, Chapter 163, Florida Statutes, requires that an economic survey of the targeted area, also known as the finding of necessity report ("FoN"), determine the existence of a minimum two of fifteen specific conditions that the statute refers to as "blight" conditions; and

WHEREAS, although only two criteria are necessary to establish the need for a CRA, the City's consultant's FoN report identified the presence of nine (9) of the fifteen criteria, which are as follows:

1. predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
2. aggregate assessed values of real property in the area have failed to show appreciable increase over the five years prior to the finding of such conditions;
3. faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. unsanitary or unsafe conditions;
5. deterioration of site or other improvements;
6. inadequate and outdated building density patterns;
7. fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
8. a greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality; and
9. diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; and

WHEREAS, on July 17, 2019, the City Commission adopted Resolution No. 2019-30892, containing an earlier version of the FoN and directing the City Manager to initiate the process of requesting the CRA at the County level; and

WHEREAS, on October 31, 2019, the City of Miami Beach presented the FoN to the County Tax Increment Financing ("TIF") Committee, which accepted the declaration of necessity contained in the FoN, and made a motion to recommend that the City consider extending the boundary to include the Crespi and North Shore areas; and

WHEREAS, the City staff worked diligently to revised FoN to include the areas recommended by the County's TIF Committee, prior to advancing to the next County Commission committee meeting; and

WHEREAS, the City Administration (consistent with the County's TIF Committee's recommendation), proposed the following geographic boundaries for the proposed North Beach CRA: areas bounded by 87th Terrace to the north, the Atlantic Ocean to the east, 55th Street to the south, and Rue Notre Dame to the east; and

WHEREAS, the City studied the additional area and, after series of community engagements and resident feedback, decided to move forward with the original boundaries as detailed in the City Resolution No. 2019-30892; and

WHEREAS, on July 8, 2020, Miami-Dade County Board of Commissioners adopted Resolution No. R-619-20, finding that certain geographic area in the City of Miami Beach, generally described as bounded on the north by 87th Terrace, on the south by 65th Street, on the east by the Atlantic ocean, and on the west by Rue Notre Dame, to be slum or blighted; declaring that the rehabilitation, conservation and redevelopment, or a combination thereof, of the area to be in the interest of the public health, safety, morals and welfare of residents of the City and the County; and finding a need for the creation of the North Beach CRA; and

WHEREAS, it is in the best interest of the City to ensure the continued participation by residents, business owners, and community representatives of the North Beach Redevelopment area, in connection with the North Beach CRA; and

WHEREAS, as such, Commissioner Michael Gongora has sponsored this instant Resolution, which shall establish an ad hoc North Beach Redevelopment Oversight Committee

("Committee"), in order to advise the City Manager and City Mayor and City Commission in connection with the proposed North Beach CRA, including review and input with regard to the proposed redevelopment plan for the North Beach CRA ("Redevelopment Plan"), and the prioritization of public projects to be included in the Redevelopment Plan; and

WHEREAS, the purpose, powers and duties, composition, terms of office, knowledge and experience of the Committee members, and administrative liaison to the Committee are set forth in Exhibit "A" attached to this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby create an ad hoc North Beach Redevelopment Oversight Committee in order to advise the City Manager, and City Mayor and City Commission in connection with the proposed North Beach Community Redevelopment Area ("CRA"), including review and input with regard to the proposed redevelopment plan for the North Beach CRA ("Redevelopment Plan"), and the prioritization of public projects to be included in the Redevelopment Plan; prescribe the purpose, powers and duties, composition, terms of office, knowledge and experience of the Committee members; and, provide for an administrative liaison to the Committee.

PASSED AND ADOPTED this 13th day of January 2021.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

Sponsored by Commissioner Michael Gongora

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1-6-21
Date

EXHIBIT "A"

Ad Hoc North Beach CRA Advisory Committee

A. Purpose

The purpose of the Ad Hoc North Beach CRA Advisory Committee is to make advisory recommendations to the Administration and the City Commission, from a macro perspective, regarding the proposed North Beach CRA.

B. Powers and duties.

The Ad Hoc North Beach CRA Advisory Committee shall have the following powers and duties:

- (1) Provide advisory recommendations regarding the initial creation of the proposed Redevelopment Plan; and
- (2) Provide advisory recommendations regarding the public projects which would be included in the proposed Redevelopment Plan for the North Beach CRA, including recommendations relative to the overall timing, cost efficiencies, and prioritization of proposed public projects in the North Beach CRA;
- (3) Provide advisory recommendations regarding the proposed interlocal agreement with Miami-Dade County relating to the North Beach CRA, and all related matters pertaining to the initial establishment of the North Beach CRA.

C. Membership Composition

The Ad Hoc North Beach CRA Advisory Committee shall be composed of seven (7) at-large appointments, all of whom shall be appointed to serve for a term of no more than one (1) year at a time.

- (1) The seven (7) members shall be affiliated with the City; this requirement shall be fulfilled in the following ways:
 - (a) Resident Members. At least four (4) of the seven (7) members must currently reside within the geographic boundaries of the North Beach CRA area, and must have resided within the North Beach CRA area for a minimum of five years; or
 - (b) Business Member. At least one (1) of the seven (7) members shall demonstrate an Ownership Interest, for a minimum of five years, in a Business established within the geographic boundaries of the North Beach CRA area, without regard to that person's residency. A candidate who is both a resident and a business owner may qualify for either the Resident Member category pursuant to Section C(1)(a) above, or the Business Member category pursuant to this subsection.
 - (c) Real Estate Industry Member. One (1) out of seven (7) members of the Committee must be a real estate industry professional, residing generally within the City of Miami Beach.

(d) Attorney Member. One (1) out of seven (7) member of the Committee must be an attorney with experience in land use, real estate, or other related practice areas, residing generally within the City of Miami Beach.

(e) General Requirements.

(1) Each of the seven (7) members must have a demonstrated interest in neighborhood leadership issues, including, without limitation, neighborhood business groups, homeowners associations, condominium associations, cooperatives, civic groups, or other similar qualifications.

(2) None of the seven (7) members shall have previously served on a North Beach planning or steering committee, or have been employed by the City, served as an appointed or elected official for the City within the past five years.

For the purposes of this Section C, the following terms shall have the following meaning:

- “Ownership Interest” shall mean the ownership of ten percent (10%) or more (including the ownership of 10% or more of the outstanding capital stock) in a business.
- “Business” shall mean any sole proprietorship, sponsorship, corporation, limited liability company, but shall exclude a business engaged in real estate development and property management, or a law firm (as individuals practicing in those areas would be covered under the Real Estate Industry Member category in subsection C(1)(c) herein, or the Attorney Member category in subsection C(1)(d)).

Appointed members shall be required to demonstrate compliance with the City affiliation requirements herein by executing an affidavit, in a form prepared by the City Clerk’s Office, stipulating that they have met the requirements set forth above, prior to being sworn in as a member.

D. Conflict of interest.

in accordance with Florida law, under circumstances presenting a conflict of interest, an advisory board member should abstain from voting with respect to any measure in which the advisory board member has a personal, private, or professional interest and which inures to his special private gain or the special gain of a principal by whom he is retained. The City Attorney’s Office liaison shall assist advisory board members in addressing any potential voting conflicts, as necessary.

E. Administrative Liaison

The supporting departments for the Ad Hoc North Beach Development Oversight Committee shall be the City Manager’s Office, the Economic Development Department, and the Office of Capital Improvements. The City Attorney’s Office shall provide counsel to the Committee, and the City’s Office of the Inspector General shall provide oversight.