

RESOLUTION NO. 77-15413

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH REDEVELOPMENT PLAN, ADOPTED AND CREATED BY RESOLUTION NO. 77-15283, AS AMENDED BY RESOLUTION NO. 77-15291.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, that Resolution No. 77-15283 dated the 2nd day of March, 1977, as amended by Resolution No. 77-15291 dated the 30th day of March, 1977, be and the same is hereby further amended in accordance with and as set forth in a Resolution of the Miami Beach Redevelopment Agency which provides that the Agency shall provide within the project 750 units of permanent subsidized low and moderate income housing for the elderly at sites selected and in the manner determined by the Agency; such housing to be financed out of tax increment revenues or such other method which the Agency shall determine most feasible; providing a schedule of implementation of low and moderate income housing; and providing that the Agency shall be responsible to pay for or reimburse the City for the reasonable cost of moving the police station and public works facilities, all as more specifically set forth and provided in said Agency Resolution, a copy of which is attached hereto and expressly incorporated herein by reference.

PASSED and ADOPTED this 17th day of August, 1977.



Mayor

Attest:



City Clerk

EXHIBIT D

RESOLUTION OF

MIAMI BEACH REDEVELOPMENT AGENCY

8-17-77

Jm. Wm. Wm.

WHEREAS, the Miami Beach City Council adopted Resolution #77-15283 on March 2, 1977 which said Resolution was amended by Resolution #77-15291, said Resolution and amendment thereto effectively approving a plan for the redevelopment of the Southern portion of Miami Beach as more fully described therein, and

WHEREAS, since the date of adoption of said Resolution #77-15283 as amended by Resolution #77-15291, circumstances have changed in that the Florida Legislature enacted House Bill 36A effective July 1, 1977 which amended the Community Redevelopment Act of 1969, in many respects, including the adoption of tax increment financing as a method of financing redevelopment projects, and

WHEREAS, based upon the efficacy of such additional financing method it appears that additional funds, over and above sale and leasehold revenues, will be available to the Agency for financing of additional amenities, and

WHEREAS, in order to make such funds available and to otherwise comply with the provisions of Section 163.387 of Florida Statutes it is necessary that the City Council of Miami Beach establish a redevelopment trust fund, and

WHEREAS, it appears that it is necessary to amend and modify the redevelopment plan as adopted by the aforesaid Resolution, and

WHEREAS, Section 163.361, of Florida Statutes provides that the governing body may amend a plan once adopted upon the recommendation of the Agency.

NOW THEREFORE, BE IT RESOLVED, that the Miami Beach Redevelopment Agency recommends that the redevelopment plan hereinbefore approved by the City Council of Miami Beach by and through its adoption of Resolution #77-15283, as amended by Resolution #77-15291, be modified and amended in the following respects:

1. By adding the following provisions in regard to Low and Moderate Income Subsidized Housing:

(a) The Agency will provide within the project 750 units of permanent subsidized low and moderate income housing for the elderly

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CITY OF MIAMI BEACH

t sites selected and in the manner determined by the Agency. Such housing will be financed out of tax increment revenues or any method the Agency determines to be most feasible.

(b) The total overall residential units permitted in the project area by the redevelopment plan heretofore approved shall be increased by up to 750 units and the Agency shall be authorized to establish and locate within the project area said additional units without further amendment or modification to the redevelopment plan.

(c) Definitions: The term "low income" and "moderate income" shall be defined by the Agency based upon and for example and as a guideline only, the definitions used in the regulations defining the terms used in the Housing and Urban Development Section 8 rental assistance housing program.

(d) The apportionment of such housing between low and moderate income persons shall be determined and set by the Agency itself based upon the results of the survey in process of being conducted as of this date, and which will continue to be conducted in the future by Agency consultants, which survey will reflect the economic and demographic make-up of persons located in the area.

2. By adding the following Schedule of Implementation of Low and Moderate Income Housing:

The construction of the low and moderate income subsidized housing for the elderly shall be:

(a) Planned and executed so that the housing facilities will be available at such times as are necessary to meet the housing needs of the persons to be relocated with the following additional guidelines.

(b) Completion of all units shall take place prior to the completion of the project as a whole.

(c) Construction of said units shall commence no later than the commencement of construction in Phase II of the project.

3. By adding the following language concerning the Police Station and Public Works Facilities:

The Agency shall be responsible to pay for or reimburse the

ORDINANCEESTABLISHING REDEVELOPMENT TRUST FUND

BE IT ORDAINED by the City Council of Miami Beach:

SECTION 1: ESTABLISHMENT OF REDEVELOPMENT TRUST FUND

1.1 There is hereby established and created in accordance with the provisions of Florida Statute, Section 163.387 a redevelopment trust fund hereafter referred to as the "Fund."

1.2 The funds allocated to, and deposited into the Fund are hereby appropriated to the Miami Beach Redevelopment Agency hereafter referred to as "Agency," to finance the Miami Beach Community Redevelopment Project (hereafter referred to as "Project") as authorized by the Resolution of the Miami Beach City Council #77-15283 (amended by Resolution #77-15291), said Resolution, as amended, being adopted and made a part of this Ordinance by reference. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every community redevelopment purpose delegated to it in the aforementioned Resolution, as amended, and as contained in the plan for redevelopment and as provided by law, said fund shall exist for the duration of the project.

1.3 There shall be paid into the Fund, and the City hereby appropriates, commits and sets over for payment into the Fund a sum equal to that increment from the income proceeds, revenues and funds of the City derived from, or held in connection with the community redevelopment project area, and the City's undertaking and carrying out of the community redevelopment project therein.. Said increment shall be determined and appropriated annually, and shall be an amount equal to the difference between:

(a) That amount of ad valorem taxes levied each year by the City on taxable real property contained within the geographic boundaries of the Project; and

(b) That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the City upon the total of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by the City, last equalized

*Assessment
Salesman*

City for the reasonable cost of moving the police station and public works facilities, said cost to be from tax increment revenues or any source the Agency determines to be most feasible.

4. That the provisions of Florida Statute 163.387 as set forth in House Bill 36A which requires the establishment of a redevelopment trust fund shall be implemented by the adoption of such ordinance, the same to be in form and substance of the draft attached to this Resolution and made a part hereof and referred to as Attachment A.

5. That the proposed ordinance amending Ordinance #1891, presently pending before the City Council, be adopted as written and with no amendment or modification except only those amendments attached hereto and referred to as Attachments B & C.

6. That the modifications herein recommended by the Agency be submitted to the Board of County Commissioners of Metropolitan Dade County in order to confirm the delegation, to the City and the Agency, of any powers referred to herein not previously so delegated, in accordance with the provisions of Florida Statute Section 163.410. Additionally that the County be requested to adopt an ordinance similar in form and substance to Attachment A, appropriating annually a sum equal to its share of tax increment to the redevelopment trust fund and to adopt such other ordinances and perform such other acts necessary to fully fund the trust fund.

7. The recommendations of the Agency for modification and amendment to the redevelopment plan herein contained and other recommendations contained in items 1-6 above is submitted for adoption in their entirety. (Adoption of less than a total of the foregoing shall not be deemed the recommendation of the Agency.)

PASSED AND ADOPTED this _____ day of _____, 1977.

MIAMI BEACH REDEVELOPMENT AGENCY

By _____
Chairman

By _____
Secretary

prior to the effective date of the Resolution approving the community redevelopment plan.

1.4 The City will annually appropriate to the Fund the aforestated sum and pay the same into the Fund at the beginning of the City's fiscal year. The City's obligation to annually appropriate to the Fund shall commence immediately upon the effective date of this Ordinance and continue until all loans, advances and indebtedness, if any, and interest thereon incurred by the Agency as a result of the project have been paid and only to the extent that the tax increment recited above accrues.

SECTION 2: IMPLEMENTATION

2.1 The Agency is directed to establish and set-up the Fund and to develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said funds for their allocated statutory purpose.