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FOOTNOTE(S):

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**Editor's note—** Chapter 30A, §§ 30A-1 through 30A-15, is derived from Ord. No. 60-6 adopted February 9, 1960 and declared to be amendatory to this Code therein. The short title, declaration of necessity, separability, repealing and amendatory language have been omitted at the discretion of the editors. [(Back)](#BK_95EC8B3BD2C12F4CD4D378E9000DB132)

**Charter reference—** Authority of County Commission to establish and administer housing, slum clearance, and urban renewal programs, § 1.01(A)(8). [(Back)](#BK_95EC8B3BD2C12F4CD4D378E9000DB132)

**Cross reference—** Housing and Urban Development Department, §§ 2-186—2-189; demolition of uninhabitable structures, Ch. 17B. [(Back)](#BK_95EC8B3BD2C12F4CD4D378E9000DB132)

**State Law reference—** Community redevelopment, F.S. § 163.330 et seq. [(Back)](#BK_95EC8B3BD2C12F4CD4D378E9000DB132)

### ARTICLE I. IN GENERAL

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Sec. 30A-1. Definitions.

The following terms, wherever used or referred to in this chapter, shall have the following meanings, unless a different meaning is clearly indicated by the context:

(a) *Reserved.*

(b) *County* shall mean Miami-Dade County, Florida.

(c) *Public body* shall mean the State or any municipality, township, village, board, commission, authority, district, or any other subdivision or public body of the State.

(d) *Board* shall mean the Board of County Commissioners of Miami-Dade County, Florida.

(e) *Federal government* shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(f) *Slum area* shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(g) *Blighted area* shall mean an area which by reason of the presence of a substantial number of slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use; provided, that if such blighted area consists of open land the conditions contained in the proviso in [Section 30A-9](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-9PRAPURREPRPL)(d) shall apply; and provided further, that any disaster area referred to in subsection (g) of [Section 30A-9](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-9PRAPURREPRPL) shall constitute a blighted area.

(h) *Urban renewal project* may include undertakings and activities of the County in an urban renewal area for the elimination and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

(1) Acquisition of a slum area or a blighted area or portion thereof;

(2) Demolition and removal of buildings and improvements;

(3) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this chapter in accordance with the urban renewal plan;

(4) Disposition of any property acquired in the urban renewal area (including sale, initial leasing or retention by the County itself) at its fair value for uses in accordance with the urban renewal plan;

(5) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan; and

(6) Acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities.

(i) *Urban renewal area* means a slum area or a blighted area or a combination thereof which the Board of County Commissioners designates as appropriate for an urban renewal project.

(j) *Urban renewal plan* means a plan, as it exists from time to time, for an urban renewal project, which plan (1) shall conform to the general plan for the County as a whole except as provided in [Section 30A-9](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-9PRAPURREPRPL)(g); and (2) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(k) *Real property* shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest, right and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise.

(l) *Bonds* shall mean any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures or other obligations.

(m) *Obligee* shall include any bond holder, agents or trustees for any bondholders, or lessor demising to the municipality property used in connection with an urban renewal project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality.

(n) *Person* shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(o) *Area of operation* shall mean any area within the incorporated or unincorporated areas of Miami-Dade County.

(p) *Commission* shall mean a board, commission, department, division, office, body or other unit of the County or any municipality, other than the Board of County Commissioners.

(q) *Public officer* shall mean any officer who is in charge of any department or branch of the government of the County or any municipality relating to health, fire, building regulations, or other activities concerning dwellings in the County.

(Ord. No. 60-6, § 18, 2-9-60)

Sec. 30A-2. Reserved.

**Editor's note—**

[Section 30A-2](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-2RE), pertaining to the abolishment of the Urban Renewal Agency and transfer of the powers of same to the Director of Housing and Urban Development, has been deleted as obsolete. The section was derived from Ord. No. 60-6, [§ 16](../level2/PTIIICOOR_CH16GEOBBO.docx#PTIIICOOR_CH16GEOBBO), adopted Feb. 9, 1960; Ord. No. 64-39, [§ 15](../level2/PTIIICOOR_CH15SOWAMA.docx#PTIIICOOR_CH15SOWAMA), adopted July 21, 1964; Ord. No. 67-15, § 9, adopted March 7, 1967; and Ord. No. 67-32, § 4, adopted April 25, 1967.

Sec. 30A-3. Exercise of authority in municipalities.

The provisions of this chapter shall be applicable in both the incorporated and unincorporated areas of Miami-Dade County. However, the authority hereafter conferred by this chapter shall not be exercised within any municipality until after the Board of County Commissioners shall have adopted a resolution finding that: (1) One (1) or more slum or blighted areas exist in such municipality; and (2) the rehabilitation, conservation, redevelopment, or combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals or welfare.

(Ord. No. 60-6, § 5, 2-9-60)

Sec. 30A-4. Exercise of powers—By County Commission.

The Board of County Commissioners shall exercise all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following in addition to those otherwise vested in the Board, namely:

(a) To undertake and carry out urban renewal projects within the entire County; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this chapter; and to disseminate slum clearance and urban renewal information;

(b) To provide or to arrange or contract for the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities or other facilities for or in connection with an urban renewal project; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; and to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of an urban renewal project, and to include in any contract let in connection with such a project, provisions to fulfill such of said conditions as it may deem reasonable and appropriate;

(c) To enter or authorize the entry into any building or property in any urban renewal area in order to make inspections, surveys, appraisals, soundings or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise, any real property (or personal property for its administrative purposes) together with any improvements thereon; to hold, improve, clear or prepare for redevelopment any such property; to dispose of any real property; to insure or provide for the insurance of any real or personal property or operations against any risks or hazards, including the power to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate the purposes of this chapter. Provided, however, that no statutory provision with respect to the acquisition, clearance or disposition of property by public bodies shall restrict the Board in the exercise of such functions with respect to an urban renewal project, unless the Legislature shall specifically so state;

(d) To invest any urban renewal project funds held in reserves or sinking funds, or any such funds not required for immediate disbursement, in property or securities in which saving banks may legally invest funds subject to their control; to redeem such bonds as have been issued pursuant to [Section 30A-12](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-12BOSSPA) of this chapter at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be cancelled;

(e) To borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the federal government, the State, County, or other public body, or from any sources, public or private, for the purposes of this chapter, and to give such security as may lawfully be required and to enter into and carry out contracts in connection therewith. The Board may include in any contract for financial assistance with the federal government for an urban renewal project such conditions imposed pursuant to federal laws as the Board may deem reasonable and appropriate and which are not inconsistent with the purposes of this chapter;

(f) To make or have made all surveys and plans necessary to the carrying out of the purposes of this chapter and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify and amend such plans. Such plans may include, without limitation:

(1) A general plan for the County as a whole;

(2) Urban renewal plans;

(3) Preliminary plans outlining urban renewal activities for neighborhoods to embrace two (2) or more urban renewal areas;

(4) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;

(5) Plans for the enforcement of State and County laws, codes, ordinances, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements;

(6) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects. The Board is authorized to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and to apply for, accept and utilize grants of funds from the federal government for such purposes;

(g) To prepare plans for the relocation of persons (including families, business concerns and others) displaced by an urban renewal project, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government;

(h) To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this chapter, and to levy assessments for such purposes; to zone or rezone any part of the County or make exceptions from building regulations; and to enter into agreements with the Director of Housing and Urban Development vested with urban renewal project powers under [Section 30A-5](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-5SAYDIHOURDE) of this chapter (which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary), respecting action to be taken by the Board pursuant to any of the powers granted by this chapter;

(i) To close, vacate, plan or replan streets, roads, sidewalks, ways or other places; and to plan or replan any part of the County;

(j) To organize, coordinate and direct the administration of the provisions of this chapter in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the County may be most effectively promoted and achieved, and to establish such new office or offices or to reorganize existing offices in order to carry out such purpose most effectively;

(k) To exercise all or any part or combination of powers herein granted.

(Ord. No. 60-6, § 7, 2-9-60)

Sec. 30A-5. Same—By Director of Housing and Urban Development.

(a) The Board of County Commissioners shall exercise all the urban renewal duties, functions and powers enumerated in this chapter, unless the Board by resolution determines that certain powers, duties and functions may best be exercised by the Director of Housing and Urban Development in the public interest. In the event the Board, by resolution, makes such determination, said Director of Housing and Urban Development shall be vested with such powers as shall be specified in said resolution in the same manner as though such powers were conferred on such Director of Housing and Urban Development by the provisions of this chapter. If the Board does not elect to make such determination, the urban renewal project powers enumerated herein shall be exercised by the Board or through such Board, agency or officials as the Board may by resolution determine.

(b) As used in this section, the term urban renewal project powers shall include the rights, powers, functions and duties under this chapter, except the following:

(1) The power to determine an area to be a slum or blight area or combination thereof and to designate such area as appropriate for an urban renewal project and to hold any public hearings required with respect thereto;

(2) The power to approve urban renewal plans and modifications thereof;

(3) The power to establish a general plan for the County as a whole;

(4) The power to formulate a workable program under [Section 30A-8](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-8UTPRPUREHASLDEWOPR)

(5) The power to make the determinations and findings provided for in [Section 30A-7](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-7ENPRENREURREAR), [Section 30A-3](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-3EXAUMU), and [Section 30A-9](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-9PRAPURREPRPL)(d);

(6) The power to issue general obligation bonds;

(7) The power to appropriate funds, to levy assessments, and to exercise other powers provided for in [Section 30A-4](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-4EXPOYCOCO)(h).

(Ord. No. 60-6, § 15, 2-9-60)

Sec. 30A-6. Eminent domain.

The County shall have the right to acquire by condemnation any interest in real property, including a fee simple title thereto, which it may deem necessary for or in connection with an urban renewal project under this chapter. The County may exercise the power of eminent domain in the manner provided in Chapters 73 and 74, Florida Statutes, and acts amendatory thereof or supplementary thereto, or it may exercise the power of eminent domain in the manner now or which may be hereafter provided by any other statutory provisions for the exercise of the power of eminent domain. Property already devoted to a public use may be acquired in like manner; provided, that no real property belonging to the State, or any political subdivision thereof, may be acquired without its consent.

(Ord. No. 60-6, § 8, 2-9-60)

Sec. 30A-6.1. Neighborhood meeting required before acquisition of property by eminent domain.

Prior to presenting any resolution to the Board of County Commissioners that authorizes acquisition of real property by eminent domain proceedings, County administrative staff responsible for the acquisition shall publish in a newspaper of general circulation written notice of a public meeting which shall be held in the neighborhood that will be affected by the proposed acquisition to inform the neighbors, the property owners, and other interested persons of the purpose and scope of the project, as well as provide advisory information concerning acquisition procedures and relocation assistance.

(Ord. No. 93-79, § 1, 7-29-93)

**Editor's note—**

Ord. No. 93-79, adopted July 29, 1993, amended the Code by the addition of provisions which have been designated at the discretion of the editor as [§ 30A-6.1](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-6.1NEMEREBEACPREMDO)

Sec. 30A-7. Encouragement of private enterprise; redevelopment or urban renewal area.

The County Commission, to the greatest extent it determines to be feasible in carrying out the provisions of this chapter, shall afford maximum opportunity, consistent with the sound needs of this County as a whole, to the rehabilitation or redevelopment of the urban renewal area by private enterprise. The County Commission shall give consideration to this objective in exercising its powers under this chapter, including the formulation of a workable program, the approval of urban renewal plans (consistent with the master plan of the County), the exercise of its zoning powers, the enforcement of other laws, codes and regulations relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the provision of necessary public improvements.

(Ord. No. 60-6, § 3, 2-9-60)

Sec. 30A-8. Utilization of private and public resources to halt slum development; workable program.

The County Commission for the purposes of this chapter may formulate a workable program for utilizing appropriate private and public resources to eliminate, and prevent the development or spread of slums and urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of slum and blighted areas, or to undertake such of the aforesaid activities or other feasible activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for: the prevention of the spread of blight into areas which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation and conservation of slum and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds and other public improvements, by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of slum and blighted areas or portions thereof.

(Ord. No. 60-6, § 4, 2-9-60)

Sec. 30A-9. Preparation and approval of urban renewal projects and plans.

(a) An urban renewal project for an urban renewal area shall not be approved unless the Board of County Commissioners has, by resolution, determined such area to be a slum area or a blighted area or a combination thereof and designated such area as appropriate for an urban renewal project. The Board shall not approve an urban renewal plan until a comprehensive land use plan and a master thoroughfare plan for the entire County shall have been prepared. For this purpose, and for other County or municipal purposes, authority is hereby vested in the Planning and Zoning Director with the advice of the Miami-Dade County Planning Advisory Board to prepare, to adopt and to revise from time to time a general plan for the physical development of Miami-Dade County as a whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain coordination and cooperation with municipal planning agencies for such purpose and related municipal planning activities. No property shall be acquired for any urban renewal project unless the Board of County Commissioners has approved such urban renewal project in accordance with subsection (d) hereof.

(b) The Board of County Commissioners, or any person, group, or agency, public or private, may prepare, or cause to be prepared, an urban renewal plan. Such plan shall first be submitted to the Metropolitan Miami-Dade County Planning Advisory Board for review and recommendations as to its conformity with the general plan for the development of the County as a whole. The Planning Advisory Board shall submit its written recommendations with respect to the proposed urban renewal plan to the Board of County Commissioners within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the Planning Advisory Board or, if no recommendations are received within said sixty (60) days, then without such recommendations, said Board may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The Board of County Commissioners shall hold a public hearing on every urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the County. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the Board of County Commissioners may approve an urban renewal project if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the County as a whole; and (3) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the rehabilitation or development of the urban renewal area by private enterprise; provided, that if the urban renewal area consists of an area of open land to be acquired by the County, such area shall not be so acquired unless (1) if it is to be developed for residential uses, said Board shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the area; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas (including other portions of the urban renewal area); that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the County, or (2) if it is to be developed for nonresidential uses, the Board shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this chapter, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of the community by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

(e) An urban renewal plan may be modified at any time, provided that if modified after the lease or sale by the County of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the Board may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the Board of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area and the Board may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this chapter, where the Board certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the Governor of the State has certified the need for disaster assistance under Public Law 875, Eighty-first Congress, or other federal law, the Board may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan and a public hearing on the urban renewal project.

(Ord. No. 60-6, § 6, 2-9-60; Ord. No. 98-125, § 19, 9-3-98)

Sec. 30A-10. Disposal of property in urban renewal area.

(a) The Board of County Commissioners may sell, lease or otherwise transfer real property or any interest therein acquired by it, and may enter into contract with respect thereto, in an urban renewal area for residential, recreational, commercial, industrial or other uses or for public use, or may retain such property or interest for public use, in accordance with the urban renewal plan, subject to such covenants, conditions and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this chapter, provided, that such sale, lease, other transfer, or retention, and any agreement relating thereto, may be made only after the approval of the urban renewal plan by the Board. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban renewal plan, and may be obligated to comply with such other requirements as the Board may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on such real property required by the urban renewal plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in accordance with the urban renewal plan. In determining the fair value of real property for uses in accordance with the urban renewal plan, the Board shall take into account and give consideration to the uses provided in such plan; the restrictions upon, and the covenants, conditions and obligations assumed by the purchaser or lessee retaining the property; and the objectives of such plan for the prevention of the recurrence of slum or blighted areas. Any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease or otherwise transfer the real property without the prior written consent of the Board until he has completed the construction of any or all improvements which he has obligated himself to construct thereon. Real property acquired by the County which, in accordance with the provisions of the urban renewal plan, is to be transferred, shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban renewal plan. Any contract for such transfer and the urban renewal plan (or such part or parts of such contract or plan as the Board may determine) may be recorded in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

(b) The Board may dispose of real property in an urban renewal area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as hereinafter provided in this subsection. The Board may, by public notice by publication in a newspaper having a general circulation in the County (thirty (30) days prior to the execution of any contract to sell, lease or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section) invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof. Such notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those interested within thirty (30) days after the date of publication of said notice, and that such further information as is available may be obtained at such office as shall be designated in said notice. The Board shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out, and may negotiate with any persons for proposals for the purchase, lease or other transfer of any real property acquired by the County in the urban renewal area. The Board may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this chapter, provided, that a notification of intention to accept such proposal shall be filed with the Board not less than thirty (30) days prior to any such acceptance. Thereafter, the Board may execute such contract in accordance with the provisions of subsection (a) and deliver deeds, leases and other instruments and take all steps necessary to effectuate such contract.

(c) The Board may temporarily operate and maintain real property acquired in an urban renewal area pending the disposition of the property as authorized in this chapter, without regard to the provisions of subsection (a) above, for such uses and purposes as may be deemed desirable even though not in conformity with the urban renewal plan.

(Ord. No. 60-6, § 9, 2-9-60)

Sec. 30A-11. County property exempt from taxes, levy and sale by execution; presumption affecting title of purchasers.

(a) All property of Miami-Dade County, including funds, owned or held by it for the purposes of this chapter shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same nor shall judgment against the County be a charge or lien upon such property; provided, however, that the provisions of this section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this chapter by the County on its rents, fees, grants or revenues from urban renewal projects.

(b) The property acquired or held for the purposes of this chapter is declared to be public property used for essential public and governmental purposes and such property shall be exempt from all taxes of any municipality, the County, the State or any political subdivision thereof; provided, that such tax exemption shall terminate when the County sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

(c) Any instrument executed by the County and purporting to convey any right, title or interest in any property under this chapter shall be conclusively presumed to have been executed in compliance with the provisions of this chapter insofar as title or other interest of any bona fide purchasers, lessees or transferees of such property is concerned.

(Ord. No. 60-6, §§ 12, 14, 2-9-60)

Sec. 30A-12. Bonds—Issuance; payment.

(a) The Board of County Commissioners only shall have the power to issue bonds from time to time in its discretion to finance the undertaking of any urban renewal project under this chapter, including, but not limited to general obligation bonds, revenue bonds, tax anticipation bonds, special assessment bonds and refunding bonds. All such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds derived from or held in connection with its undertaking and carrying out of urban renewal projects under this chapter; provided, however, that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any urban renewal projects under this chapter.

(b) Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and shall not be subject to the provisions of any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under the provisions of this chapter are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

(c) Bonds issued under this section shall be authorized by resolution or ordinance of the Board only and may be issued in one (1) or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, not exceeding six (6) percentum per annum, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

(d) Such bonds may be sold at not less than par at public sales held after notice published prior to such sale in a newspaper having a general circulation in the County and in such other medium of publications as the Board may determine or may be exchanged for other bonds on the basis of par; provided, that such bonds may be sold to the federal government at private sale at not less than par, and, in the event less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the County of not to exceed the interest cost to the County of the portion of the bonds sold to the federal government.

(e) In case any of the County officials whose signatures appear on any bonds or coupons issued under this chapter shall cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this chapter shall be fully negotiable.

(f) In any suit, action or proceeding involving the validity or enforceability of any bond issued under this chapter or the security therefor, any such bond reciting in substance that it has been issued by the County in connection with an urban renewal project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the provisions of this chapter.

(Ord. No. 60-6, § 10, 2-9-60; Ord. No. 69-31, § 1, 5-1-69)

Sec. 30A-13. Same—As legal investments; security.

All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by Miami-Dade County pursuant to this chapter; provided that such bonds and other obligations shall be secured by an agreement between the issuer and the federal government in which the issuer agrees to borrow from the federal government and the federal government agrees to lend to the issuer, prior to the maturity of such bonds or other obligations, moneys in an amount which (together with any other moneys irrevocably committed to the payment of interest on such bonds or other obligation) will suffice to pay the principal of such bonds or other obligations with interest to maturity thereon, which moneys under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

(Ord. No. 60-6, § 11, 2-9-60)

Sec. 30A-14. Cooperation by public bodies in carrying out project; limitations.

(a) For the purpose of aiding in the planning, undertaking or carrying out of an urban renewal project located within the area in which it is authorized to act, any municipality or public body may, upon such terms, with or without consideration, as it may determine:

(1) Dedicate, sell, convey or lease any of its interest in any property or grant easements, licenses or other rights or privileges therein to Miami-Dade County;

(2) Incur the entire expense of any public improvements made in exercising the powers granted in this section;

(3) Do any and all things necessary to aid or cooperate in the planning or carrying out of an urban renewal plan;

(4) Lend, grant or contribute funds to the County;

(5) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with the County respecting action to be taken pursuant to any of the powers granted by this chapter, including the furnishing of funds or other assistance in connection with an urban renewal project; and

(6) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, sidewalks, ways or other places; plan or replan; zone or rezone any part of the municipality or make exceptions from building regulations; and cause administrative and other services to be furnished to the County. If at any time title to or possession of any urban renewal project is held by any municipality, public body or governmental agency, other than the County, which is authorized by law to engage in the undertaking, carrying out, or administration of urban renewal projects (including any agency or instrumentality of the United States of America), the provisions of the agreements referred to in this section shall inure to the benefit of any such public body or governmental agency and may be enforced by such public body and governmental agency.

(b) Any sale, conveyance, lease or agreement provided for in this section may be made by a municipal or public body without appraisal, public notice, advertisement or public bidding.

(c) For the purpose of aiding in the planning, undertaking or carrying out of an urban renewal project of an urban renewal agency hereunder, the Board may (in addition to its other powers and upon such terms, with or without consideration, as it may determine) do and perform any or all of the actions or things which, by the provisions of subsection (a) of this section, a public body is authorized to do or perform, including the furnishing of financial and other assistance.

(d) For the purposes of this section, or for the purpose of aiding in the planning, undertaking or carrying out of an urban renewal project, the Board may (in addition to any authority to issue bonds pursuant to [Section 30A-12](../level3/PTIIICOOR_CH30AURRE_ARTIINGE.docx#PTIIICOOR_CH30AURRE_ARTIINGE_S30A-12BOSSPA)) issue and sell its general obligation bonds. Any bonds issued pursuant to this section shall be issued in the manner and within the limitations prescribed by the laws of this State for the issuance and authorization of bonds by the County for public purposes generally except as to constitutional requirements.

(Ord. No. 60-6, § 13, 2-9-60)

Sec. 30A-15. Interest of officials, commissioners or employees in projects; method of disclosing; penalty for failure; holding of other offices.

No public official or employee of Miami-Dade County (or board, agency or commission thereof), and no public official or employee of any municipality in Miami-Dade County, and no employee of the Department of Housing and Urban Development shall voluntarily acquire any personal interest, direct or indirect, in any urban renewal project, or in any property included or planned to be included in any renewal project or in any contract or proposed contract in connection with such urban renewal project. Where such acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the Board of County Commissioners and such written disclosure shall be entered upon the official minutes of the County Commission. If any such official, commission or employee presently owns or controls, or owned or controlled within the preceding two (2) years, any interest, direct or indirect, in any property which he knows is included or planned to be included in any contemplated urban renewal project, he shall immediately disclose this fact in writing to the Board of County Commissioners and such written disclosure shall be entered in the official minutes of the County Commission, and any such official, commissioner or employee shall not participate in any action affecting such property. Any disclosure required to be made by this section to the Board of County Commissioners shall be made concurrently to the Director of the Department of Housing and Urban Development. No employee of the Department of Housing and Urban Development shall hold any other public office in Miami-Dade County or any municipality in Miami-Dade County, other than the office or position with respect to the Department of Housing and Urban Development. Any violation of the provisions of this section shall constitute misconduct in office, and shall operate to disqualify such person from further serving as an employee of the Department of Housing and Urban Development.

(Ord. No. 60-6, § 17, 2-9-60)

### ARTICLE II. SOUTH BEACH REDEVELOPMENT TRUST FUND

[Sec. 30A-16. Incorporation of recitations as to purpose, authority, etc.](#BK_3155679F68630AD14DCC8A67490ECC21)

[Sec. 30A-17. Delegation of authority to establish a redevelopment trust fund to the City of Miami Beach.](#BK_13AE0B2C27E3F7DAA6C14463B872AC85)

[Sec. 30A-18. Appropriation of funds; calculation of increment.](#BK_08E84F5312350EA246F73EEFC87F3911)

[Sec. 30A-19. Obligation to appropriate; duration of obligation; accounting requirements for County increment.](#BK_0CDA61E1788326E2CDA68F974EBF9102)

[Sec. 30A-20. Review and approval of master bond indenture or other financing instrument or ordinance or resolution authorizing financing instruments; review of subsequent financing instruments to assure compliance with master indenture.](#BK_1B7AF982220E3096B1E87F3354B877CD)

[Sec. 30A-21. Relocation assistance trust fund.](#BK_A64C39C4195D46BA9EAB27BB15D1130F)

[Sec. 30A-22. Review of financial records; right of audit.](#BK_76964A955C6803E5783B2E473EAD6EF8)

[Sec. 30A-23. Liberal construction to effectuate public purpose.](#BK_B8BC273652AEAAFA11A4B296B6B608AC)

[Secs. 30A-24—30A-50. Reserved.](#BK_C6A9071B0035EDB33091B468AC8D27E2)

Sec. 30A-16. Incorporation of recitations as to purpose, authority, etc.

The following recitations [from the preface to Ordinance No. 78-20] are hereby incorporated as a part of this article:

*Whereas,* the legislature of Florida enacted the Community Redevelopment Act of 1969 during the legislative session held during 1969; and

*Whereas,* all powers arising through the aforesaid enactment were conferred by that enactment upon counties with home rule charters, which counties in turn are authorized to delegate such powers to municipalities within their boundaries when such municipalities wish to undertake redevelopment projects within their respective municipal boundaries; and

*Whereas,* such authorization for counties to delegate such powers to municipalities is contained in Section 163.410, Florida Statutes, which states:

"163.410 Exercise of powers in counties with home rule charters

"In counties which have adopted home rule charters, the powers conferred by this part shall be exercised exclusively by the governing body of such County. However, the governing body of any such County which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon said County by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the County.;" and

*Whereas,* the City of Miami Beach, acting through its own community redevelopment agency, indicated its wish to undertake a project which will involve the acquisition and redevelopment in accordance with a plan for redevelopment of that portion of Miami Beach known as South Beach and extending from Sixth Street on the north to Government Cut on the south and from the Atlantic Ocean on the east to Biscayne Bay on the west; and

*Whereas,* the redevelopment trust fund will provide payment for the construction, reconstruction or relocation of County facilities made necessary by the redevelopment project; and

*Whereas,* the City of Miami Beach on February 1, 1977, requested the County to adopt a resolution pursuant to the provisions of Section 163.410, Florida Statutes, delegating to the City of Miami Beach all powers then conferred by the statute upon Miami-Dade County, but only with regard to that portion of Miami Beach described in the preceding whereas clause, so that the said municipality could proceed to adopt its plan for redevelopment, and acquire and arrange for the redevelopment of the above described portion of the said City; and

*Whereas,* the Board of County Commissioners of Miami-Dade County passed on February 1, 1977, Resolution No. R-88-77, entitled:

"RESOLUTION DELEGATING ALL POWERS CONFERRED UPON Miami-Dade COUNTY UNDER THE COMMUNITY REDEVELOPMENT ACT OF 1969 UPON THE CITY OF MIAMI BEACH FOR THE ACQUISITION AND REDEVELOPMENT OF THE SOUTH BEACH AREA WITHIN MIAMI BEACH SUBJECT TO THE IMPLEMENTATION OF THE PLAN PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS"; and

*Whereas,* the delegation of authority was expressly made subject to the implementation of the redevelopment plan presented that date to the Board of County Commissioners, with any substantial deviation being subject to the subsequent approval of the Board of County Commissioners; and

*Whereas,* a substantial modification of the plan was presented to the Board of County Commissioners on January 17, 1978, and approved by the Board through Resolution No. R-52-78; and

*Whereas,* the 1977 Florida legislature enacted Chapter 77-391, Laws of Florida, amending the Community Development Act of 1969, which is codified as Part III of Chapter 163, Florida Statutes, also known as Sections 163.330 through 163.450, Florida Statutes; and

*Whereas,* the City of Miami Beach approved Resolutions Nos. 77-15283, 77-15291 and 77-15413, adopted on March 2nd, March 30th and August 17th, 1977, respectively, approving modifications to the redevelopment plan of South Beach; and

*Whereas,* Chapter 77-391, Laws of Florida, created Section 163.387, Florida Statutes, permitting the establishment of redevelopment trust funds and the funding of the funds through the deposit in the funds of the increment in the income, proceeds, revenues, and funds of the County and municipality derived from or held in connection with its undertaking and carrying out of community redevelopment projects; and

*Whereas,* the additional redevelopment powers established by Chapter 77-391, Laws of Florida, including the authority to establish and fund a redevelopment trust fund were not delegated to the City of Miami Beach in Resolution No. R-88-77, passed on February 1st, 1977, or in Resolution No. R-52-78, passed on January 17th, 1978; and

*Whereas,* the establishment and funding of the redevelopment trust fund by such tax increment can only be effectuated through an ordinance of the Board of County Commissioners delegating the authority to establish a redevelopment trust fund to the City of Miami Beach; and

*Whereas,* the County is sympathetic to the project envisaged and proposed by the City of Miami Beach which will ultimately involve the expenditure of several hundreds of millions of dollars, which will be financed in part through revenue bonds to be issued by the City of Miami Beach and which is presently to be secured by such revenue sources as are provided by law, including the rents and revenues that individual projects and properties within the area of redevelopment will generate, the sale of properties by the City to individual entrepreneurs for redevelopment, the lease of a number of properties retained in ownership by the City, and revenues generated by increased assessed valuation of property resulting from the completed project; and

*Whereas,* the County desires to increase the viability of the project by delegating the authority to establish a redevelopment trust fund and funding it by the annual tax increment; and

*Whereas,* this Board desires to accomplish the purpose outlined in the memorandum from the County Manager, a copy of which is attached to this ordinance, for the reasons delineated therein; and

*Whereas,* the Board hereby finds that this delegation of power and ensuing appropriation of funds serves a public purpose;

now, therefore be it ordained by the Board of County Commissioners of Miami-Dade County, Florida, [as follows in this article].

(Ord. No. 78-20, § 1, 4-4-78)

Sec. 30A-17. Delegation of authority to establish a redevelopment trust fund to the City of Miami Beach.

The authority to create a redevelopment trust fund ("the fund"), as defined in Section 163.387, Florida Statutes, is hereby delegated to the City of Miami Beach pursuant to the provisions of Section 163.410, Florida Statutes, solely with respect to the area known as South Beach, which is generally bounded by Sixth Street on the north, Government Cut on the south, the Atlantic Ocean on the east, and Biscayne Bay on the west, and is legally described in the amended and restated redevelopment plan ("the community redevelopment project area"). This delegation is made subject to the provisions of Resolution No. R-88-77, adopted on February 1, 1977, Resolution No. R-52-78, adopted on January 17, 1978, and Resolution No. R-646-79, adopted on June 1, 1979, and so much therein as has been replaced by Resolution No. R-612-82, adopted on May 4, 1982, and by Resolution No. R-1056-84, adopted on September 4, 1984, and the implementation of the amended and restated redevelopment plan presented to the Board, the prior approval of which plan is hereby affirmed and ratified. This delegation is made so that the City may proceed with the implementation of a plan for redevelopment, and the acquisition of property and redevelopment of the aforesaid area through its municipally created community redevelopment agency.

(Ord. No. 78-20, § 2, 4-4-78; Ord. No. 79-33, § 1, 6-5-79; Ord. No. 82-57, § 1, 6-15-82; Ord. No. 84-73, § 1, 9-18-84; Ord. No. 89-59, § 2, 6-20-89)

Sec. 30A-18. Appropriation of funds; calculation of increment.

The County shall annually pay into the fund a sum equal to the increment in the income, proceeds, revenues and funds of the County 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 plan. The increment shall be determined annually and shall be that amount equal to ninety-five (95) percent of the difference between:

(a) That amount of general Countywide operating ad valorem taxes levied each year by the County on taxable real property contained within the geographic boundaries of the community redevelopment project area; and

(b) That amount of general Countywide operating ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the County upon the total of the assessed value of the taxable real property in the community redevelopment project area, as shown upon the assessment rolls used in connection with the taxation of such property by the County, last equalized prior to the effective date of the city's Resolutions Nos. 77-15283, 77-15291 and 77-15413, adopted on March 2nd, March 30th and August 17th, 1977, respectively, approving the community redevelopment plan with modifications.

In calculating the increment, the amount of the ad valorem taxes levied based on the Countywide debt service on County bonds and other special purpose taxes shall be totally excluded from the calculation. All increment in this amount shall continue to be used for its voter-approve purpose and shall not be appropriated in any part to the fund.

(Ord. No. 78-20, § 3, 4-4-78; Ord. No. 86-87, § 1, 11-18-86)

Sec. 30A-19. Obligation to appropriate; duration of obligation; accounting requirements for County increment.

The County shall annually appropriate to the fund the tax increment due the fund by January first of each year. The County's obligation to annually appropriate to the fund shall commence immediately upon the effective date of this article [April 14, 1978] and continue until all loans, advances and indebtedness incurred as a result of the community redevelopment project and secured by a pledge of the tax increment funding granted by this article, as described in Section 163.385, Florida Statutes, have been paid in full or provision for their payment in full has been made. In no year shall the County's obligation to the fund exceed the amount of that year's tax increment as determined in [Section 30A-18](../level3/PTIIICOOR_CH30AURRE_ARTIISOBERETRFU.docx#PTIIICOOR_CH30AURRE_ARTIISOBERETRFU_S30A-18APFUCAIN). In the final year in which existing indebtedness so supported is discharged, only so much of that year's tax increment as is needed to finally discharge that indebtedness shall be advanced by the County into the fund created pursuant to [Section 30A-17](../level3/PTIIICOOR_CH30AURRE_ARTIISOBERETRFU.docx#PTIIICOOR_CH30AURRE_ARTIISOBERETRFU_S30A-17DEAUESRETRFUMIBE). The County's increment contributions are to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service.

(Ord. No. 78-20, § 4, 4-4-78; Ord. No. 79-33, § 2, 6-5-79; Ord. No. 80-26, § 1, 4-8-80; Ord. No. 81-42, § 1, 4-21-81; Ord. No. 82-33, § 1, 4-20-82; Ord. No. 82-106, § 1, 11-2-82; Ord. No. 84-73, § 1, 9-18-84; Ord. No. 86-87, § 2, 11-18-86; Ord. No. 89-59, § 3, 6-20-89)

Sec. 30A-20. Review and approval of master bond indenture or other financing instrument or ordinance or resolution authorizing financing instruments; review of subsequent financing instruments to assure compliance with master indenture.

The County Commission shall review and approve the initial master bond indenture or ordinance or resolution authorizing financing instruments and instruments of indebtedness such as bonds or tax anticipation notes as described in Section 163.385, Florida Statutes (1977), as to its provisions relating to refunding, prepayment and redemption, other provisions relating to the governance of financing instruments and instruments of indebtedness, the application of funds necessary to pay costs of necessary residential property acquisition, moving expenses and relocation benefits as provided under the revised redevelopment plan. Subsequent financing instruments or instruments of indebtedness prepared pursuant to the master indenture shall be reviewed by the County Manager and shall be approved unless he determines that the instruments do not conform with the terms of the approved initial master indenture and ordinance or resolution authorizing financing instruments.

(Ord. No. 78-20, § 5, 4-4-78; Ord. No. 79-33, § 3, 6-5-79)

Sec. 30A-21. Relocation assistance trust fund.

Out of the proceeds of each bond sale where such proceeds will be used for property acquisition which will result in displacement of individuals, families or businesses, there shall be withdrawn, placed in trust, and separately accounted for, such sums as are prescribed in the revised redevelopment plan to pay the costs of moving expenses and relocation benefits.

(Ord. No. 78-20, § 6, 4-4-78; Ord. No. 79-33, § 4, 6-5-79)

Sec. 30A-22. Review of financial records; right of audit.

The financial records for the fund shall be available for County inspection, and the County reserves the right of audit.

(Ord. No. 78-20, § 7, 4-4-78)

Sec. 30A-23. Liberal construction to effectuate public purpose.

This article, being for a public purpose and for the welfare of the citizens of Miami-Dade County, Florida, shall be liberally construed to effectuate the purposes thereof.

(Ord. No. 78-20, § 8, 4-4-78)

Secs. 30A-24—30A-50. Reserved.

### ARTICLE III. REDEVELOPMENT OF MIAMI BEACH CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA [[2]](#BK_35A112E1CD644F9B9988C1943A550BC7)

[Sec. 30A-51. Establishment of redevelopment trust fund; appropriation of funds; calculation of increment.](#BK_8BAF9F44E757648A302C5797DF007284)

[Sec. 30A-52. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for County increment.](#BK_FFCE9E1511120B20C29A2BA7EC3245CE)

[Sec. 30A-53. Review of financial records; right of audit.](#BK_2A1FC9FC5B2895DC02D7D3CFDA305E15)

[Sec. 30A-54. Liberal construction to effectuate public purpose.](#BK_876BD9271BF29BF4AD9B9E61FAB4A2A9)

[Secs. 30A-55—30A-100. Reserved.](#BK_48D4580F20416670388474E9CD80A896)

Sec. 30A-51. Establishment of redevelopment trust fund; appropriation of funds; calculation of increment.

A City Center/Historic Convention Village Redevelopment and Revitalization Trust Fund (the "fund") is hereby established. Each taxing authority (as defined in Part III Chapter 163, Florida Statutes) shall annually pay into the fund, a sum not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the community redevelopment project area, and the city's undertaking and implementing of its City Center/Historic Convention Village Redevelopment and Revitalization Plan. The increment shall be determined annually and shall be that amount equal to ninety-five (95) percent of the difference between:

(1) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the redevelopment area; and

(2) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this article [Ordinance No. 93-28].

(Ord. No. 93-28, § 2, 4-27-93)

Sec. 30A-52. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for County increment.

Each taxing authority shall by January first of each year appropriate to the fund for so long as any indebtedness pledging the tax increment due the fund is outstanding (but not to exceed thirty (30) years), a sum not less than the increment as defined and determined by [Section 30A-51](../level3/PTIIICOOR_CH30AURRE_ARTIIIREMIBECEHICOVIREREAR.docx#PTIIICOOR_CH30AURRE_ARTIIIREMIBECEHICOVIREREAR_S30A-51ESRETRFUAPFUCAIN). In no year shall the County's obligation to the fund exceed the amount of that year's tax increment as determined in [Section 30A-51](../level3/PTIIICOOR_CH30AURRE_ARTIIIREMIBECEHICOVIREREAR.docx#PTIIICOOR_CH30AURRE_ARTIIIREMIBECEHICOVIREREAR_S30A-51ESRETRFUAPFUCAIN). Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without amending this article. The County's obligation to fund the fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the community redevelopment agency incurred as a result of redevelopment in the redevelopment area have been paid. The County's increment contribution is to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

(Ord. No. 93-28, § 3, 4-27-93)

Sec. 30A-53. Review of financial records; right of audit.

The financial records for the redevelopment trust fund shall be prepared pursuant to Section 163.387(8), Florida Statutes and shall be available for County inspection. The County reserves the right of audit of the fund.

(Ord. No. 93-28, § 4, 4-27-93)

Sec. 30A-54. Liberal construction to effectuate public purpose.

This article [Ordinance No. 93-28] is hereby declared to be for a public purpose and for the welfare of the citizens of Miami-Dade County, Florida, and shall be liberally construed to effectuate the purposes thereof.

(Ord. No. 93-28, § 5, 4-27-93)

Secs. 30A-55—30A-100. Reserved.

FOOTNOTE(S):

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**Editor's note—** Ord. No. 93-28, adopted April 27, 1993, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. III, §§ 30A-51—30A-54. [(Back)](#BK_0F1A8E514806FCC7994CA7E87CAF50B9)

### ARTICLE IV. HOMESTEAD COMMUNITY REDEVELOPMENT AND REVITALIZATION TRUST FUND [[3]](#BK_9F089BDA09CEBDDFCA65E3BDFB2AB3C4)

[Sec. 30A-101. Incorporation of ordinance recitations.](#BK_EC4AC90677CFAB55567BB4513DDC6515)

[Sec. 30A-102. Establishment of redevelopment trust fund; appropriations of funds; calculation of increment.](#BK_7EF052C8BECA7E76CCB1182C0968AC7C)

[Sec. 30A-103. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for County increment.](#BK_99BD1F11B68BF3F24BC8603954B22DF9)

[Sec. 30A-104. Review of financial records; right of audit.](#BK_865E3030535A262279BE3007381D344C)

[Sec. 30A-105. Public purpose.](#BK_42BC8BC4682442E4DAC610DDB603BB3E)

[Sec. 30A-106. Severability.](#BK_1D757BE9C2663A880BBA505F618C8AAF)

[Secs. 30A-107—30A-120. Reserved.](#BK_519707C92E32FB13279C6FFE605640AC)

Sec. 30A-101. Incorporation of ordinance recitations.

The recitations set out in Ordinance No. 94-125 are hereby deemed true and correct and are hereby incorporated as a part of this article by reference.

(Ord. No. 94-125, § 1, 6-21-94)

Sec. 30A-102. Establishment of redevelopment trust fund; appropriations of funds; calculation of increment.

A Homestead Community Redevelopment and Revitalization Trust Fund (the "fund") is hereby established. Each taxing authority (as defined in Part III Chapter 163, Florida Statutes, as amended) shall annually pay into the fund, a sum not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the community redevelopment project area, and the city's undertaking and implementing of its community redevelopment and revitalization plan. The increment shall be determined annually and shall be that amount equal to ninety-five (95) percent of the difference between:

(a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service mileage, on taxable real property contained within the geographic boundaries of the redevelopment area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service mileage, upon the total of the assessed value of the taxable real property in the redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this article [Ordinance No. 94-125].

(Ord. No. 94-125, § 2, 6-21-94)

Sec. 30A-103. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for County increment.

Each taxing authority shall by January 1st of each year appropriate to the fund for so long as any indebtedness pledging the tax increment due the fund is outstanding (but not to exceed thirty (30) years), a sum not less than the increment as defined and determined by [Section 30A-102](../level3/PTIIICOOR_CH30AURRE_ARTIVHOCORERETRFU.docx#PTIIICOOR_CH30AURRE_ARTIVHOCORERETRFU_S30A-102ESRETRFUAPFUCAIN). In no year shall the County's obligation to the fund exceed the amount of that year's tax increment as determined in [Section 30A-102](../level3/PTIIICOOR_CH30AURRE_ARTIVHOCORERETRFU.docx#PTIIICOOR_CH30AURRE_ARTIVHOCORERETRFU_S30A-102ESRETRFUAPFUCAIN). Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without amending this article [Ordinance No. 94-125]. The County's obligation to fund the fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the community redevelopment agency incurred as a result of redevelopment in the redevelopment area have been paid. The County's increment contribution is to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

(Ord. No. 94-125, § 3, 6-21-94)

Sec. 30A-104. Review of financial records; right of audit.

The financial records for the redevelopment trust fund shall be prepared pursuant to Section 163.387(8), Florida Statutes, as amended and shall be available for County inspection. The County reserves the right of audit of the fund.

(Ord. No. 94-125, § 4, 6-21-94)

Sec. 30A-105. Public purpose.

This article [Ordinance No. 94-125] is hereby declared to be for a public purpose and for the welfare of the citizens of Miami-Dade County, Florida, and shall be liberally construed to effectuate the purpose thereof.

(Ord. No. 94-125, § 5, 6-21-94)

Sec. 30A-106. Severability.

If any section, subsection, sentence, clause or provision of this article is held invalid, the remainder of this article shall not be affected by such invalidity.

(Ord. No. 94-125, § 6, 6-21-94)

Secs. 30A-107—30A-120. Reserved.

FOOTNOTE(S):

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**Editor's note—** Ord. No. 94-125, adopted June 21, 1994, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. IV, §§ 30A-101—30A-106. [(Back)](#BK_1E9E3F6D6BBC3B09ECA03EA2E4CC38F1)

### ARTICLE V. FLORIDA CITY COMMUNITY REDEVELOPMENT AREA [[4]](#BK_41C7117600E7F328830F0D1389D8F1D0)

[Sec. 30A-121. Incorporation of recitations.](#BK_8DBC336D12B9DFE33D87FA55D35E592D)

[Sec. 30A-122. Establishment of redevelopment trust fund; appropriation of funds; calculation of increment.](#BK_76B1C715A37CE480E3D786E849DDD70F)

[Sec. 30A-123. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for county increment.](#BK_A49D556D1AEEDDFF4D44156A7B01F7ED)

[Sec. 30A-124. Expenditure of funds.](#BK_A34505B1EFDD8AEBDF85ED0E0512051E)

[Sec. 30A-125. Review of financial records; right of audit.](#BK_F1CAA640B63D3123297EA6A0D1B57222)

[Sec. 30A-126. Public purpose.](#BK_67DEC87C3890C1D534DE5CC1354CC953)

[Sec. 30A-127. Severability.](#BK_23DA4EE397ED43B9372CFF7CB753EED0)

Sec. 30A-121. Incorporation of recitations.

The recitations contained in Ordinance No. 95-108 are hereby deemed true and correct and are hereby incorporated as a part of this article.

(Ord. No. 95-108, § 1, 6-20-95)

Sec. 30A-122. Establishment of redevelopment trust fund; appropriation of funds; calculation of increment.

The Florida City Community Redevelopment and Revitalization Trust Fund (the "Fund") is hereby established. Each taxing authority (as defined in Part III Chapter 163, Florida Statutes, as amended) shall annually pay into the Fund, a sum not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the community redevelopment area, and the city's undertaking and implementing of the plan. The increment shall be determined annually and shall be that amount equal to ninety-five (95) percent of the difference between:

(a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the redevelopment area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this article.

The amount of ad valorem taxes levied each year will be based on the millage rate in effect in that year for each taxing authority.

(Ord. No. 95-108, § 2, 6-20-95)

Sec. 30A-123. Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for county increment.

Each taxing authority shall by January 1st of each year appropriate to the Fund for so long as any indebtedness pledging the tax increment due the Fund is outstanding (but not to exceed thirty (30) years), a sum not less than the increment as defined and determined by [Section 30A-122](../level3/PTIIICOOR_CH30AURRE_ARTVFLCOREAR.docx#PTIIICOOR_CH30AURRE_ARTVFLCOREAR_S30A-122ESRETRFUAPFUCAIN). In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined in [Section 30A-122](../level3/PTIIICOOR_CH30AURRE_ARTVFLCOREAR.docx#PTIIICOOR_CH30AURRE_ARTVFLCOREAR_S30A-122ESRETRFUAPFUCAIN). Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without amending this article. The County's obligation to fund the Fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the agency incurred as a result of redevelopment in the redevelopment area have been paid. The County's increment contribution is to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

(Ord. No. 95-108, § 3, 6-20-95)

Sec. 30A-124. Expenditure of funds.

Moneys in the fund may be expended from time to time for the following purposes, when directly related to financing or refinancing redevelopment in the redevelopment area pursuant to the plan:

(1) Administrative and overhead expenses necessary or incidental to the implementation of the plan.

(2) Expenses or redevelopment planning, surveys, and financial analysis, including the reimbursement of the City Commission or the City of Florida City or the agency for such expenses incurred before the plan was approved and adopted.

(3) The acquisition of real property in the redevelopment area.

(4) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in Section 163.370, Florida Statutes (1993).

(5) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.

(6) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of agency bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other indebtedness.

(Ord. No. 95-108, § 4, 6-20-95)

Sec. 30A-125. Review of financial records; right of audit.

The financial records for the Fund shall be prepared pursuant to Section 163.387(8), Florida Statutes, as amended, and shall be available for County inspection. The County reserves the right of audit of the fund.

(Ord. No. 95-108, § 5, 6-20-95)

Sec. 30A-126. Public purpose.

This article is hereby declared to be for public purpose and for the welfare of the citizens of Miami-Dade County, Florida, and shall be liberally construed to effectuate the purpose thereof.

(Ord. No. 95-108, § 6, 6-20-95)

Sec. 30A-127. Severability.

If any section, subsection, sentence, clause or provision of this article is held invalid, the remainder of this article shall not be affected by such invalidity.

(Ord. No. 95-108, § 7, 6-20-95)

FOOTNOTE(S):

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**Editor's note—** Ord. No. 95-108, adopted June 20, 1995, amended the Code by the addition of provisions which have been included herein as Art. III, §§ 30A-121—30A-127. [(Back)](#BK_8AE96641461B9404B8EEAB4674986435)

### ARTICLE VI. TASK FORCE ON URBAN ECONOMIC REVITALIZATION

[Sec. 30A-128. Creation of the task force on urban economic revitalization.](#BK_F2259BABAC3073C2D5B44A203BD8F6E4)

[Sec. 30A-129. Definitions.](#BK_E1F1CACBEFDA0818CD32C45584768560)

[Sec. 30A-130. Governing body.](#BK_2ADFBAC75A51C707CE4A7DD402D4013C)

[Sec. 30A-131. Terms of office, tenure and removal of Directors.](#BK_5D59A9898F2E280AB93A64E404C4E8F1)

[Sec. 30A-132. Qualifications.](#BK_ED67ADE00F0A66B4C60B8DE7DD033E45)

[Sec. 30A-133. Organization and procedure.](#BK_6A01771B8835C54188C33A1A17D7AF0D)

[Sec. 30A-134. Powers and duties.](#BK_E8F44B9183874022095BCA19BB654B64)

[Sec. 30A-135. County spending in targeted urban areas to be in accordance with the Plan.](#BK_81EF49FF660D168A53D3DB46BC73EBE8)

[Sec. 30A-136. County spending in non-targeted urban areas not affected by ordinance.](#BK_651AE3E5A51C97126761E6F28C78C071)

[Sec. 30A-137. Staff support.](#BK_BE27C63350019BB730264B660EC3ACA4)

[Sec. 30A-138. Liberal construction to effectuate public purpose.](#BK_6F6494EDA0102BA7A0515BB639D1DF3D)

[Secs. 30A-139—30A-150. Reserved](#BK_71A16478CA52E44D7841B036F01E8D38)

Sec. 30A-128. Creation of the task force on urban economic revitalization.

There is hereby created and established as an agency and instrumentality of Miami-Dade County a revocable trust which shall be named and known as a Task Force on Urban Economic Revitalization hereinafter referred to as "the Task Force." The Task Force shall be a public body through which its governing body may exercise all those powers either specifically granted herein or necessary in the exercise of the powers herein enumerated.

(Ord. No. 97-33, § 1, 4-15-97)

Sec. 30A-129. Definitions.

For the purposes of this section the following definitions shall be effective:

(1) *Urban Economic Revitalization* means the undertakings and activities of Miami-Dade County and its residents in implementing comprehensive economic development strategies to create jobs, cause an increase in the tax base, and promote business activity in Targeted Urban Areas located in Miami-Dade County.

(2) *Targeted urban areas* means those geographical areas commonly known as: Liberty City, Model City/Brownsville, Carol City, Goulds, Overtown, Little Haiti, Opa-locka, Richmond Heights, Homestead, Florida City, Coconut Grove, Northwest 27th Avenue Corridor, Northwest 183rd Street Corridor, West Little River, Princeton/Naranja, Leisure City, South Miami, Perrine and the following City of North Miami Districts: 7th Avenue District, Downtown District, West Dixie Highway District and Biscayne Boulevard District. Any geographic locations in Miami-Dade County which are designated by the Federal Government as empowerment zones shall be included in the definition of targeted urban areas at the time of such designation. Maps or street descriptions setting forth the contiguous boundaries of the targeted urban areas, which are more fully described in Exhibit A that is attached to this ordinance [Ord. No. 11-05], are hereby incorporated herein by reference. Exhibit A shall replace any prior maps describing the target urban areas, which are currently on file with the Clerk of the Board of County Commissioners. The Clerk of the Board is directed to file Exhibit A upon the effective date of this ordinance [February 11, 2011].

(3) *County funds* means funds received by the County from any source, and shall include but not be limited to, general funds, omnibus reserve funds, state or federal grant funds, and any empowerment zone funding granted to Miami-Dade County before and after the effective date of this article

(Ord. No. 97-33, § 2, 4-15-97; Ord. No. 02-39, § 1, 3-12-02; Ord. No. 11-05, § 1, 2-1-11)

Sec. 30A-130. Governing body.

(a) *Membership; compensation.* The governing body of the Task Force shall be a Board of Directors composed of twenty-three (23) voting members. Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties.

(b) *Composition.* The voting membership of the Board of Directors shall be ethnically, racially, geographically and gender balanced and shall be composed of the following members:

(1) One (1) member representing the financial or banking community;

(2) One (1) member representing the legal community;

(3) One (1) member nominated by the Chairperson of the Board of County Commissioner's Committee which has jurisdiction over community and economic development;

(4) One (1) member with a background in public sector budgeting and finance;

(5) One (1) member nominated by the Beacon Council;

(6) One (1) member representing the civic and private sector business community which shall be nominated by the Greater Miami Chamber of Commerce;

(7) One (1) member representing the civic and private sector business community which shall be nominated by the Miami-Dade Chamber of Commerce;

(8) One (1) member nominated by the Metro-Miami Action Plan Trust

(9) Two (2) members of the Florida Legislature, one (1) from the House and one (1) from the Senate, who were elected from districts which are located, wholly or partially, within a targeted urban areas;

(10) One (1) member nominated by the Urban Bankers Association, Inc.;

(11) One (1) member nominated by the Black Lawyers Association Inc.;

(12) One (1) member nominated by the Black Business Association;

(13) One (1) member nominated by Tools for Change;

(14) One (1) member nominated by a community development organization which allows the community to vote on its Board membership;.

(15) Four (4) members of the Board of County Commissioners whose districts constitute the largest part of the Targeted Urban Areas shall each designate one (1) member of the Task Force who shall be residents of targeted urban areas or who are business owners who have places of business within targeted urban areas.

(16) One (1) member representing the Commercial/Industrial Development Community;

(17) One (1) member nominated by the Coalition of Community Development Corporations;

(18) One (1) member representing the investment banking community;

(19) One (1) member representing the insurance community;

Members of the Board of County Commissioners who were elected from districts which are located, wholly or partially, in the targeted urban areas, shall serve as ex-officio, non-voting advisors to the Task Force. These advisors shall not count towards a quorum.

Vacancies on the Board of Directors shall be filled in the same manner by which the original members were appointed, with a special emphasis on choosing persons representative of the gender, racial and ethnic composition of the entire community.

(Ord. No. 97-33, § 3, 4-15-97)

Sec. 30A-131. Terms of office, tenure and removal of Directors.

All non-ex officio members shall serve staggered terms of three (3) years each; provided, however, of the original Board of Directors, the Mayor of Metropolitan Miami-Dade County shall select five (5) members for a term of one (1) year, and five (5) members for a term of two (2) years and the remaining non-ex officio members for a term of three (3) years. No member, with the exception of ex-officio members and advisors, shall be permitted to serve more than two (2) consecutive and complete terms of three (3) years each unless so authorized by the Mayor of Metropolitan Miami-Dade County. Members may be removed in accordance with the provisions of [Section 2-11.38](../level3/PTIIICOOR_CH2AD_ARTIBSTCRREBOGE.docx#PTIIICOOR_CH2AD_ARTIBSTCRREBOGE_S2-11.38MEBO) of the Code of Metropolitan Miami-Dade County.

(Ord. No. 97-33, § 4, 4-15-97)

Sec. 30A-132. Qualifications.

Each member of the Task Force must comply with the requirements of [Section 2-11.38](../level3/PTIIICOOR_CH2AD_ARTIBSTCRREBOGE.docx#PTIIICOOR_CH2AD_ARTIBSTCRREBOGE_S2-11.38MEBO) of the Code of Metropolitan Miami-Dade County.

(Ord. No. 97-33, § 2, 4-15-97)

Sec. 30A-133. Organization and procedure.

(1) *Officers.* The Task Force shall organize after the members thereof have qualified to serve. The Mayor shall appoint the initial Chairperson and Vice-Chairperson and officers of the Task Force as necessary. These officers shall hold such offices for an initial one-year term. After expiration of the initial term of office of such officers, the Task Force shall elect its officers from among its members. In addition, the Task Force shall make, adopt and amend bylaws, rules and regulations for its own governance.

(2) *Meetings.* The Task Force shall hold regular meetings and such other meetings as it deems necessary. A majority of the members of the Task Force shall constitute a quorum. Minutes shall be kept of all meetings of the Task Force and all meetings shall be public.

(3) *Committees.* The Task Force shall appoint any committees it deems necessary.

(4) *Applicability of County rules and procedures.* The trust shall at all times operate under the Florida Open Government laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all state and County conflict of interest laws, as applicable, including the Metropolitan Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, [Section 2-11.1](../level3/PTIIICOOR_CH2AD_ARTIINGE.docx#PTIIICOOR_CH2AD_ARTIINGE_S2-11.1COINCOETOR) of the Code of Metropolitan Miami-Dade County.

(5) *Voting requirements.* Trustees may designate in writing alternates to attend meetings and/or vote on their behalf.

(Ord. No. 97-33, § 6, 4-15-97)

Sec. 30A-134. Powers and duties.

The powers and duties of the Task Force shall be as follows:

(a) To serve in an advisory capacity to the Mayor and the Board of County Commissioners with respect to all issues affecting urban economic revitalization related to targeted urban areas;

(b) To develop and present to the Mayor and the Board of County Commissioners within ninety (90) to one hundred twenty (120) days from the first meeting of the Task Force, a "Plan" which shall:

(1) Identify the goals of the Plan and identify specific, focused, achievable economic development projects and/or programs to be carried out wholly or partially within the targeted urban areas,

(2) Delineate the action steps necessary or desirable to accomplish goals of the Plan,

(3) Develop a plan for private sector fundraising to benefit Urban Economic Development within targeted urban areas; such plan should (1) identify persons and/or private entities to engage in fundraising to benefit Urban Economic Development within targeted urban areas and may propose to Miami-Dade County a contract with such persons and/or entities which would establish a public/private partnership, the goal of which would be to benefit Urban Economic Development within targeted urban areas; (2) include a component to involve residents of the targeted urban areas in fundraising in order to promote a sense of community ownership in the economic revitalization of the targeted urban areas, and (3) allow an opportunity for capital investment by residents of the targeted urban areas.

In order to develop the Plan, the Task Force shall:

(1) Review, analyze and evaluate the funding expended in the targeted urban areas for economic development over the past ten (10) years.

(2) Review, analyze and evaluate existing economic development plans and/or studies prepared on behalf of Miami-Dade County and prepared by community development corporations or community based organizations to determine which projects are achievable and feasible, including but not limited to plans and/or studies related to projects such as the Poinciana Industrial Park, the Seventh Avenue Corridor, Northside Shopping Center, the Northwest 183rd Street Shopping Center, the Community Development Bank, the Richmond Heights Old Shopping Center Project, the Perrine/Homestead Avenue Corridor, and the Goulds Shopping Center; provided, such plans or studies shall relate to projects or programs wholly or partially within targeted urban areas;

(3) Review, analyze and evaluate successful Urban Economic Revitalization programs from other major urban areas, including but not limited to programs in Baltimore, Maryland, Harlem, New York; Washington, D.C. and Atlanta, Georgia;

(4) Review, analyze and evaluate the Community and Individual Investment Corporation Guide published by USHUD September, 1996;

(5) Hold community meetings, coordinated by MMAP, to encourage public input in developing a focused, achievable and feasible plan and disseminate information regarding existing programs which aid the urban economic revitalization effort. The community input process utilized in the empowerment zone process may be used as a guide;

(6) Identify new and existing federal, state and local sources of funding, if any, which could provide funding for Urban Economic Revitalization.

(c) To update the Plan on an annual basis;

(d) To study the feasibility of community based development entities' consolidating and forming alliances which could take advantage of economies of scale and promote efficiency in service delivery; and to recommend incentives to encourage the formation of such consolidations and alliances;

(e) To encourage employment of targeted urban area residents in major downtown developments, such as the Maritime Park Project and the Performing Arts Center;

(f) To encourage and promote the development and growth of the new and existing businesses in the targeted urban areas; and

(g) To review the Office of Community Development's ("O.C.D.'s") recommendations for Miami-Dade County Community Development Block Grant economic development category funding and Community Based Organization Funding, related to economic development, for the purpose of assuring that O.C.D.'s staff recommendations are in accordance with priorities established by the Plan and require O.C.D. to report the dollar amount being spent in targeted urban areas. To the extent the Board expends County Funds for economic development in targeted urban areas, recommendations of the Task Force made pursuant to this subsection shall be accepted and implemented by the Board of County Commissioners, unless the recommendation is disapproved by a two-thirds (2/3) vote of the entire membership of the Board of County Commissioners.

(h) Work with the Mayor to identify and propose to the Board of County Commissioners a dedicated source of funding to implement the Urban Economic Revitalization Plan.

(Ord. No. 97-33, § 7, 4-15-97)

Sec. 30A-135. County spending in targeted urban areas to be in accordance with the Plan.

All County funds expended for Urban Economic Revitalization purposes on projects to be implemented partially or wholly within targeted urban areas, shall be spent in accordance with the priorities established by the Plan.

(Ord. No. 97-33, § 8, 4-15-97; Ord. No. 11-05, § 2, 2-1-11)

Sec. 30A-136. County spending in non-targeted urban areas not affected by ordinance.

It is the intention of the Board that areas which are not within the boundaries of targeted urban areas shall not be prejudiced with respect to the allocation of County Funds by virtue of the operation of this article. The Board reserves its discretion to allocate County Funds to areas inside and outside targeted urban areas.

(Ord. No. 97-33, § 9, 4-15-97)

Sec. 30A-137. Staff support.

The Clerk of the Board of County Commissioners shall record all meetings of the Task Force. The County Manager and the County Attorney shall provide to the Task Force adequate staff and support services to enable the Task Force to carry out its duties and responsibilities.

(Ord. No. 97-33, § 10, 4-15-97)

Sec. 30A-138. Liberal construction to effectuate public purpose.

This article, being for public purpose and for the welfare of the citizens of Miami-Dade County, Florida, shall be liberally construed to effect the purposes hereof.

(Ord. No. 97-33, § 11, 4-15-97)

Secs. 30A-139—30A-150. Reserved

### ARTICLE VII. SOUTH MIAMI COMMUNITY REDEVELOPMENT AND REVITALIZATION TRUST FUND

[Sec. 30A-151. Recitations.](#BK_BC1F78E40C549E85D153B9B06C2CB90C)

[Sec. 30A-152. Established.](#BK_84277A81096FBCB4333371B7E32A7520)

[Sec. 30A-153. County appropriations to Fund.](#BK_4BD5C4BE9E6C9D37338946F9F30642BD)

[Sec. 30A-154. Expenditures of Fund moneys.](#BK_4F63B037475F70A954E25D91F6112FB2)

[Sec. 30A-155. Moneys remaining in Fund on the last day of the Agency's fiscal year.](#BK_EF123C085143961B4387FBB7B7277ED9)

[Sec. 30A-156. Annual independent financial audit.](#BK_FB3B5B5508D153223601C380E819E023)

[Sec. 30A-157. Declaration of public purpose; liberal construction.](#BK_51E086CC01E394614AFF79FC3A475BCA)

Sec. 30A-151. Recitations.

The [recitations included as part of the ordinance from which this article derives] are hereby deemed true and correct and are hereby incorporated as a part of this article.

(Ord. No. 98-80, § 1, 6-16-98)

Sec. 30A-152. Established.

The South Miami Community Redevelopment and Revitalization Trust Fund (the "Fund") is hereby established. Each taxing authority (as defined in the Act) shall annually pay into the Fund, a sum not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment in accordance with the Plan. The increment shall be determined annually and shall be that amount equal to fifty (50) percent of the difference between:

(a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Redevelopment Area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this ordinance.

(Ord. No. 98-80, § 2, 6-16-98)

Sec. 30A-153. County appropriations to Fund.

Each taxing authority shall, by January 1st of each year, appropriate to the Fund for so long as any indebtedness pledging increment revenues to the payment thereof is outstanding (but not to exceed thirty (30) years) a sum that is no less than the increment as defined and determined by Section 2 of this ordinance accruing to such taxing authority. In no year shall the County's obligation to the Fund exceed the amount of that year's tax increment as determined pursuant to Section 2 of this ordinance. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without amending this Ordinance. The County's obligation to fund the Fund annually shall continue until all loans, advances and indebtedness, if any, and interest thereon, of the Agency incurred as a result of redevelopment in the Redevelopment Area have been paid. The County's increment contribution is to be accounted for as a separate revenue within the Fund but may be combined within other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.

(Ord. No. 98-80, § 3, 6-16-98)

Sec. 30A-154. Expenditures of Fund moneys.

Moneys in the Fund may be expended from time to time for the following purposes, when directly related to financing or refinancing of redevelopment in the Redevelopment Area pursuant to the Plan:

(a) Administrative and overhead expenses necessary or incidental to the implementation of the Plan;

(b) Expenses of redevelopment planning, surveys and financial analysis, including the reimbursement to the City Commission or the Agency for such expenses incurred before the Plan was approved and adopted;

(c) The acquisition of real property in the Redevelopment Area;

(d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in Section 163.370, Florida Statutes;

(e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes and any other form of indebtedness;

(f) All expenses incidental to or connected with the issuance, sale, redemption, retirement or purchase of agency bonds, bond anticipation notes or other form of indebtedness, including funding of any reserve, redemption or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes or other form of indebtedness; and

(g) The development of affordable housing within the Redevelopment Area.

(Ord. No. 98-80, § 4, 6-16-98)

Sec. 30A-155. Moneys remaining in Fund on the last day of the Agency's fiscal year.

On the last day of the Agency's fiscal year, any money which remains in the Fund after the payment of the above listed expenses for such year shall be:

(a) Returned to each taxing authority which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Fund by all taxing authorities within the Redevelopment Area for that year;

(b) Used to reduce the amount of any indebtedness to which increment revenues are pledged;

(c) Deposited in an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or

(d) Appropriated to a specific redevelopment project pursuant to the Plan which project will be completed within three (3) years from the date of such appropriation.

(Ord. No. 98-80, § 5, 6-16-98)

Sec. 30A-156. Annual independent financial audit.

The Agency shall provide for an independent financial audit of the Fund each fiscal year and a report of such audit. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The Agency shall provide a copy of the report to each taxing authority. All Fund records shall be available for County inspection. The County reserves the right to audit the Fund.

(Ord. No. 98-80, § 6, 6-16-98)

Sec. 30A-157. Declaration of public purpose; liberal construction.

This article is hereby declared to be for a public purpose and for the welfare of the citizens of Miami-Dade County, Florida and shall be liberally construed to effectuate the purpose thereof.

(Ord. No. 98-80, § 7, 6-16-98)

### APPENDIX TO CHAPTER 30A [[5]](#BK_77C5E08AABF961786E9E5BE69F153A75)

FOOTNOTE(S):

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**Editor's note—** This Appendix was derived from Resolution No. 9247, adopted Nov. 19, 1963, and was included herein pursuant to § 4 thereof. Such appendix has been deleted as obsolete. [(Back)](#BK_96D7F14CACB508BD09D5FE11B89B58DE)