

9452

INTERLOCAL AGREEMENT

Between

CITY OF MIAMI, FLORIDA And SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY And THE COMMUNITY REDEVELOPMENT AGENCY FOR THE OMNI REDEVELOPMENT DISTRICT

THIS AGREEMENT, made and entered into as of this 10th day of August, 1995, by and between the City of Miami, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter referred to as the "CITY"), the Southeast Overtown/Park West Community Redevelopment Agency, established and created in accordance with the provisions of Chapter 163, Part III, Florida Statutes (hereinafter referred to as the "SEOPW CRA" and the Community Redevelopment Agency for the OMNI Redevelopment District, established and created in accordance with the provisions of Chapter 163, Part III, Florida Statutes, (hereinafter referred to as the "OMNI CRA").

WITNESSETH:

WHEREAS, in accordance with the provisions of Chapter 163, Florida Statutes, Metropolitan Dade County ("County"), by Resolution No. 1677-82, established the Southeast Overtown/Park West Redevelopment District (hereinafter referred to as "SEOPW") as a separate community redevelopment district for tax increment financing purposes; and

WHEREAS, the City of Miami by Resolution No. 82-755 approved the Southeast Overtown/Park West Community Redevelopment Plan (hereinafter referred to as the "SEOPW Plan"); and

WHEREAS, the County by Ordinance No. 82-115 established and created in accordance with the provisions of Section 163.387, Florida Statutes, a redevelopment trust fund for SEOPW and has authorized the allocation of monies from such fund; and

WHEREAS, the City and the County entered into an Interlocal Cooperation Agreement, dated as of March 31, 1983, as amended, which provided for the exercise of redevelopment powers by the City for the SEOPW, the implementation of the SEOPW Plan, the delegation by the County to the City Commission to act as the community redevelopment agency for the SEOPW, and the use of tax increment financing to pay the costs of the implementation of the SEOPW Plan; and

WHEREAS, pursuant to Resolution No 86-868, the City Commission approved in principle a redevelopment plan for the redevelopment of the Omni area (the "OMNI Plan"); and

WHEREAS, in accordance with the provisions of Chapter 163, Florida Statutes, the County, by Resolution No. R-825-87, established the Omni Redevelopment Area (hereinafter referred to as "OMNI") as a separate community redevelopment district for tax increment financing purposes; and

WHEREAS, by Resolution No R-825-87 and Ordinance No. 87-47, the Board of County Commissioners for Metropolitan Dade County ("County") approved the OMNI Plan and a tax increment fund, respectively; and

WHEREAS, by Ordinance No. 87-47, in accordance with the provisions of Sections 163.357 and 163.410, Florida Statutes, the County designated the City Commission the Community Redevelopment Agency for the OMNI CRA;

WHEREAS, in accordance with Section 163.357, Florida Statutes, the SEOPW CRA and the OMNI CRA are legal entities, separate, distinct, and independent from the City Commission;

and

WHEREAS, in accordance with Section 163.370, Florida Statutes, the SEOPW CRA and the OMNI CRA are empowered to undertake and carry out community redevelopment and related activities in their respective redevelopment districts; and

WHEREAS, in order to make the most efficient use of their powers, resources, authority and capabilities, the SEOPW CRA and the OMNI CRA intend to use the same staff;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the City and the SEOPW CRA and the OMNI CRA hereby agree to the following:

1. The CITY shall provide the Funds for the City staff ("City Staff") as listed on the Budget attached hereto as Attachment "A" on a full time basis to carry out the functions and responsibilities of the SEOPW CRA and the OMNI CRA. It is anticipated that the Funds to be provided by the City for the City Staff will be necessary for a three year period commencing on the effective date of this Agreement.

2. The City Staff shall remain employees of the City and shall continue to accrue and receive benefits as City employees.

3. The City Staff shall be under the supervisory control of the SEOPW CRA and the OMNI CRA; however, the City Manager retains the authority to remove said staff only after consultation with the CRAs.

4. Financial support to the SEOPW CRA and the OMNI CRA shall be in accordance with the budget attached hereto and shall be provided to the SEOPW CRA and the OMNI CRA for a period not to exceed three (3) years from the effective date of this Agreement, or until such time as the respective CRA becomes self-sufficient, whichever first occurs. Any amendments to the budget regarding City funding must be presented by the respected CRA to the City Commission for approval.

5. This instrument and its attachments constitute the sole and only agreement of the parties hereto and correctly set forth the rights, duties, and obligation of each to the other as of its date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force or effect.

6. No amendments to this Agreement shall be binding on either party unless in writing and signed by both parties.

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


ATTEST:


WALTER J. FOEMAN
City Clerk

ATTEST:


WALTER J. FOEMAN
City Clerk

ATTEST:


WALTER J. FOEMAN
City Clerk


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


CESAR H. ODIO
City Manager

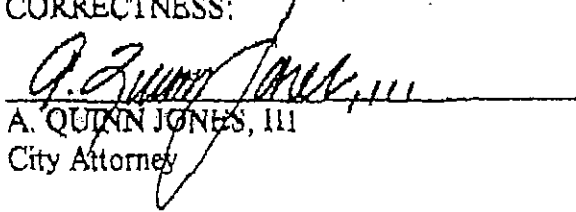
Southeast Overtown/Park West Community
Redevelopment Agency


MILLER J. DAWKINS
Chairman

Community Redevelopment Agency for the
OMNI Redevelopment District


MILLER J. DAWKINS
Chairman

APPROVED AS TO FORM AND
CORRECTNESS:


A. QUINN JONES, III
City Attorney

LKK/pb/W012
Rev. 7/5/95