

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, A SIXTH AMENDMENT, BY AND AMONG THE CITY OF MIAMI BEACH (CITY), MIAMI-DADE COUNTY (COUNTY), AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA) TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER / HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID SIXTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SIXTH AMENDMENT, IN THE FORM APPROVED BY THE CITY ATTORNEY.

WHEREAS, on January 26, 1993, Miami-Dade County (the "County") adopted Resolution No. R-14-93, which, (i) found the City Center RDA to be a "blighted area" within the meaning of Part III of Chapter 163, Florida Statutes, and (ii) delegated to the City of Miami Beach, pursuant to Section 163.410, Florida Statutes, certain powers conferred upon the County Commission as the governing body of Miami-Dade County by Part III of Chapter 163, Florida Statutes, with regard to the Redevelopment Area, so that the City Commission, either directly or through its duly designated community redevelopment agency, could exercise such powers; and

WHEREAS, On February 3, 1993, the City adopted Resolution No. 93-20709, which established a community redevelopment agency (the "Miami Beach Redevelopment Agency" or the "Agency" or "RDA") and declared the members of the City Commission as the members of the Agency; and

WHEREAS, On February 12, 1993, the City adopted Resolution No. 93-20721, which adopted the Agency's City Center/Historic Convention Village Redevelopment and Revitalization Area Plan (the "Redevelopment Plan") for the redevelopment and revitalization of the Redevelopment Area; and

WHEREAS, the County and the City then approved and entered into the Interlocal Cooperation Agreement (the "Interlocal Agreement"), executed on November 16, 1993 by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan; and

WHEREAS, the Interlocal Agreement has previously been amended five times; and

WHEREAS, in connection with the proposed issuance of refunding bonds (the "Refunding Bonds") by the RDA to refund a portion of the RDA's Tax Increment Revenue and Revenue Refunding Bonds, Series 2015A (City Center/Historic Convention Village), which refunding will generate debt service savings, it is necessary to further amend the Interlocal Agreement through a Sixth Amendment to Interlocal Agreement (the "Sixth Amendment"), which will need to be executed among the County, the City, and the RDA; and

WHEREAS, the Sixth Amendment will, among other amendments to the Interlocal Agreement, amend the Interlocal Agreement, as previously amended, to provide for the issuance of the Refunding Bonds and to amend certain of the provisions with respect to the Distribution of Trust Fund Revenues in order to delete the requirements thereunder that commencing in Fiscal Year 2023-24, excess revenues must be used to extinguish early, or if not subject to prepayment or redemption at that time, establish an escrow for, any "Agency Indebtedness" (which includes bonds issued by the RDA) and, in lieu of those provisions, provide for the uses as set forth in Sections H, I and J of Paragraph XII of the Interlocal Agreement as described in the Sixth Amendment: and

WHEREAS, the Interlocal agreement is also being amended to allow for the grant agreement to facilitate the construction of the Convention Center Hotel and add provisions related to the disposition of RDA Trust Fund funds beginning in FY 2037; and

WHEREAS, if any material changes are made to the RDA Hotel grant agreement template approved by the Board of County Commissioners for Miami-Dade County (the "Board") at its October 16, 2024 meeting, the Sixth Amendment approval provided by the Board would be abated until such time as said modified grant agreement is (i) approved for legal sufficiency by the Office of the County Attorney, and (ii) approved by the Board, provided however, that the Sixth Amendment would be void and of no further effect if not so approved by the Board.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission approve the Sixth Amendment to the RDA Interlocal Agreement.

PASSED AND ADOPTED this ____ day of October 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10/22/2024

Date