



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Housing & Community Development
Committee

April 15, 2009

9:30 AM

Commission Chamber

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Commission Auditor
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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Legislative Analysis
Housing & Community Development Committee
Meeting Agenda**

April 15, 2009

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

1(G)1	2(H)
1(G)2	3(A)
2(G)	3(E)
3(F) & Substitute	

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Mia Marin, Legislative Analyst
Tiandra D. Sullivan, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 1(G)1

File Number: 090269

Committee(s) of Reference: Housing and Community Development

Date of Analysis: April 15, 2009

Type of Item: Code Amendment

Prime Sponsor: Commissioner Barbara J. Jordan

Summary

This ordinance creates the Community Action Agency (CAA) Board.

Upon the appointment of the new Executive Director of CAA (January 31, 2008) a standard review and assessment was conducted of the agency and it was discovered that there was no documentation memorializing the CAA Board in the County's historical records.

This ordinance will:

- Formally establish the CAA Board and codify under the Miami-Dade county Code 2-11.36.;
- Allow the BCC to delegate defined duties and responsibilities as it relates to the Head Start/Early Head Start Program;
- Increase membership of CAA Board from 15 to 45 members;

Background and Relevant Legislation

The current CAA Board membership includes:

VACANT	DISTRICT 11
VACANT	DISTRICT 10
VACANT	DISTRICT 12
BROWN-MORILLA, RICHARD	DISTRICT 4

CAPORELLI, JANE	DISTRICT 7
CARRERA, JULIO	DISTRICT 13
DRIVER, KAMETRA	DISTRICT 8
GALBUT, JOYCE	DISTRICT 5
GUILLAUME JR., FRANCOIS	DISTRICT 3
LEFLORE, TERESA	DISTRICT 2
MILLER, GAIL E	DISTRICT 1
PRICE, JOYCE	DISTRICT 6
REY, MARILYN	MAYOR- CARLOS ALVAREZ
YOUNGKIN, ANITA	DISTRICT 9

Scrivener's Error

On handwritten page 3, the last two sentences should read:

It also establishes the CAA Board's role as the entity >>charged<< with responsibility attendant to the Head Start/Early Head Start program as designated by the BCC. This ordinance also responds to governance >>inquiries<< raised by the Head Start Federal Review Team in May, 2008 during their interview with members of the BCC.

Prepared by:
Mia B. Marin

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 1(G)2

File Number: 090439

Committee(s) of Reference: Housing & Community Development

Date of Analysis: April 15, 2009

Type of Item: Code Amendment

Prime Sponsor: Commissioner Audrey M. Edmonson

Summary

This ordinance amends Section 17-149 of the Code of Miami-Dade County relating to the membership composition of the Community Affordable Housing Strategies Alliance.

The ordinance will change the total membership from thirty-two members to thirty-three members by adding one representative from the Miami-Dade Branch of the NAACP.

Background and Relevant Legislation

On May 9, 2006, the Board of County Commissioners approved Resolution 558-06 that created the Taskforce of the Miami-Dade Community Affordable Housing Strategies Alliance (CAHSA). The taskforce was established to address, discuss and provide recommendations to the Board of County Commissioners relating to the housing crisis in the County.

On September 4, 2007, the Board adopted Ordinance 07-121 that established CAHSA as a Board. The ordinance established the membership of CAHSA at thirty-six members and established an 11 member quorum requirement.

On March 4, 2008, the ordinance was amended to change the total membership from thirty-six to thirty-two members. One representative from the United States Department of Housing and Urban Development, one representative from the Dade Legislative Representatives, one representative from the U.S. Legislative Representatives and one representative from the Miami-Dade Empowerment Trust were removed from the membership composition of CAHSA.

Policy Change and Implication

None.

Budgetary Impact

None

Prepared by:
Tiandra D. Sullivan

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 2(G)

File Number: 090768

Committee(s) of Reference: Housing and Community Development

Date of Analysis: April 15, 2009

Type of Item: Resolution Adding an Affordable Housing Project to the County's Economic Stimulus Plan

Prime Sponsor: Commissioner Joe A. Martinez

Commission District 11

Summary

This resolution will add the Gran Via Apartments affordable housing development for seniors to the list of Economic Stimulus Projects.

Background and Relevant Legislation

Gran Via was awarded \$2,000,000 in Surtax funding in 2003. On July 25, 2006 a report was provided that stated that Gran Via had not received any of the funding and construction had not started.

On January 22, 2009, the Board of County Commissioners (Board) adopted Resolution 85-09, approving the allocation of \$10,592,307 in General Obligation Bond (GOB) funds, to fund the development of affordable housing units at the Gran Via Complex in District 11.

Policy Change and Implication

On July 17, 2008, the Board adopted Ordinance No. 08-92, which approved an Economic Stimulus Plan establishing an expedited process for certain capital projects to spur economic development. This resolution will add the project to the Economic Stimulus Project list that was approved by the Board via Resolution 851-08.

By designating Gran Via as an Economic Stimulus Project, the County Mayor will be authorized to:

- Advertise and award construction contracts and professional service agreements and approve change orders and amendments, subject to Board ratification,

- Prepare Implementing Orders that expedite the procedures relating to the Community Business Enterprise and Community Small Business Enterprise programs.
- Establish standing selection and negotiation committees.

Prepared by:

Tiandra D. Sullivan

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 2(H)

File Number: 090460

Committee(s) of Reference: Housing and Community Development

Date of Analysis: April 15, 2009

Type of Item: Preparation of CRA

Prime Sponsor: Commissioner Dorrin D. Rolle

Commission District 2

Summary

Resolution Declaring An Area of Miami-Dade County to be a Slum or Blighted Area, Accepting a Finding of Necessity for N.W 79th Street Corridor Area and Approving the Preparation of a Community Redevelopment Plan

Background and Relevant Legislation

This resolution declares the following:

- Declares the area of Miami-Dade County (consisting of approximately 1,254 acres bounded on the North by N.W 87th Street, bounded on the east by N.W 7th Avenue, bounded on the South by N.W 62nd Street and bounded on the West by N.W 37th Avenue) declared as a slum or blighted area;
- Accepts the Finding of Necessity (FON) for the N.W 79th Street Corridor Area; and
- Approves the preparation of a Community Redevelopment Plan.

The FON report assesses conditions of slum and blight in the 79th Street Corridor Area to determine if the formation of a Community Redevelopment Area (CRA) and agency is necessary to protect the public, health, safety, morals and welfare. The FON study was prepared by Keith and Schnars, P.A. (K&S). K&S was awarded the 79th Street Corridor FON contract by the Department of Procurement Management in April 2005 through Work Order No. 69-2.

The total price for the original work order No. 69-2 is \$18,750 to include reporting (preliminary study draft, final study draft and final study). However, because the Tax Increment Financing and Coordination Committee directed the consultant (K&S) to amend the boundaries to include additional slum and

blighted areas twice (March 2006 and December 2007), K&S was compensated an additional \$10,000 for a total of \$28,750 for this work order.

K&S has been awarded ten (10) contracts by Miami Dade County valued at \$4,020,621. Of the ten contracts, only one evaluation has been conducted. The one rating evaluates K&S with a 3.2 (rating of 4.0 being the highest).

Approved CRA's include:

- 7th Avenue Corridor
- City of Homestead
- City of Miami Beach-City Center/Convention Center
- City of Miami-SE Overtown /Park West and Omni Districts
- City of Miami-Midtown and district
- City of North Miami
- City of North Miami Beach
- City of south Miami and district
- Florida City and district
- Naranja lakes and district
- West Perrine and district

Proposed CRA's include:

- 79th Street Corridor
- Goulds/Cutler Ridge and district

The CRA process includes:

- Adopting the FON;
- Establish a CRA Board;
- CRA Board to develop Community Redevelopment Plan (CRD);
- CRA along with the local planning advisory boards approve CRP;
- Public Hearing;
- County approval; and
- Creation of Redevelopment Trust Fund (CRATF) to facilitate the increase in real property tax revenues back into the targeted area.

The CRA term is limited to thirty (30) years. Once the CRA term is expired all the tax revenues deposited in the CRATF remaining will be returned to each taxing authority on a pro-rata basis.

Policy Change and Implication

At the March 11, 2009 Housing, Community Development Committee, Commissioner Rolle requested to defer this item to allow the Senior Advisor to the County Manager to explore the feasibility of expanding the boundaries of the N.W 79th Street Corridor area seat from N.W 7th Avenue to I-95 Expressway for inclusion in the proposed CRA.

Subsequently, the County Manager responded in a memo dated March 23, 2009 to Commissioners Rolle's inquiry. According to this memo, to extend the boundary as requested would overlap into a municipal boundary (South of 79th Street/City of Miami). Currently, no CRA's include portions of any municipality.

Prepared by:

Mia B. Marin

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(A)

File Number: 090914

Committee(s) of Reference: Housing and Community Development

Date of Analysis: April 15, 2009

Type of Item: Second Amendment to a Lease Agreement

Commission District 9

Summary

This resolution approves a second amendment to a lease agreement at the South Dade Skills Center, with the School Board of Miami-Dade County (SB).

Background and Relevant Legislation

	Resolution	Terms	Fiscal Impact
Original Lease Agreement	R-1336-97	<ul style="list-style-type: none"> Approved in November 1997; 5 year term with one 5 year renewal option; and Annual rent is \$384,688 	<ul style="list-style-type: none"> Annual Revenue to the Count is \$384,688
Amendment One	R-1316-02	<ul style="list-style-type: none"> Reduce annual rent from \$384,688 to \$1.00 SB will assume all operational costs and maintenance costs of the entire facility; SB will reimburse County for DHS building management staff's salary; and Term modification to one (1) year, with four (4) additional one-year renewal options 	<ul style="list-style-type: none"> SB is responsible for total Operating cost in excess of \$500,000 a year plus capital expenses for building upgrade (i.e new roof, HVAC system); SB covers 30% of salary and benefits for the Center Director which amounts to \$41,280; SB covers 50% salary and benefits for Center Director secretary which amounts to \$20,949
Amendment Two		<ul style="list-style-type: none"> Extend term of Lease Agreement for a five year period commencing on December 1, 2007 and ending on November 30, 2012; Include provision that in the event any litigation between the parties 	<ul style="list-style-type: none"> Annual revenue to the County \$62,231 which includes the rental rate of \$1.00 plus a portion of the DHS building management staff's salary (total \$62,230).

		that each party will be responsible for its own attorney's fees and court costs; and <ul style="list-style-type: none">• Include provision that all parties will comply with applicable laws, rules, regulations, ordinances of Federal, State and Local governments.	
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There are no gaps in the lease agreement since it is on a month to month basis.

Fiscal Impact

Annual revenue to the County totals \$62,231.

Prepared by:

Mia B. Marin

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(E)

File Number: 090898

Committee(s) of Reference: Housing and Community Development

Date of Analysis: April 15, 2009

Type of Item: Transfer of Loan Guarantee Funds

Summary

This resolution authorizes the transfer of \$100,000 from the Commercial Development Block Grant Program (CDLGP) operated by the Black Economic Development Coalition, Inc. d/b/a Tools for Change, to Neighbors and Neighbors Association (NANA).

Background and Relevant Legislation

On July 10, 2007, the Board of County Commissioners (Board) approved Resolution 802-07, authorizing the County Manager to amend the FY 2007 Action Plan to recapture unexpended funds from current and prior year projects and reallocate \$15,334,100.99 of FY 1999, 2001, 2002, 2004, 2005, 2006 and 2007 Community Development Block Grant Funds (CDBG). NANA received \$100,000 in CDBG funds approved via this resolution.

Policy Change and Implication

This resolution only authorizes the transfer of funding. An amendment to the Action Plan will be necessary to recapture the \$100,000 in CDBG funds from NANA.

Question(s)

According to handwritten page 2 of the resolution, NANA was awarded CDBG funding in 2007. Has this funding been expended by the organization?

Does the County have a codified process establishing the process and timeline for recapturing and reallocating funds?

Scrivener's Error

On handwritten page 2, second paragraph, it incorrectly cites R-802-08, as the resolution that allocated the CDBG funds to NANA. The correct resolution (R-802-07) is properly cited in the following paragraph.

Budgetary Impact

None

Prepared by:

Tiandra D. Sullivan

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 3(F) and Substitute

File Number: 090406 & 090948

Committee(s) of Reference: Housing and Community Development

Date of Analysis: April 15, 2009

Type of Item: Resolution Approving Request for Proposals Process

Summary

The resolution approves the Human and Criminal Justice Services Funding and Request for Proposals process, service priority areas and percentage allocations for funding commencing in FY 2009-10.

The resolution also authorizes the Mayor or his designee to exercise any amendment or modification of the process on behalf of Miami-Dade County.

Background and Relevant Legislation

This resolution was amended at the February 11, 2009, Housing and Community Development Committee meeting to incorporate language that allows extra points to be awarded to agencies offering services within the Magic City Zone.

The Magic City Zone pilot project was established for the purpose of revitalizing a disadvantaged area through programs and services that support family stability. The boundaries of the pilot project zone are Northwest 79th Street to the north, Northwest 36th Street to the south, North Miami Avenue to the east; and Northwest 27th Avenue to the west.

The Florida Legislature appropriated \$3.6 million to the Magic City Children's Zone Pilot Project as part of the State Fiscal Year 2008-09 Appropriations Act.

Policy Change and Implication

None

Budgetary Impact

None

Prepared by:

Tiandra D. Sullivan