



MEMORANDUM

Agenda Item No. 7(G)(1)(A)

TO: Honorable Chairperson Barbara
Carey-Shuler, Ed.D. and Members,
Board of County Commissioners

DATE: January 20, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Authorizing the County
Manager or his Designee to Execute
Agreement Allocating \$1,250,000
from Surtax Incentive Pool Funds to
Bonita Pointe Associates, Ltd. for the
Bonita Pointe Apartments Project;
and Execute any Necessary
Agreements

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) authorize the County Manager or his designee to execute an agreement allocating \$1,250,000 from Surtax incentive pool funds to Bonita Pointe Associates, Ltd., for the Bonita Pointe Apartments project, located at Palm Drive (SW 344th Street) and SW 172nd Avenue, Florida City, in District 9.

BACKGROUND

The Board of County Commissioners awarded Bonita Pointe Associates, Ltd. \$1,000,000 in Surtax 2003 funds by R-1482-02 for the Bonita Pointe Apartments project. The development will consist of 164 rental units located at Palm Drive (SW 344th Street) and SW 172nd Avenue, Florida City, in District 9, and will serve families earning up to 60% or less of the median income. The following list details the proposed rental unit configuration:

1 Bedroom	750 Sq. Ft.	Gross Rent: \$537.00	36 Units
2 Bedrooms	1,050 Sq. Ft.	Gross Rent: \$641.00	68 Units
3 Bedrooms	1,250 Sq. Ft.	Gross Rent: \$741.00	60 Units

The developer is financing the construction of the project with tax-exempt bonds issued by the Housing Finance Authority of Miami-Dade County (HFA). This allocation and the syndication equity raised from the sale of the 4% tax credits which accompany the tax-exempt bonds, will be used to develop Bonita Pointe Apartments.

The developer now has a project funding gap as a result of receiving the 4% tax credits and not the 9% tax credits. The original total project cost was \$15,723,012, but a revised sources and uses statement reflects a new total cost of \$16,410,254. The actual construction costs remained the same. However, various soft costs such as water and sewer connection fees and insurance rates also increased.

The developer is requesting an additional \$1,250,000 to be allocated to this project from the Surtax incentive pool. The developer cleared the site and began construction of the infrastructure in September, 2003. Construction of the project is expected to be completed by December, 2004.

The principals for Bonita Pointe Associates, Ltd. are as follows:

Chairman / Shareholder
Stuart I. Meyers
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Vice Chairman / Shareholder
Jorge Lopez
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

President / Shareholder / Director
Leon J. Wolfe
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Vice President & Secretary / Shareholder / Director
Mara S. Mades
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

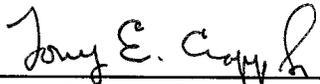
Treasurer & Assistant Secretary / Shareholder / Director
Bruce Adams
2121 Ponce De Leon Blvd., Penthouse
Coral Gables, FL 33134
305-443-8288

Honorable Chairperson Barbara Carey-Shuler, Ed.D.,
and Members, Board of County Commissioners
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This recommendation was presented and approved by the Affordable Housing Advisory Board at its October 29, 2003 meeting.

Attached please find a detailed sources and uses statement for the funding of this project. It indicates the current project status of approved funding as well as the revised funding status including the proposed additional \$1,250,000 allocation. (Attachment A)

Attachment



Assistant County Manager
Tony E. Crapp, Sr.

Attachment A
Bonita Pointe Apartments

Sources of Funds	Current Allocation	Revised Allocation
Tax Credit Equity	\$4,850,000	\$0
Bond Financing	0	4,963,000
1 st Mortgage, Tax-Ex & Taxable	8,010,000	7,980,000
Debt Service Reserve	0	0
Surtax	1,000,000	1,000,000
Surtax Incentive Pool	0	1,250,000
Developer Equity	1,863,012	1,217,254
SAIL	0	0
Total	\$15,723,012	\$16,410,254



Miami-Dade Legislative Item File Number: 023552

File Number: 023552**File Type:** Resolution **Status:** Adopted as amended**Version:** 0**Reference:** R-1482-02 **Control:****File Name:** FY 2003-2007 CONSOLIDATED PLAN **Introduced:** 12/18/2002**Requester:** Office of Community and Economic Development**Cost:****Final Action:** 12/17/2002**Agenda Date:** 12/17/2002 **Agenda Item Number:** 7K1F

Notes: THIS IS
FINAL
VERSION
AS
ADOPTED.
(also see
023525)

Title: RESOLUTION APPROVING THE FY 2003 FUNDING RECOMMENDATIONS FOR THE STATE HOUSING INITIATIVE PARTNERSHIP AND SURTAX PROGRAMS; AUTHORIZING THE FILING WITH U.S. HUD OF MIAMI-DADE COUNTY'S FY 2003-2007 CONSOLIDATED PLAN WITH PROJECTED USES OF FUNDS FOR FY 2003 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SHELTER GRANT PROGRAMS; DIRECTING THE COUNTY MANAGER TO SUBMIT TO U.S. HUD THE OPA-LOCKA, WEST LITTLE RIVER, MODEL CITY, MELROSE, CORAL GABLES (COCONUT GROVE), SOUTH MIAMI, PERRINE, LEISURE CITY AND GOULDS FOCUS AREAS AND THE FEDERAL ENTERPRISE COMMUNITY/EMPOWERMENT ZONE FOR DESIGNATION AS NEIGHBORHOOD REVITALIZATION STRATEGY AREAS; AUTHORIZING THE COUNTY MANAGER TO GIVE PRIORITY CONSIDERATION TO FULFILL FY 2002-2003 BUDGETED MANDATES; AND EXECUTE ALL CONTRACTS, AGREEMENTS, AMENDMENTS, AND TO SHIFT FUNDS AWARDED FOR A PROJECT TO AN ENTITY CREATED FOR THE PURPOSE OF CARRYING OUT THAT PROJECT NECESSARY TO CARRY OUT THE ABOVE PROGRAMS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN

Indexes: CONSOLIDATED PLAN **Sponsors:** NONE**Sunset Provision:** No**Effective Date:****Expiration Date:****Registered Lobbyist:** None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned Pass/Fail
County Attorney	12/18/2002		Assigned	Shannon D. Summerset		
Board of County Commissioners	12/17/2002	7K1F Amended	Adopted as amended			P

Legislative Text

TITLE

RESOLUTION APPROVING THE FY 2003 FUNDING RECOMMENDATIONS FOR THE STATE HOUSING INITIATIVE PARTNERSHIP AND SURTAX PROGRAMS; AUTHORIZING THE FILING WITH U.S. HUD OF MIAMI-DADE COUNTY'S FY 2003-2007 CONSOLIDATED PLAN WITH PROJECTED USES OF FUNDS FOR FY 2003 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SHELTER GRANT PROGRAMS; DIRECTING THE COUNTY MANAGER TO SUBMIT TO U.S. HUD THE OPA-LOCKA, WEST LITTLE RIVER, MODEL CITY, MELROSE, CORAL GABLES (COCONUT GROVE), SOUTH MIAMI, PERRINE, LEISURE CITY AND GOULDS FOCUS AREAS AND THE FEDERAL ENTERPRISE COMMUNITY/EMPOWERMENT ZONE FOR DESIGNATION AS NEIGHBORHOOD REVITALIZATION STRATEGY AREAS; AUTHORIZING THE COUNTY MANAGER TO GIVE PRIORITY CONSIDERATION TO FULFILL FY 2002-2003 BUDGETED MANDATES; AND EXECUTE ALL CONTRACTS, AGREEMENTS, AMENDMENTS, AND TO SHIFT FUNDS AWARDED FOR A PROJECT TO AN ENTITY CREATED FOR THE PURPOSE OF CARRYING OUT THAT PROJECT NECESSARY TO CARRY OUT THE ABOVE PROGRAMS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN

BODY

WHEREAS, this Board desires to accomplish the purposes outline in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the funding recommendations for the State Housing Initiative Partnership (SHIP) and Surtax Programs; authorizes the filing with U.S. HUD of the Miami-Dade County FY 2003-2007 Consolidated Plan, including the FY 2003 Action Plan with projected uses of funds for the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG) Programs; authorizes the County Manager to give priority consideration to fulfill FY 2002-2003 budgeted mandates, and to shift funds for each program among activities of the same agency without exceeding the total amount allocated to that agency; authorizes the County Manager to shift funding between agencies without exceeding the total award amount to that activity or changing the scope of that activity; directs the County Manager to submit to U.S. HUD the Opa-locka, West Little River, Model City, Melrose, Coral Gables (Coconut Grove), South Miami, Perrine, Leisure City and Goulds Focus Areas and the Federal Enterprise Community/Empowerment

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Zone areas for designation as Neighborhood Revitalization Strategy Areas; authorizes the County Manager to make non-substantive modifications to the FY 2003 Action Plan; authorizes the County Manager to execute such contracts, agreements and amendments necessary to carry out the above programs after approval by the County Attorney Office; and authorizes the County Manager to exercise the cancellation provisions contained therein.

HEADER

To: Honorable Chairperson and Members Date:
Board of County Commissioners

From: Steve Shiver Subject: FY 2003 - 2007 Consolidated Plan
County Manager and FY 2003 Action Plan and Funding
Recommendations for the CDBG,
HOME, ESG, SHIP and Surtax
Programs

STAFF RECOMMENDATION

RECOMMENDATION

It is recommended that the Board approve the County Manager's funding recommendations for the following funding sources and amounts as indicated in Exhibit 1:

Funding Source	Amount
Community Development Block Grant (CDBG) Federal	\$23,751,000
CDBG Program Income Federal	\$400,000
Emergency Shelter Grant (ESG) Federal	\$750,000
HODAG Federal	\$608,000
Home Investment Partnership (HOME) Federal	\$8,230,500
Home Program Income Federal	\$500,000
HOME CHDO Federal	\$459,500
Hurricane Andrew Trust Fund (HATF) State	\$200,000
State Housing Initiative Program (SHIP) State	\$6,885,000
Surtax Program County	\$19,920,000
Total All Sources	\$61,704,000.00

It is also recommended that the Board authorize the County Manager to submit the FY 2003 - 2007 Consolidated Plan and FY 2003 Action Plan to U.S. HUD; and to seek HUD's approval for the designation of the Miami-Dade County's nine focus areas, the Federal Enterprise Community/Empowerment Zone and Neighborhood Revitalization Strategy Areas (NRSA); and to execute all contracts, agreements and amendments necessary to implement the SHIP and the Surtax Programs and the FY 2003 Action Plan.

Please note that Exhibit 1 indicates the Requested Amount by each agency, Staff, Affordable Housing Advisory Board (AHAB), Task Force on Urban Economic Revitalization (UERTF); Overall Tenant Advisory Council (OTAC), Community Advisory Committees, BCC District Funds recommendations, and County Manager's recommendations.

MANAGER'S BACKGROUND

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CONSOLIDATED PLANNING PROCESS

On November 4, 1997 the Board approved the FY 1998-2002 Consolidated Plan, as prepared by the Office of Community and Economic Development (OCED), through the adoption of Resolution No. 1307-97. The final annual Action Plan to implement the current five-year Consolidated Plan ends on December 31, 2002. U.S. HUD requires that a new Consolidated Plan be submitted for approval. OCED has prepared a FY 2003-2007 Consolidated Plan for submission to U.S. HUD. The Consolidated Plan requires that an Action Plan be prepared for the funding available in each year through FY 2007. The Consolidated Plan combines the planning and application aspects of the CDBG, HOME, and ESG Programs. The FY 2003 Action Plan was developed with extensive participation by residents, the public and private sectors. This plan reflects the input gathered from neighborhood meetings, commission district-wide meetings, a countywide Overall Tenant Advisory Committee, Community-Based Organizations (CBOs), Community Development Corporations (CDCs), municipalities and County departments. Funding for the activities proposed in the FY 2003 Action Plan will come from the CDBG, HOME, and ESG entitlement programs. Funding recommendations are consistent with the Consolidated Planning Process Policies for the FY 2003 Request For Applications (RFA) as adopted by the Board through Resolution No. 618-02, pursuant to a public hearing held on June 4, 2002. Consistent with the past several years, for FY 2003 the Board has approved a Consolidated Planning Process that continues to include the SHIP and Surtax affordable housing programs (in addition to the CDBG, HOME, and ESG Programs) and provides for a Consolidated Request for Applications (RFA) process for all of the related programs - CDBG, HOME, ESG, SHIP and Surtax. Close coordination of these programs and resources continues to be essential to prevent duplication of funding or funding in excess of the needs of an activity.

CITIZEN PARTICIPATION

U.S. HUD regulations require that:

- * The County holds a minimum of two (2) public hearings at different stages of the FY 2003 Planning Process. The first public hearing requires input from citizens on housing and community development needs. The second public hearing is intended to obtain public opinion about the FY 2003 Action Plan.
- * The County makes the FY 2003 Action Plan available to the public for comments for a period of 30 days prior to approval of the funding recommendations by the Board of County Commissioners.

From January, 2002 through October, 2002 approximately 90 public meetings were held by OCED and CAA to monitor the performance of ongoing activities and identify priorities in Commission Districts, focus areas and eligible block groups.

On June 4, 2002, the first required public hearing was held before the Board of County Commissioners to obtain public input on the FY 2003 Consolidated Planning Policies on which the FY 2003 Action Plan recommendations have been based.

On October 4, 2002, the County issued a public notice that informed the public of the availability of the FY 2003 Action Plan at specifically designated locations. The public notice also served to inform the general public that written comments on the plan would be accepted until November 4, 2002 and that there would be a public hearing tentatively scheduled for October 24, 2002, to discuss the FY 2003 Action Plan and SHIP and Surtax funding recommendations.

The second public hearing was advertised and held on November 14, 2002 in the BCC Chambers at the Stephen P. Clark Center.

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REQUESTS FOR APPLICATIONS (RFA) AND EVALUATIONS

Applications for funding were solicited through a consolidated Request for Applications (RFA) Process. Funding requests totaled \$129.7 million for the CDBG program, \$23.2 million for the HOME program, \$750,000 for the ESG program, \$7 million for the SHIP program and \$ 58.4 million for the Surtax program.

The FY 2003 RFA application process opened on June 18, 2002, and ended on July 18, 2002. The public was advised of the application process through several notices in The Miami Herald and The Miami Times. During the month-long RFA application process, OCED, in coordination with the Miami-Dade Housing Agency and the Miami-Dade Homeless Trust, convened two (2) technical assistance and information workshops for agencies and the public, and provided ongoing technical assistance throughout the application period. Exhibit 1 - FY 2003 Funding Recommendations by Agency, contains all requests and recommendations sorted by agency.

FY 2003 STAFF RECOMMENDATIONS

CDBG Evaluation Process

Neighborhood activities recommended for funding by County departments were reviewed and have been selected on the basis of priority needs and consistency with neighborhood and department plans. Countywide activities recommended for funding by Departments were selected on the basis of department priority and allocations determined through the County's FY 2002-2003 budget preparation process and in consultation with the Office of Management and Budget. Applications submitted by non-county organizations were reviewed and evaluated by staff in OCED, in consultation with the Homeless Trust and MDHA as necessary. It should also be noted that the County's Department of Human Services as well as the Alliance for Human Services participated in the meetings of the FY 2003 RFA Working Group and provided information relative to the Social Service Master Plan goals, priorities and funding allocations.

In preparing funding recommendations, careful attention was given to allocating the available funding to effectively meet the wide variety of diverse needs in the broad geographic districts and regions of the County and supporting activities that are consistent with the goals, objectives, policies, and priorities set forth in the FY 2003 Consolidated Planning Process Policies adopted by the Board.

Consultation Process with CDBG Applicants

The applications submitted through the annual RFA process were evaluated by staff for completeness and accuracy and scored on numerous criteria. A review of the scoring forms provided for applicants in the RFA, clearly shows the thorough evaluation that was given to each proposed activity by staff. Agencies were advised in a letter dated August 27, 2002 that evaluations related to their applications could be obtained and discussed with staff during a formal review process, which started on September 9, 2002 and ended on September 13, 2002. During these consultations with agencies, every effort was made to ensure that any questions regarding the evaluation of applications would be fully addressed prior to the Board's consideration of the County Manager's funding recommendations. While staff made a concerted effort to address agency inquiries as fairly and thoroughly as possible, any agency could still avail itself of the opportunity to address the Board during the required public hearing preceding the adoption of the FY 2003 Action Plan. Staff made funding recommendations based on considerations including the strength of the application and its responsiveness to focus area high priority needs, as detailed in the 1998-2002 Consolidated Plan. Additionally, staff's recommendations

were developed to ensure that they carefully adhered to the Board approved Consolidated Plan Policies.

HOME, SHIP, and Surtax Evaluation Process

Funding recommendations for the program were made within the following parameters:

A maximum initial award of \$1,000,000 for tax credit applications.

A \$1.9 million set-aside was available for homeless housing projects.

The maximum funding allocable to any one housing project was \$1,000,000 - an additional \$200,000 can be awarded to a mixed use housing project that includes housing for homeless and formerly homeless persons through a set aside of units.

A \$2 million set aside was available for the construction of Section 8 project based elderly developments around the Scott/Carver Homes HOPE VI target area.

Maximum funding for small rental projects (30 units or less) is \$250,000 or 40% of total project cost, whichever is less.

No single applicant shall be awarded more than 10% of the combined allocation of HOME, SHIP, and Surtax funding.

Approximately 20% of rental units (per project) to be designated for Section 8 subsidy; either project-based or tenant-based.

Applications for HOME, SHIP, and Surtax Program funds were reviewed principally by the Miami-Dade Housing Agency in close consultation with staff of OCED and the Homeless Trust. Evaluation criteria included factors such as commitment of financing from other sources, unit affordability, costs of construction, leveraging, economic feasibility, experience, capacity of the development team, and ability to proceed. The review of these applications was coordinated with OCED to prevent the duplication of funding from other County sources or funding beyond the stated needs of the proposal.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

The FY 2003 CDBG allocation is estimated at \$24,151,000. Official notification of the County's final entitlement from U.S. HUD is expected by February, 2003.

Funding recommendations for activities, programs, and projects for focus areas and eligible block groups have been prepared based on the needs identified by residents at meetings held at the neighborhood and commission district levels.

Funding recommendations were prepared for CDBG housing service delivery costs in support of HOME, SHIP and Surtax projects based on the analysis of an agency's funding history and performance results or progress.

Federal regulations cap the funding allocation for Administration in each Action Plan year at 20% of the total entitlement plus program income.

Several policy changes have combined to impact the amount of funds over which OCED staff will

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make funding recommendations. Specifically, the requirement that each Commission District be allocated \$200,000 and similarly each of the nine (9) focus area Community Advisory Committees (CAC) be allocated \$100,000 for their funding recommendation effectively this reduces OCED's staff's funding recommendations by (\$2.6 million and \$900,000) respectively. It should be noted that activities in only four funding categories-Capital Improvements; Economic Development, Housing and Public Service - have been utilized for allocation of funds by the BCC and CAC.

Additionally, Miami-Dade County's FY 2002/03 budget, consistent with the BCC's policy requiring only 30% of CDBG funds be directed to County Departments.

The result of these BCC policies is that OCED staff has only \$13,155,000 (56%) of CDBG funds available to make funding recommendations. County Departments' activities were not evaluated for scoring due to the pre-established funding levels recommended through the budget process. These recommendations may be subject to BCC modifications.

Summary of CDBG Funding by Category

(a) Administration

The proposed allocation of administrative support funding totaling \$3,772,580 or 15.6% of the total entitlement, is as follows: OCED's program administration, including management, financial community planning, contract development and monitoring, and grantee performance reporting and compliance (\$2,787,580); the Office Historic Preservation (\$100,000); other County departments (\$885,000) to include: C.A.A.'s Citizen Participation Program, Planning and Zoning Department's Strategic Area Planning and Environmental Review and Assessment Assistance Programs, Department of Human Services Fair Housing and HOPE, Inc. for the continuation of its Fair Housing Education and Outreach Program.

(b) Capital Improvements

Total funding requests in this category amounted to \$34.3 million. A total of \$2,413,000 is recommended for capital improvement projects in the FY 2003 Action Plan. This represents 10% of the total CDBG allocation compared to %4.1 in FY 2002. Project funding recommendations in this category will assist participating municipalities and non-profits to "finish what we started." For those projects that do not have complete funding or are not ready to start construction, OCED recommends that capital improvement projects be funded in phases. The first phase will include, but not be limited to design, permitting and environmental review.

On June 4, 2002, the BCC approved a policy of multi-year funding and/or contracts for some capital improvement projects. OCED is recommending the Richmond Perrine Optimist Club Youth Center be funded over three years. This multi-year commitment will be bridge funded by a private sector institution.

(c) Economic Development

FY 2003 funding recommendations for economic development activities total \$4,477,000 compared to \$4,762,294 for FY 2002. This represents 18.5% of the total CDBG allocation, compared to 20.5% in FY 2002. Total funding requests in this category amounted to \$27.2 million. Included in the staff recommendations are:

AGENCY/DEPARTMENT

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ACTIVITY
COUNTY MANAGER'S RECOMMEN-DATIONS
Black Economic Development Coalition, Inc.

Technical Assistance
\$300,000
City of Hialeah

Hialeah Dade Development
\$125,000
Contractors Resource Center, Inc.

Ed Technical Assistance
\$70,000
Dynamic Community Development Corp.

Economic Development/Technical Assistance
\$75,000
Entertainment Industry Incubator, Inc.

Entertainment Industry Incubator
\$75,000
Fanm Ayisyen Nan Miyami, Inc.

Food Distributor Incubator
\$75,000
Local Initiatives Support Corporation

Economic Development/Technical Assistance
\$50,000
Haitian American Association of Dade County, Inc.

Micro-Enterprise Assistance Program
\$30,000
L.B.W Homeowner's Foundation of Coral Gables, Inc.

CDBG/Economic Development for Bahamian Village
\$100,000
Miami Dade OCED/ED

CDBG Revolving Loan Fund Program
\$1,000,000
Miami Dade OCED/ED
CDBG Revolving Loan Fund Program in Targeted Urban Areas:
\$300,000
Miami Dade OCED/ED

Commercial Revitalization in non-targeted urban areas
\$300,000
Miami Dade OCED/ED

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Commercial Revitalization Program in Targeted Urban Areas
\$500,000
Miami Dade OCED/ED

Florida State/Miami-Dade County Enterprise Zone Program
\$225,000
Miami Dade OCED/ED

Micro Enterprise Assistance & Peer Lending Program/Countywide
\$200,000
Miami Dade OCED/UD
Support of CD acquired parcels for economic development activities.

\$112,000
Miami Urban Ministries of United Methodist Church, Inc.

ASSETS Miami Self- employment training and support
\$30,000
Neighbors and Neighbors Association, Inc.

Technical Assistance
\$175,000
North Beach Development Corporation of Miami Beach, Inc.
North Beach Development Corporation of Miami Beach, Inc.
\$100,000

North Dade Community Development Federal Credit Union

North Dade Community Marketing/Awareness (CMA) Job Retention

\$150,000
Opa-locka CDC

Stadium Corners Shopping Center
\$100,000
Partners for Self Employment, Inc.

Matched Savings Fund
\$200,000
Rafael Hernandez Housing and Economic Development Corp.

Wynwood Business Development Program
\$60,000
Services Corps of Retired Executives Association

SCORE Counselors to America's Small Businesses
\$50,000
West Perrine Community Development Corporation, Inc.
West Perrine Commercial Office Space for Blood Bank

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\$75,000

These programs are designed to meet the needs of small and minority business owners for long-term working capital and fixed asset financing, to support the rehabilitation of commercial corridors and the growth and expansion of micro-businesses. These programs, as reflected in the County Manager's funding recommendations, are consistent with the high priority needs for economic development in CDBG focus areas and eligible block groups, as identified in the FY 2003-2007 Consolidated Plan, the FY 2002-2003 County Budget and for the revitalization of Targeted Urban Areas (TUAs) consistent with the Task Force's Urban Economic Revitalization Plan.

In the event of any difference between the County Manager's funding recommendations and those of the Task Force, a 2/3 vote of the members of the Board of County Commissioners is required to approve the County Manager's recommendation.

Please be advised that, as requested by Ordinance No. 97-33, which created the Task Force on Urban Economic Revitalization, the FY 2003 CDBG Economic Development funding recommendations were presented to the Task Force for review.

A review of the funding recommendations for the CDBG economic development category indicates that there are differences in the funding recommendations relative to TUA-related economic development activities between the UERTF and the County Manager's recommendations. (See Attached UERTF recommendations).

In an effort to resolve the differences between the UERTF and the County Manager's recommendations relative to those TUA-related activities, staff has reviewed the merits of the UERTF recommendations and taken into consideration any additional differences that may be reflected in the funding recommendations. As a result of these considerations, it is recommended that the Board adopt, by way of the necessary 2/3 vote, the County Manager's CDBG economic development category recommendations.

(d) Historic Preservation

The funding recommendations for Historic Preservation activities amount to \$120,000 or less than 0.5% of the total CDBG allocation, compared to \$200,000 or 0.9% in FY 2002. Additional funding related to Historic Preservation is allocated in the Administration category in the amount of \$100,000 to support the County's Office of Historic Preservation. Requests for funding in this category total \$575,000.

(e) Housing

Of the total proposed FY 2003 allocation, \$2,956,000 or 12.2%, is recommended for housing activities. In FY 2002, \$5,176,799 or 22.3% of total entitlement was allocated to housing activities.

(f) Public Services

Federal regulations cap the funding allocations to public services at 15% of the total entitlement plus program income. This cap excludes funding for activities in Neighborhood Revitalization Strategy Areas (NRSAs). Requests for public service funding through the FY 2003 RFA process totaled approximately \$41.4 million. The FY 2003 Public Service County Manager's recommendations amount to \$8,143,000. Approximately \$4,564,000 million of public service activities serve NRSAs .

High priority public service activities include childcare, youth programs, employment training and

senior services. Recommendations for public service activities were made in consultation with the Alliance for Human Services.

(g) Activities Benefiting Residents of Public Housing Developments

As a result of the Adker Consent Decree issued by the U.S. District Court Southern District of Florida on June 24, 1998, the County has to allocate a minimum of \$4,715,800 of FY 2003 CDBG funds in areas surrounding public housing developments. In the FY 2003 Action Plan, a total of approximately \$12,529,000 in diverse activities, programs, and improvements benefiting the residents of public housing are being recommended for CDBG funding compared to \$14,920,860 in CDBG funds for public housing benefit activities in the FY 2002 Action Plan. OCED has coordinated with MDHA to facilitate the review of the FY 2003 funding recommendations by OTAC, for consistency with the requirements of the Adker Consent Decree. A series of meetings have been held with OTAC in this regard. Please note that OTAC's recommendations for funding activities are listed in Exhibit I and to the extent that there are differences between OTAC's recommendations and the County Manager's recommendations a 2/3 vote of the Board will be required to approve the County Manager's recommendation.

In light of the wide-ranging, across-the-board impact of OTAC's proposed funding reductions on numerous agencies, it is recommended that the Board approve the County Manager's funding recommendations by a 2/3 vote and override OTAC's recommendations.

(h) Funding for Activities in Entitlement Cities based on Metropolitan Significance Criteria

Activities with metropolitan significance that are located in the entitlement cities of Miami, Miami Beach, North Miami and Hialeah are recommended for a total of \$2,093,480 or 8.9% of the FY 2003 total CDBG allocation.

In recommending funding for activities in other entitlement cities, staff was especially mindful of U.S. HUD's Final Rule issued in November 1995, which stated that CDBG funds may assist an activity outside the jurisdiction of the Grantee only if the Grantee determines that such activity is necessary to further the purposes of the Housing and Community Development Act and the recipients community development objectives, and that reasonable benefits from the activity will accrue to the residents of the jurisdiction of the Grantee. This new language, to some extent, restricts the number of activities that can be recommended for funding. Additionally, consideration was given to the consistency of the activity with the high priority needs identified in the particular jurisdiction's Consolidated Plan.

In accordance with the approved FY 2003 Consolidated Planning Process Policies, funding for activities in entitlement jurisdictions participating in the State of Florida Small Cities CDBG Program is limited to those activities which demonstrate Metropolitan Significance and are consistent with the high priority needs identified in that jurisdiction's Consolidated Plan. Further, in order to be eligible for CDBG funding from Miami-Dade County, an activity in, either a Small Cities Program area (such as the cities of Homestead and Florida City) or an entitlement jurisdiction, will have to pass an eligibility determination test that demonstrates that the majority of its program benefits has benefited the County's unincorporated or entitlement area in the past.

FUNDING FOR ENTITLEMENT CITIES

Entitlement /Small Cities Area
 1990 Population
 1990 Low/Mod Population
 FY 2002 Entitlement Amount

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FY 2003*
 (EST.)
 Entitlement Amount
 Low/Mod
 Per Capital Entitlement Allocation
 Hialeah
 188,008
 91,436
 \$5,514,000
 \$5,624,280
 \$62
 **Homestead
 26,694
 15,308
 0
 0
 0
 **Florida City
 5,978
 3,681
 0
 750,000
 \$204
 Miami
 358,548
 215,293
 12,856,000
 13,113,120
 \$61
 Miami Beach
 92,639
 54,144
 2,777,000
 2,832,540
 \$52
 North Miami
 50,001
 22,656
 1,107,000
 1,129,140
 \$50
 Subtotal
 721,868
 402,518
 22,254,000
 23,449,080
 0
 Miami-Dade
 1,215,226
 417,813
 22,679,000

16

23,751,000
 \$57
 Dade County Total/Average
 1,937,094
 820,331
 44,933,000
 47,200,080
 \$57

*Based on the assumption that the FY 2003 funding will be increased by about 2%.
 **The cities of Florida City and Homestead no longer participate in the County's program, they participate in the Small Cities CDBG program administered by the State of Florida.

(i) Neighborhood Revitalization Strategy Areas

In 1996, U.S. HUD allowed entitlement jurisdiction to designate distressed areas that meet certain criteria as Neighborhood Revitalization Strategy Areas (NRSAs). The Board of County Commissioners and U.S. HUD have previously approved the following areas as NRSAs:

- * Coral Gables (formerly Coconut Grove)
- * Federal Enterprise Community/Empowerment Zone
- * Goulds
- * Leisure City
- * Melrose
- * Model City
- * Opa-locka
- * Perrine
- * South Miami
- * West Little River

OCED is recommending that all these areas be approved as NRSAs as part of the County's FY 2003-2007 Consolidated Plan. The incentives to submit and secure approval for revitalizations strategies are described below:

Job Creation/Retention as Low-Moderate-Income Area Benefit: Job creation/ retention activities undertaken pursuant to the strategy may be qualified as meeting area benefit requirements, thus eliminating the need for a business to track the income of persons that take or are considered for such jobs.

Aggregate Public Benefit Standard Exemption: Economic development activities carried out under the strategy may, at the grantee's option, be exempt from the aggregate public benefit standards, thus increasing a grantee's flexibility for program design as well as reducing its record-keeping requirements.

Public Service Cap Exemption: Public services carried out pursuant to the strategy by a Community-Based Development Organization (CBDO) will be exempt from the public service cap.

HOME INVESTMENT PARTNERSHIP PROGRAM RECOMMENDATIONS

It is anticipated that Funding Recommendations for the HOME Program will total \$9,190,000 in FY 2003, including an allocation of \$500,000 of program income. The HOME Program provides funds for

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permanent and construction loans, and first and second mortgage financing to assist very-low and low-income to moderate-income families to purchase or rent developed affordable housing units.

Program Administration \$669,000
 Rental Housing \$750,000
 Homeownership \$4,384,500
 Homeless Housing \$400,000
 CHDO Operating Support \$459,500
 CHDO Reserve \$84,500
 Reserve \$2,442,500
 Total \$9,190,000.00

EMERGENCY SHELTER GRANT (ESG) RECOMMENDATIONS

The process and criteria for awarding ESG funds, along with the source and amount of matching funds, involve the estimated \$750,000 in expected grant funds. It is recommended that these funds be contracted to Camillus House to continue to operate the County's Beckham Hall facility. Single males comprise approximately 62% of the homeless population in Miami-Dade County. Beckham Hall will provide temporary shelter and services for some 1,200 homeless males over the next year.

The match will be based upon funds that Miami-Dade County provides for the annual operation of the homeless programs and facilities in Miami-Dade County. A match of 100% is required.

STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

The SHIP Program allows flexible funding for housing development to meet local needs. SHIP funding expected to be available in FY 2002/2003 is \$6,885,000. The recommended funding distribution is:

Bank Partnership \$4,285,000
 Rental Units \$2,000,000
 Homeownership \$450,000
 Homebuyer Counseling \$150,000
 Total \$6,885,000.00

Proposals being recommended for funding include \$450,000 for the new construction of homeownership units, \$150,000 for Homebuyer Counseling, \$2,000,000 for Rental Units and Reserve. Funding recommendations are based on the evaluation of projects applying for SHIP funds that demonstrate a need for the funds requested. SHIP funding recommendations are included in Exhibit 1.

DOCUMENTARY STAMP SURTAX PROGRAM

The Surtax Program provides funds that primarily promote the new construction of homeownership units. A total of \$19,920,000 is available in FY 2003. An allocation of \$16,100,000 is being recommended for rehabilitation and/or new rental units, \$3,600,000 for new homeownership units and \$220,000 for homeownership counseling. Funding recommendations are based on the total amount of available affordable housing funding from all sources, and the review and evaluation of projects that applied for Surtax funds in the categories of homeownership by private developers, homeownerships by CDCs and rentals by CDCs. Surtax funding recommendations are included in Exhibit 1.

TASK FORCE ON URBAN ECONOMIC REVITALIZATION RECOMMENDATIONS

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OCED's funding recommendations for the CDBG Economic Development category were provided to the UERTF on October 9, 2002. Consistent with the requirements of Ordinance No. 97-33, the URTF after review of OCED funding recommendations and agency presentations, made its own funding recommendations which are indicated in Exhibit 1. The UERTF recommendations were submitted to OCED on November 7, 2002. The total of UERTF recommendations is \$4,152,140. Please note that in the event of any difference between the County Manager's recommendation and those of the Task Force, it will require a 2/3 vote of the members of the Board of County Commissioners to approve the County Manager's recommendation.

OVERALL TENANT ADVISORY COUNCIL (OTAC) RECOMMENDATIONS

As the result of the Adker Consent Decree issued by the U.S. District Court, Southern District of Florida on June 24, 1998, "the County shall allocate 25 percent of its future annual allocable CDBG funds for five years, commencing with the FY 2000 Action Plan, for housing and community and economic development programs and infrastructure improvements in neighborhoods surrounding public housing developments." Allocable CDBG funds are the total amount of CDBG funds appropriated in the Annual Action Plan less the 20 percent maximum allowed by U.S. HUD for the County's administrative expenses. The allocated CDBG funds shall be spent in accordance with priority needs identified relative to public housing and the surrounding neighborhoods through the County's Citizen Participation Process as mandated by HUD's Consolidated Planning requirements. Moreover, the County shall have no financial obligation to fund any such amount of programs and improvements other than from the CDBG funds actually paid or pledged to it by HUD.

In order for the County to be in compliance with the Adker Consent Decree requirement, the funding recommendations for the annual expenditure of CDBG funds must ensure that an amount not less than 25% of the allocable amount of CDBG funds, less the 20% allowed for administration, is allocated for eligible activities and programs benefiting the residents of public housing developments. With the specific reference to the FY 2003 Action Plan, the proposed allocation of \$24,151,000 in CDBG funds means that at least 25% of the amount remaining after allowing for the 20% expenditure for administration at least \$4,830,200 $(\$24,151,000 - 20\%) \times .25$ must be allocated for programs and activities benefiting the residents of public housing developments.

In accordance with the provisions of the consent decree, the Overall Tenant Advisory Council (OTAC) has been identified as the entity representing the interests of public housing residents relative to reviewing the recommendations of OCED staff and recommending activities and programs benefiting the residents of public housing developments.

To the extent that the County Manager's funding recommendations relative to activities and programs benefiting public housing residents are not in agreement with those of OTAC, the funding recommendations provided by OTAC will be implemented, unless modified by a two-thirds (2/3) vote of the Board of County Commissioners.

COMMUNITY ADVSORY COMMITTEE (CAC) RECOMMENDATIONS

On June 4 the BCC approved the FY 2003 Consolidated Planning Process Policies. In an effort to directly meet the need of low and moderate-income communities, \$100,000 was allocated to each of the nine CACs to address high priority needs in their neighborhoods. CACs are being empowered to make non-public service recommendations to meet high priorities as identified in their Neighborhood Revitalization Strategies. Those funds have been placed in a reserve fund to be allocated by the CACs in 2003. Once these allocations have been made by the CACs, it is recommended that the County

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Manager make these allocations administratively as non-substantial plan amendments.

BCC DISTRICT FUNDS RECOMMENDATIONS

On June 4 the BCC also approved \$200,000 to be allocated to each Commission District. Some District recommendations are reflected in the BCC District Funds Recommendations column. Those funds that have not been allocated have been placed in a reserve fund to be allocated by the BCC in 2003. It is recommended that the County Manager make these allocations administratively as non-substantial plan amendments.

REVISIONS TO DEPARTMENTAL BUDGETS

The final recommendations take into consideration staff, AHAB, URTF, OTC, CAC, and BCC District Fund requests as discussed with OCED staff. To address concerns that were raised, it was necessary to reduce County departmental CDBG allocations recommended and approved as part of the FY 2002-03 budget by approximately \$2.3 million. As the Board is aware, even though such appropriations are included in the budget ordinance, the CDBG allocations are not final until the federally mandated grant allocation process is completed. The revised departmental recommendations are as follows:

Department	Activity	Adopted Budget	Revised Recommendation	Difference
PROGRAMMATIC				

MD Building Dept.	Demolition of Unsafe Structures	\$350,000		
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		\$200,000		
		\$150,000		
MD Health Dept (Florida Dept of Health	Rodent Control	344,000		
		300,000		
		44,000		
Team Metro	Code Enforcement	451,000		
		51,000		
		400,000		
MD OCED	Micro Lending - TUA	125,000		
		0		
		125,000		
MD OCED				

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Micro Lending

375,000

200,000

175,000

MD OCED

Commercial Revitalization - TUA

250,000

500,000

(250,000)

MD OCED

Commercial Revitalization

750,000

300,000

450,000

MD OCED

Revolving Loan Fund - TUA

378,600

300,000

78,600

MD OCED

Revolving Loan Fund

1,135,850

1,000,000

135,850

MD OCED

Countywide Land Acq.

140,000

120,000

20,000

MD Office of Historic Preservation

Historic Preservation

200,000

120,000

80,000

Subtotal

1,408,450

ADMINISTRATION

MD DHS

Social Svcs, Master Plan

49,000

0

49,000

MD OCED

Administration

H

3,562,000
 2,787,580
 774,420
 MD Office of Historic Preservation
 Historic Preservation
 170,000
 100,000
 70,000

Subtotal
 893,420
 Total County Department Budget reduction
 \$2,301,870

The OCED Director has recommended that these activities be prioritized for reprogrammed funds in early FY 2003. OCED will identify funds for recapture and will prepare an amendment to the FY 2003 Action Plan after it completes its Consolidated Annual Performance Evaluation Report. The Report is due to US HUD within 90 days after the end of the FY 2002 program year. OCED has proposed an "Expenditure Analysis" that indicates the availability of sufficient funds for reprogramming following the conclusion of the FY 2002 close-out period. Therefore, under the plan recommended by the OCED Director, the adjustments to these departmental budgets will be temporary and not affect departmental operations. I therefore concur with that approach.

Finally, it is recommended that the Manager be authorized to make administrative non-substantial amendments to the plan approved by the BCC. As approved by the BCC in April 1996, the criteria for substantial amendments to the consolidated plan are stated below:

1. An activity assumes a new purpose;
2. The scope of activity is increased by 100% or more;
3. The minimum change in the cost of an activity is \$100,000 or more, or;
4. An activity's services are redirected outside of the previously agreed upon target (NRSA) area.

On December 17, 2002, the County Manager presented FY 2003 funding recommendations for the CDBG, HOME, ESG, SHIP and Surtax Programs. The Board accepted most of the County Manager's funding recommendations, including amendments presented by the Director of OCED, and made modifications to the others. Some Members of the Board made specific allocations to agencies in their respective districts from the Commission District Reserve Funds. It was noted that four Commissioners had not yet allocated funding to agencies from their Commission District Reserve Funds. The Board further requested funding consideration from recaptured/reprogrammed funds for certain specific activities. The funding changes made by the Board are incorporated in an amended Exhibit 1. The amendments resulted in the following adjusted total amounts in the CDBG program categories:

County Manager's Funding Recommendations Adjusted amount as a result of BCC Action

Capital Improvement \$ 2,413,000 \$ 2,638,000
 Economic Development 4,477,000 - 0 -
 Housing 2,956,000 2,951,000
 Public Services 8,143,000 8,418,000
 Historic Preservation 120,000 - 0 -

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Administration 3,772,580 - 0 -

It is to be noted that in the Board of County Commissioner's approved funding recommendations, the funding of activities under the Public Service category exceeds the 15% Public Service cap of \$3,622,650 by \$4,795,350. It is anticipated that the amount in excess of the cap will be accommodated through the flexibility provided under the Neighborhood Revitalization Strategy Areas (NRSA's) for public service expenditures. OCED will identify to U.S. HUD those FY 2003 public service activities, in an amount not less than \$4,795,350 related to the County's NRSA's. Further, as a result of the funding adjustments made by the Board, the Scope of Services and Budgets of the affected agencies will be modified accordingly.

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MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(G)(1)(A)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(G)(1)(A)
1-20-04

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT ALLOCATING \$1,250,000 FROM SURTAX INCENTIVE POOL FUNDS TO BONITA POINTE ASSOCIATES, LTD. FOR THE BONITA POINTE APARTMENTS PROJECT; AND EXECUTE ANY NECESSARY AGREEMENTS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the allocation of \$1,250,000 from Surtax Incentive Pool funds to Bonita Pointe Associates, Ltd. for the Bonita Pointe Apartments project, as set forth in the attached memorandum; and further authorizes the County Manager or his designee to execute agreements, contracts, and amendments on behalf of Miami-Dade County, following approval by the County Attorney's Office; to shift funds for this program activity without exceeding the total amount allocated to that agency; and to exercise amendment, modification, renewal, cancellation and termination clauses on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. 

Shannon D. Summerset

By: _____
Deputy Clerk