MEMORANDUM

Agenda Item No. 7(G)(2)(B)

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

DATE: November 30, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution to determine feasibility of creating an emergency affordable housing preservation fund

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro and Commissioner Natacha Seijas.

Robert A. Ginsburg
County Attorney

RAG/bw

MEMORANDUM

(Revised)

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

DATE: November 30, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(G)(2)(B)

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)(2)(B)
11-30-04

RESOLUTION NO. _____

RESOLUTION TO DETERMINE THE FEASIBILITY OF CREATING AN EMERGENCY AFFORDABLE HOUSING PRESERVATION FUND; REQUIRING REPORT FROM THE COUNTY MANAGER

WHEREAS, there is a severe housing shortage which exists within Miami-Dade County with respect to the supply of housing relative to the need for housing residents with low and moderate incomes; and

WHEREAS, the Housing Element of the Miami-Dade Comprehensive Plan sets as one of its goals that the County ensure the provision of affordable housing products that will meet the spatial and economic necessities of all current and future Miami-Dade County residents, regardless of household type and income; and

WHEREAS, nationally public housing authorities, like the County, continue to face challenges, such as tight rental markets and landlords' apprehension to participate in subsidized housing programs such as the Section 8 Housing Choice Voucher and Section 8 Moderate Rehabilitation programs; and

WHEREAS, statistical estimates demonstrate that there is insufficient affordable housing for very low, low and moderate income households in the County; and

WHEREAS, the tight rental market and landlords' apprehension to participate in federally subsidized rental programs contributes to the lack of sufficient affordable rental housing units for very low, low and moderate income households in the County; and

WHEREAS, the housing crisis is further exacerbated by expiring Housing Assistance Payment contracts in the Section 8 Moderate Rehabilitation Program and in other federally assisted housing programs; and

WHEREAS, the unwillingness of some landlords to renew these contracts has contributed to this housing crisis; and

WHEREAS, participation in the Section 8 Moderate Rehabilitation Program is no longer attractive to some landlords due to the federal requirement that the County must pay lower rents even though the price of housing has increased; and

WHEREAS, many of the Section 8 Moderate Rehabilitation projects are distressed and in need of rehabilitation; and

WHEREAS, some of these landlords lack sufficient funds to rehabilitate these projects; and

WHEREAS, each of these factors results in many Miami-Dade County residents who participate in federally subsidized rental housing programs having difficulty in locating and leasing up affordable rental housing units, which are decent, safe, and which comply with federally mandated quality housing standards; and

WHEREAS, the County relies heavily on its partnerships with the private sector to acquire, construct and/or rehabilitate affordable housing developments through programs such as SHIP, Surtax, HOME, and other affordable housing programs, which are administered through the County's Office of Community and Economic Development and Miami-Dade Housing Agency ("MDHA"); and

WHEREAS, without the private sectors' assistance and involvement in housing these participants, many of these households will not be housed; and

WHEREAS, there is a need in Miami-Dade County to provide a full range of housing choices, conveniently located in a suitable living environment, for all incomes, ages and family sizes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs:

Section 1. The County Manager, MDHA and the Office of Community Economic Development to study the feasibility of establishing an emergency affordable housing preservation fund, which shall be used to assist expiring Section 8 Moderate Rehabilitation and other expiring federally assisted housing program landlords to rehabilitate their housing development projects.

Section 2. The County Manager, MDHA and the Office of Community Economic Development to present this Board with a report within ninety (90) days from the date of this resolution. The report shall include, but not be limited to, an analysis of the feasibility of creating the fund; the resources to be allocated to the fund, including the use of Surtax, SHIP, and HOME funds; and the process by which landlords can access these funds.

The foregoing resolution was sponsored by Commissioner Bruno A. Barreiro and Commissioner Natacha Seijas and 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
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of November, 2004. This resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith