MEMORANDUM

Agenda Item No. 11(A)(4)

TO:	Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners	**DATE:**	July 10, 2007
FROM:	R.A. Cuevas, Jr. Acting County Attorney	**SUBJECT:**	Resolution amending R-735-07 related to Affordable Homeownership Program

The accompanying resolution was prepared and placed on the agenda at the request of Vice-Chairwoman Barbara J. Jordan.

R.A. Cuevas, Jr.
Acting County Attorney

RAC/bw

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: July 10, 2007

FROM: R.A. Cuevas, Jr. Acting County Attorney

SUBJECT: Agenda Item No. 11(A)(4)

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. 11(A)(4)
7-10-07

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION NO. R-735-07 RELATED TO AFFORDABLE HOMEOWNERSHIP PROGRAM TO DIRECT COUNTY MANAGER TO IDENTIFY SITES AVAILABLE FOR PURCHASE BY COUNTY FOR DEVELOPMENT OF AFFORDABLE SINGLE FAMILY AND MULTI-FAMILY HOMES AND TO AUTHORIZE COUNTY MANAGER TO PREPARE REQUEST FOR PROPOSALS TO SOLICIT PROPOSALS FROM DEVELOPERS FOR CONSTRUCTION AND/OR RENOVATION OF SUCH HOMES

WHEREAS, on June 5, 2007 this Board adopted Resolution No. R-735-07 establishing the Affordable Homeownership Program to address the shortage of affordable housing; and

WHEREAS, in order to effectively address the shortage of affordable housing, it is necessary to provide affordable homeownership opportunities; and

WHEREAS, the Affordable Homeownership Program was established to identify County-owned parcels appropriate for development of single family homes that are "affordable" (as such term is defined in Section 420.0004(3), Florida Statutes, as amended) ("Affordable"), to develop such Affordable housing, and to identify legally available funds to assist prequalified buyers in the purchase of Affordable single family homes; and

WHEREAS, the Board wishes to direct the County Manager to prepare a list of areas in Miami-Dade County where a shortage of Affordable housing exists and to target acquisition efforts to include developed and undeveloped real property that is appropriate for use in the Affordable Homeownership Program; and

WHEREAS, this Board wishes to amend the Affordable Homeownership Program to include property acquired by the County, from time to time, for Affordable housing purposes; and

WHEREAS, a request for proposal seeking proposals from developers interested in constructing and/or renovating single family and/or multi-family homes that are Affordable needs to be prepared and brought back to this Board for approval; and

WHEREAS, the County has funding available to finance the acquisition, construction, renovation and other related capital costs of the Affordable Homeownership Program through the affordable housing fund approved in the aggregate amount of $137 million by the voters for the purpose of providing affordable housing in Miami-Dade County as part of the Building Better Communities General Obligation Bond Program ("Affordable Housing GOB Fund"),

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Section 2 of Resolution No. R-735-07 is amended and restated as follows:

The Affordable Homeownership Program for the development of affordable homes for sale to qualified purchasers is established as follows:

(i) Single family and/or multi-family homes shall be constructed and/or renovated on: (a) County-owned sites identified for affordable housing pursuant to Section 125.79(1), Florida Statutes, and made available upon the recommendation of the County Manager pursuant to Section 125.79(2), Florida Statutes, and (b) any sites identified and purchased by the County for affordable housing purposes; provided, that each site be qualified for single family or multi-family residential development, as applicable, pursuant to local zoning regulations and other applicable laws;

(ii) The County shall select contractors to construct and/or renovate the homes through a competitive process, provided, however, that such homes be constructed and/or renovated, as applicable, to the size and specifications set forth in the Request for Proposals which will be tailored to the needs of "moderate-income persons", "low-income persons" and "very-low-income persons" as such terms are defined in Section 420.0004, Florida Statutes;

(iii) The cost of construction, renovation and other related capital costs of the homes shall be financed from bond proceeds on deposit in the Affordable Housing GOB Fund;

(iv) The County shall utilize legally available funds, other than bond proceeds, to assist individuals in qualifying for mortgage financing;

(v) Potential purchasers shall be pre-qualified with the assistance of the Housing Finance Authority of Miami-Dade County ("Housing Finance Authority") which shall take into consideration any assistance from the County to assure that the participants in the Affordable Homeownership Program are "moderate-income persons", "low-income persons" and "very-low-income persons" and that the homes are Affordable in accordance with Section 420.0004(3), Florida Statutes;

(vi) A list of pre-qualified purchasers by family size, by the order in which they were pre-qualified, provided they receive a mortgage commitment, shall be created to match purchasers with homes as they become available for purchase;

(vii) A purchaser shall be responsible for the sale price as well as any other related closing costs which are typically the responsibility of a purchaser;

(viii) The sale of each home shall be subject to restrictive covenants that will require the purchaser to reside in the home for no less than twenty (20) years and if sold before such time period expires, that will require the subsequent purchaser to meet one of the affordability criteria set forth in (v) above; and

(ix) All proceeds from the sale of the homes shall be used for capital costs and subsidies associated with the Affordable Homeownership Program.

Section 3. The County Manager shall provide within ninety (90) days from the effective date of this Resolution a list of areas in Miami-Dade County where a shortage of Affordable housing exists. Acquisition efforts should be targeted to include developed and undeveloped real property that is appropriate for use in the Affordable Homeownership Program.

Section 4. Section 5 of Resolution No. R-735-07 is hereby amended and restated as follows:

The County Manager shall prepare a request for proposals to solicit proposals from developers for the construction and/or renovation of homes in accordance

with the provisions of this resolution ("RFP") and shall present the RFP to this Board for review and approval within ninety (90) days from the effective date of this Resolution.

Section 5. Section 8 of Resolution No. R-735-07 is hereby amended and restated as follows:

A progress report that includes parcels being acquired, homes under construction or renovation, and homes completed and sold shall be prepared and presented by the County Manager to this Board every six months.

Section 6. With the exception of those sections of Resolution No. R-735-07 amended and restated in this resolution, all other provisions of Resolution No. R-735-07 remain unchanged.

The foregoing resolution was sponsored by Vice-Chairwoman Barbara J. Jordan 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:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of July, 2007. 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

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GBK

Geri Bonzon-Keenan