

Memorandum



Date: March 17, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 14(A)(1)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

Subject: Resolution Requesting Authorization for OCED to Reimburse Outstanding Payments
and Enter into Contractual Agreements

RECOMMENDATION

It is recommended that the Board authorize a) the reimbursement for outstanding payments to five organizations: 1) Florida Memorial University (FMU), 2) Miami River Commission (MRC), 3) Rafael Hernandez Housing and Economic Development Corporation (RHED), 4) Per Scholas, and 5) M. Gill & Associates (M. Gill) for services rendered and execute the Mayor or the Mayor's designee to execute the necessary agreements and b) approval to enter into a contractual agreement with two entities: 1) So Cool Events, 2) Experience Aviation for services pursuant to the Department and Housing and Urban Development 24 CFR Part 58.

SCOPE

Miami Dade County received its Empowerment Zone (EZ) designation in 1999. The EZ covers specific census tracts in the following ten neighborhoods: 1) Central Business District/Seaport; 2) Airport; 3) Melrose; 4) Allapattah/Civic Center; 5) Overtown; 6) East Little Havana; 7) Wynwood; 8) Liberty City/Model City; 9) Homestead; and 10) Florida City. In addition, the EZ covers three developable sites: 1) Opa Locka Airport (a 902-acre site); 2) Northside/Poinciana Industrial Center (a 259-acre site) and 3) Homestead/Florida City (a 621-acre site). These areas are located in Commission Districts 1,2,3,5, 8, and 9.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County.

The remaining federal EZ grant funding of \$3,929,930, in addition to any program income (i.e. revolving loan fund repayments stemming directly from local matching or federal EZ grant assisted activities), will be used to reimburse completed projects and support the ongoing programs and projects of the EZ program as administered by the County through OCED. OCED is authorized to charge an administrative fee to cover its associated costs.

BACKGROUND

In 1999, the BCC approved a Memorandum of Understanding (MOU) between the County and Miami-Dade Empowerment Trust, Inc. (MDET), which delegated MDET the authority to govern, direct and implement programs of the EZ. On July 10, 2007, the MOU between MDET and the County was terminated. County Ordinance 08-56 designated OCED as the implementing arm for all ongoing EZ program management activities through the end of the EZ's designation, which is December 31, 2009.

Consequently, during the transition period, the period after termination of the MOU with MDET and prior to OCED being designated by the BCC as the implementation arm, there was a lapse in the ability to reimburse or pay for services rendered in active contracts and no new contracts for approved funding were executed. Organizations either received a halt letter to cease activities or a letter informing them that no new contracts would be executed with those approved for funding.

ORGANIZATIONS PROVIDING SERVICES

The five entities below could not halt offering its services contracted with MDET due to the nature and scope of services. The entities and accounts are:

Organization	Reimbursement Amount
Florida Memorial University	\$25,000
Miami River Commission	\$17,800
Rafael Hernandez Housing and Economic Development Corporation	\$20,023.90
Per Scholas	\$104,941.90
M. Gill & Associates	\$24,999.98

Florida Memorial University

Florida Memorial University (FMU) in collaboration with MDET proposed to provide opportunities for EZ youths in FY 2006-2007 by allowing them to attend the university to pursue undergraduate studies in aviation related fields. The \$50,000 allocation enabled 10 students to graduate in the summer of 2007 and prepared them for high paying jobs in the aviation employment sectors. FMU received mobilization funds in the amount of \$25,000 for services to be rendered under its contractual obligation. Staff verified that FMU did in fact satisfactorily complete program services for the EZ identified students and in concurrence with the Empowerment Zone Strategies Alliance (EZSA), and it is recommended that FMU be reimbursed the remaining \$25,000 from the contract.

Miami River Commission

Miami River Commission (MRC) was awarded \$17,800 to provide a detailed current analysis of the economic outputs and potential marine industries' economic viability to the Miami River and Miami-Dade County. Prior to receiving their letter to halt all activities, MRC had contracted with all pertinent entities and was deeply involved in developing its detailed economic analysis. OCED/EZ staff has verified MRC completed the economic analysis during the transition phase and satisfactorily met its contractual obligation. In concurrence with the East Little Havana EZ Neighborhood Assembly (the EZ neighborhood where the service was performed and from which the funds were allocated) and the EZAB, it is recommended that MRC be paid/reimbursed funds in the amount of \$17,800 as per the contract.

Rafael Hernandez Housing and Economic Development Corporation

Rafael Hernandez Housing and Economic Development Corporation (RHED) contracted to market, build and sell affordable single-family homes to low-income Wynwood Empowerment Zone residents living in rentals or substandard housing. RHED was in the construction phase of building three affordable single-family homes during the time the halt letters were sent. Had construction of the homes ceased, the structures would have been deemed unsafe structures and demolished. Additionally, RHED was required by City of Miami ordinance to complete construction of the homes by August 2007 or the property conveyed to MDET by the City of Miami would revert back. OCED/EZ staff verified that RHED did complete the construction of three affordable single-family homes, and sold them to Wynwood Empowerment Zone residents, satisfactorily meeting their contractual obligation. Staff, in concurrence with the Wynwood EZ Neighborhood Assembly (the EZ neighborhood where the service was performed and from which the funds were allocated) and EZAB, recommends that RHED be reimbursed \$20,023.90 as per the agreement.

Per Scholas

Pursuant to Strategy Five (Wired Information Technology in the Zone), MDET partnered with Per Scholas to provide computer technician training to Miami-Dade County youth and community residents, with a focus on EZ residents. Prior to July 2007, Per Scholas had successfully trained 64 EZ residents, of which 70 percent (45 of the 64) successfully graduated from the program and 78 percent (36 of the 45) were placed in jobs.

Per Scholas was awarded \$145,000 of Federal EZ funds, \$67,000 of countywide general funds, and also had \$185,000 of private funds in the form of matching funds and grants from participating lenders of the MDET Bankers Empowerment Partners (BEP), with MDET being the administrator of these funds. Per Scholas contracted with MDET to train an additional 75 EZ residents in the area of computer repair. Per Scholas had completed recruitment of EZ residents and began training. Classes had surpassed the 50 percent mark and nearing completion; therefore Per Scholas could not halt training at this point. Per Scholas did not want students penalized or placed on hold for an indefinite amount of time, and knew that completion of the class, graduation and placement/employment of the students/EZ residents was paramount. Per Scholas trains for job opportunities with companies offering starting wages of at least \$10 per hour or \$20,000 per year with benefits and opportunities for advancement. Staff has verified that Per Scholas has successfully completed their contractual obligations and in concurrence with the EZAB (Zone wide project) and recommends that Per Scholas be reimbursed in the final payment amount of \$104,941.90.

M. Gill & Associates

M. Gill & Associates (M. Gill) entered into a three-year contractual agreement with MDET commencing in 2005. M. Gill was to provide technical assistance to businesses wishing to apply for funding, increase their business capacity, or seek other funding sources. Assistance to a business could be as simple as assisting in the completion of a tax document, advice in advertising their business, or as extensive and time consuming as the development of a business plan. Additionally, M. Gill scheduled participants in advance for services to ensure their need could be addressed at the time of the appointment, thus committed to providing service as per their agreement with MDET. Staff has verified that M. Gill has successfully completed its contractual obligation and in concurrence with the EZAB recommends that M. Gill be reimbursed funds in the amount of \$24,999.98.

ORGANIZATIONS WITH FUNDING AWARDED

Two organizations, Experience Aviation and So Cool Events, were approved for funding at the Neighborhood Assembly level and by the MDET Board of Directors. In the midst of this process, the MOU between MDET and the County was terminated. Thus, projects meeting requirements outlined in the EZ strategic plan and approved in one or more EZ communities were placed on hold.

This resolution also authorizes OCED to enter into a contractual agreement with two entities which were previously approved for funding as shown below.

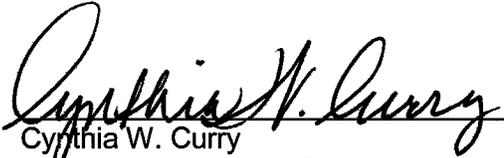
Organization	Reimbursement Amount
So Cool Events	\$100,000 (loan)
Experience Aviation – Liberty City/Model City	\$25,000
Experience Aviation – Melrose	\$25,000
Experience Aviation –Central Business District	\$15,000

Experience Aviation

Experience Aviation was approved for investment funding in the amount of \$25,000 by the Liberty City/Model City EZ Neighborhood Assembly and the Melrose EZ Neighborhood Assembly respectively; and funding in the amount of \$15,000 from the Central Business District EZ for the purpose of providing training in the field of Aviation to youth residing in each respective zone. The field of Aviation has been determined to be a growing industry with employment opportunities for individuals without a college degree. The Liberty City/Model City EZ Neighborhood Assembly, the Melrose EZ Neighborhood Assembly, the EZAB, and staff concur that the services initially approved by MDET are still viable and necessary and recommends that OCED be authorized to enter into a contractual agreement with Experience Aviation to provide aviation industry training to EZ residents. Staff has performed a site visit and has determined that Experience Aviation is capable if providing this service.

So Cool Events

So Cool Events is a franchised company that offers innovative and affordable products, which provides exciting new décor for special events, meetings, trade shows, conventions, and weddings. The company began making sales calls in August 2001. In light of the events of September 11, they were able to successfully launch their business. So Cool Events was approved for a \$100,000 loan to assist with the company's growth, and EZ funding would be used to complete the installation of equipment, hire five additional employees, acquire additional equipment, and purchase a delivery vehicle. Staff, in concurrence with the Allapattah/Civic Center EZ Neighborhood Assembly (the EZ neighborhood where the service will be performed and from which the funds were allocated) and EZAB, recommends that this organization be reassessed and approved for their loan and recommends that OCED be authorized to enter into a contractual agreement with So Cool Events.


Cynthia W. Curry
Senior Advisor to the County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: March 17, 2009

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

SUBJECT: Agenda Item No. 14(A)(1)

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 Mayor'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. 14(A)(1)
3-17-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING REIMBURSEMENT FOR OUTSTANDING PAYMENTS TO FIVE ORGANIZATIONS FOR SERVICES RENDERED, AND APPROVAL TO ENTER INTO A CONTRACTUAL AGREEMENT WITH TWO ENTITIES PURSUANT TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 24 CFR PART 598

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

WHEREAS, the Memorandum of Understanding (MOU), between the Miami Dade Empowerment Trust (MDET) and the County was terminated, on July 10, 2007; and

WHEREAS, the County's designation of the Empowerment Zone (EZ) ends December 31, 2009; and

WHEREAS, pursuant to County Ordinance 08-56 which designated the Office of Community and Economic Development (OCED) as the implementing arm of the Empowerment Zone until expiration of its designation; and

WHEREAS, County Ordinance 08-56, established a new project approval process which mandates that the reestablished Empowerment Zone Neighborhood Assemblies, the newly formed Empowerment Zone Advisory Board (EZAB), and OCED Empowerment Zone Initiative staff shall review and make funding recommendations to the Board for approval; and

WHEREAS, the aforementioned concur that the entities outlined have successfully completed their respective Scope of Services / contractual obligations under said contracts or will render services that are still vital to residents of the EZ; and

WHEREAS, the Board desires supports prudent and effective activities that enhance the Empowerment Zone communities,

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

Section 1. Authorizes reimbursement to five organizations outlined in the accompanying memorandum for services rendered in furtherance of the EZ program and authorizes the Mayor or the Mayor's designee to execute the necessary agreements; and authorizes the Mayor or the Mayor's designee to enter into a contractual agreement with two entities previously approved for EZ funding outlined in the accompanying memorandum.

Section 2. Authorizes the Mayor or the Mayor's designee, the Director of the Office of Community and Economic Development, County Attorney, and Clerk of the Board to take whatever actions are necessary to effect and secure the request.

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:

- | | |
|---------------------------------|--------------------|
| Dennis C. Moss, Chairman | |
| Jose "Pepe" Diaz, Vice-Chairman | |
| Bruno A. Barreiro | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of March, 2009. 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.



Shannon D. Summerset