

# Memorandum



**Date:** June 10, 2009

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

**From:** George M. Burgess  
County Manager

**Subject:** Resolution Authorizing Submission of the Competitive Application for Neighborhood Stabilization Program 2 Funds

HCD  
Agenda Item No. 3(F)

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

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing the Mayor or the Mayor's designee to submit an application on behalf of Miami-Dade County ("the County") for \$162 million to the U.S. Department of Housing and Urban Development (US HUD) in response to the Notice of Fund Availability (NOFA) for Neighborhood Stabilization Program 2 (NSP2) funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

## **SCOPE**

The County's NSP2 application is requesting funds that may be used in eligible geographic areas including other Community Development Block Grant (CDBG) entitlement cities (City of Miami, City of Miami Gardens, City of Hialeah; City of Homestead, City of North Miami, and City of Miami Beach).

US HUD has developed a mapping tool to determine eligible areas by census tract. In order for an area to qualify, the census tract is measured by both foreclosure rate and area vacancy rate and must achieve an 18 out of a maximum 20 score in either category. Miami-Dade County has 348 census tracts of which 341 are eligible areas.

## **FISCAL IMPACT**

There is no fiscal impact to the County. The County is applying through a competitive process for \$162 million in NSP2 funds to be spent over the next three years.

An amount of up to ten percent of the NSP2 grant provided to the County may be used for general administration and planning activities as defined in the CDBG program. In addition, up to ten percent of program income earned may be used for general administration and planning activities under the same CDBG rules. Program income received from NSP2 eligible activities may be retained by the County and treated as CDBG funds and used in accordance with the requirements of the NSP2.

## **TRACK RECORD/MONITORING**

Should the County be successful in receiving NSP2 funds, OCED will be the lead agency tasked with the implementation, management and overall responsibility of the program. Through regular site visits and corresponding desk audits, the department will work to ensure successful completion and compliance with Federal guidelines and County policies. These guidelines include that half of the NSP2 funds must be spent on NSP2 eligible activities within two years from the date of the award, while all funding must be spent in three years.

## **BACKGROUND**

On May 4, 2009, US HUD issued the NOFA for this funding and advised the availability of \$1.93 billion to address problems associated with concentrations of foreclosed, vacant, and abandoned homes. The application process is competitive and eligible applicants include: state governments, local governments, not-for-profit organizations, a consortium of not-for-profit organizations, and for-profit organizations as part of a team with other eligible applicants. US HUD was designated as the implementing agency and charged with allocating the NSP2 appropriations through and according to a competitive process.

U.S. HUD notified the public of the guidelines for NSP2, where six rating factors will be considered:

- 1) Need/extent of the problem,
- 2) Demonstrated capacity of applicant and relevant organizational staff,
- 3) Soundness of approach,
- 4) Leveraging other funds or removal of substantial negative effects,
- 5) Energy efficiency improvements and sustainable development, and
- 6) Neighborhood transformation and economic opportunity.

In addition, the total point value available for each applicant is 150 and at least 115 must be achieved to be considered for funding.

Data analyses conducted jointly by the County's Planning and Zoning Department and Chief Economist indicate that recent home foreclosures have been spread across the County; however there are particular areas of foreclosure concentration in neighborhoods with high percentages of residents meeting the income eligibility requirements specified in the NSP2. As stated earlier, in order to determine is an area is eligible, US HUD developed an NSP mapping tool specifically designed to determine geographical areas for eligible NSP 2 activities. This tool has been used to identify the County's eligible areas. In addition to area requirements, recipients who are served must qualify at 120 percent or less of the average medium income (AMI). This difference in qualifying area from the regular CDBG requirements helps the County to settle on a more regional approach looking at the County as a whole for eligible activities as opposed to just focusing on the County's entitlement areas. Below is a table that demonstrates the AMI thresholds in Miami-Dade County.

**Miami-Dade County: HUD 2009 - 50%, 80% and 120% of AMI Income Thresholds by Household Size**

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
50% of AMI	23,600	26,950	30,350	33,700	36,400	39,100	41,800	44,500
80% of AMI	37,800	43,150	48,600	53,950	58,250	62,600	66,900	71,200
120% of AMI	56,600	64,700	72,800	80,900	87,350	93,800	100,300	106,750

Source: <http://www.huduser.org/publications/commdev/nsp.html>

In the course of designing and implementing NSP 1, County staff consulted with mortgage credit industry professionals, affordable housing specialists, foreclosure prevention counseling specialists, and representatives of County departments likely to play a significant role in the proposed program's implementation as staff developed the proposed NSP2 application. Meetings were also held with municipal representatives, including those that received an NSP 1 allocation from U.S. HUD.

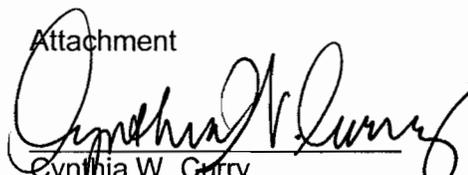
For the most part, NSP 2 follows the NSP 1 eligible activity guidelines. Accordingly, staff is recommending the following activities for Miami-Dade County's NSP 2 application to US HUD. Note that all proposed activities may be performed in any of the eligible 341 census tracts. The activities and NSP proposed budget are as indicated on the following page:

Proposed NSP Activity	Proposed Budget
A. Low- or no- interest second mortgages and closing cost assistance to income eligible buyers of foreclosed upon homes purchasing properties located in Miami-Dade County's areas of greatest need. It is estimated that this will yield 200 second mortgages and is available in any or all of the 341 above referenced census tracts.	\$15,000,000
B. Acquisition of single family residential properties that have been foreclosed for the purpose of rehabilitation and sale to income eligible buyers. Based on the maximum sale prices of \$205,000, it is estimated the County will be able to complete 70 homes. Note, the single-family home acquired must be in an eligible area and the purchaser must meet the income eligibility criteria.	\$15,000,000
E. Acquisition and rehab of multi-family residential properties to provide affordable rental housing. Based on foreclosure sales statistical data, it is estimated the County will be able to provide 300 units of multi-family dwellings. Note, the single-family home acquired must be in an eligible area and the purchaser must meet the income eligibility criteria.	\$26,000,000
F. Neighborhood redevelopment of affordable multi-family rental housing on vacant property. <b>GOB Projects</b> This activity will focus only on the GOB projects that are able to meet the spending and completion deadlines. For NSP 2, the spending requirement dictates that ½ of the funding must be spent within two years while all funding must be fully expended within three years. The amount of the award by US HUD, completion schedules and GOB dedicated funding will dictate how many GOB projects the County includes in this activity.	\$27,000,000
G. Neighborhood redevelopment of through multi-family rental housing on vacant property. This activity differs from (F) above as it targets developers with vacant land to propose and leverage funding in order to achieve results. The County will rely significantly on local HFA four percent bond credits.	\$61,000,000
H. Demolition of blighted structures to address public health and safety problems in negatively impacted neighborhoods.	\$1,800,000
<b>Administration (maximum amount available)</b>	\$16,200,000
<b>Total Request</b>	<b>\$162,000,000</b>

Miami-Dade County's NSP2 application must be delivered to U.S. HUD by no later than July 17, 2009. The Agency will review the plan and may require additional clarifying information or changes in the proposed eligible activities. Upon U.S. HUD's approval of the County's application, which staff estimates to be no later than December 1, 2009, the grant funds will be available to the County and implementation of the NSP2 program will begin and the two year expenditure period will commence.

Miami-Dade County will be able to adjust its NSP2 budget, during the course of its implementation,, as needed to provide more funding to activities that are working well and reduce funding to activities that prove less successful in achieving their objective, however any amendment is subject to US HUD re-ranking the application.

Attachment

  
 Cynthia W. Garry  
 Senior Advisor to the County Manager



# MEMORANDUM

(Revised)

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

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

**SUBJECT:** Agenda Item No.

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.  
6-30-09

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO SUBMIT AN APPLICATION ON BEHALF OF MIAMI-DADE COUNTY TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) IN RESPONSE TO THE NOTICE OF FUND AVAILABILITY FOR THE NEIGHBORHOOD STABILIZATION PROGRAM 2 FUNDS AND FURTHER APPROVES THE RECOMMENDED ACTIVITIES AS AUTHORIZED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AS DESCRIBED AS SOFT SECOND MORTGAGES, ACQUISITION AND REHABILITATION OF SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL PROPERTIES, DEMOLITION OF BLIGHTED STRUCTURES, AND REDEVELOPMENT OF VACANT LAND

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

**WHEREAS**, On May 4, 2009, US HUD has issued a Notice of Fund Availability for Neighborhood Stabilization Program 2 (NSP 2) funds under the American Recovery and Reinvestment Act of 2009; and

**WHEREAS**, the goals of the NSP2 program are to provide decent housing, a suitable living environment, and economic opportunity, principally for persons of low- and moderate-income; and

**WHEREAS**, NSP2 funding is awarded to address problems associated with concentrations of foreclosed, vacant and abandoned homes; and

**WHEREAS**, the County seeks to provide decent housing, a suitable living environment, and economic opportunity for its residents; and

**WHEREAS**, the County seeks to arrest the decline of neighborhoods due to the effects of concentrations of foreclosed, abandoned and vacant homes; and

**WHEREAS**, the funds will be awarded by US HUD through a competitive process; and

**WHEREAS**, Miami-Dade County's application to the competitive process must be delivered to US HUD no later than July 17, 2009; and

**WHEREAS**, the application to US HUD is attached in substantially the form that will be submitted by July 17, 2009,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves the application and corresponding funding requests for submittal to U.S. HUD for the Neighborhood Stabilization Program 2 as authorized by the American Recovery and Reinvestment Act of 2009 for activities described as soft second mortgages, acquisition and rehabilitation of single family and multi-family residential properties, demolition of blighted structures, and redevelopment of vacant land.

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
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

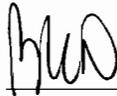
The Chairperson thereupon declared the resolution duly passed and adopted this 30<sup>th</sup> day of June, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Brenda Kuhns Neuman

Draft

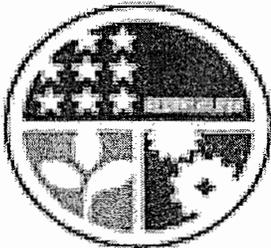
miamidade.gov 



# Office of Community & Economic Development (OCE D)

Neighborhood Stabilization Program 2 (NSP2)

Application for Federal Assistance



Due By: July 17, 2009  
NSP 2 Applications  
Robert C. Weaver Federal Building  
Office of Block Grant Assistance  
451 Seventh Street, SW, Room 7286  
Washington, DC 20410



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# NSP2 Program Summary

Over the past couple years, an economic crisis has evolved within the United States. The financial and housing markets have been affected as a result of this economic down turn. The volatility in these markets has had a spiraling effect – spawning the current foreclosure crisis and high unemployment rates nationwide. The downturn in the financial markets coupled with the foreclosure crisis has had a tremendous economic impact nationwide and has impacted many citizens abroad. More specifically, the state of Florida is one of eight states in the nation that has experienced rocketing foreclosures rates – representing approximately 188% of the national average. Miami-Dade County has one of the largest urban markets within the state of Florida that has seen the greatest impact of the foreclosure crisis.

Many factors have fueled this foreclosure crisis such as increasing unemployment rates, practices within the sub-prime mortgage market, restrictions in the extension of credit, mortgage fraud and over-valuation of properties. The unemployment rate in Miami-Dade County has increased tremendously over the past year – currently at 8% which is up 3% from just a year ago. As of April 2009, approximately 95,162 out of a labor force of 1,234,059 were unemployed in the County. Many jobs have been lost in the service and retail sectors as well as the construction industry which are prominent employment occupations in the County. In fact, these occupations, which represent the bottom of the occupation wage scale, comprise the industries that make up the largest share of Miami-Dade's economic base. Due to the major unemployment factor and other contributing forces, Miami-Dade County's foreclosure rate continues to rise.

According to the risk score matrix provided by the US Department of Housing and Urban Development, over 95% of the County has been deemed to have high foreclosure risk – as evidenced via the foreclosure risks scores by census tracts. Additionally, the County received the single largest allocation (\$62.2 million) of Neighborhood Stabilization Program (NSP) funds for any one municipality under the Housing and Economic Recovery Act of 2008. However, funding in aggregate county-wide was in excess of \$92 million. The appropriation of this funding is indicative of the pervasive need within the county to address the foreclosure challenges faced within the various communities. However, with more frequent foreclosures transpiring and escalating foreclosure filings within the County, estimated at approximately 11,000 for April 2009, additional funding is needed to more adequately and comprehensively address the County's need.

The County has consulted with mortgage credit industry practitioners, affordable housing specialists, foreclosure prevention counseling specialists and other industry experts to determine the County's greatest need area and explore remedies to this existing foreclosure crisis. The County has determined that the eligible activities under the NSP2 program that will have the greatest impact on the communities abroad and will mitigate destabilizing influences causing deterioration are: low interest loans, acquisition and rehabilitation of single family homes, acquisition and rehabilitation of multifamily properties, redevelopment of vacant land and demolition of blighted structures. This combination of activities, expected to be implemented county-wide, will assist in reconnecting communities, eliminating destabilizing factors, creating jobs, preserving affordable housing units and arresting neighborhood decline in areas of critical concern. The coupling of these activities will also restore the solvency of the local economy and stimulate other fruitful market stabilization activities.

The County is requesting that HUD consider allocating \$162,000,000 to undertake NSP2 activities as specified above. The County has focused many of its efforts on salvaging multifamily properties for which the County already has a financial investment and the redevelopment of vacant property located within

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communities that are in critical “areas of emphasis”. Investing funding in these types of transactions will yield the greatest benefit to the County by preserving affordable housing, decreasing blight, increasing employment and tapering the number of foreclosures occurring.

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# Factor 1: Need/Extent of the Problem

## A. Target Geography

### Metropolitan Area-Wide Target

Per the NSP2 data provided by HUD for Miami-Dade County, Florida (“the County”), there are 341 out of the 348 identified census tracts that meet the threshold of qualifying as a high risk area. These areas received index scores of 18 or higher, which is HUD’s benchmark for qualifying areas. Miami-Dade will apply a metropolitan area-wide approach in addressing the foreclosure needs and target its NSP2 activity in those areas that received foreclosure needs index scores of 18 or higher. The specific activities the County will undertake under the NSP2 funding will be described in a subsequent section.

Although the County is looking to invest NSP2 funding county-wide due to the magnitude of the foreclosure crisis across the County, there are certain “areas of emphasis” within the County that have experienced extremely high foreclosure rates. The County will seek to assist these “areas of emphasis” first in an effort to re-stabilize these areas. The foreclosure risk and vacancy scores data in addition to the County’s identified “areas of emphasis” are located in **Appendix E**. The areas will be ranked according to the number of foreclosures and the rate of foreclosures. The emphasis will be on the top 100 census tracts. Activities will first be ordered and considered in the most affected 100 areas, except that the “Spot Loan” and single-family acquisition and rehabilitation program will be available in all of the 341 identified census tracts.

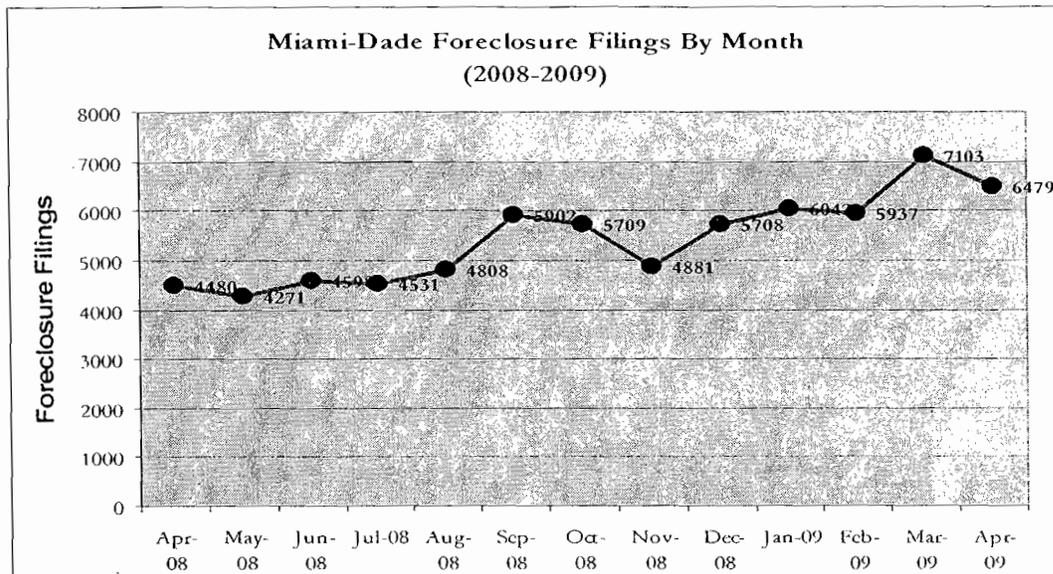
### Local Housing Market

The County has experienced escalating foreclosures filings over the past couple years which has exacerbated the economic and housing crisis that has pervaded many local economies nationwide. Initiations of foreclosure proceedings in Miami-Dade rose sharply commencing in 2006 and 2007 as sales of existing homes and prices fell sharply. From April 2008 – April 2009, there were approximately 65,985 foreclosure filings within the County, according to Miami-Dade County Clerk of Courts. Just as HUD has used “foreclosure starts” as one of its indicators to assess risk, the County also believes that many of the properties in a lis pendens status will materialize into definite foreclosures. **Figure 1** depicts the magnitude of the foreclosure crisis in Miami-Dade County.

Figure 1

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**Notes:**

- 1) Census Bureau and RealtyTrac data indicate that Miami-Dade County was one of 8 areas in the United States that was classified as having the most severely impacted and weakened urban markets which represents 188% of the national average.
- 2) Data Source: Miami Dade County Clerk of Courts

It has been reported that every foreclosure reduces the value of all other houses within an eighth of a mile by about 1 percent, as the sight of vacant property scares off potential buyers. Recent reports from the Combine that with a market already in decline, neighborhoods begin to experience further deterioration and demise. As statistics notate, many of the lis pendens will materialize into foreclosures as the process moves forward unless the bank/servicer enters into a work-out strategy with the homeowner or a refinancing occurs. Miami-Dade County continues to have a high rate of foreclosure although the number of lender REO's fluctuates from month to month.

There are several other factors that have contributed to the foreclosure crisis such as predatory lending practices, increased unemployment, credit crunch, fraud and other economic factors that may be tangentially related. In addition to the factors stated above, many homes in the County have been vacated and abandoned which often results in an increased rate of vandalism causing further neighborhood deterioration. The accumulation of these negative factors contributes to the continuing demise of communities across the County which is why it is imperative that this funding is infused in the target areas in an effort to arrest the negative factors and reinvigorate, restore and stabilize these neighborhoods. (See the chart labeled as **Appendix E** containing census tract information and risk scores)

**Unemployment**

The unemployment rate in Miami-Dade County has increased tremendously over the past year. Many jobs have been lost in the service and retail sectors as well as the construction industry which are prominent employment occupations in the County. The Agency for Workforce Innovation's (AWI) Labor Market Statistics indicate that Miami-Dade County's largest occupational employment is retail salespersons followed by office clerks. These occupations generally have low entry and median hourly wage rates. In fact, many of the occupations that comprise Miami-Dade County's major employment base represent the bottom of the occupation wage scale, including the retail sector which provides 34,700 jobs at \$10.65 median hourly wage; office clerks, 28,360 jobs with an \$11.13 median hourly wage; and laborers and freight workers which comprise 19,230 jobs with a \$9.68 median hourly wage. Other leading occupations include stock clerks,

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security guards, waiters and waitresses and 17,830 janitors and cleaners who report the lowest median hourly wage of \$9.16.

Despite low wages, these occupations represent the industries that make up the largest share of Miami-Dade's economic base and, as such, have proportional housing demand based on affordable price levels. However, due to challenges associated with the market, employers have had to make significant job cuts. In Miami-Dade County, the unemployment rate rose to 7.8 percent in March 2009, up from 7.6 percent in February 2009. Last year, Miami-Dade's unemployment rate was 5 percent. The unemployment rate for the County has been consistently inclining over the past year as Table 1 indicates below with a couple exceptions and market fluctuations:

Table 1

Year	Month	Unempl. Rate
2008	March	5.0
2008	April	5.1
2008	May	5.3
2008	June	5.8
2008	July	5.9
2008	August	6.5
2008	September	6.3
2008	October	6.6
2008	November	6.2
2008	December	7.0
2009	January	6.9
2009	February	7.6
2009	March	7.8
2009	April	8.0

Source: According to Florida's Agency for Workforce Innovation Labor Market Statistics Center and Department of Labor

The unemployment rate during April 2009 was 1.6 percentage points lower than the state unemployment rate of 9.6 percent. Out of a labor force of 1,234,059, there were 95,162 unemployed residents within the region. Slower job growth in the region has been partially offset by education and health services which was the only industry that gained jobs over the year (+1,800 jobs). The Miami-Miami Beach-Kendall metropolitan division saw overall employment decline by 50,000 jobs over the year. Professional and business services lost the most jobs (-12,800 jobs), followed by mining, logging, and construction (-12,200 jobs); trade, transportation, and utilities (-10,300 jobs); government (-4,500 jobs); manufacturing (-3,600 jobs); leisure and hospitality (-3,100 jobs); financial activities (-2,300 jobs); and information and other services (both -1,500 jobs).

Statistics provided by the Florida Agency for Workforce Innovation also indicate that Florida's unemployment rate for April 2009 is 9.6 percent, down 0.2 percent from March 2009 which was 9.8. In March 2009, the jobless rate was at its peak, leaving 901,000 jobless out of a labor force of 9.2 million. That number slightly changed in April 2009 to approximately 885,000 jobs. Florida's unemployment rate is currently higher than the national unemployment rate, which experienced an increase from 8.5 percent in March 2009 to 8.9 percent in April 2009. Florida's rate also was up slightly from February's rate of 9.6 percent, but is up 4.3 percentage points from the April 2008 unemployment rate of 5.6 percent. Although

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Florida experienced a slight decrease in job loss from March 2009 to April 2009, overall the 2009 job loss continues the trend of over-the-year declines that began in August 2007. The downturn started with declines in construction jobs, but has now spread to almost all other major industries.

Employment growth, real wage appreciation and net migration will be the dominant factors affecting the local housing sector. Credit conditions may become less of a constraining factor by the third quarter. As many states have been experiencing, job loss has a negative domino effect which often serves as a catalyst for continuing community deterioration. As a result of the capricious and staggering labor markets, many families become delinquent on their mortgage loans which oftentimes results in foreclosure proceedings being initiated. There is a direct correlation between the unemployment and foreclosure rates. As the unemployment rate increases, the foreclosure rate increases proportionately further contributing to the problem.

### Lending and Credit

Lenders nationally have been apprehensive to extend credit to potential buyers – even those with favorable credit ratings. This revolves around many factors – one being the increase in real estate-owned (REO) properties in their inventories. Abundance of liquidity and new mortgage products fueled demand for homeownership, leading to rapid property appreciation and speculation that proved unsustainable – thus further contributing to the housing crisis nationally and locally. This increase in delinquent housing stock has in turn decreased the liquidity of the lending institutions therefore crippling their ability to lend more money. Restrictive lending practices coupled with skyrocketing job losses have contributed to neighborhood decline and destabilization because homes sales have slowed and the universe of eligible homebuyers has decreased – thus creating a declining economy.

The subprime mortgage market triggered a dramatic rise in mortgage delinquencies and foreclosures in the United States, with major adverse consequences for banks and financial markets around the globe. Many homes have gone into foreclosure due to the types of loans originated such as interest only and adjustable rate loans. Approximately 80% of U.S. mortgages issued in recent years to subprime borrowers were adjustable-rate mortgages. When home prices began to decline in 2006-07, refinancing became more difficult and as adjustable-rate mortgages began to reset at higher rates, mortgage delinquencies soared. Securities backed with subprime mortgages, widely held by financial firms, lost most of their value. The result has been a large decline in the capital of many banks and USA government sponsored enterprises, tightening credit around the world. The same holds true for Miami-Dade County. The incomes of buyers did not increase proportionately with the appreciation of home values. Therefore, in order for lenders to increase affordability, deep subsidy had to be provided along with the creative financing alternatives such as interest only and adjustable rate loans. However, due to the volatility in the market and the uncertainty of the financial markets, it has becoming increasingly difficult to hedge against the mortgage rate increases that often could lead to foreclosure for low and moderate income households.

According to the Federal Bureau of Investigations 2007 Mortgage Fraud Report, the state of Florida is among the top 10 mortgage fraud areas in the country. Miami-Dade County leads the state in the number of fraud loans. The downward trend in the housing market provides an ideal climate for mortgage fraud perpetrators to employ a myriad of schemes suitable to a down market. Several of these schemes have emerged with the potential to spread as the recent rise in foreclosures, depressed housing prices, and decreased demand place pressure on lenders, builders and home sellers. As lending practices tighten, in response to the subprime lending crisis, fewer loans will be originated. Perpetrators will seek alternative methods of defrauding mortgage loan products – with Identity Theft being a popular tool.

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## B. Market Conditions/Demand Factors

### Miami-Dade County's Ability to Absorb Anticipated Foreclosure Through Market Demand

From January of 2005 through December of 2006 nearly 2,200 properties were sold at foreclosure auctions according to Clerk of Court records. During this period the median price of single family homes were rising at a compound annual rate of 12.7 percent, median condominium prices were rising at 12.3 percent per year, and mortgage credit was still plentiful. The County estimates re-sales of REO properties were occurring fast enough to absorb at least two-thirds of the new foreclosures occurring in 2005 and 2006. The inventory of foreclosed and vacant REO residential units at the end of 2006 was estimated at 730 units.

The pace of foreclosures accelerated sharply in 2007 with 4,826 foreclosure auctions that year according to court records. In 2007 the pace of existing home sales was decelerating from the high levels seen two years earlier. The Florida Realtors Association (FAR) reports that 11,061 existing housing units were sold in Miami-Dade that year compared to 18,514 in 2006. Median single family home prices in the county peaked in May 2007, while condo prices peaked in March. The decline in existing home prices during the latter half of 2007 indicates that sales of foreclosed properties were starting to represent a growing share of existing home sales. Estimates by the County's Chief Economist indicate an inventory of just over 3,300 vacant foreclosed units by the end of 2007.

The methodology for estimating the inventory of vacant REO foreclosed units is straight forward. The ending inventory for any year ( $I_t$ ) is equal to the starting inventory ( $I_{t-1}$ ) plus the new foreclosures ( $F_t$ ) less the number for foreclosed units sold that year. The number of foreclosed units sold is equal to the product of total units of existing homes sold ( $TS_t$ ) and the percentage of total sales represented by distressed sales ( $d_t$ ). The explicit equation is:

$$I_t = I_{t-1} + F_t - d_t \times TS_t$$

The National Association of Realtors (NAR) estimated that by the third quarter of 2008, distressed sales (which are dominated by REO sales) were accounting for 35 percent of all existing home sales. The NAR reports in May 2009 that distressed sales now represent between 45 percent and 50 percent of existing home sales. The use of short sales has been rare at the local level based on interviews with realtors and senior management from local non-profit foreclosure assistance providers.

In 2008 10,476 additional housing units were foreclosed and repossessed by the mortgage holder, and in that same year the FAR reports that 8,959 single family and condominium units were sold in Miami-Dade. Using the NAR's estimate that 35 percent of all existing home sales were distressed sales, the County estimates that the inventory of vacant REO properties rose by 7,340 in 2008. By the end of 2009 the inventory of vacant REOs is expected to stand at 18,750 units, and at the projected absorption rate for 2009 (375 units per month) that would represent a 50-month supply of vacant foreclosed units. (See Table X below.)

The number of new foreclosures, however, is expected to begin to diminish in 2010 as federal policies make short-sales a more efficient alternative to foreclosure for some mortgage holders, and as the remaining properties purchased from 2006 and 2007 for investment purposes (and with little down payment) have completed the foreclosure process. Greater reliance on loan modifications to keep homeowners in their principal residence is also expected to reduce new foreclosures in Miami-Dade somewhat. As Table 2

indicates below, approximately 12,100 new foreclosures are projected from 2010 to 2012, approximately 15,900 sales of REO properties are projected over this same period. An inventory of 14,900 vacant REO foreclosures is forecast for the end of 2012 without NSP-2 funding, representing a 3-year supply at projected 2012 absorption rates (410 units/month).

**Table 2**

**Estimated and Projected Countywide Inventory and Absorption of REO Foreclosures Without NSP2**

Year Ending	New REO Foreclosures (Units)	Sales of Existing Homes (Units)			Inventory of Vacant Foreclosed Units	Absorption Rate (Units/Month)	Inventory of Vacant Foreclosures (Months)
		Total	Estimated Percent Foreclosures	Estimated Foreclosure Sales			
December 31, 2007	4,826	11,061	20%	2,212	3,344	184.3	18
December 31, 2008	10,476	8,959	35%	3,136	10,684	261.3	41
December 31, 2009	12,571	10,010	45%	4,505	18,750	375.4	50
December 31, 2010	7,543	11,500	50%	5,750	20,543	479.2	43
December 31, 2011	3,017	11,700	45%	5,265	18,295	438.8	42
December 31, 2012	1,509	12,300	40%	4,920	14,884	410.0	36

**Notes:**

1. The foreclosure inventory on 12/31/2006 is estimated at 730, or one-third of new REO foreclosures in the prior two years.
2. Data sources -- REO foreclosures obtained from Realtytrac Inc., Irvine, CA; Sales of existing homes from Florida Association of Realtors; Estimated percent of sales involving REO properties from National Association of Realtors, 5/12/2009 news release and 11/18/2008 "Daily Real Estate News" article (reflects national conditions).
3. Estimates and projections of inventory developed by the Office of Economic Development Coordination, Miami-Dade County.

The projections of new foreclosures, market demand, and vacant foreclosed units shown above reflect anticipated conditions in Miami-Dade County as a whole, but it is important to keep in mind that some areas within the County will fare worse than others. One can expect that areas of rapid development from 2005 to 2007, that have suffered disproportionate incidences of foreclosures and are far from major employment centers and not served well by mass transit, will be especially hard to re-occupy. Similarly, many of the areas with high rates of foreclosure are also often characterized as areas with relatively large numbers of high-cost mortgages. The latter tend to be inversely correlated with household income, and future homebuyers in these areas are more likely to need government financial assistance in an environment of stricter loan underwriting standards. For these reasons, the County intends to focus its NSP-2 grant funds in areas within the County where they are likely to have the greatest neighborhood impacts.

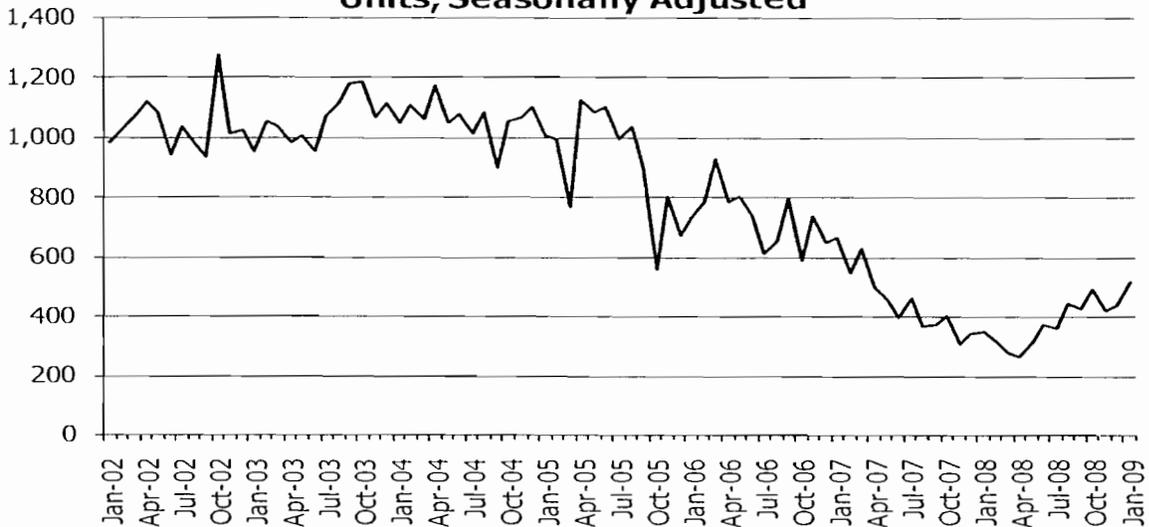
**Overbuilding/Over-valuation**

The construction boom from 2004 to 2007 brought 80,055 additional housing units online in Miami-Dade County, while the total number of vacant units rose by 32,629 over the same period. Statistics show that vacant units are a good indicator of the overstock of housing units. Countywide speculation ensued which often leads to the over-valuation of housing. In Miami-Dade County, the total vacant units reached 138,409 in 2007 – up 47% from vacant units in 2002. The total or gross vacancy rate in 2007 was 14.2% compared to 10.7% in 2002. The number of vacant units available for sale or rent rose to 49,074 by 2007 and reached 5.1% of the total housing stock. For sale or rent vacancy was 31,358 in 2002 (3.6% of total). It will take several months of strong sales to bring vacancy rates to levels consistent with a more balanced residential real estate market.

New development/construction activity has become stagnant in Miami-Dade County. Single family homes sales have plummeted within the past couple years due to a decreased universe of eligible buyers which has increased the inventory of housing for which developers are experiencing great losses. See Figure 2 below.

Figure 2

**Miami-Dade Existing Single Family Home Sales  
Units, Seasonally Adjusted**



Miami-Dade County traditionally has a strong market for condos. Developers in downtown Miami closed 72% fewer condo sales in the fourth quarter of 2008 than they did in the third quarter of 2008 according to a Florida Trend article. The purchase of a condo is, in many cases, a cheaper alternative for many low to moderate income buyers. According to the 2008 Miami-Dade Workforce Housing Needs Assessment, condominium conversions have had a significant impact on the County's housing supply. Such transactions call for multi-family rental properties to be renovated, and converted to condominiums to be resold for a profit. The dramatic increase in condominium conversions in recent years has been fueled by the large cash returns to both investors and rental property owners. The wholesale conversion of rental apartments into condominiums has resulted in a large reduction of Miami-Dade County's rental housing inventory. From 2005-2006, Miami-Dade County lost 14,475 rental units to condominium conversions. This issue has also contributed tremendously to the oversupply of ownership housing units within the County.

Many developers had become accustomed to building in markets with huge buyer demand; therefore, new construction units were developed with the anticipation that there would not be any issues relative to securing qualified buyers. However, in the midst of the housing boom, the market began to downturn – unemployment increasing, incomes remaining stagnant although housing markets were inflated jeopardizing the affordability of homes, interest rates began to rise, credit began to stifle and remain stagnant along with other market driven factors. The oversaturation of housing units contributed to the valuation of properties causing many sub-markets within the County to bear overinflated housing values. These overstated market values have long term implications because it decreases the universe of buyers that are able to purchase that property – especially if incomes are not increasing proportionately to the housing values. Also, another factor that has contributed to the over-valuation of housing units is the number of investors that have purchased properties within the County but do not reside within the County. This perpetuates the issue of incomes not

proportionately increasing with the housing values. Although the investors' properties are included in the market valuation, their incomes are not – thus the County maintaining a relatively low median income.

### Loss of Employment

Employment data from Florida's Agency for Workforce Innovation indicates that the loss of jobs in the construction sector continues to be of major concern. It experienced a decrease in employment of 10,500 jobs between April 2008 and April 2009 and has reached employment levels lower than existed immediately prior to the housing boom. The County's increased efforts to use federal dollars provided through the stimulus programs and money from the County's Building Better Communities Bond Program will provide needed construction jobs. Projects like the Marlins Stadium and the Port of Miami Tunnel will also be instrumental in creating construction jobs.

Many development companies have had to liquidate assets and have now become defunct entities due to the market issues. Since the universe of buyers narrowed, development activity stalled thus leading to a loss in jobs in the construction industry. At one point, it was customary for a developer to draw upon a line of credit with a financial institution to build houses in advance of having a qualified buyer. Those developers that exercised that option were caught in the cross-fire as the market began to experience economic downturn – resulting in new construction homes left on the market for extensive periods of time. Many developers currently have new construction inventories for which they are bearing the expense to maintain. The absence of buyers, investment capital and jobs has caused many businesses including financial institutions to close their doors.

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### Income and Cost Burden

According to the 2006 American Community Survey (ACS), approximately 54 percent of all occupied housing units in Miami-Dade County are cost-burdened. Cost-burdened households are those households paying in excess of 30 percent of their income on housing costs. The ACS also indicates that there are approximately 449,108 cost-burdened households in Miami-Dade County. Approximately 51 percent of all households in the County were below the area median income of \$45,200 although that number has increased to \$50,800 in 2009. Approximately three out of four (73.8 percent) cost-burdened households earn less than the area median income.

In terms of tenure, renters are more cost-burdened than homeowners. According to **Table 3** below, approximately 201,948 or 61 percent of renter households pay 30 percent of more of their monthly income on rent compared to 247,160 or 49.9 percent of homeowners. Significantly, 78 percent of all households in Miami-Dade County (83.6 percent of renter households) earning less than \$35,000 annual are cost-burdened.

**Table 3**

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Household Income	All Occupied Units		Owner - Occupied		Renter-Occupied	
	Units	Percentage	Owner	Percentage	Renter	Percentage
<b>Total:</b>	<b>828,794</b>		<b>495,733</b>		<b>333,061</b>	
<b>Less than \$20,000:</b>	<b>189,175</b>	<b>22.8%</b>	<b>68,185</b>	<b>13.8%</b>	<b>120,990</b>	<b>36.3%</b>
Less than 20 percent	6,095	3.2%	3,243	4.8%	2,852	2.4%
20 to 29 percent	15,772	8.3%	6,068	8.9%	9,704	8.0%
30 percent or more	167,308	88.4%	58,874	86.3%	108,434	89.6%
<b>\$20,000 to \$34,999:</b>	<b>147,892</b>	<b>17.8%</b>	<b>75,466</b>	<b>15.2%</b>	<b>72,426</b>	<b>21.7%</b>
Less than 20 percent	12,837	8.7%	9,657	12.8%	3,180	4.4%
20 to 29 percent	19,714	13.3%	11,013	14.6%	8,701	12.0%
30 percent or more	115,341	78.0%	54,796	72.6%	60,545	83.6%
<b>\$35,000 to \$49,999:</b>	<b>125,021</b>	<b>15.1%</b>	<b>73,522</b>	<b>14.8%</b>	<b>51,499</b>	<b>15.5%</b>
Less than 20 percent	18,517	14.8%	12,977	17.7%	5,540	10.8%
20 to 29 percent	34,775	27.8%	12,722	17.3%	22,053	42.8%
30 percent or more	71,729	57.4%	47,823	65.0%	23,906	46.4%
<b>\$50,000 to \$74,999:</b>	<b>136,789</b>	<b>16.5%</b>	<b>98,364</b>	<b>19.8%</b>	<b>38,425</b>	<b>11.5%</b>
Less than 20 percent	37,895	27.7%	24,934	25.3%	12,961	33.7%
20 to 29 percent	42,898	31.4%	25,028	25.4%	17,870	46.5%
30 percent or more	55,996	40.9%	48,402	49.2%	7,594	19.8%
<b>\$75,000 or more:</b>	<b>205,697</b>	<b>24.8%</b>	<b>175,725</b>	<b>35.4%</b>	<b>29,972</b>	<b>9.0%</b>
Less than 20 percent	108,059	52.5%	87,691	49.9%	20,368	68.0%
20 to 29 percent	58,904	28.6%	50,769	28.9%	8,135	27.1%
30 percent or more	38,734	18.8%	37,265	21.2%	1,469	4.9%
<b>Zero or negative income</b>	<b>11,870</b>	<b>1.4%</b>	<b>4,471</b>	<b>0.9%</b>	<b>7,399</b>	<b>2.2%</b>
<b>No cash rent</b>	<b>12,350</b>	<b>1.5%</b>	<b>0</b>	<b>0.0%</b>	<b>12,350</b>	<b>3.7%</b>

Source: U.S. Census, American Community Survey 2006; Analyzed by the Metropolitan Center, Florida International University, 2008.

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There is also a large disparity or “affordability gap” for single-family homes in the ten largest municipalities of the County and for Miami-Dade County as a whole. According to Table 4 below, affordability gaps range from \$176,389 in North Miami Beach to \$1,167,930 in Miami Beach. The affordability gap for Miami-Dade County as a whole is \$243,677. A closer analysis shows that affordability gaps are most acute in cities where the price for single-family homes is the highest, including Aventura, Coral Gables, and Miami Beach. However, significant affordability gaps are also attributable to the low median household incomes found in the Cities of Miami, Homestead, Hialeah and North Miami.

Table 4

<b>Municipality</b>	<b>2007 Median HH Income</b>	<b>Affordable Home Price @ Median</b>	<b>Median Selling Price 2007</b>	<b>Number of Sales 2007</b>	<b>Affordability GAP @ Median</b>
Aventura	\$53,613	\$184,272	\$769,000	25	\$584,728
Coral Gables	\$80,479	\$294,586	\$849,000	329	\$554,414
Hialeah	\$35,511	\$104,010	\$339,900	284	\$235,890
Hialeah Gardens	\$46,788	\$149,171	\$320,000	29	\$170,829
Homestead	\$32,239	\$88,777	\$285,000	448	\$196,223
City of Miami	\$28,275	\$71,865	\$365,000	3,992	\$293,135
Miami Beach	\$32,898	\$92,070	\$1,250,000	161	\$1,157,930
Miami Lakes	\$73,626	\$267,237	\$545,000	91	\$277,763
North Miami	\$35,855	\$101,642	\$299,900	129	\$198,258
North Miami Beach	\$37,780	\$108,611	\$285,000	133	\$176,389
Miami-Dade County	\$45,200	\$141,323	\$385,000	6,984	\$243,677

*Note: Miami-Dade County income is the Area Median Income from HUD. Income for municipalities is median household income.*

*Source: MLS 2007, Miami-Dade County Property Appraiser's Office 2007, Weekly Mortgage Data 2007, Bankrate.com, (Median income is adjusted for inflation), HUD User 2007. Analyzed by F.I.U Metropolitan Center, 2008.*

This affordability gap has contributed to oversaturated and overbuilt markets as discussed in a subsequent section. Since incomes are remaining flat and in many cases decreasing due to the economic downturn, the universe of eligible homebuyers has also decreased. Families earning median incomes could not traditionally support the purchase of the median priced home in the area. Escalating home values, stagnant incomes and the decrease in eligible borrowers have caused an increase in property inventory unable to be sold. Although home values may be decreasing due to the foreclosure crisis and current market conditions, many families are

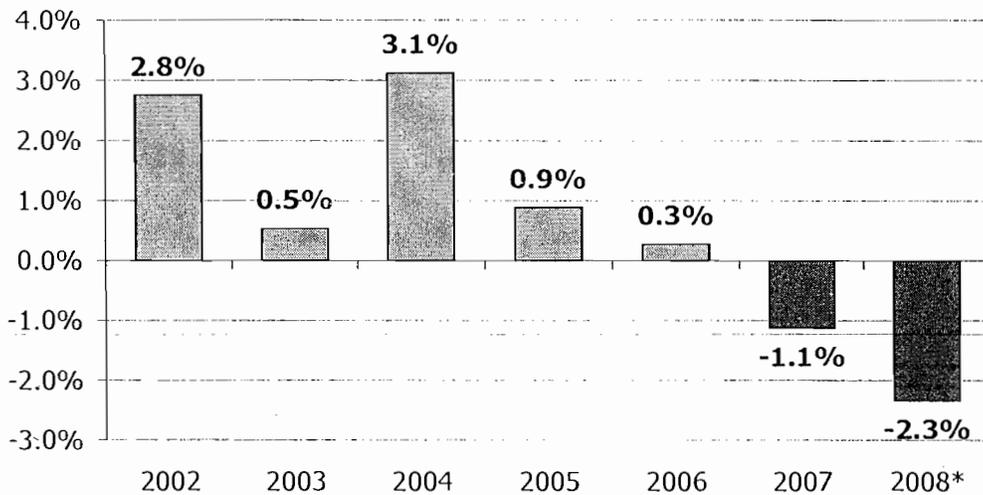
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still unable to invest in the purchase of a home due to other factors associated with the economy (loss of income, credit limitations, etc.). As Figure 3 indicates, there is negative income growth of 2.3%. This means that the consumers' ability to purchase goods and services has steadily diminished. Due to this fact, many homes remain vacant because the universe of buyers, due to loss of income and stagnant income, has decreased over time. Weak labor market conditions in 2009 (rising unemployment) should limit increases in wages, although moderating price inflation is likely to allow for some modest increase in inflation adjusted average compensation.

Figure 3

**Annual Percent Growth in Purchasing Power of Average Compensation to Workers**



Sources: Compensation, U.S. Bureau of Economic Analysis; CPI, Bureau of Labor Statistics. \* 2008 is Office of Economic Development Coordination (OEDC) estimate

Households that are considered cost-burdened have a greater probability of going into a foreclosure status which may have been a major contributor to the foreclosure crisis in the County.

**Social, Governmental, Educational and other Economic Factors**

There are several other factors that may be interrelated and contributors to the economic crisis of today. In times of crisis, people may either isolate themselves and may become introverted to avoid or delay facing their financial issues or may gravitate to illegal activities such as crime and drugs. Out of a sense of obligation, pride and financial desperation to take care of their families and other financial responsibilities, these individuals may involve themselves in riskier than normal behaviors which may lead to long-term implications. These behaviors may be deemed acts of defiance or rebellion due to the deteriorating economic conditions that have come to be associated with increasing unemployment resulting in loss of income for families, credit limitations and restrictions and lack of quality affordable housing due to inflated markets. People begin to lose confidence in their governments because governments are also forced to downsize and become lean. The services that governments provide may become less frequent and lack the level of quality the people have become accustomed to receiving. As many states, counties and cities may be experiencing the economic downturn and social factors associated with it – as the economic situation deteriorates, riskier

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behaviors such as illegal drug activities, crime and gambling potentially increase. This may add to the continuing economic demise.

Education can be less emphatic during times of a non-thriving economy because families tend to focus on satisfying their immediate needs as opposed to long-term benefits. Many consider education as a long-term investment; however, based on the “needs” hierarchy, it doesn’t rank high on the priority list and is often overshadowed by the immediate needs of families. However, consumers should be educated enough about market conditions, products, lending practices and other available services in order to make informed decisions regarding their personal economic situations. In Miami-Dade County, families are being forced to make decisions that potentially impact their sustainability and livelihood. This involves conscious decision making that impacts short term and long term circumstances. However, families that are not empowered with the necessary information and do not take the time to explore options often are overwhelmed and consumed by the crisis – oftentimes resulting in further neighborhood decline due to their inability to rebound from the negative impacts. It should also be noted that during economic difficulties, education may be viewed as a means to improve the marketability of an individual in a tough economic environment.

### Activities Most Likely to Stabilize Neighborhoods

It is the County’s position that focusing on the following identified NSP2 activities will rapidly arrest decline by limiting the destabilizing factors associated with deteriorating communities and their propagating impact.

- A. **Soft Second Mortgage Financing** – activity will provide assistance countywide to persons at or below 120% AMI for the purchase of a foreclosed property. These purchases will assist in restoring stability within neighborhoods across the County and will assist in stimulating the local economy’s tax base.
- B. **Acquisition and Rehabilitation of Single Family Homes** – activity will assist in creating jobs in the construction and service industries via the rehabilitation activities in addition to restoring properties for resale which is a direct investment back into that local community - ultimately arresting decline and reconnecting the neighborhoods at large.
- C. **Acquisition and Rehabilitation of Multifamily Properties** – activity will assist in creating jobs and provide housing for the very low, low and moderate income households. Restoring multifamily properties by enhancing them aesthetically reinvigorates local communities and restores pride – thus resulting in better investment opportunities and consistent operating revenue.
- D. **Redevelopment** – activity will create construction jobs, provide opportunities for small businesses to secure work and will stimulate the economy by providing affordable housing options. When families spend less on housing, it increases disposable income that the family will invest back into the community – thus serving as an economic stimulus.
- E. **Demolition** – activity will arrest the negative impact of bighted structures on a neighborhood. Local contractors will be available for contracting opportunities. There will also be the ability to enhance the development activities in the targeted geographical areas.

The NSP2 activities above will more likely stabilize communities and the County will realize a greater economic impact if this approach is taken. The County is anticipating taking a more concentrated approach to address areas that are submarkets within larger communities. Areas that currently have some infrastructure

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in place, existing business activity, transportation access and increasing housing sales are areas of central focus to the County. Continued investment in these communities has a greater economic impact in the long-term because, once a community is stabilized, it becomes a revenue generator to support other activities of the County. Generated revenues can be used to support other redevelopment activities that are needed in order to redevelop and reinvigorate other communities.

## Factor 2: Demonstrated Capacity

### A. Past Experience

Miami-Dade County currently has many programs in place that serve as neighborhood stabilization catalysts. The County's programs such as down-payment and closing costs assistance, single family acquisition and rehabilitation and other community development programs all provide stimulus activity in redeveloping local communities. The County has been operating these programs for many years and understands the actions necessary to redevelop communities across the County. The Office of Community and Economic Development (OCED) operates many of the community development programs implemented by the County. These programs were designed to redevelop and reinvigorate deteriorating communities and to arrest continuing neighborhood decline as well as reconnect the community at-large to the mainstream services of the primary markets. In order to be successful in addressing the community needs, many partners play critical roles in various phases of the rebuilding and redevelopment processes. The following descriptions are explicative of the multi-dimensional approach the County uses in which to address critical community and economic development activities: (activities below include examples of County implemented projects within the last 24-months)

#### **City and Regional Planning**

Most of the County's community development programs are offered on a county-wide basis through the County's Office of Community and Economic Development (OCED). This is evidenced via the County's first-time homebuyer and soft-second mortgage program. Interested and qualified buyers may purchase homes through the County's program in any area throughout the County. However, the County is seeking to employ more expansive redevelopment strategies that will require that a metropolitan and multi-jurisdictional approach be taken to ensure maximum economic benefit and impact. The County invokes the participation of other local municipalities, not-for-profit organizations, developers, lenders and other community stakeholders to have a dialogue regarding any redevelopment activity to determine the holistic impact and other variables that may be critical to the success of the activities undertaken. For example, the County operates a single-family soft second mortgage program that is accessible to any resident within the County that may be eligible under the various housing programs available. Although the interested resident may reside within a certain city, funding from all levels of government may be leveraged to provide greater assistance to ensure feasibility of the mortgage transaction.

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The County established a Bank Partnership Program, which is comprised of over 30 financial institutions and counseling agencies countywide. These entities have worked extensively with the County to provide the financial services and buyer representation necessary to assist the homebuyers in navigating through the home-buying process. More specifically, the County has formed collaborations with other cross-jurisdictional organizations such as Miami-Dade Neighborhood Housing Services, Opa-locka CDC, Miami Beach CDC and Centro Campesino to work through all issues that may evolve in providing assistance to homebuyers. Through the County's down payment assistance and single family acquisition/rehabilitation programs, that County was successful in closing 327 loans totaling approximately \$18 Million in 2007 alone and 206 loans totaling approximately \$12 Million in 2008. Under these programs, the foreclosure rate has been less than 2%. This success is attributable to the coordinated planning efforts of the County and its many partners which will be discussed in some greater detail below.

**Neighborhood Stabilization Program 1 Activities**

Miami-Dade County received approximately \$62.2 million under NSP1 to assist with addressing the issues associated with foreclosed and abandoned properties – which was the largest allocation nationwide given to any one local government entity. The County has engaged community stakeholders such as lenders, realtors, citizens, developers and other housing practitioners to undertake the activities that have been identified in the County's NSP1 Plan. This was inclusive of local non-entitlement cities and other municipalities across jurisdictional boundaries that may have interest in mitigating and in some cases alleviating the impacts of the foreclosure crisis in their communities. This process required the execution of Inter-local Agreements with municipalities for which the County did not have jurisdiction to perform work in those communities. Additionally, this process allowed local governments to have the necessary input in order for the project activities to be sufficiently implemented.

The County is currently using the NSP1 funding to undertake the following project activities.

- Provide soft second mortgage assistance to eligible homebuyers
- Purchase, rehabilitate and resale single-family homes to eligible homebuyers
- Acquire and rehabilitate foreclosed multifamily properties and rent to eligible program participants
- Demolish blighted structures that are contributing to neighborhood decline
- Redevelop vacant properties for affordable housing use

Miami-Dade County has made significant strides in carrying out the functions of these project activities to ensure that the funding is committed within the 18-month statutory timeline but more specifically, to restore and stabilize the communities that have been impacted by this economic and foreclosure crisis.

The County has solicited the assistance of a community development consultant to provide complementary services to assist in program planning, design and implementation. Several tasks have been identified for each project activity to ensure that the County employed the best operational strategies that would expedite expenditure of funds and maximize the use of existing resources to the greatest extent possible. To demonstrate the tremendous progress of NSP1 activities, itemized below are some accomplishments and benchmarks associated with the second mortgage and acquisition rehabilitation programs.

<p><b><u>Soft-Second Mortgages</u></b></p>
<p><b>ACCOMPLISHMENTS/BENCHMARKS</b></p> <ul style="list-style-type: none"> <li>➤ County reviewed its current program documents and revised to suit NSP1</li> <li>➤ Issued application and program materials to public</li> <li>➤ Received over 400 applications for interest in the program</li> <li>➤ Of 400 applications, 230 qualified under the NSP II 9 allocations</li> <li>➤ County conducted its lottery and selected 100 applicants for acquisition</li> </ul>

<p><b><u>SF and MF Acquisition/Rehabilitation</u></b></p>
<p><b>ACCOMPLISHMENTS/BENCHMARKS</b></p> <ul style="list-style-type: none"> <li>➤ County developed and published an RFQ for which approximately ___ responses were received</li> <li>➤ A contractor pool will be selected and work orders will be issued to complete the rehabilitation of properties selected and purchased by the County</li> <li>➤ The County will conduct training seminars for selected Developers relative to NSP and CDBG requirements, work order process, invoicing and reporting</li> </ul> <p style="text-align: right;">26</p>

To ensure continuity and fluidity of the implementation for the NSP1 activities, the County developed a work-plan which was transformed into an Implementing Order that was approved by the Board of County Commissioners. This document essentially is the roadmap for which the project activities itemized in the plan will be implemented. This document explicates the intent of the program, processes and procedures that will be followed, some implementation timelines, identified target areas and priorities of the County for participation with this program.

**Soft Second Mortgages for Single Family Properties**

The County has utilized a lottery process for the award of second mortgages to eligible buyers for single family homes under its regular homeownership program structure. Under the NSP1 and NSP2 eligible activities, the structure of the program will remain the same – using the same lottery system that has been established. The County, on May 29, 2009, held its lottery for NSP1. Close to 400 applicants showed interest and over 230 were deemed to be eligible, with 100 being selected. The second mortgage assistance set aside for the purchase of foreclosed homes will be considered soft seconds with flexible loan terms and will qualify in any of the target areas. Additionally, the second mortgage assistance is available for those homes purchased under the acquisition and rehabilitation strategy. All homeownership policies are consistent with the existing homeownership program; however, no loans will be forgiven. County staff has already begun the inclusionary task of working with lenders to determine available Real Estate Owned (REO) properties and not for profits to help provide available, credit worthy buyers.

**Acquisition and Rehabilitation of Multi-Family and Single Family Properties**

The single family and multifamily acquisitions Under NSP1 and NSP2 will be undertaken by the County and, where practical, other organizations including homebuilders or developers. Rehabilitation will be completed by the County or private contractors. The County issued a Request for Qualifications (RFQ) to solicit

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qualified contractors to establish a pool of qualified contractors to assist in the purchase and rehabilitation process. As of June 1, 2009, the County's NSP Property Acquisition Evaluation Committee identified eight (8) properties to be purchased by the County in excess of \$1 million. These identified properties will have an environmental examination to determine feasibility. Once environmentally cleared, the property will be acquired, rehabilitated and resold to an eligible homeowner through the County's lottery system. Many County Departments such as the Office of Community and Economic Development (OCED) and General Services Administration (GSA) are working closely together to assure that this program moves as expeditiously as possible. GSA is the real estate arm for the County and is customarily responsible for acquiring properties, ensuring rehabilitation of the property and facilitates the rental process through a management agent. Over the past 2 years, the County has conducted rehabilitation activities on 508 multifamily units and 79 single family homes. Demolition activity occurred in conjunction with 104 of the multifamily units.

### **Redevelopment of Vacant Property**

The County has focused a wealth of attention to its HUD designated HOPE VI area. Currently the County is anticipating developing 354 units on vacant property to provide housing to low income families. Funding was secured under the NSP1 to support this project activity. However, there are other pockets within the County that are in dire need of redevelopment. Over the past couple years, the County has undertaken redevelopment activities relative to the new construction of multifamily rental developments. Aggregately, the County has assisted in constructing 829 units for low to moderate income families. These units are in operation in various communities throughout the County. The County partnered with several development entities to carry out functions related to these new construction activities.

### **Program Marketing and Management of Waiting List**

Program marketing and outreach is essential to the success of this program, particularly to attract buyers to purchase foreclosed properties. The County has chosen to use its existing infrastructure to carry out functions under many of its program activities specified in the plan. Using the pre-existing framework facilitates the understandability of the programs because buyers and other program participants are already acclimated with the standard programs operated by the County. The County will continue to prepare informational brochures, conduct public service announcements (PSAs), disseminate eligibility information and publish information via website in the continued effort to notify homebuyers of potential affordable housing opportunities available to them. Since the County is so diverse, information will be published in various languages prevalent in the County. The County also hosts public information meetings and other forums periodically to ensure that constituents are well versed about the programs offered by the County.

As a result of the County's outreach and marketing efforts, a voluminous amount of interest is generated. Due to the overwhelming interest and responses to outreach efforts, particularly with the homebuyer programs, the County maintains a waiting list once all of the funding is exhausted. Under the newly implemented lottery system, the County selects more buyers than can initially be funded with the anticipation of some pipeline fallout and loans not materializing. Having back-up program participants and ready buyers has served the County well in expenditure of its funding resources. The County has intensified its outreach initiatives to ensure adequate notification and education about the programs and services offered by the County. The County also added a technology feature to its website that allows interested NSP program participants to input an address of the desired foreclosed property and the system will alert the participant of which priority area the property is located. This feature saves a lot of time for the County and the end-user. This is all a part of the County's comprehensive effort to streamline its program processes and make them more accessible and user-friendly.

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### Demolition Activities

The County has had much success in demolishing properties that were in disrepair and devalued the community at large. Within the past 24 months, the County's Professional Services and Technical Assistance Section has coordinated and supervised the demolition of several housing units (approximately 80 houses) located in the West Perrine and South Miami areas. These are areas of critical concern with respect to community blight and other risk factors. Additionally, demolition activities have also occurred in tandem with the rehabilitation of approximately 104 condominium units. The County has a very streamlined demolition process in place which will assist in expeditiously carrying out demolition efforts as a part of the County's broader redevelopment strategy. As proposed under this NSP2 application, the County would undertake demolition activities in identified "areas of emphasis" – areas of great foreclosure and vacancy risks and extreme blight. These destabilizing factors will assist in reconnecting the community at large and create potential for additional investment and short and long terms.

### Access to Operating and Investment Capital

The County has access to operating capital and other investment options as needed. The County has general obligation bonding (GOB) capacity in which to support its redevelopment efforts countywide. These bonds are currently used as leverage with other capital improvement projects and public infrastructure projects undertaken by the County. The County also has pledged other local resources such as its allocation of State Housing Initiatives Program (SHIP) funding – a state housing trust fund program and the County's local Surtax Program. The financial resources may be used to support acquisitions of properties and end-user financing to make housing options more affordable.

As a redevelopment strategy for the County's NSP1 funding, the County solicited through a Request for Proposals (RFP) process the participation of development entities that possessed the requisite expertise to conduct redevelopment activities holistically. The chosen development entity would be required to leverage its resources with those of the County that would be provided through the NSP. The development entity would have to demonstrate its commitment to providing a certain amount of financial resources in order to ensure the viability of the redevelopment activities whether through public or private capital. Based on the level of financial commitment by the development entity, the County would provide flexible and soft loan terms on its portion of the financial investment that would create a deal that yields positive results for all involved parties and create the housing necessary to accommodate the affordability demand.

The County is also capitalizing off of its internal resources to implement the activities under the NSP. By utilizing the current infrastructure that the County typically operates, the economies of scale allow for greater efficiencies and many cost savings. The County will continue to utilize its existing staff and other resources to support the operations of the NSP2 program.

### Partnerships

Continuing in the same vein of operations and functionality as the NSP1, the County has forged a solid network of program partners that will play integral roles in carrying out the NSP2. Partners such as Fannie Mae, Freddie Mac, Bank Partnership Program participants, Neighborhood Housing Services (Neighborworks subsidiary), Opa-Locka CDC, Miami Beach CDC, Central Campesino, local municipalities and many other housing practitioners have been at the vortex of discussions relative to the continuity of the NSP1 and NSP2 programs. These partners have agreed to work with the County to develop an inventory of eligible properties to be considered for purchase under the program, negotiate a price that complies with the NSP regulations and to advance expeditiously towards closing on properties with buyers that qualify under the NSP. Each

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partner has worked to streamline the process and to maintain continuity and fluidity of the process in an effort to more expeditiously advance towards stabilizing the communities within the County.

## B. Management Structure

The County has identified the Office of Community and Economic Development as the lead agency responsible for management of the County's NSP to ensure successful completion and compliance with the Federal guidelines and County policies. The County has also contracted with a consultant to assist with the administration of the program. The consultant is assisting the OCED with funding agency coordination, sub-recipient monitoring, environmental review process, financial management and monitoring and general program management.

Although the Office of Community and Economic Development is responsible for overall program implementation and management, other departments will also have specific roles in carrying out activities of the NSP1 and NSP2. Below is a description of each department's role in the implementation of this program:

**Office of Community and Economic Development (OCED):** The Office of Community and Economic Development (OCED) is charged with the overall responsibility of administering the Neighborhood Stabilization Program (NSP) under this implementing order. OCED administers Federal and State funding that supports the development of viable urban neighborhoods in Miami-Dade County characterized by decent housing, expansion of economic opportunities and the preservation of historic properties. OCED is responsible for administering the NSP funds as stipulated herein. They are also responsible for qualifying NSP-eligible homebuyers, providing NSP funding assistance in the form of soft second mortgages to eligible homebuyers and administering the resale process of the homes during the control period.

**General Services Administration (GSA):** As the County's official real property asset management agency, the Department of General Services Administration (GSA) is responsible for administering the acquisition, rehabilitation and re-sale of foreclosed-upon single-family properties to NSP-eligible homebuyers. GSA is also responsible for acquiring multi-family rental properties for the Office of Community and Economic Development's current inventory of rental housing.

**Building Department:** The Building Department is responsible for enforcing regulations governing buildings and unsafe structures. The Department will be responsible for inspecting units to ensure compliance with the local and state building codes as required by NSP regulations. The Department will also be responsible for enforcement of Section 8-5 of the Miami-Dade County Code of Ordinances in connection with the NSP-funded demolition activities in coordination with OCED and the Office of Neighborhood Compliance.

**Office of Neighborhood Compliance:** Office of Neighborhood Compliance is responsible for addressing community needs through code compliance services, which includes nuisance abatement, zoning violations, and other neighborhood maintenance regulations, and enhancing the safety and aesthetics of the community. The Office will be responsible for enforcement of Chapter 17B of the Miami-Dade County Code of Ordinances in connection with NSP-funded demolition activities in coordination with OCED and the Building Department.

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Organizational charts demonstrating the resources the County will use to carry out activities under NSP1 and NSP2 are located under **Appendix F**.

**References**

References are provided as attestations to the work the County has performed over the past several years. An article from the Miami Herald speaks to our efforts as well as a spot on local television.

## Factor 3: Soundness of Approach

### A. Proposed Activities

**Description of NSP2 Program**

Miami-Dade County allocated funding under its NSP1 program to undertake six (6) primary activities as identified under Rating Factor 2. These activities were chosen because they were the ones that would more expeditiously advance the County's efforts to stabilize communities that were identified as priority areas. These priority areas identified under NSP1 overlay with most of the high risks areas identified under the NSP2 – which is demonstrated by the foreclosure need scores determined by HUD using its data sets.

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Based on that fact, the County finds it necessary to channel funds towards many of the same activities undertaken in the NSP1 such as:

- Second mortgage assistance for income eligible homebuyers, and associated homebuyer counseling;
- Single family residential acquisition and rehabilitation for resale and associated homebuyer counseling;
- Acquisition and rehabilitation of foreclosed multi-family residential for affordable rental housing;
- Redevelopment of vacant properties for affordable multifamily and single family housing;
- Demolition of blighted structures

There are a couple of differentiating factors between NSP1 and NSP2 that is worth noting:

- The County will take more of a concentrated approach within the targeted areas to identify specific projects and sub-communities to focus its redevelopment efforts where applicable
- More funding will be earmarked for redevelopment activities in close proximity to mainstream access to services and public infrastructure which may or may not fall outside of the identified HOPE VI/HOPE VI Expanded areas
- The County intends to undertake demolition activities under NSP2 in conjunction with other activities

### Neighborhood Stabilization Impacts of each NSP2 Project Activity

It is the County's position that undertaking the following specific activity will have an optimal economic impact within the County. Funding provided to support these project activities will maximize the benefits to the communities at large – creating jobs, arresting neighborhood decline, reconnecting communities and mitigating the impact of destabilizing economic factors.

**Soft Second Mortgage Assistance** – activity will provide assistance countywide to persons at or below 120% AMI for the purchase of a foreclosed property. These purchases will assist in restoring stability within neighborhoods across the County and will assist in stimulating the local economy's tax base.

**Acquisition and Rehabilitation of Single Family Homes** – activity will assist in creating jobs in the construction and service industries via the rehabilitation activities in addition to restoring properties for resale which is a direct investment back into local communities - ultimately arresting decline and reconnecting the neighborhoods at large

**Acquisition and Rehabilitation of Multifamily Properties** – activity will assist in creating jobs and provide housing for the very low, low and moderate income households. Restoring multifamily properties by enhancing them aesthetically reinvigorates local communities and restores pride – thus resulting in better investment opportunities and consistent revenue.

**Redevelopment** – activity will create construction jobs, provide opportunities for small businesses to secure work and will stimulate the economy by providing affordable housing options. When families spend less on housing, it increases disposable income that the family will invest back into the community – thus serving as an economic stimulus.

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**Demolition of Blighted Structures** - activity will arrest the negative impact of blighted structures on a neighborhood. Local contractors will be available for contracting opportunities. There will also be the ability to enhance the development activities in the targeted geographical areas.

Detailed below is a summary of the scopes of each project activity that will be undertaken utilizing NSP2 funding:

**ELIGIBLE ACTIVITY A - FINANCING MECHANISMS**

(1) **Activity Name:** Financing Mechanisms: Soft-Second Loans for Low, Moderate and Middle-Income Households (LMMFH)

(2) **Activity Type:** Eligible NSP Activity: (A) Establish financing mechanisms for purchase of foreclosed upon homes and residential properties in the form of soft-second mortgage loans and closing costs. Public Services for housing counseling limited to prospective purchasers of the acquired and rehabilitated foreclosed-upon homes.

CDBG Eligible Activity: Homeownership Assistance (see 24 CFR 570.201(n). Public services for housing counseling (see 24 CFR 570.201(e))

(3) **Activity Description:** The County will provide soft-second loans to eligible homebuyers to purchase foreclosed-upon homes in targeted geographical areas. A portion of the loan not to exceed \$7,500 will be available for rehabilitation activities. Homes that are acquired and rehabilitated will be marketed to potential buyers. Buyers can also locate and purchase REO properties from the bank. Buyers must complete a minimum of eight hours of homebuyer counseling for income qualified persons provided soft-second loans to purchase foreclosed-upon homes.

(4) **Duration and Term of Assistance**

Soft-second loans will be in the form of a maximum 30-year fixed-interest mortgage

(5) **Interest Rate Range**

The interest rate on the second mortgage will be between 0-6 percent.

(6) **Target Area:** Countywide (only in areas with foreclosure risk scores greater than 18)

(7) **Project Activity Budget:** Soft Mortgage Assistance, Closing Costs and Rehab Assistance

Miami-Dade County Allocation: \$15,000,000

Assumptions: average assistance of \$70,000

(8) **Responsible Organization:**

Clarence D. Brown Miami-Dade County  
Office of Community and Economic Development  
701 NW 1st Court, 14th Floor  
Miami, FL 33136  
(786)469-2221

**ELIGIBLE ACTIVITY B-1 - PURCHASE AND REHABILITATION**

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**(1) Activity Name:** Purchase and Rehabilitation of Foreclosed-Upon Single Family Homes for Sale to Income-Qualified Persons

**(2) Activity Type:** Eligible NSP Activity: Purchase and rehabilitation of abandoned or foreclosed-upon or abandoned homes for sale to eligible buyers. Public Services for housing counseling limited to prospective purchasers of the acquired and rehabilitated foreclosed-upon homes

CDBG Eligible Activity: Acquisition (see 24 CFR 570.201(a)) and rehabilitation (see 570.202). Public services for housing counseling (see 24 CFR 570.201(e))

**(3) Activity Description:** The County will use funds to purchase and rehabilitate foreclosed-upon single-family homes for rehabilitation and sale for LMMFH. Buyers can also locate and purchase REO properties from the bank. Buyers must complete a minimum of eight hours of homebuyer counseling for income qualified persons provided soft-second loans to purchase foreclosed-upon homes.

The County will use its pool of qualified home builders to identify and acquire foreclosed-upon homes from lenders and rehabilitate them to the extent required to meet housing standards set forth under this application in accordance with the County's rehabilitation standards. The County may also participate in this activity without the use of home builders, developers, and others from the pool. The County may fund up to full cost of the acquisition and rehabilitation of the properties with NSP funds, subject to a first mortgage on the property with deed restrictions imposing terms to ensure continued affordability.

The homes will be marketed to NSP income-eligible persons having undergone homebuyer counseling, who will be required to secure a first mortgage loan from a lender to purchase the home. Some of the NSP funds used to purchase and rehabilitate the home may be converted into a soft-second mortgage as described in Activity A above to make the purchase more affordable. Sales proceeds will also cover a developer's fee for performing the above activities on behalf of the County. This approach will maximize benefits afforded by the County's NSP allocation by permitting sale proceeds to return to the County's NSP for additional acquisition

**(4) Duration of Assistance:** The County will initially purchase the foreclosed properties, provide rehabilitation services and resale to an eligible homebuyer. Upon the homebuyer qualifying for a first mortgage loan, a portion of the proceeds will be provided to the homebuyer in the form of a second mortgage at a fixed rate for 30 years. The residual proceeds will be considered program income to the County which will be used to purchase additional properties.

**(5) Interest Rate Range**

The interest rate on the second mortgage will be between 0-6 percent. However, upon initial purchase, Miami-Dade County will conduct property appraisals and apply the minimum discount rates required under HERA, HUD Notice (73 FR 58330) and the American Recovery and Reinvestment Act of 2009 (ARRA) to the purchase of foreclosed-upon homes; however, to ensure best use of NSP funds, the County will negotiate purchase prices below such discount rates to the maximum extent possible.

**(6) Target Area:** Countywide (only in areas with foreclosure risk scores greater than 18)

**(7) Total Budget:** Acquisition and Rehabilitation of Foreclosed-Upon Single Family Homes  
Miami-Dade County Allocation: \$15,000,000

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**Maximum Sales Price: Total of \$205,000/house including rehabilitation**

**(8) Responsible Organization:**

Clarence D. Brown Miami-Dade County  
Office of Community and Economic Development  
701 NW 1st Court, 14th Floor  
Miami, FL 33136  
(786)469-2221

**ELIGIBLE ACTIVITY B-2 - PURCHASE AND REHABILITATION**

**(1) Activity Name:** Purchase and Rehabilitation of Foreclosed-Upon Multi-Family Rental Housing

**(2) Activity Type:** Eligible NSP Activity: Purchase and rehabilitation of abandoned or foreclosed-upon or abandoned homes or residential property for rental.

CDBG Eligible Activity: Acquisition (see 24 CFR 570.201(a)) and rehabilitation (see 570.202)

**(3) Activity Description:** The County will use funds to purchase and rehabilitate multi-family rental housing for LMMH.

Multi-family rental housing properties will be purchased by the County and added to the County's existing affordable rental housing inventory. The County may utilize existing contracts to place the management and maintenance of the properties under the care of property management companies providing the same services or other County-owned rental property. The County may also select for-profit and not-for-profit housing developers to acquire, rehabilitate and manage multi-family rental housing. The County may partner with entitlement cities to acquire multi-family housing.

**(4) Discount Rate**

Miami-Dade County will conduct property appraisals and apply the minimum discount rates required under HERA of 2008 and ARRA of 2009 in addition to the applicable HUD Notices that provides for the purchase of foreclosed-upon homes. However, to ensure best use of NSP funds, the County will negotiate purchase prices below such discount rates to the maximum extent possible.

**(5) Targeted Areas:** The County has identified several multifamily properties in foreclosure for which the County has a financial investment. The County will select other available properties should these properties not be available at the time of award. The projects are located within the County's targeted areas for which NSP2 funds are anticipated to be used. The project specifics are as follows:

**Island Place:** A 200-unit development located at 1551 NE 167 Street, for which the County has a \$2.25 Million investment in state SHIP funding and County Surtax funding. The County proposes to acquire the property, rehabilitate it and rent to eligible participants under the NSP2 guidelines. This project activity will be used to satisfy the 25% requirement to provide affordable housing to families earning 50% AMI or less. The County's attempt to salvage this property will assist in maintaining affordability and preserve existing housing stock. The County will work closely with the banks and other organizations to purchase the property

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and provide other supportive services that may be required to manage properties. It is anticipated that that county will use in gap financing to ensure feasibility of the project.

**Westview Terrace Apartments:** A 420-unit development located at 12501 NW 27 Avenue, for which the County has committed to provide approximately \$9.2 Million in HOME, CDBG, Surtax and SHIP funds. The County proposes to conduct acquisition and rehabilitation activities in an effort to preserve the affordable housing stock. This project activity will be used to satisfy the 25% requirement to provide affordable housing to families earning 50% AMI or less. The County's attempt to salvage this property will assist in maintaining affordability and preserve existing housing stock. The County will work closely with the banks and other organizations to purchase the property and provide other ancillary services are required to manage properties. It is anticipated that that county will need \$56,700,649 in gap financing to ensure feasibility of the project.

**Hampton Apartments** – a 300-unit development located at NW 27 Avenue 43 Terrace, for which the County anticipates acquiring and providing rehabilitation services in an effort to preserve existing affordable housing units. The development is occupied and the County understands that the Uniform Relocation Act (URA) requirements must be applied. These costs are eligible under the NSP2 program activities. It is anticipated that that county will need \$45,000,000 in gap financing to ensure feasibility of the project.

The County has a financial investment in all of the properties listed above. The County plans to pursue the projects as stated; however, in the event the projects do not materialize or if an issue is emerges that no longer makes the project feasible, the County would like the flexibility to choose another comparable project in which to undertake similar project activities under the NSP2.

**(6) Total Budget:** Acquisition and Rehabilitation of Foreclosed-Upon Multi-Family Properties  
Miami-Dade County Allocation: \$26,000,000

**(7) Responsible Organization**  
Clarence D. Brown Miami-Dade County  
Office of Community and Economic Development  
701 NW 1st Court, 14th Floor  
Miami, FL 33136  
(786)469-2221

**ELIGIBLE ACTIVITY D - DEMOLITION**

**(1) Activity Name:** Demolish Blighted Structures

**(2) Activity Type:** Eligible NSP Activity: Demolish blighted structures.  
CDBG Eligible Activity: Clearance activities (see 24 CFR 570.201(d))

**(3) Activity Description:** Demolish 160 blighted structures within County identified “areas of emphasis” to reduce destabilizing effects in areas that were impacted the greatest by the foreclosure crisis

**(4) Targeted Areas:** The County will identify sites within the “areas of emphasis” as specified in this application.

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(5) **Total Budget:** Demolition  
Miami-Dade County Allocation: \$1,800,000

(6) **Responsible Organization**  
Clarence D. Brown Miami-Dade County  
Office of Community and Economic Development  
701 NW 1st Court, 14th Floor  
Miami, FL 33136  
(786)469-2221

### ELIGIBLE ACTIVITY E – REDEVELOPMENT

(1) **Activity Name:** Redevelopment

(2) **Activity Type:** Eligible NSP Activity: Redevelop demolished or vacant properties. CDBG Eligible Activity: 24 CFR 570.201(c)

(3) **Activity Descriptions/Target Areas:** Redevelop properties in area(s) of greatest need to create affordable rental housing, homeownership, and green spaces; improve existing infrastructure. These projects for which the County is considering funding will be collateralized using the County's General Obligation Bonding (GOB) capacity.

#### *Homeownership*

The County is requesting funding to support the purchase of a vacant parcel of land in the amount of \$100,000 to construct a fully green home that will be LEED certified. The County anticipates undertaking more expansive demonstration initiatives such as this in an effort to create energy savings and to preserve the climate. These types of initiatives also conform to the standards prescribed by regulations published by the state of Florida's Greenbuilding Commission and other climate change efforts supported by Florida's Governor.

#### *Multifamily*

The County has approximately 18 housing sites that are listed under the GOB Affordable Housing program. The County has chosen to development a redevelopment strategy to support the following projects and will use the NSP2 funding as gap financing to ensure affordability of the units. Each project below already has committed capital – public and private. These projects are those that can reasonably be expected to be completed within HUD's three year timeline.

Georgia Ayers – located at 13280 Port Said Road. This project will consist of 72 units of which approximately \$7.5 Million has already been pledged to support the project. It is anticipated that \$5.1 Million is needed to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

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**Transit Village** – located at 62 Street and NW 7 Avenue. This project will consist of 65 units of which approximately \$10,592,307 has already been pledged to support the project. It is anticipated that \$782,593 is needed to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

**Hialeah** – located at 501 Palm Avenue. This elderly project will consist of an estimated 100 units of which approximately \$5 Million has already been pledged to support the project. It is anticipated that an estimated 100 units is needed to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

**Okeechobee** – located at 2005 Okeechobee. This elderly project will consist of 347 units of which approximately \$5,592,307 Million has already been pledged to support the project. It is anticipated that \$55,132,693 is needed to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

**Gran Via** – located at SW 127 Avenue and 8<sup>th</sup> Street. This elderly project will consist of 420 units of which approximately \$10,592,307 Million has already been pledged to support the project. It is anticipated that \$7,607,693 is needed to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

**Landmark** – located at 199 Street and 47 Avenue. This elderly project will consist of 200 units. It is anticipated that \$45,000,000 is needed in NSP2 funding to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

**South Dade Government Center** – located at SW 216<sup>th</sup> Street. This elderly project will consist of 200 units. It is anticipated that \$47,000,000 is needed in NSP2 funding to ensure feasibility of the development. This project will house low to moderate income households with incomes not to exceed 120%AMI and will also satisfy HUD's requirement that at least 25% of the funding be used to support families earning incomes 50% or less AMI.

In the event that any of the above projects experience major challenges and materialize, the County would like to choose alternative sites to conduct redevelopment activities. These sites will be chosen in target areas experiencing extreme decline and blight. The County anticipates using GOB to leverage with requested NSP2 Funding.

Additionally, the County also owns over 250 parcels of vacant land that can be redeveloped. The County would like to develop some of those parcels in the areas that are deemed high risks in accordance with HUD standards. Prior to redevelopment efforts, the County would evaluate each site to determine feasibility. Upon evaluation of the site, the County would use funding to construct housing that is affordable to low to moderate income families and incorporate energy efficient and green building features as encouraged by HUD and supported by the County's leadership.

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(4) **Project Activity Budget:** Neighborhood Redevelopment Through Multi-Family Rental Housing Development.

Miami-Dade County Allocation: \$88,000,000

(5) **Responsible Organization**

Clarence D. Brown

Miami-Dade County

Office of Community and Economic Development

701 NW 1st Court, 14th Floor

Miami, FL 33136

(786)469-2221

**ELIGIBLE ACTIVITY – ADMINISTRATION**

(1) **Activity Name: Administration**

(2) **Activity Type:** Eligible NSP Activity: General administration and planning activities.

CDBG Eligible Activity: General administration and planning activities (see 24

CFR 570.205 and 206

(3) **General Administration and Planning.** This reflects a maximum expense that can be made available over five years. Administrative expenses will be subject to careful review. Unused funds will be utilized in other categories, as reviewed and approved by HUD.

(4) **Total Budget Administration**

Miami-Dade County Allocation: \$16,200,000

**TOTAL BUDGET**

<b>NSP2 Activities</b>	<b>NSP2 Budget Request</b>
Soft Second Mortgages	\$ 15,000,000.00
Acquisition/Rehab/Resale of SF Homes	\$ 15,000,000.00
Acq/Rehab of Multifamily (rental)	\$ 26,000,000.00
Neighborhood Redevelopment	\$ 88,000,000.00
Demolition	\$ 1,800,000.00
Admin	\$ 16,200,000.00

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Firm commitments devoted to leveraging the NSP2 funding for projects mentioned above are located behind Appendix E.

### B. Project Completion Schedule

Miami-Dade County understands the stringent timelines associated with expenditure of the NSP2 funding. The County is aware that at least 50 percent of the allocated funds must be expended within two years and 100 percent of the funds within 3 years. The County has chosen to undertake project activities that can reasonably be completed within the prescribed timeframes imposed by HUD.

NSP Activity	Tasks	Commencement/End Dates	Expected Outcomes
Second mortgages, closing cost, down payment assistance and homebuyer education.	<ul style="list-style-type: none"> <li>Publish public Notice</li> <li>Prescribe application process</li> <li>Conduct County Lottery</li> <li>Commence loan underwriting and qualifying</li> <li>Conduct environmental Review</li> <li>Issue commitments</li> <li>Execute purchase contracts</li> <li>Close loan</li> </ul>	<p><b>Commencement:</b> Upon execution of contract</p> <p><b>Completion:</b> June 2011 (within HUD's prescribed timeframe)</p>	<ol style="list-style-type: none"> <li>1.) Assistance provided to at least 160 qualified borrowers</li> <li>2.) 160 borrowers will undergo 8- hours counseling courses</li> <li>3.) Alls loans should close within a year and a half</li> </ol>
Acquisition and rehab of single family homes for resale and homebuyer education.	<ul style="list-style-type: none"> <li>Issue RFQ</li> <li>Selection of Pool</li> <li>Pre-construction conferences</li> <li>Issue Work Orders</li> <li>Environmental Review</li> <li>Construction commencement</li> <li>Construction completion</li> <li>Sale home to qualified borrower through lottery system</li> <li>Purchase Additional properties</li> </ul>	<p><b>Commencement:</b> Upon execution of contract</p> <p><b>Completion:</b> September 2012</p>	<ol style="list-style-type: none"> <li>1.) Acquisition and rehab activities will assist approximately 50 homebuyers</li> <li>2.) Counseling provided initially to 50 homebuyers</li> <li>3.) Program income used to support additional acquisitions</li> </ol>

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	using program income		
Acquisition and rehab of multi-family units for rental.	<ul style="list-style-type: none"> <li>• Issue RFQ</li> <li>• Selection of Pool</li> <li>• Pre-construction conference</li> <li>• Issue Work Orders</li> <li>• Environmental Review</li> <li>• Construction commencement</li> <li>• Construction completion</li> </ul> (Projects are in different phases; timeframes will vary depending on financing, unit size and other variables)	<b>Commencement:</b> Upon execution of contract  <b>Completion:</b> September 2012	1.) Preservation of approximately 920 affordable housing units 2.) 50% AMI and below households will have affordable housing options
Neighborhood Redevelopment	<ul style="list-style-type: none"> <li>• Issue RFP</li> <li>• Select Master Developer to develop properties</li> <li>• Environmental Review</li> <li>• Break Ground</li> <li>• Completion</li> </ul> (Projects are in different phases; timeframes will vary depending on financing, unit size and other variables)	<b>Commencement:</b> Upon execution of contract  <b>Completion:</b> September 2012	1.) New construction of approx. 1000 affordable housing units for low to moderate income families 2.) Jobs will be created due to the construction activity 3.) Community investment opportunities
Demolition	<ul style="list-style-type: none"> <li>• Issue RFP for municipalities identifying site specifications</li> <li>• Choose suitable sites</li> <li>• Work with County agency regarding property disposition</li> <li>• Develop plans to create additional housing</li> </ul>	<b>Commencement:</b> Upon execution of contract  <b>Completion:</b> June 2011	1.) Increase market investment potential and creates sites for affordable housing 2.) Alleviates the impact of community destabilizing factors

### C. Income Targeting

The County will appropriate or otherwise make available at least 25% of the funding approved by HUD under the NSP2 to meet the low income housing requirement for those individuals and families at or below 50% AMI, exceeding the statutory requirement of 25% of the County's NSP allocation. These funds will be used under acquisition and redevelopment of multifamily rental housing for individuals with incomes at or below 50% AMI. However, as the program requires, all beneficiaries under the NSP2 must have incomes not greater than 120% AMI. The County will ensure strict compliance with this provisional requirement.

### D. Continued Affordability

The long term affordability requirements for the NSP2 will mirror the restrictions of the County's Infill Housing Program. In addition to the soft second mortgage, a declaration of the restrictive covenants running with the land will be recorded in the public records of Miami-Dade County at closing. This provision applies to all single family home purchases made with or in part by utilizing NSP funds, including the spot loans. The declaration of restrictive covenants will specify that:

- (1) The restrictions shall run with the land for the entire control period.

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- (2) The covenants will bind the homebuyer, any assignee, mortgagee, and all other parties that receive title to or interest in the property. These covenants will be senior to all instruments securing permanent financing.
- (3) The covenants shall control for a minimum of twenty (20) years and shall automatically reset every 20 years for a maximum of 60 years, except that in the event an eligible home is owned for an entire 20-year control period by the same individual(s), said individual(s) shall automatically be released from the Declaration of Restrictive Covenants.
- (4) Re-sale of the property during the affordability control period is limited to NSP income-qualified individuals or families for use as their primary residence. The assisted home may not be leased to another party.
- (5) Prior to the re-sale of the NSP-assisted home during the control period, the current homeowner shall obtain the County's written approval.
- (6) The maximum sales price permitted on resale of an eligible home shall be based on a formula established by County ordinance or administrative order. The maximum sales price is currently based on:
  - (i) a formula that takes into account the price paid by the current owner and any increases tied to an index of area incomes during the period in which the current owner owned the home; and
  - (ii) documented costs for property improvements that are permanent in nature and not for decoration or maintenance purposes.
- (7) The County reserves a right of first refusal to purchase the eligible home prior to or at the end of control period, if it becomes available for purchase and there are no eligible persons to purchase the NSP-assisted home.

## E. Consultation, Outreach and Communications

The Office of Community and Economic Development (OCED) will conduct a marketing campaign to identify qualified buyers to participate in the Homebuyer Assistance Program. This campaign will include conducting outreach meetings throughout the County and advertising through various mediums including local newspapers, cable and radio stations. In addition, staff will work with the Miami-Dade Public Housing Agency (MDPHA) to reach out to people who have Section 8 vouchers for homeownership. Staff will reach out to organizations that can assist with identifying qualified homebuyers, such as the Housing Finance Authority (HFA) and the Miami-Dade Affordable Housing Foundation. Staff will also do outreach to those homebuyer counseling agencies funded by the County, such as Miami-Dade Neighborhood Housing Services, Centro Campesino, Opa-Locka CDC and Miami Beach CDC. The activities above demonstrate proactive steps taken by the County in order to affirmatively further fair housing practices. Marketing in the targeted communities, which are typically underprivileged and disenfranchised areas, is a strategy used in order to attract buyers of low to moderate income status so that they will be aware of the program opportunities and resources available to them.

The County has forged a solid network of program partners that will play integral roles in carrying out the NSP2. Partners such as Fannie Mae, Freddie Mac, Neighborhood Housing Service (Neighborworks), local

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municipalities and many other housing practitioners have been at the vortex of discussions relative to the continuity of the NSP1 and NSP2 programs. The County has consistently consulted with each of these partners and they have agreed to work with the County to develop an inventory of eligible properties to be considered for purchase under the program, negotiate a price that complies with the NSP regulations and to advance expeditiously towards closing on properties with buyers that qualify under the NSP. Each partner has worked to streamline the process and to maintain continuity and fluidity of the process in an effort to more expeditiously advance towards stabilizing the communities within the County. That County has also solicited the input of the potential beneficiaries of the program in satisfying its HUD requirement relative to citizens' participation.

Additionally, if the County is made aware of any complaints relative to its programs or other related fair housing issues, the County typically responds to the citizen within 7-15 days. The County seeks to ensure that each complaint is addressed appropriately, substantively and within a timely manner.

## F. Performance and Monitoring

Miami-Dade County's Office of Community and Economic Development has a compliance unit that will be responsible for monitoring the NSP1 and NSP2 program for compliance with the program rules and other statutory requirements. Additionally, the County has contracted with a community development consultant that will assume responsibilities relative to program administration, implementation and compliance monitoring. Other responsibilities of the consultant are to ensure that the County remains compliant with all NSP2 rules and regulations. Additionally, all operational and management functions will be assessed to determine areas of concern that may need to be addressed in order to fully comply with NSP2 requirements. Prior to the County undertaking activities, the consultant will verify that the all program activities are in alignment with the program rules and other requirements are necessary.

### Monitoring Plan

Based on the project activities that the County anticipates allocating funding to under the NSP2, the County will ensure compliance with the following NSP and CDBG provisions:

#### **Citizens' Participation**

In preparing this plan, the County has satisfied the Citizens' Participation requirements outlined in the NOFA for NSP2. The application was published via a newspaper of general circulation and via the website in various languages to allow citizens to have comment on the activities the County proposes to undertake. Additionally, the County hosted two public informational meetings – one in North Dade and the other in South Dade. All comments received via the process are included in the Appendices section of this application. In the event the plan changes and new activities are funded, the County will ensure that the public is aware of the activities being proposed and allow adequate time to comment. Citizens' complaints will be addressed in writing within 7-15 days of receipt of the complaint.

#### **Determining National Objective**

Each project must satisfy one of the three national objectives in order for the project to qualify for funding under the CDBG program. The national objectives are as follows:

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- Benefit to low to moderate income households
- Prevention or elimination of slums or blight
- Urgent need

All projects funded under this NSP2 allocation will satisfy the low to moderate income national objective. The national objective that is anticipated at the beginning of the project has to be met upon completion of the project. Failure to meet the requirements of the national objective could result in funds having to be returned. The County will ensure that each project meets that national objective to avoid the return of any funding. This will require consistent monitoring of each project for compliance with its prescribed work plan, budget and timeline to ensure that the appropriate milestones and benchmarks are being met.

### **Environmental Review Process**

Depending on the activities under the program, projects will be determined to be “exempt”, “categorically excluded” or subject to a full Format II environmental review pursuant to 24CFR Part 58.

An environmental review record (ERR) will be documented for each project.

- If the project is determined to be “exempt”, the ERR for the project or project activity will include the form that indicates “exempt” status.
- If the project is determined to be “categorically excluded” per 24 CFR Part 58.35, the statutory checklist and the associated documentation will be made a part of the ERR for audit purposes
- If a full, Format II environmental review is needed, the County will be required to comply with all NEPA provisions inclusive but not limited to regulations related to coastal area protection, endangered species, floodplain management, historic properties, sole source aquifers, etc. The County will ensure that the appropriate notices are issued and comment periods noted.
- If the project is determined to have a Finding of No Significant Impact (FONSI), a Request for Release of Funds (RROF) can be submitted to HUD. Once environmental clearance is granted from HUD, the County can begin to draw down funding for the project.

### **Procurement**

The County will ensure that all procurements conducted will be consistent and compliant with 24 CFR 85.36 in addition to applicable statutory state and/or local procurement regulations. Although the County has its own procurement policy in place that HUD has already approved, that County will monitor its procurement practices to make sure of the following:

- There is appropriate notice to the public regarding the services that are solicited to be procured
- The venue for publishing the request for services is appropriate
- There is no limiting language in the publication that restricts competition
- There is an unbiased scoring and evaluation process in place
- Ensure that single source procurements are conducted in accordance with the provisions of 24 CFR 85.36
- Ensure that the appropriate clauses of 24 CFR 85.36 are included in the contract language after award (breach of contract, termination, records retention)

### **Labor Standards**

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It is anticipated that the Davis Bacon Labor Standards will apply – especially to the multifamily projects that the County is proposing to undertake with NSP2. The County has a vast amount of experience with monitoring for compliance with labor standards. The County will monitor compliance under three (3) categories:

- Review of Construction Contracts
  - Wage decision used
  - Bid opening date
  - Contract execution date
  - Notice to Proceed date
  - Whether or not one or two wage decisions are needed
- Review of Payrolls
  - Weekly payroll verifications
  - Completeness of standard forms
  - Worker classifications
  - Fringe benefits
  - Payroll deductions
- Additional Review
  - Worker interviews
  - Comparison of interviews with payroll records
  - Posting of wage decisions

A timetable will be set to monitor each project for compliance with labor standards throughout the duration of the project. Compliance with the labor standards should commence beginning with the first week work is performed on the site. Certified payrolls should be submitted for every week work is conducted on the site. The County will monitor this activity for compliance with all Davis Bacon provisions as applicable.

### **Civil Rights (Fair Housing, Equal Opportunity and Section 3)**

The County understands that HUD is an advocate of Fair Housing, Section 504, Section 3 and Equal Opportunity. Any activities related to housing must comply with these provisions. HUD requires that the responsible entity undertake activities that ensure full compliance with the Fair Housing Act and Equal Opportunity provisions. This includes verification that the Fair Housing and Equal Opportunity logos and standard language are placed in any publication for which Federal funding is used.

There are many protected classes under the Fair Housing Act. The County will ensure that issues related to either of these civil rights components are appropriately addressed and communicated to the City and HUD as required. Each agreement executed should contain provisions that require strategies that minimize occurrences of unfair practices relative to Fair Housing and Equal Opportunity. In the event a case materializes, the matter will be referred to the appropriate parties for further handling and consideration.

### **Financial Management**

The County has comprehensively evaluated the financial systems it has in place to ensure that there are quality controls in place to maintain financial integrity and accountability. Having adequate systems and controls in place will ensure that disbursements are handled adequately and information necessary for program reporting is accessible and readily available.

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As the County continues to review its financial management systems and quality control mechanisms, the following practices will be evaluated:

- Review of financial records reflecting revenues and expenditures
- Review of check registers, general ledgers and account statements
- Internal control review identifying signature authority, institutional financial approval process and separation of duties
- Documenting program income, if applicable
- Review of change orders and invoices in comparison with program budget
- Review of the timely payment of invoices
- Reconciliation of the general ledger to the CDBG final budget
- Reconciliation of the cash disbursements ledger to the CDBG budget expenditures
- Determining reasonableness of administrative costs

In addition to ensuring compliance with the provisions above, the consultant will monitor the programmatic and financial components for the County. Each project will follow a work plan and budget which will serve as a basis for measuring the progress of each task to be undertaken within the prescribed plan. Work plans will identify milestones and benchmarks. The consultant will randomly conduct audits to make sure that the work plans and budgets are adhered to. The County seeks to identify challenges earlier on to hedge against issues that may evolve.

# Factor 4: Leveraging

## Leverage

The County anticipates using additional financial resources to support the requested NSP2 funding. These resources will be earmarked specifically for the NSP program to provide additional leverage to ensure feasibility of the project activities. The County has access to operating capital and other investment options as needed. The County has general obligation bonding (GOB) capacity pledged at \$10 million per affordable housing site in which to support its redevelopment efforts countywide. These bonds are currently used as leverage with other capital improvement projects and public infrastructure projects undertaken by the County. The County also has pledged other local resources such as its allocation of State Housing Initiatives Program (SHIP) funding – a state housing trust fund program and the County's local Surtax Program -. The financial resources may be used to support acquisitions of properties and end-user financing to make housing options more affordable.

Commitment Letters are located behind **Appendix G**.

## Destabilizing Community Factors

The County anticipates undertaking some demolition activities in concert with some of its contemplated redevelopment activities relative to multifamily properties. Many of the developments proposed to be assisted with NSP2 funding are in communities that have been susceptible to various negative socioeconomic factors. The foreclosure crisis has in fact exacerbated the economic windfall specifically in those areas. Undertaking demolition activities will potentially remove some of the destabilizing influences that often result if further deteriorating communities. Some of the multifamily properties may have amenities that don't enhance the facility such as swimming pools and other recreational aspects that were initially designed for tenants to enjoy. However, these fixtures have become eyesores and major attractions for crime and other illicit activities. Removing these factors will potentially have a greater benefit to the development and community at large.

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# Factor 5: Energy Efficiency/Sustainability

## Energy Efficiency and Green Building

Miami-Dade County encourages energy efficiency, green building and sustainability. The County is aware of the Recommended Energy Efficient and Environmentally-Friendly Green Elements HUD has itemized in Appendix 2 and will make every effort to incorporate some of those features and products into new construction and rehabilitation projects. Due to the Mayor's priority and emphasis on energy efficiency and green-building, the County began a constructive dialogue regarding strategies that will be designed to support this effort. However, this effort has already commenced with many community development programs operated by the County that support energy efficiency and the long term sustainability of communities. Some of these initiatives include providing incentives to developers of affordable housing to incorporate green features into the home designs and also supply those homes with Energy Star appliances – ultimately reducing future energy costs to the homebuyers. This practice dovetails with HUD's rehabilitation standards and other requirement that NSP2 activities comply with the Energy Star for New Homes standard.

The County has also requested funding to support the purchase of a vacant parcel of land to construct a fully green home that will be LEED certified. The County anticipates undertaking more expansive demonstration initiatives such as this in an effort to create energy savings and to preserve the climate. These types of initiatives also conform to the standards prescribed by regulations published by the state of Florida's Greenbuilding Commission and other climate change efforts supported by Florida's Governor.

## Transit Accessibility

Miami-Dade Transit is the 12th largest public transit system in the USA, and the largest transit agency in the state of Florida. We strive daily to keep our transit services safe, reliable, and courteous. We are especially proud to be an accessible system offering mobility to people with disabilities. This is all a part of a broader comprehensive strategy to sustain the County's resources and communities.

Miami-Dade Transit, one of the largest departments of Miami-Dade County government, is responsible for planning for and providing all public transit services in the county. This integrated transportation system consists of four major components: the Metrobus fleet, connecting most areas of Miami-Dade County; Metrorail, an electrically-powered, elevated, rapid-transit system stretching 22.4 miles, from Kendall to Medley; Metromover, a 4.4-mile elevated people mover that serves the downtown central business district of Miami, including Omni and Brickell; and Special Transportation.

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The Metrobus offers countywide service from Miami Beach to West Miami-Dade and from the Middle Keys to the southern portion of Broward County. All buses are wheelchair accessible. In addition, Metrobus connects with Metrorail and Metromover. With 891 buses, 95 Metrobus routes travel over 32.6 million miles per year. Several routes operate 24 hours a day. The Metrorail, an electrically-powered, elevated, rapid-transit rail system, extends from Kendall in South Miami-Dade to Medley in West Miami-Dade. Metrorail connects a major portion of Miami-Dade County to business, cultural, and shopping centers. Travel from Metrorail operates from 5 a.m. to midnight, seven days a week, including holidays. On weekdays, trains arrive every 7-8 minutes during morning and afternoon peak hours, every 15 minutes during weekday midday hours, and every 30 minutes from about 7:30 p.m. until closing. Weekend service runs every 30 minutes - one end of the system to the other in only 42 minutes.

The project activities that are proposed to be undertaken with funds secured under NSP2 will occur in areas that have easy access the Miami-Dade Transit system. Many of the communities that are in high risk-areas are often associated with poverty, high crime, high unemployment and other disparaging socio-economic indicators. Having access to transportation that is reliable and affordable is integral to the residents because it allows them to go to work, grocery stores and other places that may be necessary to sustain their households.

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## Factor 6: Neighborhood Transformation & Economic Opportunity

The activities that the County is proposing to undertake utilizing NSP2 funding is consistent with the County's 2008-2012 Consolidated Plan. The plan addresses elements associated with community development efforts that:

- Develop viable communities by providing decent housing
- Provide a suitable living environment by improving the safety and livability of neighborhoods; and
- Expand economic opportunities including job creation and retention.

Within the County's plan, it is noted that funding priorities will focus on projects that support one or more of the following objectives:

- Low to moderate income households and neighborhoods
- Affordable housing
- Economic development
- Financial viability, leveraging and partnerships; and
- Project's ability to be implemented within contracted period.

All of the activities within this NSP2 application address the factors that are outlined in the County's Plan. By limiting activities to focus on the above priorities, the County has positioned itself to execute project implementation quickly. Projects that are ready to proceed will be of special interest to the County because they will materialize into actual affordable units at a much faster pace than those that are currently in the planning and development stages. Projects that are queued to begin construction create jobs and expand economic opportunities for small businesses and communities at large.

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This plan builds upon the funding that the County has secured under the NSP1 appropriation. Having already gone through many of the preliminary planning and development stages under NSP1 further equips the County to navigate through processes at a much faster pace and more efficiently. Having the knowledge and expertise that was obtained while implementing NSP1 coupled with the County's financial and human resources devoted to carrying out NSP activities, postures the County to undertake additional activities under NSP2. This increases the effectiveness of the plan.

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# Appendix A

## Certifications

- (1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.
- (2) **Anti-displacement and relocation plan.** The jurisdiction certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.
- (3) **Anti-lobbying.** The jurisdiction will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.
- (4) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (5) **Consistency with Plan.** The housing activities to be undertaken with NSP funds are consistent with its consolidated plan, which means that NSP funds will be used to meet the congressionally identified needs of abandoned and foreclosed homes in the targeted area set forth in the grantee's substantial amendment.
- (6) **Acquisition and relocation.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the Notice for the NSP program published by HUD.
- (7) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (8) **Citizen Participation.** The jurisdiction is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (9) **Following Plan.** The jurisdiction is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.
- (10) **Use of funds.** The jurisdiction will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008, as modified by the American Reinvestment and Recovery Act, by

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spending 50 percent of its grant funds within 2 years and spending 100 percent within three years of receipt of the grant.

- (11) **Use NSP funds  $\leq$  120 of AMI.** The jurisdiction will comply with the requirement that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income.
- (12) **Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.
- (13) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
- (14) **Compliance with anti-discrimination laws.** The NSP grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.
- (15) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.
- (16) **Compliance with laws.** The jurisdiction will comply with applicable laws.

\_\_\_\_\_  
Signature/ Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

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# Appendix B

## Code of Conduct

### **Sec. 2-11.1. Conflict of Interest and Code of Ethics Ordinance.**

(a) *Designation.* This section shall be designated and known as the "Miami-Dade County Conflict of Interest and Code of Ethics Ordinance." This section shall be applicable to all County personnel as defined herein, and shall also constitute a minimum standard of ethical conduct and behavior for all municipal officials and officers, autonomous personnel, quasi-judicial personnel, advisory personnel, departmental personnel and employees of municipalities in the County insofar as their individual relationships with their own municipal governments are concerned. References in the section to County personnel shall therefor be applicable to municipal personnel who serve in comparable capacities to the County personnel referred to. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-27, § 1, 3-20-73)

(b) *Definitions.* For the purposes of this section the following definitions shall be effective:

(1) The term "Commissioners" shall refer to the Mayor and the members of the Board of County Commissioners as duly constituted from time to time.

(2) The term "autonomous personnel" shall refer to the members of semi-autonomous authorities, boards, and agencies as are entrusted with the day to day policy setting, operation and management of certain defined County functions or areas of responsibility, even though the ultimate responsibility for such functions or areas rests with the Board of County Commissioners.

(3) The term "quasi-judicial personnel" shall refer to the members of the Community Zoning Appeals Board and such other boards and agencies of the County as perform quasi-judicial functions.

(4) The term "advisory personnel" shall refer to the members of those County advisory boards and agencies whose sole or primary responsibility is to recommend legislation or give advice to the Board of County Commissioners.

(5) The term "departmental personnel" shall refer to the Manager, his department heads, the County Attorney and all Assistant County Attorneys.

(6) The term "employees" shall refer to all other salaried personnel employed by the County.

(7) The term "compensation" shall refer to any money, gift, favor, thing or value or financial benefit conferred in return for services rendered or to be rendered.

(8) The term "controlling financial interest" shall refer to ownership, directly or indirectly, to ten (10) percent or more of the outstanding capital stock in any corporation or a direct or indirect interest of ten (10) percent or more in a firm, partnership, or other business entity.

(9) The term "immediate family" shall refer to the spouse, parents and children of the person involved.

(10) The term "transact any business" shall refer to the purchase or sale by the County of specific goods or services for a consideration. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-23, § 1, 3-20-73; Ord. No. 86-24, § 3, 4-1-86)

(11) The term "Ethics Commission" shall refer to the Miami-Dade County Commission on Ethics and Public Trust.

(c) *Prohibition on transacting business within the County.*

(1) No person included in the terms defined in subsection (b)(1) through (6) and in subsection (b)(9) shall enter into any contract or transact any business, except as provided in subsections (c)(2) through (c)(6) in which he or she or a member of his or her immediate family has a financial interest, direct or

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indirect, with Miami-Dade County or any person or agency acting for Miami-Dade County, and any such contract, agreement or business engagement entered in violation of this subsection shall render the transaction voidable. Willful violation of this subsection shall constitute malfeasance in office and shall effect forfeiture of office or position.

(2) County employees' limited exclusion from prohibition on contracting with the county.

Notwithstanding any provision to the contrary herein, subsections (c) and (d) shall not be construed to prevent any employee as defined by subsection (b)(6) [excluding departmental personnel as defined by subsection (b)(5)] or his or her immediate family as defined by subsection (b)(9) from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County, as long as (1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County, (2) the employee has not participated in determining the subject contract requirements or awarding the contract, and (3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. However, this limited exclusion shall not be construed to authorize an employee or his or her immediate family member to enter into a contract with Miami-Dade County or any person or agency acting for Miami-Dade County, if the employee works in the county department which will enforce, oversee or administer the subject contract.

(3) Limited exclusion from prohibition on autonomous personnel, advisory personnel and quasi-judicial personnel contracting with county. Notwithstanding any provision to the contrary herein, subsections (c) and (d) shall not be construed to prohibit any person defined in subsection (b)(2), (b)(3) and (b)(4) from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the board member or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County. However, any person defined in subsection (b)(2), (b)(3) and (b)(4) is prohibited from contracting with any agency or department of Miami-Dade County subject to the regulation, oversight, management, policy-setting or quasi-judicial authority of the board of which the person is a member.

(4) Any person defined in subsections (b)(2) through (b)(4) and subsection (b)(6) shall seek a conflict of interest opinion from the Miami-Dade County Commission on Ethics and Public Trust ("the Ethics Commission") prior to submittal of a bid, response, or application of any type to contract with the County by the person or his or her immediate family. A request for a conflict of interest opinion shall be made in writing and shall set forth and include all pertinent facts and relevant documents. If the Ethics Commission finds that the requirements of this section pertaining to exclusions for persons defined in subsections (b)(2) through (b)(4) and subsection (b)(6) are not met and that the proposed transaction would create a conflict of interest, the person defined in subsections (b)(2), (b)(3), (b)(4) or (b)(6) may request a waiver from the Board of County Commissioners within ten (10) days of the Ethics Commission opinion by filing a notice of appeal to the Ethics Commission. The Ethics Commission shall forward the notice of appeal and its opinion and any pertinent documents to the Clerk of the Board of County Commissioners (the "Clerk") forthwith. The Clerk shall place the request on the commission agenda for consideration by the Board. The Board of County Commissioners may grant a waiver upon an affirmative vote of two-thirds ( 2/3) of the entire Board of County Commissioners, after public hearing, if it finds that the requirements of this ordinance pertaining to the exclusion for a County employee from the Code have been met and that the proposed transaction will be in the best interest of the County. The Board of County Commissioners may, as provided in subsection (c)(6), grant a waiver to any person defined in subsection (b)(2) through (b)(4) regarding a proposed transaction. Such findings shall be included in the minutes of

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the board. This subsection shall be applicable only to proposed transactions, and the Board may in no case ratify a transaction entered into in violation of this subsection.

If the affected person or his or her immediate family member chooses to respond to a solicitation to contract with the County, such person shall file with the Clerk a statement in a form satisfactory to the Clerk disclosing the person's interest or the interest of his or her immediate family in the proposed contract and the nature of the intended contract at the same time as or before submitting a bid, response, or application of any type to contract with the County. Along with the disclosure form, the affected person shall file with the Clerk a copy of his or her request for an Ethics Commission opinion and any opinion or waiver from the Board. Also, a copy of the request for a conflict of interest opinion from the Ethics Commission and any opinion or waiver must be submitted with the response to the solicitation to contract with the County.

Notwithstanding any provision herein to the contrary, the County and any person or agency acting for Miami-Dade County shall not award a contract to any person defined in subsections (b)(2) through (b)(4) and subsection (b)(6) or his or her immediate family individually or through a firm, corporation, partnership or business entity in which the person or any member of his or her immediate family has a controlling financial interest, unless the Ethics Commission has rendered an opinion that entering the contract would not be a conflict of interest or the Board waives the conflict in accordance with the provisions of this ordinance.

The County Manager is directed to include language in all solicitations for county contracts advising persons defined in subsections (b)(2) through (b)(4) and subsection (b)(6) of the applicable conflict of interest code provisions, the provisions of this ordinance, including the requirement to obtain an Ethics Commission opinion and make disclosure, and the right to seek a legal opinion from the State of Florida Ethics Commission regarding the applicability of state law conflict of interest provisions.

(5) Nothing herein shall prohibit or make illegal (1) the payment of taxes, special assessments or fees for services provided by County government; (2) the purchase of bonds, anticipation notes or other securities that may be issued by the County through underwriters or directly from time to time; (3) the participation of the persons included in the terms defined in subsection (b)(1) through (6), except for employees of the general services administration and their "immediate family" as defined in (b)(9), in the public auction process utilized by the County for the disposal of surplus motor vehicles; (4) the purchase of surplus personal property, pursuant to administrative order, by persons defined in subsection (b)(1) through (6) and (9); (5) an application for direct assistance from the Miami-Dade County Department of Housing and Urban Development or an application to participate in a program administered by the Department of Special Housing has been submitted by an applicant who is a County person as defined in subsection (b) and who would but for this section be eligible for such assistance from said department; provided, however, that the exception provided in this paragraph shall not extend to an employee of the Miami-Dade County Department of Housing and Urban Development or the Department of Special Housing who participates in the administration of said programs; or (6) an application to participate in a single-family mortgage loan program sponsored by the Housing Finance Authority of Miami-Dade County, has been submitted by a County person as defined in subsection (b), and would but for this section be eligible for participation in said program; provided, however, that the exception provided in this paragraph shall not extend to an employee of the Miami-Dade County Finance Department who participates in the administration of said single-family mortgage loan program.

(6) Extension of waiver to county commissioners, autonomous personnel, quasi-judicial personnel, and advisory personnel. The requirements of this subsection may be waived for a particular transaction only by affirmative vote of two-thirds of the entire Board of County Commissioners, after public hearing. Such waiver may be affected only after findings by two-thirds of the entire Board that:

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- (1) An open-to-all sealed competitive bid has been submitted by a County person as defined in subsection (b)(2), (3) and (4), or
- (2) The bid has been submitted by a person or firm offering services within the scope of practice of architecture, professional engineering, or registered land surveying as defined by the laws of the State of Florida and pursuant to the provisions of the Consultants' Competitive Negotiation Act, and when the bid has been submitted by a County person defined in subsection (b)(2), (3) and (4), or
- (3) The property or services to be involved in the proposed transaction are unique and the County cannot avail itself of such property or services without entering a transaction which would violate this subsection but for waiver of its requirements, or
- (4) That the property or services to be involved in the proposed transaction are being offered to the County at a cost of no more than 80 percent of fair market value based on a certified appraisal paid for by the provider, and
- (5) That the proposed transaction will be to the best interest of the County.

Such findings shall be spread on the minutes of the Board. This subsection shall be applicable only to prospective transactions, and the Board may in no case ratify a transaction entered in violation of this subsection.

Provisions cumulative. This subsection shall be taken to be cumulative and shall not be construed to amend or repeal any other law pertaining to the same subject matter. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-24, § 1, 3-20-73; Ord. No. 73-45, § 1, 5-1-73; Ord. No. 75-91, § 1, 11-4-75; Ord. No. 75-119, § 1, 12-16-75; Ord. No. 79-85, § 1, 10-16-79; Ord. No. 80-33, § 1, 5-6-80; Ord. No. 85-84, § 1, 10-1-85; Ord. No. 85-98, § 1, 11-5-85; Ord. No. 87-58, § 1, 9-1-87; Ord. No. 88-102, § 1, 10-18-88; Ord. No. 91-113, § 1, 10-1-91; Ord. No. 00-1, § 1, 1-13-00; Ord. No. 00-151, § 1, 11-28-00)

(d) *Further prohibition on transacting business with the County.* No person included in the terms defined in subsections (b)(1) through (6) and in subsection (b)(9) shall enter into any contract or transact any business through a firm, corporation, partnership or business entity in which he or any member of his immediate family has a controlling financial interest, direct or indirect, with Miami-Dade County or any person or agency acting for Miami-Dade County, and any such contract, agreement or business engagement entered in violation of this subsection shall render the transaction voidable. The remaining provisions of subsection (c) will also be applicable to this subsection as though incorporated herein by recitation.

Additionally, no person included in the term defined in subsection (b)(1) shall vote on or participate in any way in any matter presented to the Board of County Commissioners if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the Board of County Commissioners: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor, or creditor, if in any instance the transaction or matter would affect the person defined in subsection (b)(1) in a manner distinct from the manner in which it would affect the public generally. Any person included in the term defined in subsection (b)(1) who has any of the above relationships or who would or might, directly or indirectly, profit or be enhanced by the action of the Board of County Commissioners shall absent himself or herself from the Commission meeting during the discussion of the subject item and shall not vote on or participate in any way in said matter. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-45, § 2, 5-1-73; Ord. No. 86-11, § 1, 2-18-86; Ord. No. 86-24, § 1, 4-1-86)

(e) *Gifts.*

(1) *Definition.* The term "gift" shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise, or in any other form, without adequate and lawful consideration. Food and beverages consumed at a single sitting or meal shall

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be considered a single gift, and the value of the food and beverage provided at that sitting or meal shall be considered the value of the gift.

(2) *Exceptions.* The provisions of subsection (e)(1) shall not apply to:

- a. Political contributions specifically authorized by State law;
- b. Gifts from relatives or members of one's household;
- c. Awards for professional or civic achievement;
- d. Material such as books, reports, periodicals or pamphlets which are solely informational or of an advertising nature.
- e. Gifts solicited by County employees or departmental personnel on behalf of the County in the performance of their official duties for use solely by the County in conducting its official business.
- f. Gifts solicited by Commissioners on behalf of the County in the performance of their official duties for use solely by the County in conducting its official business.
- g. Gifts solicited by Commissioners on behalf of any nonprofit organization for use solely by that organization where neither the Commissioner nor his or her staff receives any compensation as a result of the solicitation. As used in this subsection, a "nonprofit organization" shall mean any entity described in section 501(c)(3) of the Internal Revenue Code (the "Code") that is tax exempt under section 501(a) of the Code. As used in this subsection, "compensation" means any money, gift, favor, political contribution, thing of value or other financial benefit.

(3) *Prohibitions.* A person described in subsection (b)(1) through (6) shall neither solicit nor demand any gift. It is also unlawful for any person or entity to offer, give or agree to give to any person included in the term defined in subsection (b)(1) through (6) or for any person included in the term defined in subsection (b)(1) through (6) to accept or agree to accept from another person or entity, any gift for or because of:

- a. An official public action taken, or to be taken, or which could be taken;
- b. A legal duty performed or to be performed, or which could be performed; or
- c. A legal duty violated or to be violated, or which could be violated by any person included in the term defined in subsection (b)(1).

(4) *Disclosure.* Any person included in the term defined in subsection (b)(1) through (6) shall disclose as provided herein any gift, or series of gifts from any one person or entity, having a value in excess of one hundred dollars (\$100.00). Said disclosure shall be made by filing a copy of the disclosure form required by Chapter 112, Florida Statutes, for "local officers" with the Clerk of the Board of County Commissioner simultaneously with the filing of the form with the Secretary of State. (Ord. No. 78-82, § 1, 11-21-72; Ord. No. 86-25, § 1, 4-1-86; Ord. No. 87-70, § 1, 10-20-87; Ord. No. 91-62, § 1, 6-4-91; Ord. No. 99-124, § 1, 2-11-1; Ord. No. 99-145, § 1, 10-19-99)

(f) *Compulsory disclosure by employees of firms doing business with the County.* Should any person included in the terms defined in subsections (b)(1) through (6) be employed by a corporation, firm, partnership or business entity in which he does not have a controlling financial interest, either himself or through a member of his immediate family, and should the said corporation, firm, partnership or business entity have substantial business commitments to or from the County or any County agency, or be subject to direct regulation by the County or a County agency, then said person shall file a sworn statement disclosing such employment and interest with the Clerk of the Circuit Court in and for Miami-Dade County. (Ord. No. 72-82, § 1, 11-21-72)

(g) *Exploitation of official position prohibited.* No person included in the terms defined in subsection (b)(1) through (6) shall use or attempt to use his official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and

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resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners. (Ord. No. 72-82, § 1, 11-21-72)

(h) *Prohibition on use of confidential information.* No person included in the terms defined in subsection (b)(1) through (6) shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position, nor shall he in fact ever disclose confidential information garnered or gained through his official position with the County, nor shall he ever use such information, directly or indirectly, for his personal gain or benefit. (Ord. No. 72-82, § 1, 11-21-72)

(i) *Financial disclosure.*

(1) All persons and firms included within subsections (a) and (b)(2), (3) and (4) of this section shall file, no later than 12:00 noon of July 1st of each year including the July 1st following the last year that person is in office or held such employment, one (1) of the following:

a. A copy of that person's or firm's current federal income tax return; or

b. A current certified financial statement on a form of the type approved for use by State or national banks in Florida listing all assets and liabilities having a value in excess of one thousand dollars (\$1,000.00) and a short description of each; or

c. An itemized source of income statement, under oath and on a form approved by the County for said purpose.

Compliance with the financial disclosure provisions of Chapter 112 (Part III), Florida Statutes, as amended, or with the provisions of Article II, Section 8 of the Florida Constitution, as amended by the voters on November 2, 1976, and any general laws promulgated thereunder, shall constitute compliance with this section.

(2) County and municipal personnel. The following County personnel shall comply with the filing requirements of subsection (i)(1) above: The Mayor and members of the Board of County Commissioners; County Attorney and Assistant County Attorneys; County Manager; Assistant County Manager(s); Special Assistant(s) to the County Manager; heads or directors of County departments and their assistant or deputy department heads; employees of the Miami-Dade Police with the rank of captain, major and chief; Building and Zoning Inspectors. References herein to specified County personnel and Boards shall be applicable to municipal personnel and Boards that serve in comparable capacities to the County personnel and Boards referred to.

(3) Candidates for County and municipal office. All candidates for County and municipal elective office shall comply with the filing requirements of subsection (i)(1) above at the same time that candidate files qualifying papers.

(4) Consultants. All persons or firms providing professional services as defined by Section 2-10.4(1)(a) and (b) of the Code of Miami-Dade County, to Miami-Dade County or any municipalities, their agencies, or instrumentalities, shall comply with the filing requirements of subsection (i)(1) above within ninety (90) days of the effective date hereof. All persons or firms subsequent to the effective date of this section, which engage in competitive negotiation with Miami-Dade County or any of its municipalities, their agencies or instrumentalities under and pursuant to Section 2-10.4 of the Code of Miami-Dade County shall comply with the reporting requirements of subsection (i)(1) of this section within thirty (30) days of execution of a contract arising out of said competitive negotiations and prior to any payments from said County, municipalities or other agencies or instrumentalities. Failure to comply with the terms hereof by such persons or firms shall render existing contracts voidable and shall automatically void any contracts negotiated and executed subsequent to the effective date of this section where the required information is not furnished within thirty (30) days of the execution of said contract as noted herein.

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(5) Reports; filing. All documents required to be filed hereunder by County persons or consultants shall be filed with the supervisor of elections. Documents required to be filed hereunder by municipal persons or consultants shall be filed with the municipal Clerk of that entity.

(6) Public disclosure. All documents filed pursuant to this subsection shall constitute public records within the meaning of Chapter 119, Florida Statutes.

(7) Construction. The construction of this subsection shall be considered as supplemental to and not in substitution of any requirements of Chapter 112, Florida Statutes, or any rules and regulations promulgated thereunder. (Ord. No. 77-13, § 1, 3-1-77; Ord. No. 83-18, § 1, 4-19-83; Ord. No. 84-39, § 1, 5-15-84)

(j) *Conflicting employment prohibited.* No person included in the terms defined in subsections (b)(1) through (6) shall accept other employment which would impair his independence of judgment in the performance of his public duties. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 77-13, § 2, 3-1-77)

(k) *Prohibition on outside employment.*

(1) No person included in the terms defined in subsections (b)(5) [departmental personnel] and (6) [employees] shall receive any compensation for his or her services as an officer or employee of the County, from any source other than the County, except as may be permitted by Section 2-11 of this Code of Ordinances.

(2) All full-time County and municipal employees engaged in any outside employment for any person, firm, corporation or entity other than Miami-Dade County, or the respective municipality, or any of their agencies or instrumentalities, shall file, under oath, an annual report indicating the source of the outside employment, the nature of the work being done pursuant to same and any amount or types of money or other consideration received by the employee from said outside employment. Said County employee's reports shall be filed with the supervisor of elections no later than 12:00 noon on July 1st of each year, including the July 1st following the last year that person held such employment. Municipal employee reports shall be filed with the Clerk of their respective municipalities. Said reports shall be available at a reasonable time and place for inspection by the public. The County Manager or any city Manager may require monthly reports from individual employees or groups of employees for good cause. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 77-13, § 3, 3-1-77; Ord. No. 77-79, § 1, 1-11-77; Ord. No. 77-87, § 1, 12-6-77; Ord. No. 83-18, § 2, 4-19-83; Ord. No. 84-39, § 2, 5-15-84)

(l) *Prohibited investments.* No person included in the terms defined in subsections (b)(1) through (6) shall have personal investments in any enterprise, either himself or through a member of his immediately family, which will create a substantial conflict between his private interests and the public interest. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 77-13, § 4, 3-1-77)

(m) *Certain appearances and payment prohibited.*

(1) No person included in the terms defined in subsections (b)(1), (5) and (6) [commissioners, departmental personnel and employees] shall appear before any County Board or agency and make a presentation on behalf of a third person with respect to any license, contract, certificate, ruling, decision, opinion, rate schedule, franchise, or other benefit sought by the third person. Nor shall such person receive compensation, directly or indirectly or in any form, for services rendered to a third person, who has applied for or is seeking some benefit from the County or a County agency, in connection with the particular benefit sought by the third person. Nor shall such person appear in any court or before any administrative tribunal as counsel or legal advisor to a part who seeks legal relief from the County or a County agency through the suit in question.

(2) No person included in the terms defined in subsections (b)(2), (3) and (4) [autonomous personnel, quasi-judicial personnel, and advisory personnel] shall appear before the County board or agency on which he or she serves, either directly or through an associate, and make a presentation on behalf of a

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third person with respect to any license, contract, certificate, ruling, decision, opinion, rate schedule, franchise, or other benefit sought by the third person. Nor shall such person receive compensation, directly or indirectly or in any form, for services rendered to a third party, who has applied for or is seeking some benefit from the County board or agency on which such person serves, in connection with the particular benefit by the third party. Nor shall such person appear in any court or before any administrative tribunal as counsel or legal advisor to a third party who seeks legal relief from the County board or agency on which such person serves through the suit in question. However, this section shall not prohibit an architect serving without compensation on the Miami-Dade County Board of Energy Regulation or on any architectural Board, whose sole function is to pass on the aesthetics of plans submitted, from submitting plans on behalf of a client so long as such member makes known his representation of the applicant and disqualifies himself from speaking or voting or otherwise participating on such application. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-25, § 1, 3-20-73; Ord. No. 73-51, § 1, 5-15-73; Ord. No. 77-13, § 4, 3-1-77; Ord. No. 79-39, § 1, 6-19-79)

(n) *Actions prohibited when financial interests involved.* No person included in the terms defined in subsections (b)(1) through (6) shall participate in any official action directly or indirectly affecting a business in which he or any member of his immediate family has a financial interest. A financial interest is defined as a special financial interest, direct or indirect, as that term is used in Section 4.03 of the County's Charter; or as a financial interest as defined in Section 769 of the Restatement of the Law of Torts as an investment or something in the nature of an investment. This section shall not prohibit any official, officer, employee or person from taking official action (1) to promote tourism or downtown development or redevelopment within the County or any portion thereof, or (2) to authorize the expenditure of public funds for promoting tourism or downtown development or redevelopment, so long as no such authorized public funds are to be paid to such person or a member of his immediately family or any business in which he or any member of his immediate family has a financial interest. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-50, § 1, 5-15-73; Ord. No. 75-76, § 1, 9-17-75; Ord. No. 77-13, § 4, 3-1-77)

(o) *Acquiring financial interests.* No person included in the terms defined in subsections (b)(1) through (6) shall acquire a financial interest in a project, business entity or property at a time when he believes or has reason to believe that the said financial interest will be directly affected by his official actions or by official actions by the County or County agency of which he is an official, officer or employee. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 77-13, § 4, 3-1-77)

(p) *Recommending professional services.* No person included in the terms defined in subsections (b)(1) through (6) may recommend the services of any lawyer or law firm, architect or architectural firm, public relations firm, or any other person or firm, professional or otherwise, to assist in any transaction involving the County or any of its agencies, provided that such recommendation may properly be made when required to be made by the duties of office and in advance at a public meeting attended by other County officials, officers or employees. (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 77-13, § 4, 3-1-77)

(q) *Continuing application after county service.*

(1) No person who has served as an elected county official, i.e., mayor, county commissioner, or a member of the staff of an elected county official, or as county manager, senior assistant to the county manager, department director, departmental personnel or employee shall, for a period of two (2) years after his or her county service or employment has ceased, lobby any county officer, departmental personnel or employee in connection with any judicial or other proceeding, application, RFP, RFQ, bid, request for ruling, or other determination, contract, claim, controversy, charge, accusation, arrest or other particular subject matter in which Miami-Dade County or one (1) of its agencies or instrumentalities is a party or has any interest whatever, whether direct or indirect. Additionally, no person who has served as a community council member shall, for a period of two (2) years after his or her county service or

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employment has ceased, lobby, with regard to any zoning or land use issue, any county officer, departmental personnel or employee in connection with any judicial or other proceeding, application, request for ruling, or other determination, contract, claim, controversy, charge, accusation, arrest or other particular subject matter in which Miami-Dade County or one (1) of its agencies or instrumentalities is a party or has any interest whatever, whether direct or indirect. Nothing contained in this Subsection (q)(1) shall prohibit any individual included within the provisions of this subsection from submitting a routine administrative request or application to a county department or agency during the two-year period after his or her county service has ceased.

(2) The provisions of this Subsection (q) shall not apply to officials, departmental personnel or employees who become employed by governmental entities, 501(c)(3) non-profit entities or educational institutions or entities, and who lobby on behalf of such entities in their official capacities.

(3) The provisions of this section shall apply to all individuals as described in Subsection (q)(1) who leave the county after the effective date of the ordinance from which this section derives.

(4) Any former county officer, departmental personnel or employee who has left the county within two (2) years prior to the effective date of this ordinance and has entered into a lobbying contract prior to the effective date of this ordinance shall, for a period of two (2) years after his or her county service or employment has ceased, comply with Subsection (q) as it existed prior to the effective date of the ordinance from which this section derives and as modified by this Subsection (q)(4) when lobbying pursuant to said contract. No former county officer, departmental personnel or employee who has left the county within two (2) years prior to the effective date of the ordinance from which this section derives shall for a period of two (2) years after his or her county service or employment has ceased enter into a lobbying contract to lobby any county officer, departmental personnel or employee in connection with any judicial or other proceeding, application, RFP, RFQ, bid, request for ruling, or other determination, contract, claim, controversy, charge, accusation, arrest or other particular subject matter in which Miami-Dade County or one (1) of its agencies or instrumentalities is a party or has a direct and substantial interest; and in which he or she participated directly or indirectly as an officer, departmental personnel or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, during his or her county service or employment. As used herein, a person participated "directly" where he or she was substantially involved in the particular subject matter through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, during his or her county service or employment. As used herein, a person participated "indirectly" where he or she knowingly participated in any way in the particular subject matter through decision, approval, disapproval, recommendation, the rendering of legal advice, investigation or otherwise, during his or her county service or employment. Former county officers, departmental personnel and employees who have left the county within two (2) years prior to the effective date of the ordinance from which this section derives shall execute an affidavit on a form prepared by the Office of the Inspector General prior to lobbying any county officer, departmental personnel or employee stating that the requirements of this section do not preclude said person from lobbying any officer, departmental personnel or employee of the county. The Inspector General shall verify the accuracy of each affidavit executed by former county officers, departmental personnel or employees.

(5) Any individual who is found to be in violation of this Subsection (q) shall be subject to the penalties provided in either Subsection (u)(1) or Subsection (u)(2). (Ord. No. 72-82, § 1, 11-21-72; Ord. No. 77-13, § 4, 3-1-77; Ord. No. 99-2, § 1, 1-21-99)

(r) *Ethics Commission to render opinions on request.* Whenever any person included in the terms defined in subsection (b)(1) through (6) and subsection (b)(9) is in doubt as to the proper interpretation or application of this conflict of interest and Code of Ethics Ordinance as to himself or herself, or whenever

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any person who renders services to the County is in doubt as to the applicability of the said ordinance as to himself or herself, he or she may submit to the Ethics Commission a full written statement of the facts and questions he or she has. The Ethics Commission shall then render an opinion to such person and shall publish these opinions without use of the name of the person advised unless such person requests the use of his or her name. (Ord. No. 73-26, § 1, 3-20-73; Ord. No. 77-13, § 4, 3-1-77; Ord. No. 97-105, § 2, 7-8-97)

(s) *Lobbying.*

(1) (a) As used in this section, "County personnel" means those County officers and employees specified in Section 2-11.1(i)(2) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

(b) As used in this section, "Lobbyist" means all persons, firms, or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the County Commission; (2) any action, decision, recommendation of the County Manager or any County board or committee; or (3) any action, decision or recommendation of County personnel during the time period of the entire decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee. "Lobbyist" specifically includes the principal as well as any employee whose normal scope of employment includes lobbying activities. The term "Lobbyist" specifically excludes the following persons: attorneys or other representatives retained or employed solely for the purpose of representing individuals, corporations or other entities during publicly noticed quasi-judicial proceedings where the law prohibits ex-parte communications; expert witnesses who provide only scientific, technical or other specialized information or testimony in public meetings; any person who only appears as a representative of a neighborhood association without compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item; any person who only appears as a representative of a not-for-profit community based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and employees of a principal whose normal scope of employment does not include lobbying activities.

(2) All lobbyists shall register with the Clerk of the Board of County Commissioners within five (5) business days of being retained as a lobbyist or before engaging in any lobbying activities, whichever shall come first. Every person required to so register shall:

(a) Register on forms prepared by the Clerk;

(b) State under oath his or her name, business address and the name and business address of each person or entity which has employed said registrant to lobby. If the lobbyist represents a corporation, the corporation shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five (5) percent or more ownership interest in such corporation, partnership, or trust. Registration of all lobbyists shall be required prior to January 15 of each year and each person who withdraws as a lobbyist for a particular client shall file an appropriate notice of withdrawal. The fee for annual registration shall be four hundred and ninety dollars (\$490.00). Every registrant shall be required to state the extent of any business or professional relationship with any current person described in subsection (b)(1). The registration fees required by this subsection shall be deposited by the Clerk into a separate account and shall be expended for the purpose of recording, transcribing, administration and other costs incurred in maintaining these records for availability to the public. There shall be no fee required for filing a notice of withdrawal and the Board of County Commissioners may, in its discretion, waive the registration fee upon a finding of financial hardship.

(c) Prior to conducting any lobbying, all principals must file a form with the Clerk of the Board of County Commissioners, signed by the principal or the principal's representative, stating that the lobbyist

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is authorized to represent the principal. Failure of a principal to file the form required by the preceding sentence may be considered in the evaluation of a bid or proposal as evidence that a proposer or bidder is not a responsible contractor. Each principal shall file a form with the Clerk of the Board at the point in time at which a lobbyist is no longer authorized to represent the principal.

(3) (a) Any public officer, employee or appointee who only appears in his or her official capacity shall not be required to register as a lobbyist.

(b) Any person who only appears in his or her individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct, indirect or contingent, to express support of or opposition to any item, shall not be required to register as a lobbyist.

(4) Any person who only appears as a representative of a not-for-profit corporation or entity (such as a charitable organization, or a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, shall register with the Clerk as required by this subsection, but, upon request, shall not be required to pay any registration fees.

(5) Any person who appears as a representative for an individual or firm for an oral presentation before a county certification, evaluation, selection, technical review or similar committee, shall list on an affidavit provided by the County, all individuals who may make a presentation. The affidavit shall be filed by staff with the Clerk's office at the time the proposal is submitted. For the purpose of this subsection only, the listed members of the presentation team shall not be required to pay any registration fees. No person shall appear before any committee on behalf of an individual or firm unless he or she has been listed as part of the firm's presentation team pursuant to this paragraph or unless he or she is registered with the Clerk's office and has paid all applicable fees.

(6) (a) Commencing July 1, 1986, and on July 1 of each year thereafter, the lobbyist shall submit to the Clerk of the Board of County Commissioners a signed statement under oath, as provided herein, listing all lobbying expenditures in excess of twenty-five dollars (\$25.00) for the preceding calendar year. A statement shall be filed even if there have been no expenditures during the reporting period. The statement shall list in detail each expenditure by category, including food and beverage, entertainment, research, communication, media advertising, publications, travel, lodging and special events.

(b) The Clerk of the Board of County Commissioners shall notify any lobbyist who fails to timely file an expenditure report. In addition to any other penalties which may be imposed as provided in subsection (s)(9), a fine of fifty dollars (\$50.00) per day shall be assessed for reports filed after the due date. Where a fine of fifty dollars (\$50.00) per day is assessed, the Ethics Commission shall not impose a fine as provided in subsection (z). Any lobbyist who fails to file the required expenditure report by September 1st shall be automatically suspended from lobbying until all fines are paid unless the fine has been appealed to the Ethics Commission.

(c) The Clerk of the Board of County Commissioners shall notify the Commission on Ethics and Public Trust of the failure of a lobbyist or principal to file a report and/or pay the assessed fines after notification.

(d) A lobbyist or principal may appeal a fine and may request a hearing before the Commission on Ethics and Public Trust. A request for a hearing on the fine must be filed with the Commission on Ethics and Public Trust within fifteen (15) calendar days of receipt of the notification of the failure to file the required disclosure form. The Commission on Ethics and Public Trust shall have the authority to waive the fine, in whole or part, based on good cause shown. The Commission on Ethics and Public Trust shall have the authority to adopt rules of procedure regarding appeals from the Clerk of the Board of County Commissioners.

(7) No person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee. As used herein,

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"contingency fee" means a fee, bonus, commission, or nonmonetary benefit as compensation which is dependent on or in any way contingent on the passage, defeat, or modification of: (1) an ordinance, resolution, action or decision of the County Commission; (2) any action, decision or recommendation of the County Manager or any County board or committee; or (3) any action, decision or recommendation of County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee.

(8) The Clerk shall publish logs on a quarterly and an annual basis reflecting the lobbyist registrations which have been filed in accordance with this subsection (s). All logs required by this ordinance shall be prepared in a manner substantially similar to the logs prepared for the Florida Legislature pursuant to Section 11.045, Florida Statutes.

(9) The Ethics Commission shall investigate any person engaged in lobbying activities who may be in violation of this subsection (s). In the event that a violation is found to have been committed the Ethics Commission may, in addition to the penalties set forth in subsection (z), prohibit such person from lobbying before the County Commission or any committee, board or personnel of the County as provided herein.

Every lobbyist who is found to be in violation of this section shall be prohibited from registering as a lobbyist or lobbying in accordance with the following schedule:

1st violation for a period of 90 days from the date of determination of violation;

2nd violation for a period of one (1) year from the date of determination of violation;

3rd violation for a period of five (5) years from the date of determination of violation;

A bidder or proposer shall be subject to the debarment provisions of Section 10-38 of the Code of Miami-Dade County as if the bidder or proposer were a contractor where the bidder or proposer has violated this section, either directly or indirectly or any combination thereof, on three (3) or more occasions. As used herein, a "direct violation" shall mean a violation committed by the bidder or proposer and an "indirect violation" shall mean a violation committed by a lobbyist representing said bidder or proposer. A contract entered into in violation of this section shall also render the contract voidable. The County Manager shall include the provisions of this subsection in all County bid documents, RFP, RFQ, CBO and CDBG applications; provided, however, the failure to do so shall not render any contract entered into as the result of such failure illegal per se.

(10) All members of the County Commission, and all County personnel, shall be diligent to ascertain whether persons required to register pursuant to this subsection have been complied. Commissioners or County personnel may not knowingly permit a person who is not registered pursuant to this subsection to lobby the Commissioner, or the relevant committee, board or County personnel.

(11) Except as otherwise provided in subsection (s)(9), the validity of any action or determination of the Board of County Commissioners or County personnel, board or committee shall not be affected by the failure of any person to comply with the provisions of this subsection(s).

(Ord. No. 00-19, § 1, 2-8-00; Ord. No. 01-93, § 1, 5-22-01; Ord. No. 01-162, § 1, 10-23-01)

(t) *Cone of Silence.*

1. Contracts for the provision of goods and service other than audit and independent private sector inspector general (IPSIG) contracts.

(a) "Cone of Silence" is hereby defined to mean a prohibition on: (i) any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and the County's professional staff including, but not limited to, the County Manager and his or her staff; (ii) any communication regarding a particular RFP, RFQ or bid between the Mayor, County Commissioners or their respective staffs and any member of the County's professional staff including, but

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not limited to, the County Manager and his or her staff; (iii) any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and any member of the selection committee therefor; (iv) any communication regarding a particular RFP, RFQ or bid between the Mayor, County Commissioners or their respective staffs and any member of the selection committee therefor; and (v) any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and the Mayor, County Commissioners and their respective staffs and (vi) any communication regarding a particular RFP, RFQ, or bid between any member of the County's professional staff and any member of the selection committee therefore. The County Manager and the Chairperson of the selection committee may communicate about a particular selection recommendation, but only after the committee has submitted an award recommendation to the manager and provided that should any change occur in the committee recommendation, the content of the communication and of the corresponding change as well as the reasons for such change shall be described in writing and filed by the Manager with the Clerk of the Board and be included in any recommendation submitted by the Manager to the Board of County Commissioners. Notwithstanding the foregoing, the Cone of Silence shall not apply to (i) competitive processes for the award of CDBG, HOME, SHIP and Surtax Funds administered by the Miami-Dade County Office of Community and Economic Development and the community-based organization (CBO) competitive grant processes administered by the Park and Recreation, Library, Water and Sewer, and Solid Waste Departments, Cultural Affairs and Tourist Development Councils and the Department of Environmental Resources Management; (ii) communications with the County Attorney and his or her staff; (iii) communications between a potential vendor, service provider, bidder, consultant or lobbyist and employees of the Management and Technical Assistance Unit of the Department of Business Development regarding small business and/or minority business programs, the Community Business Enterprise and Equitable Distribution Programs; (iv) communications between a potential vendor, service provider, bidder, consultant or lobbyist and employees responsible for administering disadvantaged business enterprise programs in County departments receiving federal funds, provided the communications are limited strictly to matters of programmatic process or procedure; (v) duly noticed site visits to determine the competency of bidders regarding a particular bid during the time period between the opening of bids and the time the County Manager makes his or her written recommendation; (vi) any emergency procurement of goods or services pursuant to Administrative Order 3-2; (vii) communications regarding a particular RFP, RFQ or bid between any person and the Vendor Information Center staff, the procurement agent or contracting officer responsible for administering the procurement process for such RFP, RFQ or bid, provided the communication is limited strictly to matters of process or procedure already contained in the corresponding solicitation document; and (viii) communications between a potential vendor, service provider or bidder and employees of the Department of Procurement Management or other department identified in the solicitation document as the issuing department; and (ix) consultations by employees of the Department of Procurement Management with professional procurement colleagues in determining an appropriate approach or option involving a solicitation in progress.

(b) Procedure.

(i) A Cone of Silence shall be imposed upon each RFP, RFQ and bid after the advertisement of said RFP, RFQ or bid. At the time of imposition of the Cone of Silence, the County Manager or his or her designee shall provide for public notice of the Cone of Silence. The County Manager shall issue a written notice thereof to the affected departments, file a copy of such notice with the Clerk of the Board, with a copy thereof to each Commissioner, and shall include in any public solicitation for goods and services a statement disclosing the requirements of this ordinance.

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(ii) The Cone of Silence shall terminate at the time the Manager makes his or her written recommendation to the County Commission; provided, however, that if the Commission refers the Manager's recommendation back to the Manager or staff for further review, the Cone of Silence shall be reimposed until such time as the Manager makes a subsequent written recommendation. The foregoing notwithstanding, for contracts and purchases which the County Manager has the delegated authority to award under Sec. 2-8.1(b) of this Code, the Cone of Silence shall terminate: (i) at the time the award recommendation letter is issued and filed with the Clerk of the Board for such contracts and purchases involving the expenditure of over one hundred thousand dollars (\$100,000); (ii) at the time the written award recommendation is posted in accordance with Section III of A.O. 3-21 for such contracts or purchases involving the expenditure of over \$25,000 up to \$100,000; or (iii) at the time the award recommendation is issued in accordance with Section IV of A.O. 3-21 for contracts and purchases involving the expenditure of \$25,000 or less.

(iii) While the Cone of Silence is in effect, County Staff shall create a written record of any oral communications with potential vendor, service provider, bidder, lobbyist, or consultant related to or regarding a solicitation, bid, proposal, or other competitive process. The record shall indicate the date of such communication, the persons to whom staff communicated, and a general summation of the communication. This subsection applies to all communications made while the Cone of Silence is in effect for a particular solicitation.

(c) Exceptions.

(i) The provisions of this ordinance shall not apply to oral communications at pre-bid conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting or communications in writing at any time with any county employee, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP, RFQ or bid documents. The bidder or proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to any person upon request.

(ii) The provisions of this ordinance shall also not apply to oral communications at briefings held by county commissioners and the County Mayor or his designee, after the selection committee or other evaluating group makes its recommendation to the County Manager, provided that the briefings are not intended to influence the outcome of the selection committee or other evaluating group's recommendation to the County Manager; provided, however, that this exception shall not apply to outside groups such as lobbyists or representatives of the responding or bidding companies or entities.

2. Audit and IPSIG contracts.

(a) "Cone of Silence" is hereby defined to mean a prohibition on: (a) any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist, or consultant and the Mayor, County Commissioners or their respective staffs and any member of the County's professional staff including, but not limited to, the County Manager and his or her staff; (b) any oral communication regarding a particular RFP, RFQ or bid between the Mayor, County Commissioners or their respective staffs and any member of the County's professional staff including, but not limited to, the County Manager and his or her staff. Notwithstanding the foregoing, the Cone of Silence shall not apply to (a) communications with the County Attorney and his or her staff; (b) communications between a potential vendor, service provider or bidder and employees of the Department of Procurement Management or other department identified in the solicitation document as the issuing department; and (c) consultations by employees of the Department of Procurement Management with professional procurement colleagues in determining an appropriate approach or option involving a solicitation in progress.

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(b) Except as provided in Subsections 2(c) and 2(d) hereof, a Cone of Silence shall be imposed upon each RFP, RFQ and bid for audit and IPSIG services after the advertisement of said RFP, RFQ or bid. At the time of the imposition of the Cone of Silence, the County Manager or his or her designee shall provide for the public notice of the Cone of Silence. The Cone of Silence shall terminate when the County Manager executes a particular audit or IPSIG contract.

(c) Nothing contained herein shall prohibit any bidder or proposer: (i) from making public presentations at duly noticed pre-bid conferences or before duly noticed selection committee meetings; (ii) from engaging in contract negotiations during any duly noticed public meeting; or (iii) from communicating in writing with any County employee or official for purposes of seeking clarification or additional information from the County or responding to the County's request for clarification or additional information, subject to the provisions of the applicable RFP, RFQ or bid documents. The bidder or proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to the general public upon request.

(d) Nothing contained herein shall prohibit any lobbyist, bidder, proposer or other person or entity from publicly addressing the Board of County Commissioners during any duly noticed public meeting regarding action on any audit or IPSIG contract. The County Manager shall include in any public solicitation for auditing or IPSIG services a statement disclosing the requirements of this ordinance.

3. Penalties. In addition to the penalties provided in Subsections (s) and (v) hereof, violation of this Subsection (t) by a particular bidder or proposer shall render any RFP award, RFQ award or bid award to said bidder or proposer voidable. Any person who violates a provision of this ordinance shall be prohibited from serving on a Miami-Dade County competitive selection committee. In addition to any other penalty provided by law, violation of any provision of this ordinance by a Miami-Dade County employee shall subject said employee to disciplinary action up to and including dismissal. Additionally, any person who has personal knowledge of a violation of this ordinance shall report such violation to the State Attorney and/or may file a complaint with the Ethics Commission.

4. The requirements of Section 2-11.1(t) shall not apply to any municipality in Miami-Dade County that has adopted an ordinance providing that the cone of silence shall not apply to that municipality. Any municipality that opts out of the requirements of Section 2-11.1(t) shall provide the Ethics Commission with a copy of the ordinance.

5. Within thirty days of a recommendation from a selection committee, the County Mayor or his designee shall either appoint a negotiation committee or take other affirmative action with respect to the solicitation, including but not limited to rejection of proposals or recommendation for award. In the event that negotiations have not commenced within thirty days, or if such other affirmative action has not been taken within thirty days, the County Mayor or his designee shall report such event, and the reasons therefore, to the Board of County Commissioners. Additionally, the County Mayor or his designee shall present the Clerk of the Board with a recommendation for award, or a recommendation to reject proposals, within ninety days from the date a selection committee makes a recommendation. In the event that the County Mayor or his designee has not provided such recommendation to the Clerk of the Board within ninety days, the County Mayor or his designee shall provide a report on the status of the solicitation to the Board of County Commissioners, including the reasons for any delay.

(Ord. No. 99-1, § 1, 1-21-99; Ord. No. 00-149, § 1, 11-28-00; Ord. No. 01-149, § 1, 9-25-01; Ord. No. 01-150, § 1, 9-25-01; Ord. No. 02-3, § 1, 1-29-02; Ord. No. 04-77, § 1, 4-27-04; Ord. No. 08-111, § 1, 10-7-08)

(u) *Prohibition on certain business transactions.* No person who is serving as an elected county official or a member of the staff of an elected county official, or as county manager, senior assistant to the county manager or department director shall enter into a business transaction with any person or entity that has a

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contract with Miami-Dade County or any shareholder, partner, officer, director or employee of said contractor, unless said business transaction is an arm's length transaction made in the ordinary course of business. The provisions of this subsection (u) shall not apply to a business transaction between an elected county official, a member of the staff of an elected county official, the county manager, a senior assistant to the county manager or a department director and a not-for-profit entity. As used herein, a "shareholder" shall mean any person owning ten (10) percent or more of the outstanding capital stock of any corporation. As used herein, "elected county official" shall mean the mayor, county commissioners and community council members. As used herein, "business transaction" shall mean any contract wherein persons either sell, buy, deal, exchange, rent, lend or barter real, personal or intangible property, money or any other thing of value, or render services for value.

(v) *Voting Conflicts.* Members of Advisory and Quasi-Judicial Boards. No person included in the terms defined in subsections (b)(3) (quasi-judicial personnel) and (b)(4) (advisory personnel) shall vote on any matter presented to an advisory board or quasi-judicial board on which the person sits if the board member will be directly affected by the action of the board on which the member serves, and the board member has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor.

(w) *Prohibition on acceptance of travel expenses from county vendors.* Notwithstanding any other provision of this section, no person included in subsections (b)(1)(Mayor and Commissioners), (b)(5)(departmental personnel) or (b)(6) (employees) shall accept, directly or indirectly, any travel expenses including, but not limited to, transportation, lodging, meals, registration fees and incidentals from any county contractor, vendor, service provider, bidder or proposer. The Board of County Commissioners may waive the requirements of this subsection by a majority vote of the Commission. The provisions of this subsection (w) shall not apply to travel expenses paid by other governmental entities or by organizations of which the County is a member if the travel is related to that membership.

(x) *Prohibition on county employees and departmental personnel performing contract-related duties.* No person included in subsections (b)(5)(departmental personnel) and (b)(6) (employees), who was previously employed by or held a controlling financial interest in a for-profit firm, partnership or other business entity (hereinafter "business entity") shall, for a period of two years following termination of his or her prior relationship with the business entity, perform any county contract-related duties regarding the business entity, or successor in interest, where the business entity is a county bidder, proposer, service provider, contractor or vendor. As used in this subsection (x), "contract-related duties" include, but are not limited to: service as a member of a county certification, evaluation, selection, technical review or similar committee; approval or recommendation of award of contract; contract enforcement, oversight or administration; amendment, extension or termination of contract; or forbearance regarding any contract. Notwithstanding the foregoing, the provisions of this subsection (x) shall not apply to the County Manager or the Director of Procurement Management.

(y) *Powers and jurisdiction of Ethics Commission.* The Ethics Commission shall be empowered to review, interpret, render advisory opinions and letters of instruction and enforce the conflict of Interest and Code of Ethics Ordinance. Jurisdiction of the Ethics Commission shall automatically extend to Commissioners, autonomous personnel, quasi-judicial personnel, departmental personnel, employees, advisory personnel, immediate family, lobbyists as defined in subsections (b) and (s) who are required to comply with the Conflict of Interest and Code of Ethics Ordinance; and any other person required to comply with the Conflict of Interest and Code of Ethics Ordinance including, but not limited to, contractors and vendors. In the event that the Ethics Commission does not assume jurisdiction as provided in the preceding sentence, the Ethics Commission may refer the complaint to the State Attorney for

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appropriate action. Notwithstanding the foregoing, the Ethics Commission shall not have jurisdiction to consider an alleged violation of subsection (c) if the requirements of subsection (c) have been waived for a particular transaction as provided therein.

(z) *Prohibition on participation in settlement negotiations.* Neither the Mayor, a County Commissioner nor any member of their staff shall participate in settlement negotiations of claims or lawsuits, including but not limited to contract scope or compensation adjustments involving the County without prior approval of the Board of County Commissioners.

(aa) *County Attorney's Office participation in contract adjustments.* County staff shall request the participation of the County Attorney's Office to provide legal advice regarding scope or compensation adjustments which increase by more than one million dollars (\$1,000,000), the value of a construction contract or a contract involving the purchase of goods or services.

(bb) *Penalty.*

(1) *Proceeding before Ethics Commission.* A finding by the Ethics Commission that a person has violated this section shall subject said person to an admonition or public reprimand and/or a fine of five hundred dollars (\$500.00) for the first such violation and one thousand dollars (\$1,000.00) for each subsequent violation. Actual costs incurred by the Ethics Commission, in an amount not to exceed five hundred dollars (\$500.00) per violation, may be assessed where the Ethics Commission has found an intentional violation of this section. The Ethics Commission may also order the person to pay restitution when the person or a third party has received a pecuniary benefit as a result of the person's violation. The procedure for determining restitution shall be governed by an administrative order adopted by the County Commission and rules of procedure promulgated by the Ethics Commission.

(2) *Prosecution by State Attorney in State court.* Every person who is convicted of a violation of this section in State court shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment in the County Jail for not more than thirty (30) days, or by both such fine and imprisonment.

(Ord. No. 72-82, § 1, 11-21-72; Ord. No. 73-26, § 1, 3-20-73; Ord. No. 77-13, § 4, 3-1-77; Ord. No. 86-24, § 2, 4-1-86; Ord. No. 91-22, § 1, 2-19-91; Ord. No. 92-27, § 1, 4-21-92; Ord. No. 95-21, § 1, 2-7-95; Ord. No. 97-105, § 2, 7-8-97; Ord. No. 98-73, § 1, 6-2-98; Ord. No. 98-76, § 1, 6-2-98; Ord. No. 98-106, § 1, 7-21-98; Ord. No. 98-125, § 1, 9-3-98; Ord. No. 99-150, § 1, 11-2-99; Ord. No. 00-46, § 1, 4-11-00; Ord. No. 00-149, § 1, 11-28-00; Ord. No. 01-199, § 1, 12-4-01; Ord. No. 03-73, § 1, 4-8-03; Ord. No. 03-107, § 1, 5-6-03; Ord. No. 03-140, § 1, 6-3-03; Ord. No. 04-55, § 1, 3-16-04; Ord. No. 04-119, § 1, 6-8-04; Ord. No. 04-204, § 1, 12-2-04; Ord. No. 05-71, § 1, 4-5-05; Ord. No. 06-148, § 1, 10-10-06)

**Editor's note:** Ord. No. 72-82, § 1, amended this Code by repealing former § 2-11.1 relative to County officers and employees transacting business with the County and enacted in lieu thereof a new § 2-11.1 as herein set out. Former § 2-11.1 was derived from Ord. No. 59-44, §§ 2--5, adopted Dec. 1, 1959.

Annotations--AO 7-1; CAO's 76-8, 76-32, 76-36, 76-39, 76-43, 76-46, 76-50, 76-55, 77-1, 77-9, 77-14, 77-16, 77-19, 77-26, 77-33, 77-37, 77-40, 77-41, 77-44, 77-52, 77-53, 77-56, 77-63, 77-68, 78-2, 78-10, 78-11, 78-12, 78-17, 78-25, 78-33, 78-44, 78-47, 78-53, 78-54, 79-6, 79-7, 79-12, 79-16, 79-19, 79-32, 79-37, 80-3, 80-4, 80-11, 80-21, 80-24, 80-25, 80-28, 80-29, 81-4, 81-13, 81-18, 81-22, 81-31, 81-38, 82-1, 82-10, 82-13, 82-19, 82-24, 82-25, 82-28, 82-29, 83-2, 83-6, 83-11, 83-22, 85-8.

**State law references:** Code of ethics for public officers and employees, F.S. § 112.311 et seq.

# Appendix C

## Definitions

### (1) Definition of “blighted structure” in context of state or local law.

Miami-Dade County adopts the definition of “uninhabitable structures” as defined in Section 17B-15 of the Miami-Dade County Code of Ordinances (“the Code”) as the definition of “blighted structures” for purposes of this NSP Substantial Amendment.<sup>1</sup> A structure shall be deemed “blighted” and subject to demolition when:

- (a) It is visited by persons for the purpose of unlawfully procuring or using any controlled substance, as defined under Chapter 893 of the Florida Statutes, or any drugs, as defined in Chapter 499 of the Florida Statutes; or
- (b) It is used for the illegal keeping, selling or delivering of such controlled substances or drugs; and
- (c) The structure is found to have one (1) or more of the following characteristics:
  - (i) It is vacant, unguarded and open at doors or windows,
  - (ii) There is an unwarranted accumulation of debris or other combustible material therein,
  - (iii) The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy,
  - (iv) There is a falling away, hanging loose or loosening of any siding, block, brick, or other building material,
  - (v) There is deterioration of the structure or structural parts,
  - (vi) The structure is partially destroyed,
  - (vii) There is an unusual sagging or leaning out of plumb of the structure or any parts of the structure and such effect is caused by deterioration or over-stressing,
  - (viii) The electrical or mechanical installations or systems create a hazardous condition, or
  - (ix) An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

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<sup>1</sup> The term “blighted structure” does not appear in Section 17B-15 of the Miami-Dade County Code of Ordinances. However, Chapter 17B (METROPOLITAN MIAMI-DADE COUNTY DEMOLITION OF UNINHABITABLE STRUCTURES ORDINANCE) was adopted on the basis of the Board of County Commissioners’ legislative findings that “in recent years and at present an increased number of uninhabitable structures exist, the maintenance of which is often neglected by the owners thereof. It is furthermore found and declared by this Board that said structures often become open, unsecured, vandalized, or used for illicit purposes by trespassers, resulting in conditions that are unhealthy, unsafe, unsightly, and a blight upon the neighborhood and community at large, and that the demolition of uninhabitable structures will improve the security and quality of life in general of persons living nearby, will prevent blight and decay, and will safeguard the public health, safety, morals and welfare.”

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A structure shall be presumed to be utilized for the purpose set forth in (1)(a) or (b) above when there are one (1) or more arrests or police reports of incidents which involve the keeping, consumption, or delivery of controlled substances or drugs on the premises of the subject structure during the period of six (6) months preceding the posting of notice by the Minimum Housing Enforcement Officer.

In the administration of the demolition activity outlined in this Plan and when the code above does not meet the required standard for demolition Miami-Dade County will use the applicable parts of Section 8.5 of the Code for "unsafe structures." The applicable parts are as follows:

(2) Buildings or structures that are, or hereafter shall become, unsafe, unsanitary or deficient, facilities with inadequate means of egress, or which constitute a fire or windstorm hazard, or are otherwise dangerous to human life or public welfare by reason of illegal or improper use, occupancy or maintenance, or which have been substantially damaged by the elements, acts of God, fire, explosion or otherwise, shall be deemed unsafe structures and a permit shall be obtained to demolish the structure or where specifically allowed by this section, to bring the building into compliance with the applicable codes as provided herein.

(3) Incomplete buildings commenced without a permit or for which the permit has expired, or completed buildings commenced without a permit or for which the permit has expired, prior to completion and no Certificate of Occupancy has been issued, shall be presumed and deemed unsafe and a permit shall be obtained to demolish the structure or bring the building into compliance with the applicable codes as provided herein.

(4) Buildings which meet the physical criteria of unsafe structures set forth in this section, and are ordered to be repaired by the Building Official, an Unsafe Structures Appeal Panel or the Unsafe Structures Board, in the manner more particularly set forth below, which are not completed or repaired and brought into full compliance with the Building Code within the reasonable time allowed by the Building Official or the Unsafe Structures Board, will be demolished.

(5) Swimming pools that contain stagnant water are deemed unsanitary and dangerous to human life and public welfare. If the stagnant water is not removed and all repairs made and brought into full compliance with the Building Code within the reasonable time allowed by the Building Official, then these swimming pools will be demolished.

(6) Buildings or structures subject to the recertification requirements in Section 8-11(f) of this Code which the owner fails to timely respond to the Notice of Required Inspection or fails to make all required repairs or modifications found to be necessary resulting from the recertification inspection by the deadline specified in the Code or any written extension granted by the Building Official will be demolished.

(b) *Physical criteria.*

(1) A building shall be deemed a fire hazard and/or unsafe when:

(i) It is vacant, unguarded and open at doors or windows.

(ii) There is an accumulation of debris or other material therein representing a hazard of combustion.

(iii) The building condition creates hazards with respect to means of egress and fire protection as provided herein for the particular Occupancy.

(2) A building, or part thereof, shall be presumed to be unsafe if:

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- (i) There is a falling away, hanging loose or loosening of any siding, block, brick, or other building material.
  - (ii) There is a deterioration of the structure or structural parts.
  - (iii) The building is partially destroyed.
  - (iv) There is an unusual sagging or leaning out of plumb of the building or any parts of the building and such effect is caused by deterioration or over-stressing.
  - (v) The electrical or mechanical installations or systems create a hazardous condition contrary to the standards of the Building Code.
  - (vi) An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.
  - (vii) By reasons of use or occupancy the area, height, type of construction, fire-resistivity, means of egress, electrical equipment, plumbing, air conditioning or other features regulated by this Code do not comply with this Code for the use and group of occupancy.
- (3) A building, or part thereof, shall be presumed to be unsafe if:
- (i) The construction, installation of electrical, plumbing or other equipment therein or thereon, or the partial construction or installation of electrical, plumbing or other equipment has been commenced or completed without a permit therefore having been obtained or where the permit has expired prior to completion and the issuance of a Certificate of Occupancy or Certificate of Completion.
  - (ii) The construction, installation of electrical, plumbing or other equipment therein or thereon, or the partial construction or installation of electrical, plumbing or other equipment has not been completed.
  - (iii) The building or structure is vacant and abandoned, and covered at doors or windows with materials not previously approved by the Building Official, or for a period exceeding the maximum limitations set forth in this Section.
  - (iv) By reason of illegal or improper use, occupancy or maintenance does not comply with the Building Code, or the code in effect at the time of construction.
  - (v) The building or part thereof meets the physical criteria of an unsafe structure set forth above and has not been repaired and brought into compliance with the Building Code following the expiration of the reasonable periods allowed by the Building Official, an Unsafe Structures Appeal Panel or the Unsafe Structures Board for such repairs.

For the purposes of the NSP, a blighted structure echoes the criteria for slum and blight found in Florida Statutes Chapter 163.340, which outlines the following conditions:

1. Building deterioration
2. Site deterioration or site deficiencies
3. Unsanitary and unsafe conditions and incompatible uses
4. Six or more ownership parcels per block
5. Buildings greater than 40 years of age
6. Presence of closed/vacant buildings
7. Presence of vacant lots
8. Buildings in violation of property maintenance code violations
9. Presence of buildings scheduled for demolition

A blighted structure will meet one or more of the aforementioned criteria.

(2) Definition of “affordable rents.”

Miami-Dade County will adopt the maximum rents allowed as determined by market comparison. The County will set rents at thirty (30) percent of monthly gross income, not to exceed the maximum market rent. Alternatively, maximum rents may be based on HUD-approved rent limits for tax credit projects.

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# Appendix D

## Rehabilitation Standards

Miami-Dade County will apply housing standards set forth in Chapter 17, Article II of the Miami-Dade County Code of Ordinances. No dwelling may be occupied for the purpose of living, sleeping, cooking, or eating therein which does not comply with the following requirements:

### Minimum standards for dwelling's basic equipment and facilities

- (1) Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower and water closet, all in good working condition, and installed in accordance with the South Florida Building Code. Sink, lavatory, tub or shower shall be supplied with adequate hot and cold water.
- (2) Every dwelling unit shall contain a room which affords privacy to a person within said room, and which is equipped with a flush water closet and a lavatory basin in good working condition; properly connected to an approved water system and sewer system, or an approved septic tank installation including an approved absorption bed. No privy shall be constructed or continued in operation after the effective date\* of this article.
- (3) Every dwelling unit shall contain a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition; and properly connected to an approved water system and sewer system or an approved septic tank installation, including an approved absorption bed.
- (4) Every kitchen sink, lavatory basin, and bathtub or shower required under the provisions of this section shall be properly connected with both hot and cold water lines.
- (5) Every dwelling shall have water heating facilities which are properly installed, maintained in safe and good working condition, and properly connected with the hot water lines required under the provisions of subsection (4) of this section; and which are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower.
- (6) Every occupied dwelling unit shall be provided with an installed nonportable cooking facility which shall not be capable of being carried easily by one (1) person, and shall have at least two (2) top burners. Vacant dwelling units shall be provided with utility connections for such facility.
- (7) Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers.
- (8) Every dwelling structure and dwelling unit of types of Construction I, II, III, IV and V as defined by Chapters 17, 18, 19, 20, 21 and 22 respectively of the South Florida Building Code shall have means

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of egress which conform to the standards of Chapter 31 of the South Florida Building Code, and any applicable fire codes, fire regulations or ordinances now in existence or adopted subsequent hereto. Every dwelling structure of type of Construction V, built before December 31, 1957, where the structural and other elements of the building consist primarily of wood, having one (1) or two (2) dwelling units above the ground floor, shall have a minimum of two (2) separate means of egress which are remote from each other; or at least one (1) means of egress with stairs that are constructed of either noncombustible materials; or made safe by approved fire resistive modifications as may be required. Each such means of egress shall be easily accessible from every dwelling unit on the specified floor without passing through any other dwelling unit. Every dwelling structure of type of Construction V, where the structural and other elements consist primarily of wood having three (3) or more dwelling units, shall have means of egress which conform with the provisions of the South Florida Building Code and any applicable fire codes, fire regulations or ordinances now in existence, or adopted subsequent hereto.

- (9) In every owner-occupied dwelling unit not intended to be let for occupancy containing space heating facilities, such facilities shall be properly installed and maintained in safe and good working condition, as provided in the South Florida Building Code and any applicable fire regulations or ordinances now in existence or adopted subsequent hereto.

Every dwelling and dwelling unit which is let or intended to be let for occupancy shall have adequate space heating facilities which are properly installed and maintained in safe and good working condition, as provided in the South Florida Building Code and any applicable fire regulations or ordinances now in existence or adopted subsequent hereto. Adequate heating facilities are hereby defined as follows:

- (a) Permanent space heating equipment capable of heating two-thirds of the habitable rooms to a minimum air temperature of seventy (70) degrees Fahrenheit to be measured three (3) feet above floor when outside temperature is forty-five (45) degrees Fahrenheit, or permanent space heating equipment with capacity of five (5) Btu's per hour of input per cubic foot of habitable room space within two-thirds ( $2/3$ ) of the habitable rooms.
- (b) The five (5) Btu's per hour input standard is based on a heating unit with seventy (70) percent rating of input-to-output efficiency; an appropriate correction factor will be applied when the proposed heating unit exceeds an input-to-output efficiency rating of seventy (70) percent. Heating units supplied on the basis of this calculation will otherwise comply with the standards described elsewhere in this subsection.
- (c) Permanent heating equipment is defined as heating equipment properly connected to a flue or vent or, if electric, properly installed and permanently connected to an adequately wired and sized branch circuit.
- (d) Habitable room shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, shower rooms, water closet compartments, laundries, pantries, foyers, connecting corridors, closets and storage spaces.
- (e) Heating equipment shall be installed and maintained in accordance with the provisions of the South Florida Building Code.

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- (f) Any calculations necessary for the installation of permanent heating equipment to assure adequate heating capacity as defined in this subsection, shall be made in accordance with the standards established in the current edition of the "Heating Ventilating Air-Conditioning Guide," published by the American Society of Refrigeration, Heating and Air-Conditioning Engineers, Inc. (ASHRAE).
- (g) Oil heaters, gas heaters, and wood-stoves must be connected to a properly installed vent, said vent conforming to the provisions of the South Florida Building Code.
- (h) Electric heaters will be of a type readily fixed into position and must be properly installed and permanently connected to an adequately wired and sized branch-circuit.
- (i) Any portable heating devices approved by the Underwriters' Laboratories, Inc., or a properly installed fireplace may be used as an accessory heating unit.
- (j) Accessory heating units will be deemed to be supplementary to the permanent-heating equipment and shall not be considered when calculating the adequacy of the permanently installed heating equipment except as specified in subsection (9)(m).
- (k) Only those accessory heating units which are acceptable under the provisions of the City of Miami and Miami-Dade County Fire Code, the Florida State Hotel and Restaurant Commission regulations, and other regularly adopted regulations will be used.
- (l) The use of unsafe heaters or cooking stoves and the use of cooking stoves, including ovens, for heating purposes is hereby prohibited.
- (m) The requirements of subsection (9) shall not apply to dwelling units in existence on March 17, 1969, provided that either a gas pipe outlet or an electrical outlet and circuit are present for the use of gas space heaters or portable electrical space heaters.

**Minimum standards for light and ventilation.**

- (1) (a) Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors. The minimum total window area which provides light to each habitable room shall be not less than ten (10) percent of the floor area of such room. Whenever exterior walls or other light-obstructing structures are located less than three (3) feet from the window and extend above the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included in the required minimum total window area. Whenever the only window in a room is a skylight-type window located in the top of such room, the minimum total window area of such skylight shall not be less than fifteen (15) percent of the total floor area of the room. Skylights shall not be a substitute for the window requirements in sleeping rooms.
- (b) Kitchens and dining rooms will be exempt from the requirements of subsection (1)(a) of this section, providing they meet the requirements in subsections (2) and (6) of this section.

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- (c) If any two (2) habitable rooms, excluding sleeping rooms, are separated by a common wall and either room lacks the required window area, but meets all three (3) exceptions listed below, such rooms shall be considered in compliance with this subsection:
- (i) The common wall separating the two (2) rooms must provide an opening equal to twenty-five (25) percent of the total wall area.
  - (ii) If the opening so provided is a doorway, it must be unobstructed and have a minimum width of thirty (30) inches.
  - (iii) One (1) of the two (2) rooms must provide the required light and ventilation for the total combined floor area of the two (2) rooms.
- (2) Every habitable room shall be ventilated by openable areas equal to fifty (50) percent of the required minimum window area, as set forth in subsection (1) of this section or by equivalent mechanical ventilation as approved by the inspecting officer.
- (3) Every bathroom, shower room and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in subsections (1) and (2) of this section, except that no window or skylight shall be required in adequately ventilated bathrooms, shower rooms and water closet compartments equipped with an approved mechanical ventilating system which automatically becomes operational when the bathroom switch is turned on.
- (4) Every door, window or other device opening to outdoor space and used or intended to be used for ventilation shall be provided with an approved type of screen for protection against mosquitoes, flies and other insects.
- (5) Every opening beneath a dwelling, including basement or cellar windows and crawl space, shall be equipped with an approved type of screening or lattice work to keep out large animals.
- (6) Every habitable room of a dwelling shall contain at least two (2) separate floor or wall-type electrical convenience outlets, or one (1) such convenience outlet and one (1) ceiling-type electric light fixture. Every bathroom, shower room, water closet, compartment and laundry room shall contain at least one (1) properly installed ceiling or wall-type electric light fixture. The switches shall be so located and installed as to avoid the danger of electrical shock.
- (7) Every hall and stairway located in a structure used for human habitation shall be provided with not less than one (1) foot-candle of natural light throughout or with properly installed electric lighting facilities which provide not less than one (1) foot-candle of illumination throughout and which are controlled by the occupants of the structure and available at all times.

**Requirements relating to the safe and sanitary maintenance of dwellings and dwelling units.**

- (1) All foundation walls shall be structurally sound, reasonably rodent proof, and maintained in good repair. Foundation walls shall be considered to be sound if they are capable of bearing imposed loads and are not deteriorated.
- (2) Every dwelling unit shall be reasonably weather tight, watertight and rodent proof. Floors, walls, ceilings and roofs shall be capable of affording adequate shelter and privacy and shall be kept in good

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repair. Windows and exterior doors shall be reasonably weather tight, watertight, and rodent proof, and shall be maintained in good working condition. All parts of the structure that show evidence of rot or other deterioration shall be repaired or replaced.

- (3) Every inside and outside stairway, porch, and every appurtenance thereto, shall be maintained in a safe condition and be capable of supporting loads which normal use may impose.
- (4) Every chimney and smoke pipe, and all flue and vent attachments thereto, shall be maintained in such condition that there will be no leakage or backing up of smoke and noxious gases into the dwelling.
- (5) All exterior surfaces subject to deterioration shall be properly maintained and protected from the elements by paint or other approved protective coating applied in a workmanlike fashion.
- (6) Every plumbing fixture, water pipe, waste pipe and drain shall be maintained in good sanitary working condition, free from defects, leaks and obstructions.
- (7) The floor surface of every water closet compartment, bathroom and shower room shall be maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (8) Every supplied facility, piece of equipment, or utility required in this code shall be maintained in a safe and satisfactory working condition. No owner or occupant shall cause any service, facility, equipment, or utility required in this code to be removed from or discontinued for any occupied dwelling or dwelling unit except for such temporary interruption as may be necessary while actual repairs, replacement, or alterations are in process.
- (9) For these purposes, every owner of a building containing three (3), or more, dwelling units, shall provide the continuing services of a person or persons solely to assure that the minimum requirements of maintenance and sanitation, as provided by this article, are maintained on the premises at all times. The landlord shall provide the tenant with the name, address, and phone number of the person or persons providing the continuing services. Said notice shall be given to the tenant by either posting the notice in a conspicuous place at the building site or by supplying the tenant with the information at the inception of the lease. The landlord is further charged with informing the tenant of any change of name, address, or phone number of the person or persons providing the continuing service.

#### **Minimum space, use and location requirements.**

- (1) Every dwelling unit shall contain a minimum gross floor area of at least one hundred fifty (150) square feet for the first occupant, one hundred (100) square feet for each of the next two (2) occupants, and at least seventy-five (75) square feet for each occupant thereafter. Floor space shall be calculated on the basis of total habitable room area.
- (2) In every dwelling unit of two (2) or more habitable rooms, every room occupied for sleeping purposes by one (1) occupant shall have a minimum gross floor area of at least eighty (80) square feet. Every room occupied for sleeping purposes by more than one (1) occupant shall have a minimum gross floor area of fifty (50) square feet per occupant. Every room used for sleeping purposes shall have a

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minimum width of eight (8) feet. Kitchens shall not be used for sleeping purposes. Porches shall not be used as permanent sleeping quarters.

- (3) At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet. Any portion of a room having a ceiling height of less than five (5) feet shall not be considered in computing the total floor area of such room.
- (4) No dwelling or dwelling unit containing two (2) or more sleeping rooms shall be so arranged that access to a bathroom, shower room, or water closet compartment intended for use by occupants of more than one (1) sleeping room can be had only by going through another sleeping room or outside the structure, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room, bathroom, shower room, or water closet compartment.
- (5) No cellar or basement space shall be used as a habitable room or dwelling unit.

**As it relates to NSP2 funding, the following housing construction standards will apply:**

NSP2 housing construction will meet the accessibility standards at 24 CFR Part 8, and will be energy efficient and incorporate cost effective green improvements. All gut rehabilitation (i.e., general replacement of the interior of a building that may or may not include changes to structural elements such as flooring systems, columns or load bearing interior or exterior walls) of residential building up to three stories must be designed to meet the standard for Energy Star Qualified New Homes. All gut rehabilitation of mid or high rise multifamily housing must be designed to meet American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004, Appendix G plus 20 percent (which is the Energy Star standard for multifamily buildings piloted by the Environmental Protection Agency and the Department of Energy).

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# Appendix E

## Foreclosure Index Scores

The County will undertake Project Activities within the following target geographies. The County used the “foreclosure risk score” as the basis for determining its target areas.

Census Tracts	Foreclosure Risk Score	Vacancy and Foreclosures Risk Score
12086000000	20	20
12086000106	20	19
12086000108	19	19
12086000109	20	18
12086000110	20	19
12086000111	20	19
12086000112	20	20
12086000113	20	20
12086000114	20	18
12086000115	20	20
12086000116	20	17
12086000201	20	19
12086000202	20	17
12086000203	20	19
12086000204	20	16
12086000205	20	17
12086000206	20	17
12086000208	20	18
12086000209	20	20
12086000210	20	18
12086000301	20	17
12086000302	20	14
12086000304	20	16
12086000305	20	18
12086000306	20	18
12086000401	20	12
12086000402	20	18
12086000403	20	20
12086000404	20	16
12086000405	20	17
12086000406	20	15
12086000407	20	15
12086000408	20	17

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12086000501	20	13
12086000502	20	13
12086000503	20	20
12086000601	20	13
12086000602	20	14
12086000603	20	13
12086000604	20	16
12086000605	20	11
12086000606	20	11
12086000703	20	12
12086000704	20	13
12086000705	19	5
12086000706	20	6
12086000707	20	10
12086000708	20	11
12086000801	20	10
12086000803	20	9
12086000804	20	11
12086000901	20	11
12086000902	20	15
12086000903	20	20
12086001002	20	18
12086001003	20	18
12086001004	20	18
12086001005	20	14
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12086001602	20	14
12086001701	20	18
12086001702	20	19
12086001703	20	15
12086001801	20	20
12086001802	20	19
12086001803	20	19
12086001901	20	20

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12086001904	20	17
12086002001	20	19
12086002003	20	20
12086002004	20	19
12086002100	18	16
12086002201	20	17
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12086002401	20	15
12086002402	20	16
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12086002600	20	16
12086002701	20	19
12086002702	20	15
12086002800	20	16
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12086003003	20	16
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12086003602	19	10
12086003701	19	15
12086003702	19	18
12086003801	19	19
12086003802	20	20
12086003901	20	19
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12086003905	20	16
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12086010605	20	16

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12086011202	20	17
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12086011401	20	13
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# Appendix F

## Organizational Charts

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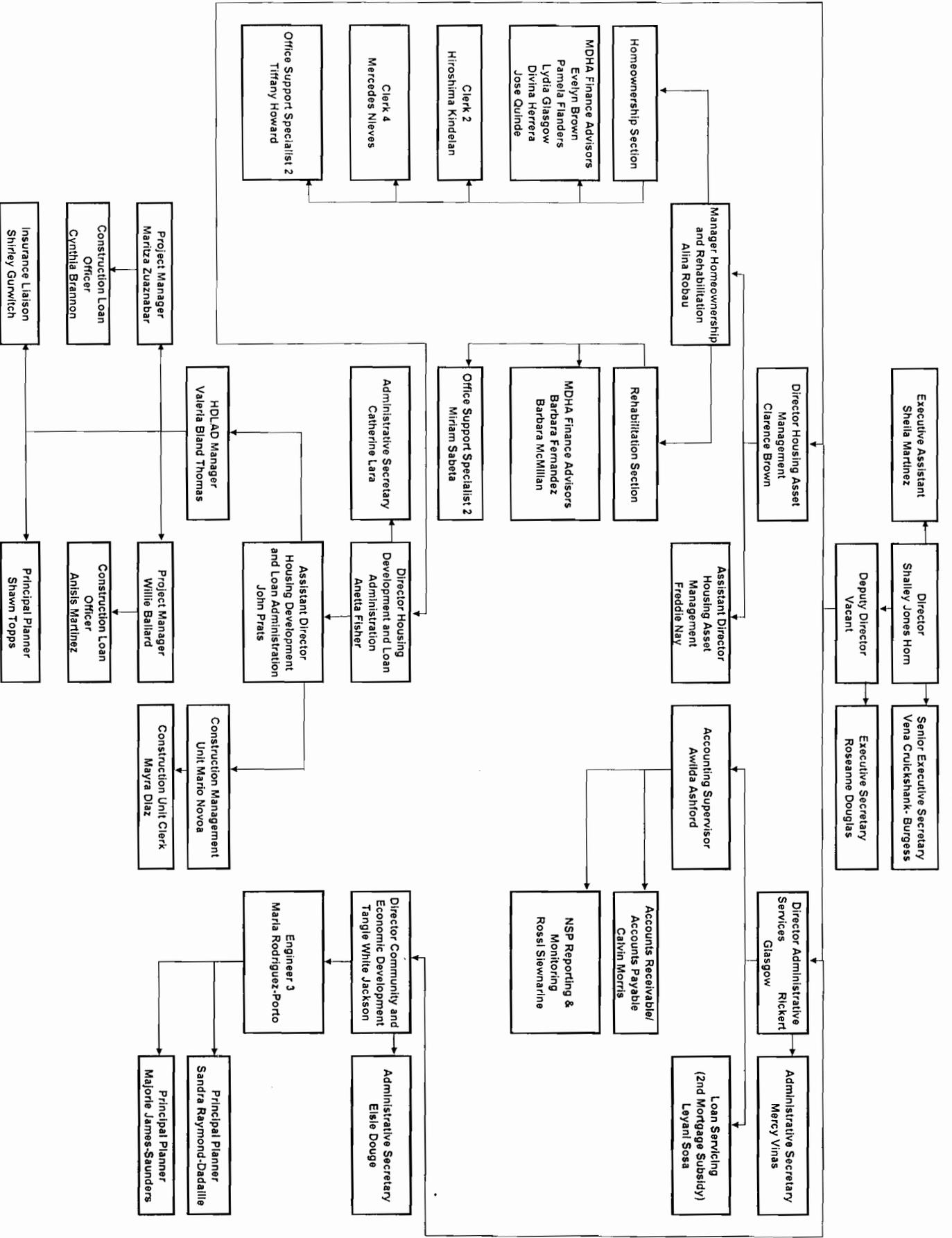
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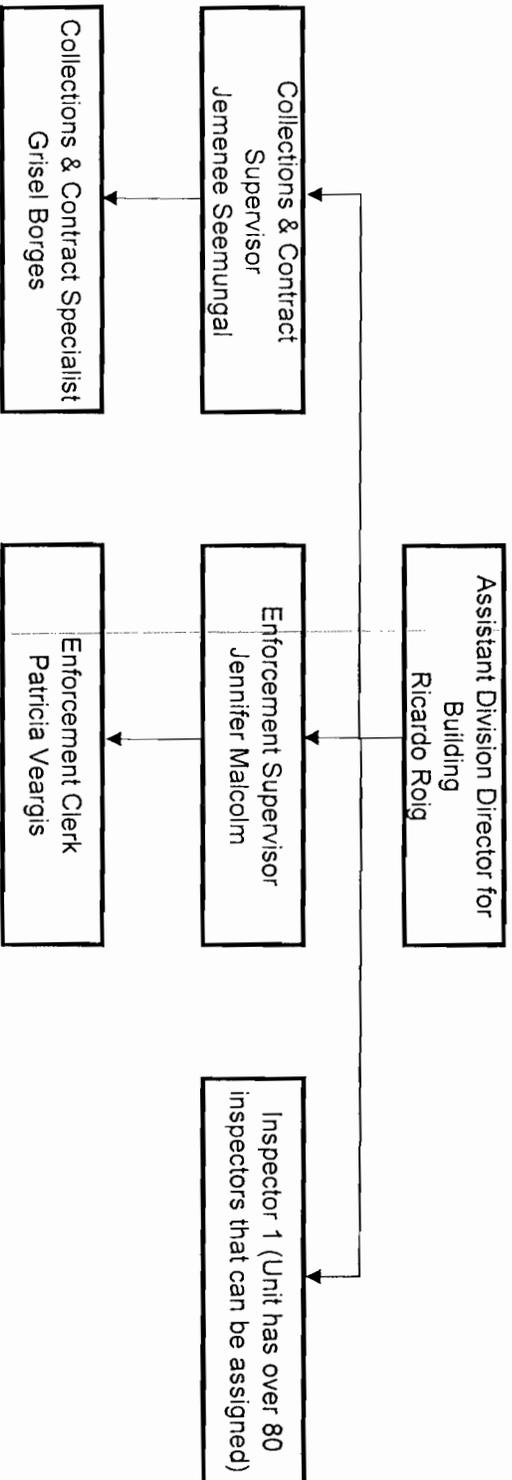
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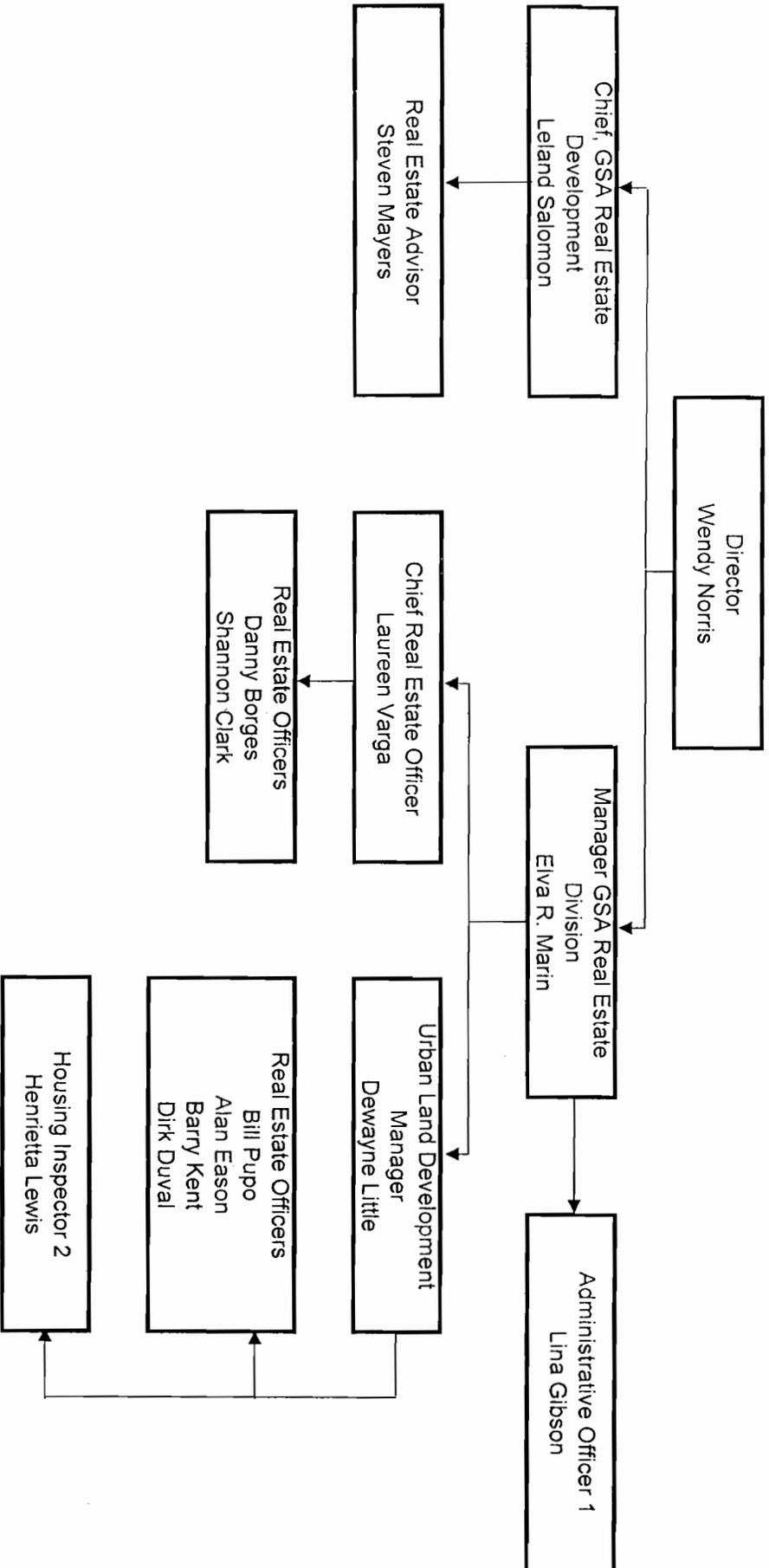
# Office of Community and Economic Development



# Building Department

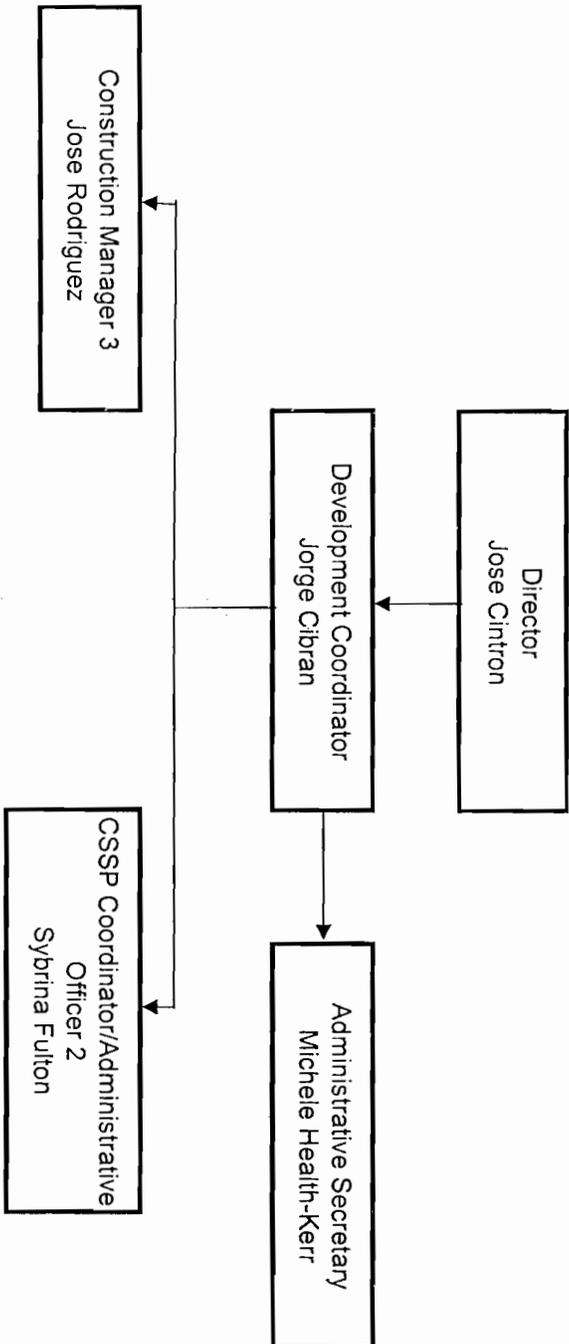


# General Services Administration

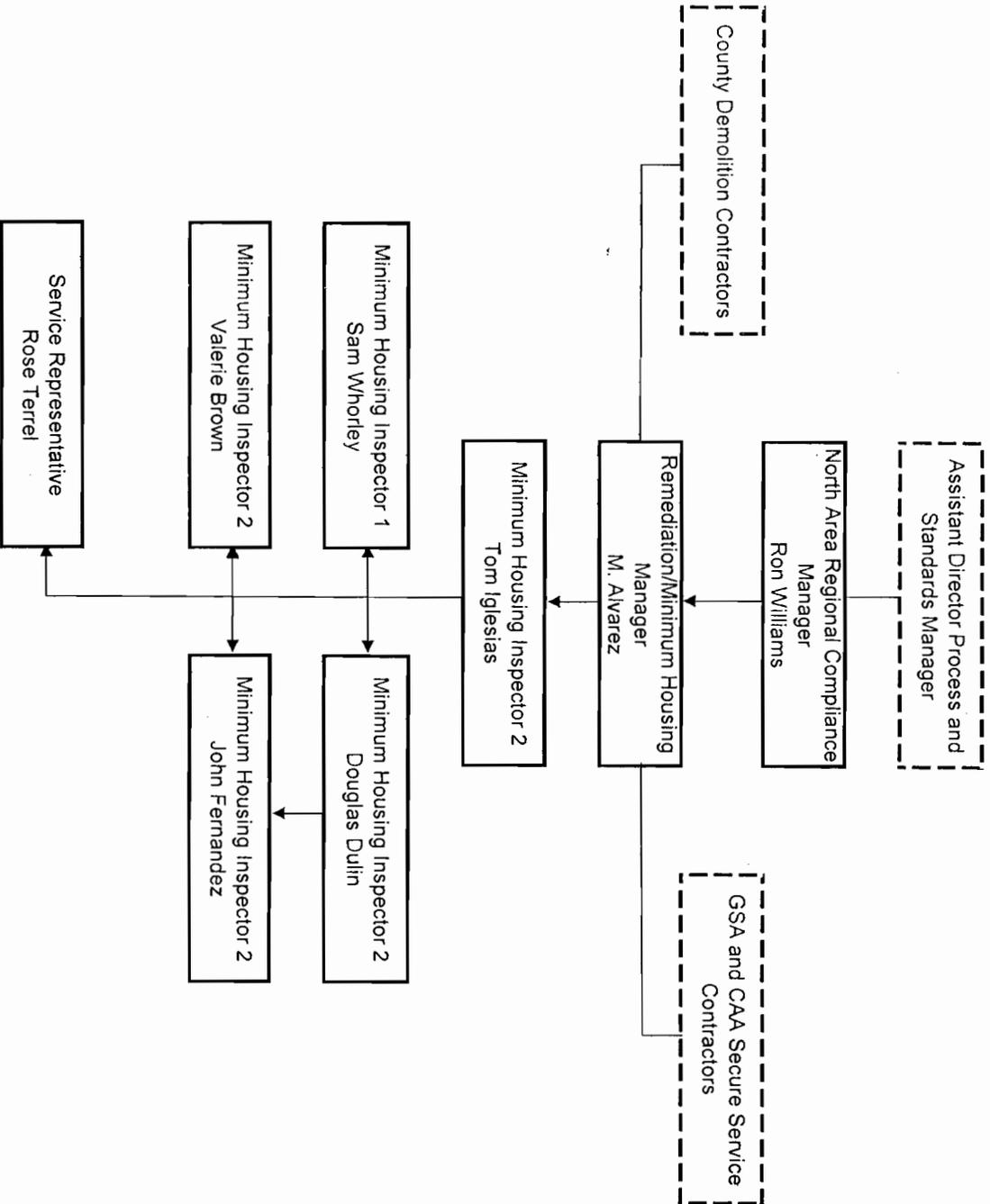


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# MIAMI-DADE PUBLIC HOUSING AGENCY HOPE VI Table of Organization



# Office of Neighborhood Compliance



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# Appendix G

## Commitment Letters

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OCEAN BANK

June 3, 2009

Alina M. Robau, Manager  
Homeownership & Rehabilitation  
Office of Economic & Community Development  
701 NW 1 Court  
Miami, FL 33136

Dear Alina:

*This letter serves to confirm Ocean Bank's interest to participate in the County's NSP Program to assist First-Time Homebuyers reach the AMERICAN DREAM.*

*Currently we have 24 loan applications in our Pipeline and \$1,676,770 of Ocean Bank funds committed to these loans. However, without the MD-OCED Funds we can not complete these purchases. We are expecting to double these figures in the near future but need your funds, your support and assistance to accomplish our goal.*

*We, at Ocean Bank are proud to have an excellent relationship with your Department and look forward to mutually assist the low and moderate-income population in our County and to assist you in anyway we can to stabilize our neighborhood and our economy, by providing affordable residential mortgage loans to first time homebuyers.*

Sincerely,

Nery Torrent  
Vice President  
Community Development Lender

Northern Trust, NA  
700 Brickell Avenue  
Miami, Florida 33131  
(305) 372-1000



## Northern Trust

June 2, 2009

Ms. Alina Robau  
Manager, Homeownership  
Miami-Dade County  
Office of Community & Economic Development  
701 NW 1<sup>st</sup> Court, 14<sup>th</sup> floor  
Miami, FL 33136

Dear Ms. Robau:

It will be a pleasure to continue our longstanding partnership with Miami-Dade County in providing first mortgages to eligible and qualified homebuyers under the Neighborhood Stabilization Program.

We look forward to extending an amount of at least, but not limited to \$1,000,000 in first mortgage loans to be used in conjunction to the second mortgages you will provide our homebuyers.

Sincerely,

  
W. Robert Smith, III  
Vice President



Carlos Alvarez, Mayor

Housing Finance Authority
7300 NW 19th Street • Suite 501
Miami, Florida 33126
T 305-594-2518
F 305-392-2722 & 392-2723

miamidade.gov

June 2, 2009

NSP2 Applications
Robert C. Weaver Federal Building
Office of Block Grant Assistance
451 Seventh Street, SW, Room 7286
Washington, DC 20410

Re: Miami-Dade County
Neighborhood Stabilization Program 2
Funding Application
Commitment Letter

To Whom It May Concern:

The Housing Finance Authority is empowered to alleviate the shortage of affordable residential housing available to low and moderate income families and individuals in Miami-Dade County. The Authority issues mortgage revenue bonds to provide capital for investment in affordable single and multifamily housing. The Housing Finance Authority of Miami-Dade County, Florida was created on December 12, 1978 by the Board of County Commissioners of Miami-Dade County, Florida in accordance with Florida Housing Finance Authority Law, Part IV of Chapter 159, Florida Statutes as amended.

The County, through the Office of Community and Economic Development, plans to use local financing in connection with its application for NSP funds. To that end, the HFA is pleased to assist with financing the following activities:

Acquisition and Rehab of Multi-family Properties

Table with 3 columns: Project Name, Number of Units, HFA Assistance. Rows include Westview Terrace, Island Place, Hampton House.

Redevelopment of Vacant Land

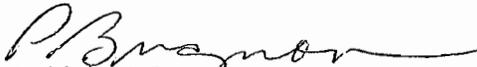
Table with 3 columns: Project Name, Number of Units, HFA Assistance. Rows include Georgia Ayers, Hialeah, Okeechobee, Gran Via, Landmark, South Dade Government Center.

Delivering Excellence Every Day

**HFA is willing to provide financing in the amount of \$156,191,035** for the various activities listed above provided the private activity bond allocation is available. These **local funds** are provided as leverage for the development of the affordable housing activities as part of the County's Neighborhood Stabilization Program 2 (NSP2) application. If certain of the acquisition or development projects are no longer available, the HFA is committed to financing similar affordable projects again subject to the availability of private activity bond allocation.

If there are any questions regarding this commitment letter, please feel free to contact me at our office.

Sincerely,

  
Patricia J. Braynon  
Director



June 3, 2009

Office of Economic & Community Development  
Attention: Alina M Robau, Manager Homeownership & Rehab  
701 NW 1 Court  
Miami, Fl. 33136

**RE: TotalBank's Commitment to Miami-Dade County NSP Program.**

Dear Alina;

By means of this letter, I wish to inform you that TotalBank will commit to participate up to \$1,000,000.00 for Miami-Dade County's NSP program. We look forward to working with your team and making homeownership a reality to many low to moderate income families.

If you should have any questions or should you need any additional information from us, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Enrique Villaronga".

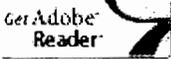
Enrique Villaronga  
Senior Vice President  
Residential Lending Department

cc: OCED File 2009

*TotalBank – Residential Lending Department  
1100 NW 72 Avenue, Miami, Florida 33126 - Telephone: (305) 982-3102 - Fax: (305) 982-3101*



**Miami-Dade Legislative Item  
File Number: 083606**

Printable PDF Format  Clerk's Official Copy

**File Number:** 083606      **File Type:** Resolution      **Status:** Adopted  
**Version:** 0      **Reference:** R-84-09      **Control:** Board of County Commissioners

**File Name:** ALLOCATIONS FOR DISTRICT 1 FROM BBC **Introduced:** 12/15/2008

**Requester:** NONE      **Cost:**      **Final Action:** 1/22/2009

**Agenda Date:** 1/22/2009 **Agenda Item Number:** 11A6

**Notes: Title:** RESOLUTION APPROVING ALLOCATIONS FOR DISTRICT 1 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" OF \$7,500,000 TO GEORGIA AYERS DEVELOPMENT, LLC AS LOAN TO FUND CONSTRUCTION OF GEORGIA AYERS RENTAL APARTMENTS AND OF \$3,092,377.63 TO UDG III OASIS, LLC AS LOAN TO FUND CONSTRUCTION OF LAKE VUE OASIS SINGLE FAMILY RESIDENCES [SEE ORIGINAL ITEM UNDER FILE NO. 083445]

**Indexes:** DISTRICT 1  
 ALLOCATION OF FUNDS  
 BUILDING BETTER COMMUNITIES  
 GENERAL OBLIGATION BOND

**Sponsors:** Barbara J. Jordan,  
 Prime Sponsor

**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
Board of County Commissioners	1/22/2009	11A6	Adopted				P
County Attorney	12/15/2008		Assigned	Gerald T. Heffernan			

Economic Development and Human Services Committee	12/10/2008 2D AMENDED	Forwarded to BCC with a favorable recommendation with committee amendment (s)	P
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**REPORT:** Commissioner Jordan offered an amendment to the foregoing proposed resolution to change the allocation of \$7,500,000 from the Building Better Communities General Obligation Bond Program (GOB) Project No. 249 to "Georgia Ayers Development, LLC" instead of "Biscayne Housing Group, LLC." The Committee proceeded to vote on this proposed resolution as amended. A discussion ensued between Commissioners Sorenson and Jordan regarding the allocations of funds without a process and a criterion to fund projects. Commissioner Sorenson asked Senior Advisor to the County Manager Cynthia Curry to develop a process for approving allocations from the Building Better Communities General Obligation Bond Program Project No. 249 to eligible projects listed in Appendix A of Resolution No. R-918-04. Commissioner Moss stated he would present recommendations for development of projects for the transit corridors and for blighted areas throughout Miami-Dade County. Hearing no objection, the Committee forwarded this proposed resolution as amended.

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## Legislative Text

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### TITLE

RESOLUTION APPROVING ALLOCATIONS FOR DISTRICT 1 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" OF \$7,500,000 TO GEORGIA AYERS DEVELOPMENT, LLC AS LOAN TO FUND CONSTRUCTION OF GEORGIA AYERS RENTAL APARTMENTS AND OF \$3,092,377.63 TO UDG III OASIS, LLC AS LOAN TO FUND CONSTRUCTION OF LAKE VUE OASIS SINGLE FAMILY RESIDENCES

### BODY

WHEREAS, pursuant to Resolution No. R-918-04 (the "Affordable Housing Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$194,997,000 to construct and improve affordable housing for the elderly and families; and  
 WHEREAS, Appendix A to the Affordable Housing Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC Program") by project number, municipal project location, BCC district, project name, project description, street address and allocation; and  
 WHEREAS, one of the projects listed in Appendix A to the Affordable Housing Resolution and approved by the voters for funding is Project No. 249 – "Preservation of Affordable Housing Units and Expansion of Home Ownership" with an original allocation of \$137,700,000 ("Project No. 249"); and  
 WHEREAS, there is a need for the development of affordable housing in District 1; and  
 WHEREAS, this need shall be satisfied in part through (i) a loan in the amount of \$7,500,000 to [[Biscayne Housing Group, LLC]]1>>Georgia Ayers Development, LLC<< for the construction of the Georgia Ayers Apartments consisting of seventy-two (72) units of rental housing for low and moderate income families located at 13280 Port Said Road, Opa-Locka (the "Georgia Ayers Apartment Project") and (ii) a loan in the amount of \$3,092,377.63 to UDG III Oasis, LLC for the construction of forty (40) single family residences known as the Lake Vue Oasis project for low and moderate income families located at 13900 NW 17th Avenue, Opa-Locka (the "Lake Vue Oasis Single Family Project"); and  
 WHEREAS, this Board wishes to approve an allocation from Project No. 249 to the Georgia Ayers Housing Project and the Lake Vue Oasis Project,  
 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. The allocation of \$7,500,000 from Project No. 249 as a loan to [[Biscayne Housing Group, LLC]]>>Georgia Ayers Development, LLC<< to fund the development of the Georgia Ayers Apartment Project in District 1 is approved subject to Board approval of all necessary agreements.

Section 3. The allocation of \$3,092,377.63 from Project No. 249 as a loan to UDG III Oasis, LLC to fund the development of the Lake Vue Oasis Single Family Project is approved subject to Board approval of all necessary agreements.

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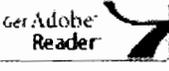
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**Miami-Dade Legislative Item  
File Number: 081943**

Printable PDF Format  Clerk's Official Copy

**File Number:** 081943    **File Type:** Resolution    **Status:** Adopted  
**Version:** 0    **Reference:** R-780-08    **Control:** Board of County Commissioners  
**File Name:** GOB-PRESERVATION OF AFFORDABLE HOUSING UNITS    **Introduced:** 6/19/2008  
**Requester:** NONE    **Cost:**    **Final Action:** 7/1/2008  
**Agenda Date:** 7/1/2008    **Agenda Item Number:** 11A10

**Notes: Title:** RESOLUTION APPROVING ALLOCATION OF \$10,592,307 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" TO FUND DEVELOPMENT OF AFFORDABLE HOUSING COMPONENT OF TRANSIT VILLAGE PROJECT IN DISTRICT 3 [SEE ORIGINAL ITEM UNDER FILE NO. 081674]

**Indexes:** GENERAL OBLIGATION BOND PROGRAM  
BUILDING BETTER COMMUNITIES  
AFFORDABLE HOUSING    **Sponsors:** Audrey M. Edmonson, Prime Sponsor

**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
Board of County Commissioners	7/1/2008	11A10	Adopted				P
County Attorney	6/19/2008		Assigned	Geri Bonzon-Keenan			
Governmental	6/10/2008	3F	Forwarded to BCC with a				P

97 104

Operations and Environment Committee

AMENDED favorable recommendation with committee amendment(s)

**REPORT:**

The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan. In response to Commissioner Gimenez' question as to whether this resolution involved a transit project, Commissioner Edmonson noted this particular resolution involved the housing component, and not the transit portion of the project. Commissioner Rolle questioned whether this item was related to a previous item approved by the Board providing District Commissioners with a certain amount of dollars, for which the departments identified and recommended projects for approval in various districts that some District Commissioners disagreed with. Assistant County Attorney Bonzon-Keenan noted each District Commissioner, as well as the County Manager, had the ability to recommend projects to be funded from this fund, but as a matter of policy, the Board would determine which of the projects would actually be funded. Commissioner Rolle questioned the policy and whether each District Commissioner would bring forward projects they recommended to be approved by the full Board, or whether they would have to accept the County Manager's or department's recommendations. Assistant County Attorney Bonzon-Keenan clarified the Commission was not required to accept the County Manager's recommendations for projects to be funded. She explained the last approved resolution stated the policy objective was to divide the total funds equally among the thirteen Commission Districts, however, it would still require a subsequent action by the Commission to identify projects that would actually be funded from those individual allocations. Hearing no further comments or questions, the Committee forwarded the foregoing resolution to the County Commission with a favorable recommendation, with Committee amendment(s) to correct a scrivener's error appearing in the title and on handwritten page 5 of this resolution, to correctly reference the allocation amount as \$10,592,307 in lieu of \$10,590,000.

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**Legislative Text**

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**TITLE**

RESOLUTION APPROVING ALLOCATION OF \$10,592,307 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP” TO FUND DEVELOPMENT OF AFFORDABLE HOUSING COMPONENT OF TRANSIT VILLAGE PROJECT IN DISTRICT 3

**BODY**

WHEREAS, pursuant to Resolution No. R-918-04 (the “Affordable Housing Resolution”), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$194,997,000 to construct and improve affordable housing for the elderly and families; and

WHEREAS, Appendix A to the Affordable Housing Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “BBC Program”) by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Affordable Housing Resolution and approved by the voters for funding is Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership” with an original allocation of \$137.7 million (“Project No. 249”); and

WHEREAS, there is a need for the development of affordable housing in District 3; and

WHEREAS, this need may be satisfied in part through the proposed development of the Transit Village located at N.W. 7th Avenue and N.W. 62nd Street; and

WHEREAS, the proposed Transit Village is envisioned to be a comprehensive, mixed-use, transit oriented development project that includes affordable housing, retail, office space, parking facilities, bus bays and a transit support facility and that features convenient access to public transportation, an

attractive site for businesses and affordable housing options; and  
WHEREAS, nationwide transit oriented development is proving to be an increasingly successful means to stimulate economic growth and improve the quality of life in urban communities; and  
WHEREAS, it is anticipated local residents and commuters will be able to use the Park & Ride and Kiss & Ride or walk to the Transit Village and connect to a variety of transportation services, such as Metrobus, neighborhood circulators and taxis; and  
WHEREAS, a transit hub at the intersection of N.W. 7th Avenue and N.W. 62nd Street will create seamless access for commuters to and from the Liberty City area to several municipalities within Miami-Dade County, as well as to Broward County; and  
WHEREAS, because N.W. 7th Avenue provides an alternative parallel north/south route to I-95, this area is poised to become a major transfer point for travelers diverting from I-95; and  
WHEREAS, the new Transit Village is expected to create employment opportunities while serving the needs of the community and acting as a catalyst to economic development; and  
WHEREAS, because Transit Village is located within an Empowerment Zone, the County's Community Workforce Program, which requires the training and hiring of qualified residents of communities where the capital improvements are being made, if applicable, will also ensure the project contributes to local job creation; and  
WHEREAS, Congressman Kendrick Meek and his predecessor the Honorable Carrie P. Meek have worked to secure significant federal funding for the project and have requested additional federal funds for Fiscal Year 2008-2009; and  
WHEREAS, this Board wishes to approve the allocation of [[ \$10,590,000 ]] >> \$10,592,307 << from Project No. 249 to fund the development of the affordable housing component of Transit Village in District 3 upon the execution of all necessary agreements,

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. This Board hereby approves the allocation of 1[[ \$10,590,000 ]] >> \$10,592,307 << from the \$137.7 million allocated for BBC Program Project No. 249 – "Preservation of Affordable Housing Units and Expansion of Home Ownership" to fund the development of the affordable housing component of Transit Village in District 3 upon the execution of all necessary agreements.

1 Committee amendments are indicated as follows: words within double brackets are deleted, words within double arrows are added.

1  
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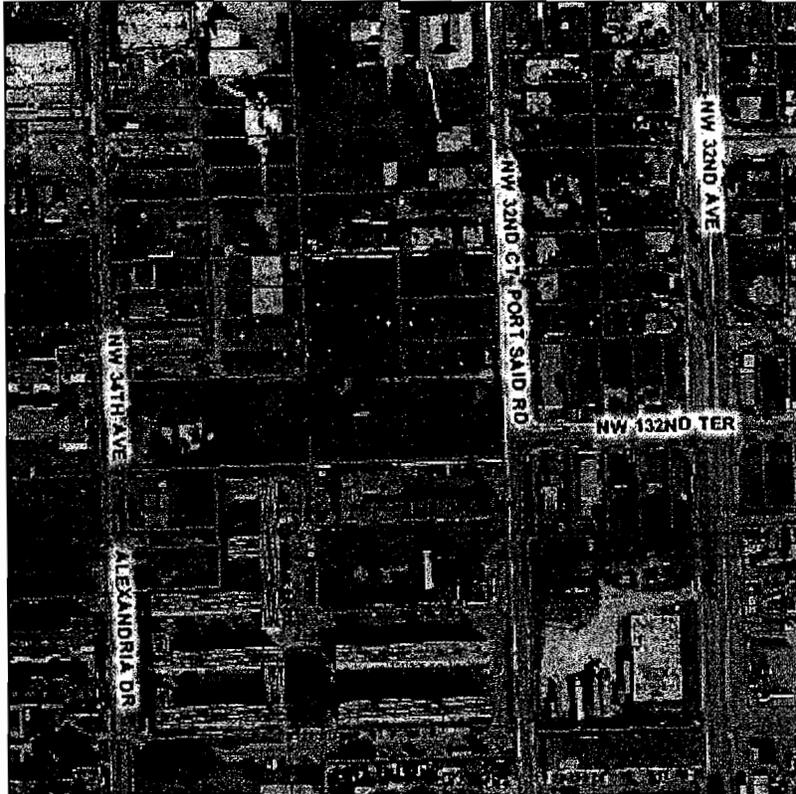
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Close

Summary Details:

Folio No.:	08-2128-007-0140
Property:	13280 PORT SAID RD
Mailing Address:	THE ALTERNATIVE PROGRAMS INC
	151 NW 60 ST MIAMI FL 33127-1233

Property Information:

Primary Zone:	4400 MULTI-FAMILY, THREE STORY
CLUC:	0001 RESIDENTIAL-SINGLE FAMILY
Beds/Baths:	2/1
Floors:	1
Living Units:	1
Adj Sq Footage:	1,419
Lot Size:	24,075 SQ FT
Year Built:	1953
Legal Description:	28-29 52 41 .55 AC PB 38-56 REV PLAT NILE GARDENS SEC 1 N75FT OF S400FT OF TR 301-B A/K/A LOTS 27 & 28 & PT 29 & 30 LOT SIZE 24075 SQUARE FEET OR 16986-3496 1195 2 (6)

Sale Information:

Sale O/R:	16986-3496
Sale Date:	11/1995
Sale Amount:	\$450,000

Assessment Information:

Year:	2008	2007
Land Value:	\$223,898	\$223,898
Building Value:	\$1,000	\$1,000
Market Value:	\$224,898	\$224,898
Assessed Value:	\$224,898	\$224,898

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/Taxable Value:	Applied Exemption/Taxable Value:
Regional:	\$224,898/\$0	\$224,898/\$0
County:	\$224,898/\$0	\$224,898/\$0
City:	\$224,898/\$0	\$224,898/\$0
School Board:	\$224,898/\$0	\$224,898/\$0



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Summary Details:

Folio No.:	08-2128-007-0150
Property:	
Mailing Address:	THE ALTERNATIVE PROGRAMS INC 151 NW 60 ST MIAMI FL 33127-1233

Property Information:

Primary Zone:	4400 MULTI-FAMILY, THREE STORY
CLUC:	0066 EXTRA FEATURE OTHER THAN PARKING
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	24,075 SQ FT
Year Built:	0
Legal Description:	28-29 52 41 .55 AC PB 38-56 REV PLAT NILE GARDENS SEC 1 N75FT OF S325FT TR 301-B A/K/A LOTS 31 & 32 & PT 29 & 30 LOT SIZE 24075 SQUARE FEET OR 16986-3496 1195 2 (6)

Sale Information:

Sale O/R:	16986-3496
Sale Date:	11/1995
Sale Amount:	\$450,000

Assessment Information:

Year:	2008	2007
Land Value:	\$223,898	\$223,898
Building Value:	\$9,216	\$9,216
Market Value:	\$233,114	\$233,114
Assessed Value:	\$233,114	\$233,114

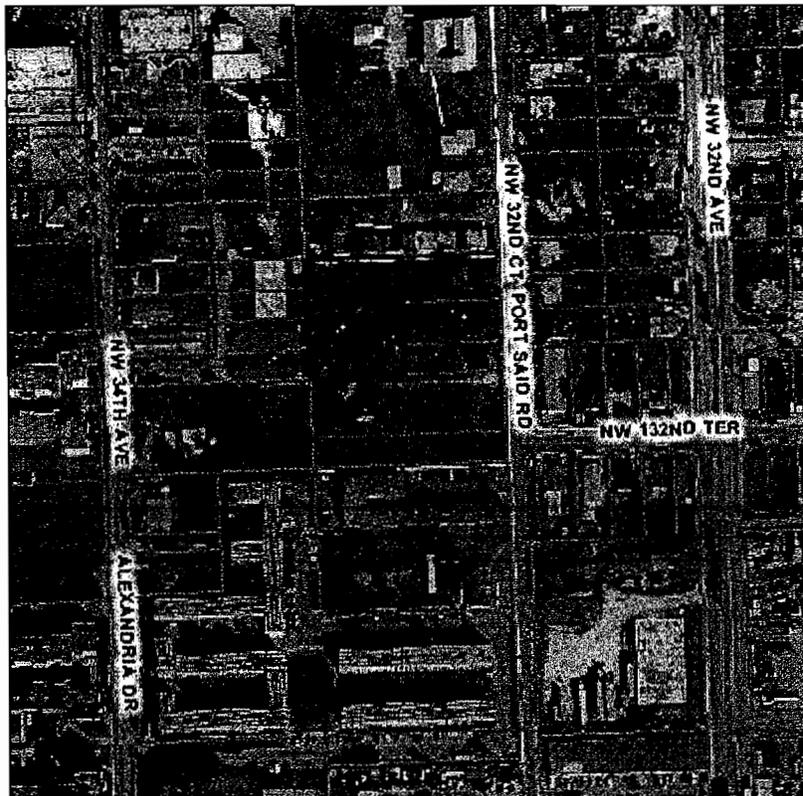
Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$233,114/\$0	\$233,114/\$0
County:	\$233,114/\$0	\$233,114/\$0
City:	\$233,114/\$0	\$233,114/\$0
School Board:	\$233,114/\$0	\$233,114/\$0



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Summary Details:

Folio No.:	08-2128-007-0132
Property:	
Mailing Address:	THE ALTERNATIVE PROGRAMS INC 151 NW 60 ST MIAMI FL 33127-1233

Property Information:

Primary Zone:	4400 MULTI-FAMILY, THREE STORY
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1 SQ FT
Year Built:	0
Legal Description:	28-29 52 41 .737 AC PB 38-56 REV PLAT NILE GARDENS SEC 1 N200FT OF S600FT OF W1/2 OF TR 301-B /AKA LOTS 20-22-24-26 BLK 301 PER PB 31-42 LOT SIZE 32104 SQUARE FEET

Sale Information:

Sale O/R:	16986-3496
Sale Date:	11/1995
Sale Amount:	\$450,000

Assessment Information:

Year:	2008	2007
Land Value:	\$269,665	\$269,665
Building Value:	\$0	\$0
Market Value:	\$269,665	\$269,665
Assessed Value:	\$269,665	\$269,665

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$269,665/\$0	\$269,665/\$0
County:	\$269,665/\$0	\$269,665/\$0
City:	\$269,665/\$0	\$269,665/\$0
School Board:	\$269,665/\$0	\$269,665/\$0



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Summary Details:

Folio No.:	08-2128-007-0120
Property:	13340 PORT SAID RD
Mailing Address:	THE ALTERNATIVE PROGRAMS INC 151 NW 60 ST MIAMI FL 33127-1233

Property Information:

Primary Zone:	4400 MULTI-FAMILY, THREE STORY
CLUC:	0001 RESIDENTIAL-SINGLE FAMILY
Beds/Baths:	2/1
Floors:	1
Living Units:	1
Adj Sq Footage:	852
Lot Size:	12,815 SQ FT
Year Built:	1950
Legal Description:	28-29 52 41 .295 AC REV PLAT NILE GARDENS SEC 1 PB 38-56 N80FT OF S600FT OF E1/2 OF TR 301-B /AKA LOT 19 & N30FT LOT 21 BLK 301 PER PB 31-42/

Sale Information:

Sale O/R:	16986-3496
Sale Date:	11/1995
Sale Amount:	\$450,000

Assessment Information:

Year:	2008	2007
Land Value:	\$119,180	\$119,180
Building Value:	\$44,637	\$44,637
Market Value:	\$163,817	\$163,817
Assessed Value:	\$163,817	\$163,817

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$163,817/\$0	\$163,817/\$0
County:	\$163,817/\$0	\$163,817/\$0
City:	\$163,817/\$0	\$163,817/\$0
School Board:	\$163,817/\$0	\$163,817/\$0



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Summary Details:

Folio No.:	08-2128-007-0131
Property:	13300 PORT SAID RD
Mailing Address:	THE ALTERNATIVE PROGRAMS INC 151 NW 60 ST MIAMI FL 33127-1233

Property Information:

Primary Zone:	4400 MULTI-FAMILY, THREE STORY
CLUC:	0002 MULTIFAMILY-DUPLEX
Beds/Baths:	4/2
Floors:	1
Living Units:	2
Adj Sq Footage:	1,215
Lot Size:	9,583 SQ FT
Year Built:	1956
Legal Description:	28-29 52 41 .22 AC REV PL NILE GDNS SEC 1 PB 38-56 N60FT OF S520FT OF E1/2 TR 301-B /AKA S20FT OF LOT 21 & N40FT OF LOT 23 BLK 301 PB 31-42/ LOT SIZE 9583 SQ FT

Sale Information:

Sale O/R:	16986-3496
Sale Date:	11/1995
Sale Amount:	\$450,000

Assessment Information:

Year:	2008	2007
Land Value:	\$89,122	\$89,122
Building Value:	\$67,861	\$67,861
Market Value:	\$156,983	\$156,983
Assessed Value:	\$156,983	\$156,983

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$156,983/\$0	\$156,983/\$0
County:	\$156,983/\$0	\$156,983/\$0
City:	\$156,983/\$0	\$156,983/\$0
School Board:	\$156,983/\$0	\$156,983/\$0

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Close

Summary Details:

Folio No.:	08-2128-007-0130
Property:	13290 PORT SAID RD
Mailing Address:	THE ALTERNATIVE PROGRAMS INC 151 NW 60 ST MIAMI FL 33127-1233

Property Information:

Primary Zone:	4400 MULTI-FAMILY, THREE STORY
CLUC:	0002 MULTIFAMILY-DUPLEX
Beds/Baths:	4/2
Floors:	1
Living Units:	2
Adj Sq Footage:	1,178
Lot Size:	9,583 SQ FT
Year Built:	1956
Legal Description:	28-29 52 41 .22 AC REV PL NILE GDNS SEC 1 PB 38-56 S60FT OF N120FT OF S520FT OF E1/ TR 301-B /AKA S10FT OF LOT 23 & ALL LOT 25 BLK 301 PB 31-42/ LOT SIZE 9583 SQ FT

Sale Information:

Sale O/R:	16986-3496
Sale Date:	11/1995
Sale Amount:	\$450,000

Assessment Information:

Year:	2008	2007
Land Value:	\$89,122	\$89,122
Building Value:	\$75,195	\$75,195
Market Value:	\$164,317	\$164,317
Assessed Value:	\$164,317	\$164,317

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$164,317/\$0	\$164,317/\$0
County:	\$164,317/\$0	\$164,317/\$0
City:	\$164,317/\$0	\$164,317/\$0
School Board:	\$164,317/\$0	\$164,317/\$0

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Property Information Map



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Summary Details:

Folio No.:	01-3113-040-0510
Property:	6100 NW 6 AVE
Mailing Address:	THE PUMO FAMILY LTD 7327 NW MIAMI CT MIAMI FL 33150-3509

Property Information:

Primary Zone:	6100 RESTRICTED COMMERCIAL
CLUC:	0036 HEAVY INDUSTRIAL OR LUMBER YARD
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	48,532
Lot Size:	76,510 SQ FT
Year Built:	1972
Legal Description:	BUENA VISTA GDNS EXT PB 4-199 LOTS 1-2-3 LESS N10FT THEREOF & LOTS 19 THRU 21 & LOT 22 & E10FT LOT 10 & LOTS 23 THRU 26 BLK 3 LOT SIZE IRREGULAR OR 22841-4109-4110 11 2004 4(5)

Sale Information:

Sale O/R:	
Sale Date:	11/2004
Sale Amount:	\$0

Assessment Information:

Year:	2008	2007
Land Value:	\$382,550	\$382,550
Building Value:	\$1,008,725	\$1,008,725
Market Value:	\$1,391,275	\$1,391,275
Assessed Value:	\$1,391,275	\$1,391,275

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/ \$1,391,275	\$0/ \$1,391,275
County:	\$0/ \$1,391,275	\$0/ \$1,391,275
City:	\$0/ \$1,391,275	\$0/ \$1,391,275
School Board:	\$0/ \$1,391,275	\$0/ \$1,391,275



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Property Information Map



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0 — 171 ft

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Summary Details:

Folio No.:	04-3118-001-2300
Property:	501 PALM AVE
Mailing Address:	CITY OF HIALEAH FL 501 PALM AVE HIALEAH FL 33010-4719

Property Information:

Primary Zone:	8000 GOVERNMENT & INSTITUTIONS
CLUC:	0040 MUNICIPAL
Beds/Baths:	0/0
Floors:	4
Living Units:	0
Adj Sq Footage:	219,849
Lot Size:	4 ACRES
Year Built:	1969
Legal Description:	TOWN OF HIALEAH PB 5-77 LOTS 1 THRU 18 & UNNUMBERED TR W OF LOTS 1 & 18 BLK 19 LOT SIZE 162000 SQ FT

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2008	2007
Land Value:	\$2,916,000	\$1,620,000
Building Value:	\$20,444,985	\$20,444,985
Market Value:	\$23,360,985	\$22,064,985
Assessed Value:	\$23,360,985	\$22,064,985

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$23,360,985/ \$0	\$22,064,985/ \$0
County:	\$23,360,985/ \$0	\$22,064,985/ \$0
City:	\$23,360,985/ \$0	\$22,064,985/ \$0
School Board:	\$23,360,985/ \$0	\$22,064,985/ \$0



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Property Information Map



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0 — 162 ft

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Summary Details:

Folio No.:	30-4902-000-0062
Property:	
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FL MIAMI FL 33136-

Property Information:

Primary Zone:	3800 MULTI-FAMILY RESIDENTIAL
CLUC:	0080 VACANT LAND- GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	2 ACRES
Year Built:	0
Legal Description:	2 54 39 2.36 AC M/L BEG 678.55FTN & 40FTW OF SE COR OF SE1/4 OF SEC CONT S 87 DEG W 622.78FT N 01 DEG W 168.35FT N 89 DEG E 598.29FT SELY AD 38.74FT S 01 DEG E 122.21FT TO POB & BEG

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2008	2007
Land Value:	\$1,028,020	\$1,028,020
Building Value:	\$0	\$0
Market Value:	\$1,028,020	\$1,028,020
Assessed Value:	\$1,028,020	\$1,028,020

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$1,028,020/ \$0	\$1,028,020/ \$0
County:	\$1,028,020/ \$0	\$1,028,020/ \$0
School Board:	\$1,028,020/ \$0	\$1,028,020/ \$0

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Property Information Map



Digital Orthophotography - 2007

0 — 161 ft

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Close

Summary Details:

Folio No.:	30-2127-028-0010
Property:	12601 NW 27 AVE
Mailing Address:	OLCDC WESTVIEW TERR LLC
	490 OPA LOCKA BLVD STE 20 OPA LOCKA FL 33054-3563

Property Information:

Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0003 MULTIFAMILY- APARTMENTS
Beds/Baths:	112/158
Floors:	1
Living Units:	112
Adj Sq Footage:	103,414
Lot Size:	4 ACRES
Year Built:	1965
Legal Description:	3.58 AC M/L WESTVIEW MANOR TERR PB 79-90 TRACT A LOT SIZE 155945 SQUARE FEET OR 18856-2310 1099 2 (4) COC 22210-1164 04 2004 2

Sale Information:

Sale O/R:	22210-1164
Sale Date:	4/2004
Sale Amount:	\$11,250,000

Assessment Information:

Year:	2008	2007
Land Value:	\$1,403,505	\$1,403,505
Building Value:	\$4,347,050	\$3,246,495
Market Value:	\$5,750,555	\$4,650,000
Assessed Value:	\$5,750,555	\$4,650,000

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$4,427,927/ \$1,322,628	\$3,580,500/ \$1,069,500
County:	\$4,427,927/ \$1,322,628	\$3,580,500/ \$1,069,500
School Board:	\$4,427,927/ \$1,322,628	\$3,580,500/ \$1,069,500

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Property Information Map



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Close

Summary Details:

Folio No.:	30-2127-029-0010
Property:	12501 NW 27 AVE
Mailing Address:	OLCDC WESTVIEW TERR LLC 490 OPA LOCKA BLVD STE 20 OPA LOCKA FL 33054-3563

Property Information:

Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0003 MULTIFAMILY- APARTMENTS
Beds/Baths:	117/117
Floors:	2
Living Units:	117
Adj Sq Footage:	108,790
Lot Size:	4 ACRES
Year Built:	1967
Legal Description:	4.04 AC M/L PB 81-27 WESTVIEW MANOR TERRACE 1ST ADDN TRACT B LOT SIZE 175982 SQUARE FEET OR 18856-2310 1099 2 (4) COC 22210-1164 04 2004 2

Sale Information:

Sale O/R:	22210-1164
Sale Date:	4/2004
Sale Amount:	\$11,250,000

Assessment Information:

Year:	2008	2007
Land Value:	\$1,583,838	\$1,583,838
Building Value:	\$4,182,493	\$3,241,162
Market Value:	\$5,766,331	\$4,825,000
Assessed Value:	\$5,766,331	\$4,825,000

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$4,440,075/ \$1,326,256	\$3,715,250/ \$1,109,750
County:	\$4,440,075/ \$1,326,256	\$3,715,250/ \$1,109,750
School Board:	\$4,440,075/ \$1,326,256	\$3,715,250/ \$1,109,750



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Summary Details:

Folio No.:	07-2208-006-0010
Property:	1551 NE 167 ST
Mailing Address:	FIRST HOME VIEW CORP P O BOX 651333 MIAMI FL 33265-

Property Information:

Primary Zone:	6400 COMMERCIAL, MEDIUM INTENSITY
CLUC:	0003 MULTIFAMILY-APARTMENTS
Beds/Baths:	283/283
Floors:	8
Living Units:	199
Adj Sq Footage:	267,775
Lot Size:	3 ACRES
Year Built:	1968
Legal Description:	FULFORD BY SEA SEC O PB 10-27 LOTS 1 THRU 20 BLK 129 & 20FT WIDE PUBLIC ALLEY ADJ THERETO THE WINDSOR TOWERS CONDO OR 19264-4979 0800 1 COC 26219-2140 10 2007 3

Sale Information:

Sale O/R:	19264-4979
Sale Date:	8/2000
Sale Amount:	\$7,050,000

Assessment Information:

Year:	2008	2007
Land Value:	\$3,640,410	\$3,640,410
Building Value:	\$7,690,571	\$7,690,571
Market Value:	\$11,330,981	\$11,330,981
Assessed Value:	\$11,330,981	\$11,330,981

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/ \$11,330,981	\$0/ \$11,330,981
County:	\$0/ \$11,330,981	\$0/ \$11,330,981
City:	\$0/ \$11,330,981	\$0/ \$11,330,981
School Board:	\$0/ \$11,330,981	\$0/ \$11,330,981



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Property Information Map



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**Close**

**Summary Details:**

Folio No.:	30-3121-000-1315
Property:	2745 NW 42 ST
Mailing Address:	HAMPTON REALTY GROUP LLC  1320 E 17 ST BROOKLYN NY 11230-

**Property Information:**

Primary Zone:	6600 LIBERAL COMMERCIAL
CLUC:	0003 MULTIFAMILY- APARTMENTS
Beds/Baths:	24/24
Floors:	2
Living Units:	24
Adj Sq Footage:	10,284
Lot Size:	17,844 SQ FT
Year Built:	1953
Legal Description:	21 53 41 E127.46FT OF W493.13FT OF S1/2 OF N1/2 OF SE1/4 OF NE1/4 OF SE1/4 LESS STS LOT SIZE 17844 SQUARE FEET OR 19212-2093 0700 2 (6)

**Sale Information:**

Sale O/R:	19212-2093
Sale Date:	7/2000
Sale Amount:	\$1,525,000

**Assessment Information:**

Year:	2008	2007
Land Value:	\$214,128	\$160,596
Building Value:	\$100,158	\$100,158
Market Value:	\$314,286	\$260,754
Assessed Value:	\$314,286	\$260,754

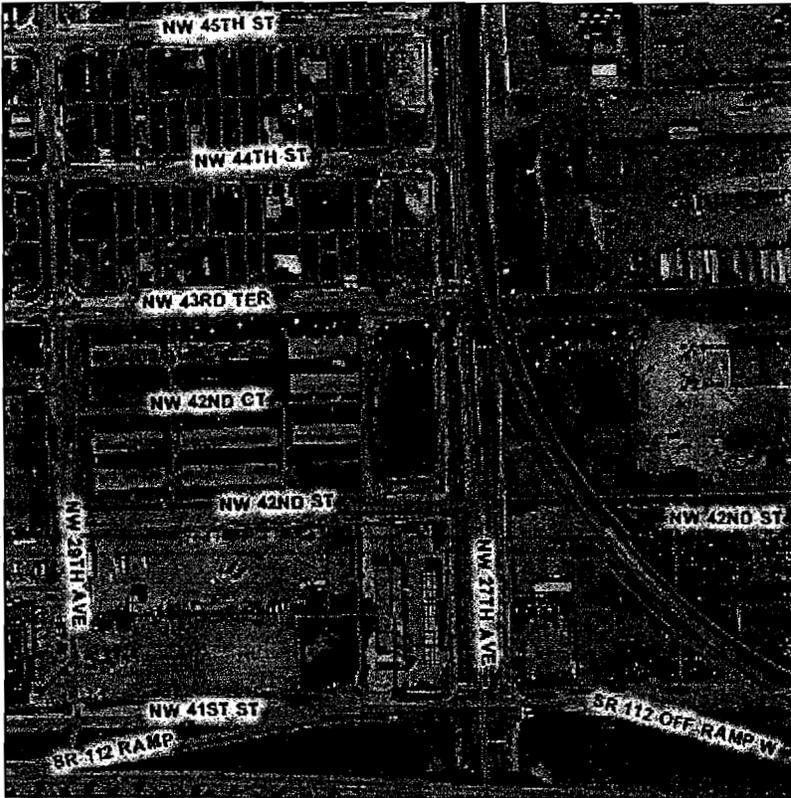
**Taxable Value Information:**

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$314,286	\$0/\$260,754
County:	\$0/\$314,286	\$0/\$260,754
School Board:	\$0/\$314,286	\$0/\$260,754



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Property Information Map



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Close

Summary Details:

Folio No.:	30-3121-000-1314
Property:	2740 NW 43 TER
Mailing Address:	HAMPTON REALTY GROUP LLC  1320 E 17 ST BROOKLYN NY 11230-

Property Information:

Primary Zone:	6600 LIBERAL COMMERCIAL
CLUC:	0003 MULTIFAMILY- APARTMENTS
Beds/Baths:	24/24
Floors:	2
Living Units:	24
Adj Sq Footage:	10,288
Lot Size:	17,844 SQ FT
Year Built:	1953
Legal Description:	21 53 41 E127.46FT OF W493.13FT OF N1/2 OF N1/2 OF SE1/4 OF NE1/4 OF SE1/4 LESS ST LOT SIZE 17844 SQUARE FEET OR 19212-2093 0700 2 (6)

Sale Information:

Sale O/R:	19212-2093
Sale Date:	7/2000
Sale Amount:	\$1,525,000

Assessment Information:

Year:	2008	2007
Land Value:	\$214,128	\$160,596
Building Value:	\$100,158	\$100,158
Market Value:	\$314,286	\$260,754
Assessed Value:	\$314,286	\$260,754

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$314,286	\$0/\$260,754
County:	\$0/\$314,286	\$0/\$260,754
School Board:	\$0/\$314,286	\$0/\$260,754

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Property Information Map



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Close

Summary Details:

Folio No.:	30-3121-000-1312
Property:	2770 NW 43 TER
Mailing Address:	HAMPTON REALTY GROUP LLC 1320 E 17 ST BROOKLYN NY 11230-

Property Information:

Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0003 MULTIFAMILY-APARTMENTS
Beds/Baths:	48/24
Floors:	2
Living Units:	24
Adj Sq Footage:	14,424
Lot Size:	25,760 SQ FT
Year Built:	1953
Legal Description:	21 53 41 E184FT OF W365.67FT OF N1/2 OF N1/2 OF SE1/4 OF NE1/4 OF SE1/4 LESS STS LOT SIZE 25760 SQUARE FEET OR 19212-2093 0700 2 (6)

Sale Information:

Sale O/R:	19212-2093
Sale Date:	7/2000
Sale Amount:	\$1,525,000

Assessment Information:

Year:	2008	2007
Land Value:	\$231,840	\$231,840
Building Value:	\$95,811	\$95,811
Market Value:	\$327,651	\$327,651
Assessed Value:	\$327,651	\$327,651

Taxable Value Information:

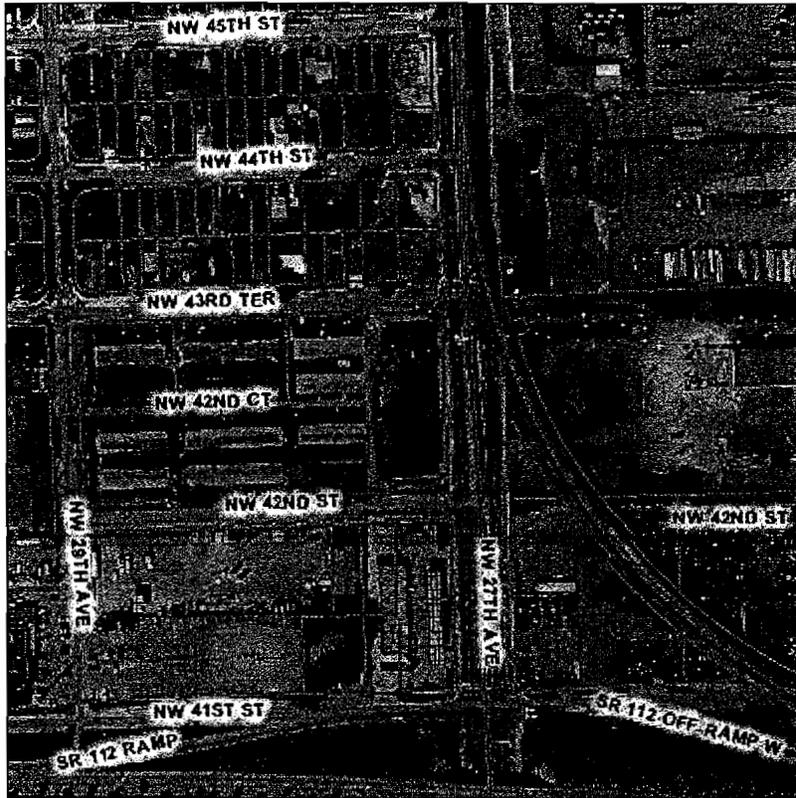
Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$327,651	\$0/\$327,651
County:	\$0/\$327,651	\$0/\$327,651
School Board:	\$0/\$327,651	\$0/\$327,651

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Property Information Map



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0 — 130 ft

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Close

Summary Details:

Folio No.:	30-3121-000-1313
Property:	2775 NW 42 ST
Mailing Address:	HAMPTON REALTY GROUP LLC  1320 E 17 ST BROOKLYN NY 11230-

Property Information:

Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0003 MULTIFAMILY- APARTMENTS
Beds/Baths:	48/24
Floors:	2
Living Units:	24
Adj Sq Footage:	14,424
Lot Size:	25,760 SQ FT
Year Built:	1953
Legal Description:	21 53 41 E184FT OF W365.67FT OF S1/2 OF N1/2 OF SE1/4 OF NE1/4 OF SE1/4 LESS STS LOT SIZE 25760 SQUARE FEET OR 19212-2093 0700 2 (6)

Sale Information:

Sale O/R:	19212-2093
Sale Date:	7/2000
Sale Amount:	\$1,525,000

Assessment Information:

Year:	2008	2007
Land Value:	\$231,840	\$231,840
Building Value:	\$95,811	\$95,811
Market Value:	\$327,651	\$327,651
Assessed Value:	\$327,651	\$327,651

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$327,651	\$0/\$327,651
County:	\$0/\$327,651	\$0/\$327,651
School Board:	\$0/\$327,651	\$0/\$327,651

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Property Information Map



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Summary Details:

Folio No.:	30-3121-000-1311
Property:	4101 NW 29 AVE
Mailing Address:	HAMPTON REALTY GROUP LLC  1320 E 17 ST BROOKLYN NY 11230-

Property Information:

Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0003 MULTIFAMILY- APARTMENTS
Beds/Baths:	24/24
Floors:	2
Living Units:	24
Adj Sq Footage:	10,288
Lot Size:	21,840 SQ FT
Year Built:	1953
Legal Description:	21 53 41 W181.67FT S1/2 OF N1/2 OF SE1/4 OF NE1/4 OF SE1/4 LESS STS LOT SIZE 21840 SQUARE FEET OR 19212-2093 0700 2 (6) OR 19212-2093 0700 02

Sale Information:

Sale O/R:	19212-2093
Sale Date:	7/2000
Sale Amount:	\$1,525,000

Assessment Information:

Year:	2008	2007
Land Value:	\$196,560	\$196,560
Building Value:	\$99,731	\$99,731
Market Value:	\$296,291	\$296,291
Assessed Value:	\$296,291	\$296,291

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$296,291	\$0/\$296,291
County:	\$0/\$296,291	\$0/\$296,291
School Board:	\$0/\$296,291	\$0/\$296,291



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Property Information Map



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Summary Details:

Folio No.:	30-3121-000-1310
Property:	4301 NW 29 AVE
Mailing Address:	HAMPTON REALTY GROUP LLC 1320 E 17 ST BROOKLYN NY 11230-

Property Information:

Primary Zone:	5000 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL
CLUC:	0003 MULTIFAMILY-APARTMENTS
Beds/Baths:	24/24
Floors:	2
Living Units:	24
Adj Sq Footage:	10,288
Lot Size:	21,840 SQ FT
Year Built:	1953
Legal Description:	21 53 41 W181.86FT OF N1/2 OF N1/2 OF SE1/4 OF NE1/4 OF SE1/4 LESS STS LOT SIZE 21840 SQUARE FEET OR 19212-2093 0700 2 (6)

Sale Information:

Sale O/R:	19212-2093
Sale Date:	7/2000
Sale Amount:	\$1,525,000

Assessment Information:

Year:	2008	2007
Land Value:	\$196,560	\$196,560
Building Value:	\$99,731	\$99,731
Market Value:	\$296,291	\$296,291
Assessed Value:	\$296,291	\$296,291

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$0/\$296,291	\$0/\$296,291
County:	\$0/\$296,291	\$0/\$296,291
School Board:	\$0/\$296,291	\$0/\$296,291

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Miami-Dade County, Florida



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Property Information Map



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0 — 566 ft

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**Summary Details:**

Folio No.:	30-1131-001-0030
Property:	20600 NW 47 AVE
Mailing Address:	MIAMI DADE COUNTY GSA-R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

**Property Information:**

Primary Zone:	7100 INDUSTRIAL
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	325,324
Lot Size:	166 ACRES
Year Built:	1999
Legal Description:	31 51 41 165.881 AC M/L EVERGLADES SUGAR & LAND CO SUB TRS 33 TO 46 INC & TRS 57 TO 66 INC & THAT CERTAIN 40FT RAODWAY LOCATED BETW A PORTION OF TRS 62 TO 66 INC CLOSED BY RES #9038

**Sale Information:**

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

**Assessment Information:**

Year:	2008	2007
Land Value:	\$7,225,776	\$8,065,787
Building Value:	\$13,165,705	\$13,157,415
Market Value:	\$20,391,481	\$21,223,202
Assessed Value:	\$20,391,481	\$21,223,202

**Taxable Value Information:**

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$20,391,481/ \$0	\$20,950,606/ \$272,596
County:	\$20,391,481/ \$0	\$20,950,606/ \$272,596
School Board:	\$20,391,481/ \$0	\$20,950,606/ \$272,596

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Property Information Map



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0 — 113 ft

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Summary Details:

Folio No.:	36-6007-000-0537
Property:	10750 SW 211 ST
Mailing Address:	MIAMI-DADE COUNTY GSA R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

Property Information:

Primary Zone:	6600 LIBERAL COMMERCIAL
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/6
Floors:	3
Living Units:	0
Adj Sq Footage:	156,189
Lot Size:	13 ACRES
Year Built:	1970
Legal Description:	7-8 56 40 12.5 AC BEG SE COR OF NE1/4 OF SE1/4 OF SEC 7 W615.50FT N637.68FT TO PT ON SLY RW/L CUTLER RIDGE ACCESS RD NELY ALG SAID RW/L 276.71FT TO PC TH SELY AD OF 682.18FT TO

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

Year:	2008	2007
Land Value:	\$8,167,500	\$8,167,500
Building Value:	\$17,771,032	\$17,771,032
Market Value:	\$25,938,532	\$25,938,532
Assessed Value:	\$25,938,532	\$25,938,532

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$25,938,532/ \$0	\$25,938,532/ \$0
County:	\$25,938,532/ \$0	\$25,938,532/ \$0
City:	\$25,938,532/ \$0	\$25,938,532/ \$0
School Board:	\$25,938,532/ \$0	\$25,938,532/ \$0

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## Miami-Dade Showing a Whole Lotto Love to Home Buyers

Winners in a new county lottery program will net potential homebuyers thousands of dollars toward a foreclosed home. If your number is called, you can expect the county to pick up about 20 percent of the price.

Name

Type your comment here.

You have 2000 characters left

[POST COMMENT](#)

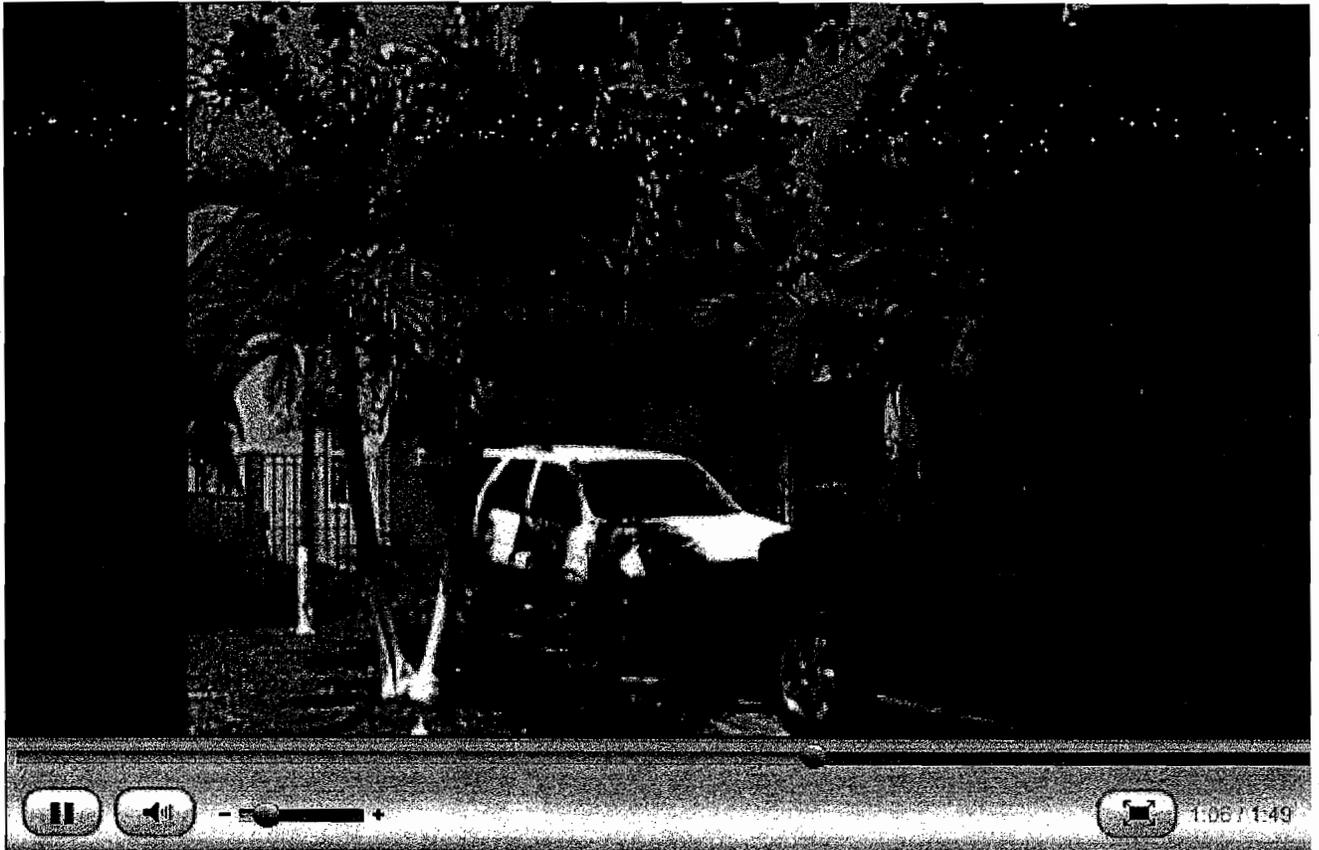
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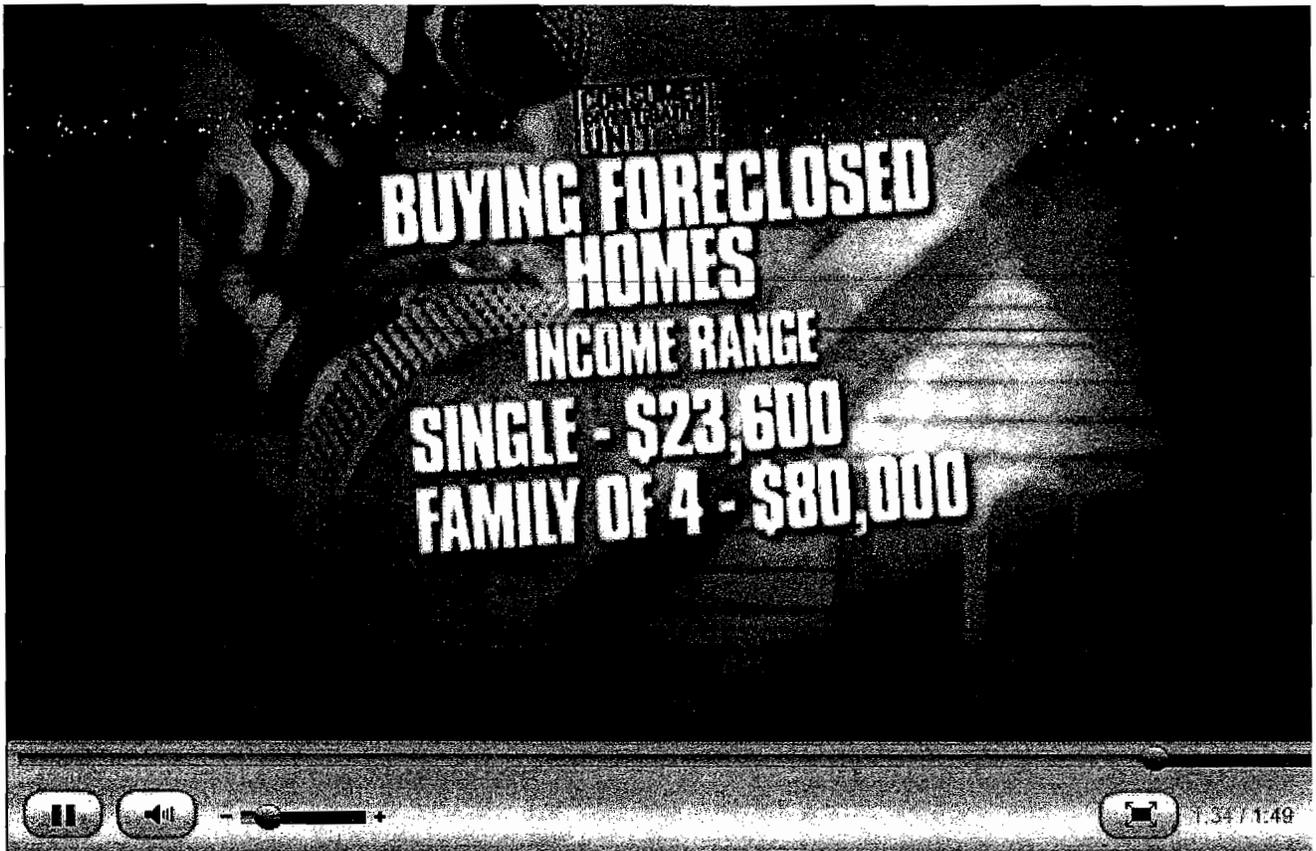
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### Miami-Dade Showing a Whole Lotto Love to Home Buyers

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## Comments (11)

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rosa Monday, May 18 at 9:16 PM

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how can i register for the lottery before may 22,09 please emial me at nopain31@aol.com

Name Monday, May 11 at 8:43 PM

[FLAG COMMENT](#)

how to find more information

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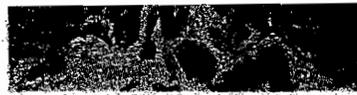
of the hijackers.

"He was proud of what he did," said Solange Ponce de Leon, a first cousin who met with Ponce de Leon in Cuba weeks after the crash. "He told us that he was the one who hijacked the plane. I promised myself that someday when my father died I was going to tell what I knew."

She and other relatives — including Edmundo Ponce de Leon's sister — say the aging retiree who now lives in Miami admitted he was one of

•TURN TO HIJACKING, 6A

**MiamiHerald.com**  
Watch video about the suspected hijacker online



### FILLETTE SUR UN BANC

by Edouard Manet

AUCTION ESTIMATE:

\$12 million to \$18 million

PURCHASE PRICE: Did not sell

BY DAVID GELLES  
dgelles@MiamiHerald.com

Has the art market bubble finally burst?

Collectors and dealers have warned for years that too much modern and contemporary art was being sold, and that the prices were too rich.

Art Basel Miami Beach, where wealthy collectors have sprinted



### SKULLS SERIES by Andy Warhol

AUCTION ESTIMATE: \$8.7 million to \$12.2 million.

PURCHASE PRICE: \$7.5 million

across the convention center to be the first to buy, came to symbolize the inflated market.

But as the still-unfolding financial crisis deflates luxury spending and prices for many major works fall, the art industry is questioning whether the feeding frenzy is ending.

"Prices [in the past] have been overly inflated and speculative,"

said Rita Krauss, a New York consultant. "But these are not good old times when every was throwing around money."

In a worrisome sign for Basel Miami Beach, which began Dec. 4, results at the major auctions for Impressionist, modern and contemporary art h

•TURN TO ART, 2A

## HOME FINANCING

# 45 players hit jackpot in housing lottery

■ Dozens of Miami-Dade residents hoping to buy their first home got a big boost from county government on Tuesday.

BY MICHAEL VASQUEZ  
mrvasquez@MiamiHerald.com

For Fountainbleu's Violeta Iglesias, it means having a bathroom accessible to her 15-year-old daughter, who is in a wheelchair. For Palmetto Bay's Linda Cunningham, who had always wanted her kids to live in a home fronted by sidewalks, it means playing outside won't mean frolicking in the street.

Iglesias and Cunningham were two of dozens of winners in a Miami-Dade County "housing subsidy lottery"

Tuesday that, considering the bleak economy, could not have come at a more welcome time.

The coveted prize: a county-provided second mortgage of as much as \$80,000 designed to close the funding gap for low- and moderate-income buyers who can't qualify for enough bank financing to afford a home.

A combination of a faltering economy, new county rules and an eager crop of home buyers laid the groundwork for the lottery, which targets home purchases of \$225,000 or lower. And unlike in previous years, buyers can now choose homes anywhere

•TURN TO HOUSING, 2A



ALEXIA FODERE/FOR THE MIAMI HERALD

AND THE WINNER IS: Ania Vinoly wins a second mortgage in Miami-Dade's housing lottery.

## DEATHS

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ebrecher@Mia

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### LOCAL NEWS, 1B

## MAN IS CHARGED IN WIFE'S DEATH

THE BODY OF THE WIFE OF A CHARTER BOAT CAPTAIN WAS FOUND IN THE OCEAN

### BUSINESS, 1C

## TREASURY CHIEF UNDER FIRE

HENRY PAULSON SAYS DETROIT'S BIG THREE SHOULDN'T GET SHARE OF BAILOUT CASH



### NATION, 5A

## ALASKA'S STEVENS LOSES ELECTION

SENATOR CONVICTED OF CORRUPTION LOSES CLOSE RACE TO ANCHORAGE MAYOR

W  
HIGH 67  
• Forecast



131

# 45 hit the jackpot in housing lottery

•HOUSING, FROM 1A

in the county.

Although dubbed a "lottery," Tuesday's event offered better odds than the scratch-off tickets at your local convenience store. Of the 138 buyers registered for the drawing, 45 walked away with second mortgages. Another 15 were chosen in case some of the original winners don't go through with their purchase, or in case money is left over.

More than 40 lottery entrants came to County Hall Tuesday morning to watch the names get selected. Both Iglesias and Cunningham were picked within the first 45 names — and, so as long as their preapproved bank financing stays in place, home ownership is within reach.

"Been trying a long, long time to do this," said Cunningham, a hospital manager for Miami Metrozoo.

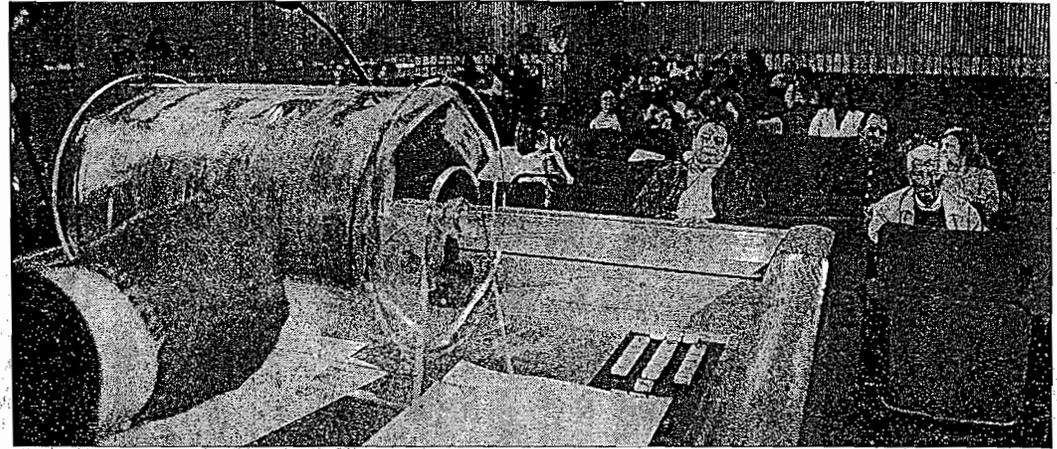
How long?

"Probably 15 years," she said with a chuckle. "The prices were always just a little bit too high for my pay."

With home prices already tumbling, the county program offers a potential double dip of relief for buyers, like Cunningham, who could not close until now.

"So now that the prices are down, and I get this, hopefully it'll work out," she said.

Iglesias said she likes to let her daughter Angela — who suffers from a cerebral



ALEXIA FODERE/FOR THE MIAMI HERALD

**BIG DRAWING:** Potential new homeowners wait to see if they win the luck of the draw for a second mortgage. Forty-five people did.

palsy-type genetic defect — swim in the community pool. But the building where they rent doesn't have a disabled-access ramp, forcing her to carry the 15-year-old when it's time for a dip.

"When she was smaller, it wasn't an issue, but now I feel scared to carry her up the steps every time," said Iglesias, a full-time caregiver for her daughter.

The offering of second mortgages isn't new in Miami-Dade — but allowing recipients to pick any affordable unit they want is. Previously, second-mortgage recipients had to buy homes or condos built with some sort of county affordable-housing subsidy.

Miami-Dade's new rules are more in line with the rest of the state, according to Jaimie Ross, president of the Florida Housing Coalition, a

Tallahassee-based advocacy group.

"Most local governments don't restrict their second mortgage money to a specific area or development," Ross said.

Rick Glasgow of the county's Office of Community and Economic Development said the previous logic was: "We don't want to give you money on the construction side and when it's time to buy, you can't find the buyers."

But county commissioners — responding to requests from their constituents — voted earlier this year to remove that restriction, Glasgow said.

Then the housing market tanked, meaning a whole slew of homes became available within the county's \$225,000-or-lower definition of affordable.

The loans' interest rates

vary based on the recipient's income and could go as low as 0 percent. The loans are forgiven for buyers who stay in their homes for 20 years.

The freedom to choose from any available home was a key selling point of the county's revised second-mortgage program, which is funded through a mixture of state and county dollars.

Iglesias, for example, wants to stay in Fountainbleu to be close to her own mother, who helps with Angela's care.

Miami-Dade County began advertising Tuesday's lottery in August — by placing multiple-language ads in local newspapers and posting information at Team Metro and other county offices.

The county is considering making the lottery an annual event. For more information, call 786-469-2100.

# Appendix H

## Public Comments

Comments will be added after the comment period is closed.



NSP2

Proposed Application

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