Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2009

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

Agenda Item No. 8(K)(1)(B)

From: George M. Burgess
County Manager

Subject: Resolution Authorizing Allocation of Funds pursuant to FY 2009 Empowerment Zone (EZ) Request for Applications (RFA) EZ-03-2009

The following item was amended at the June 10, 2009 meeting of the Housing and Community Development Committee to correct for scrivener's errors in Exhibit 1. On handwritten page three, which is Exhibit 1, the agency ranked as #20 (The Thinking Child Academy) received a score of 640, and not 40. Similarly, the agency ranked #25 (Ecumenical Developments) received a score of 520, and not 20.

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) authorize the Mayor or the Mayor's designee to award up to $3.5 million of US Department of Housing and Urban Development (US HUD) federal Empowerment Zone (EZ) grant funds to 26 eligible economic development projects listed in Exhibit 1, in substantially the form herein. These projects serve EZ residents and are a result of the FY 2009 RFA process.

Furthermore, staff concurs with the Empowerment Zone Strategies Alliance (EZSA), that in the event a designated agency or business is unable to enter into its contractual obligation in a timely fashion, staff shall be authorized to negotiate a contract with the next highest scoring agency (i.e. the "next-in–line" project). It is further recommended that should any of the contracted agencies fail to complete their scope of activity in a timely fashion, the funds shall be placed in a revolving loan fund which will be managed by the Office of Community and Economic Development (OCED) or its agent. Such fiscal agent, if needed, shall be selected by OCED from the existing agencies currently managing Community Development Block Grant funded revolving loan funds. The purpose of this fund is to provide low interest capital to EZ businesses.

SCOPE

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

Exhibit 1 includes information on the Commission District, EZ neighborhood, funding recommendation and type of activity for each recommended project.

FISCAL IMPACT

There is no fiscal impact to the County. The EZ program sunsets on December 31, 2009 and OCED is working within US HUD's guidelines to ensure that these remaining dollars are awarded and spent by the sunset date. Failure to do so will require the US HUD to recapture any remaining unencumbered funds.

MONITORING

The OCED/EZ Program Manager will perform monthly site inspections, while compliance staff will perform quarterly desk audits to ensure that contractors meet the requirements of the contract which include among other issues, appropriate insurance; sufficient progress, monthly reporting, and the filing of annual audits.

BACKGROUND

The "Empowerment Zone and Enterprise Community (EZ/EC) Initiative" was established as a strategy to create jobs and business opportunities in the most economically distressed areas of America's inner cities. In 1999, the Board approved a Memorandum of Understanding (MOU) between the County and the Miami Dade Empowerment Trust, Inc. (MDET) that delegated authority to MDET to govern, direct, and implement the ten year Empowerment Zone Strategic Plan. However, the County remained as the "Lead Entity" for all EZ grant funds. On July 10, 2007, the MOU between MDET and the County was terminated. On March 11, 2008, pursuant to County Ordinance 08-56, the County designated OCED to continue and monitor the EZ program.

On March 17, 2009, the Board approved Resolution R-311-09, authorizing the FY 2009 EZ Request for Allocations (RFA) in the amount of no more than $3.5 million in federal EZ funds. The RFA was released March 23, 2009 and 46 proposals were received, of which 33 met the requirements outline in the RFA. An evaluation selection committee (consisting of representation from EZSA, EZ Neighborhood Assemblies, and County staff) met and recommended the projects in Exhibit 1. If any of the agencies in Exhibit 1 are unable to enter into a contract, the County will negotiate a contract with the next-in-line agency(s) in Exhibit 2. However, in the event that any of the contracted agencies fail to complete their scope of services in a timely manner, the funds shall be recaptured from the contracted entity and reallocated to the revolving loan fund.

The revolving loan fund will be managed by the OCED, or the County's contracted agent, and will be available to qualified small and medium size businesses that are located, or looking to locate, within the Miami-Dade EZ. Applications and funding recommendations will be developed through a process that contains input and approval from the EZSA and oversight by OCED. The revolving loan fund will serve to ensure that funds will be preserved for local use in the County's EZ communities. All funding recommendations from the revolving loan fund will be presented to the Board of County Commissioners for final approval.

Attachment

Cynthia W. Curry
Senior Advisor to the County Manager

EXHIBIT 1 Recommended Allocation of EZ Grant Funds to Recommended Proposers Pursuant to RFA No. EZ-03-09					
RANK	**AGENCY**	**ACTIVITY**	**SCORE**	**COMMISSION DISTRICT**	**AMOUNT**
1	Access Tools & Equipment Co	Job creation thru retail and manufacturing	803	3	$327,778
2	Downtown Miami Partnership	Provide Commercial Façade improvement for business in the CBD	800	5	$235,556
3	URGENT, Inc.	Job creation/Workforce Support Services	769	3	$116,111
4	Urban Strategies (LC/MC)	Job Creation/Training/ Placement	768	3	$234,721
5	KM Pederson Enterprise	Business Equipment Purchase/Job Creation	749	8,9	$97,222
6	Goodwill Industries	Business Equipment Purchase/Job Creation	743	3	$376,672
7	Downtown Divas Miami	Business Development/Job Creation	739	3	$22,222
8	YWCA	Business Equipment Purchase/ Job Creation	731	3	$63,333
9	Habitat for Humanity	Business Equipment Purchase/ Job Creation	719	3 (ALL)	$65,556
10	One Art Kids Off Street	Job Creation/Workforce Support Services	713	1,2,3	$151,150
11	Borequin Carioca Brazilian Bar & Grill	Business Equipment Purchase Job Creation	702	3,5	$45,000
12	Youth Co-Op Poinciana	Eligibility Services, Case Management, EST, OJT	694	2,3	$136,111
13	M. Gill & Associates	Business Development Technical Assistance	681	1,2,3	$153,333
14	Youth Co-Op Homestead	Eligibility Services, Case Management EST, OJT	680	8,9	$128,333
15	Guard One Security Services	Job Creation through Security Guard Training & Placement	680	9	$91,000
16	Buena Vista Security	Job Creation through Security Guard Training & Placement	672	3	$165,696
17	Super Sports of Homestead	Business Equipment Purchase/ Job Creation	661	9	$47,222
18	The Port of Miami River Terminal	Business Equipment Purchase/ Job Creation	654	2,6	$274,389
19	Florida City Market	Business Expansion / Job Creation	642	9	$144,444
20	The Thinking Child Academy	Business Expansion / Job Creation	640	8,9	$76,667
21	SER Jobs for Progress	Eligibility Service, Case Management, EST OJT	620	2,6	$65,556
22	\Stick & Stein Sports Rock Café	Business Expansion/ Job Creation	617	9	$79,444
23	79th Street Corridor Initiative	Business Development/ Technical Assistance	581	2,3	$142,778
24	South Florida Puerto Rican Chamber of Commerce	Preconstruction Training Program	580	3	$95,000
25	Ecumenical Developments	Job Development / Training/ Placement	520	8,9	$86,505
26	The Capri Restaurant	Business Equipment Purchase Business Expansion / Job Creation	515	1,2,3,5	$72,222

EXHIBIT 2					
Second Tier (Next-in-Line) Proposers					
RANK	**AGENCY**	**ACTIVITY**	**SCORE**	**COMMISSION DISTRICT**	**AMOUNT**
27	Mahogany Youth Corporation	Job Creation/Workforce Support Services	440	2,3	TBN
28	TLP Industries	Business Expansion / Job Creation	433	8,9	TBN
29	ADGAM	Eligibility Service, Case Management, EST OJT	386	3	TBN
30	Miami Dade Public Works	Commercial Façade	330	3	TBN
31	Redland Auction Homestead Train Station	Business Development/Job Creation	328	9	TBN
32	Mt. Zion Development	Commercial Facade	326	3	TBN
33	Frank Medina & Associates	Job Creation/Workforce Support Services	305	ALL	TBN

MEMORANDUM

(Revised)

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

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 8(K)(1)(B)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County 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. 8(K)(1)(B)
6-30-09

RESOLUTION NO. _____

RESOLUTION ALLOCATING AND EXPENDING FUNDS PURSUANT TO THE FY 2009 EZ REQUEST FOR APPLICATIONS (RFA) EZ-03-09 AS SET FORTH IN EXHIBIT 1 AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO DEVELOP A LOAN FUND WITH RECAPTURED OR REMAINING FUNDS FROM EZ-03-09 AS AVAILABLE; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ALLOCATIONS; FURTHER AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE THE CANCELLATION PROVISIONS CONTAINED THEREIN

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

WHEREAS, in 1999, the Miami Dade Board of County Commissioners (BCC), approved a Memorandum of Understanding (MOU) between Miami Dade County (the County), and the Miami Dade Empowerment Trust (MDET), that delegated authority to MDET to govern, direct, and implement the ten year Empowerment Zone Strategic Plan; and

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

WHEREAS, on March 11, 2008 pursuant to County Ordinance 08-56 the Office of Community and Economic Development (OCED) was designated as the implementing arm of the Empowerment Zone to continue to monitor the EZ program until expiration of its designation; and

WHEREAS, the Federal designation of the Empowerment Zone ends December 31, 2009; and

WHEREAS, pursuant to Resolution No. R-311-09, approved by the BCC, on May 14, 2009, the Empowerment Zone Evaluation/Selection Committee recommended that OCED enter into negotiations with selected Proposers for no more than $3.5 million in U.S. HUD EZ funds as a result of the FY 2009 Request For Application (RFA-EZ-03-2009) funding; and

WHEREAS, the Empowerment Zone Evaluation Selection Committee recommended, in the event that a Proposer is not able to conclude negotiations or complete their scope of service in a timely manner consistent with the contract requirements, that OCED can negotiate with the next highest ranked Proposer; and

WHEREAS, the Evaluation Selection Committee recommends, that in the event that subsequent Proposers are not able to conclude negotiations and performance within a timely manner that the affected allocation shall be redirected to a Revolving Loan Fund (the Fund) for the purpose of providing low interest capital to Empowerment Zone agencies; and

WHEREAS, the Fund will be managed by the appropriate designated staff and will be available to qualified small and medium size businesses that are located or looking to locate within the Miami-Dade Empowerment Zone. Applications and funding recommendations will be developed through a process that contains input and approval from the Empowerment Zone Strategies Alliance, oversight by the Mayor or Mayor's designee and final authorization by the Board of County Commissioners; and

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

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

Section 1. This Board allocates and authorizes the expenditure of funds pursuant to the FY 2009 EZ Request for Applications (RFA) EZ-03-09 as set forth in Exhibit 1 and authorizes the Mayor or the Mayor's designee to develop a loan fund with recaptured or remaining funds from EZ-03-09 as available; authorizes the Mayor or the Mayor's designee to execute all contracts, agreements and amendments necessary to carry out the allocations; and further authorizes the Mayor or Mayor's designee to execute the cancellation provisions therein.

Section 2. Authorizes the Mayor or the Mayor's designee, County Attorney, and Clerk of the Board to take whatever actions are necessary to effect the purposes of this resolution.

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

The Chairperson thereupon declared the resolution duly passed and adopted this 30th 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.

BKN
for SDS

Shannon D. Summerset