Memorandum

MIAMI-DADE COUNTY

Date: January 21, 2010

Agenda Item No. 5(B)

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

From: George M. Burgess
County Manager

Subject: *Building Better Communities* General Obligation Bond Program - Deletion of Project Nos. 242 – "New Elderly Units at Joe Moretti," 244 – "New Elderly Units at Dante Fascell," 245 – "New Elderly Units at Three Round Towers," 246 – "New Family Units at Annie Coleman," and 248 – "New Elderly Units at Elizabeth Virrick I"; Significant Modification and Acceleration of Project No. 247 – "New Family Units at Lincoln Gardens"; Addition and Acceleration of new Project Nos. 242.A - "New Family Units at Victory Homes" and 244.A - "New Elderly Units at Elizabeth Virrick II".

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution, which approves the following actions:

1. The deletion of Building Better Communities General Obligation Bond Program (the "BBC GOB Program") Project Nos. 242 – "New Elderly Units at Joe Moretti", 244 – "New Elderly Units at Dante Fascell", 245 – "New Elderly Units at Three Round Towers", 246 – "New Family Units at Annie Coleman" and 248 – "New Elderly Units at Elizabeth Virrick I", each identified in Appendix A to Resolution R-918-04, after a public hearing, and also the deletion of BBC GOB Program Project Nos. 242 and 248, which are identified in Appendix A to Resolution R-1154-08, from the list of projects eligible for funding from Series 2008B bond proceeds;
2. The significant modification of BBC GOB Program Project No. 247 – "New Family Units at Lincoln Gardens", identified in Appendix A to Resolution R-918-04, after a public hearing, and also the addition of Project No. 247 to Appendix A of Resolution R-1154-08 as a project eligible for funding from Series 2008B bond proceeds and the acceleration of funding for this project;
3. The addition of BBC GOB Program Project Nos. 242.A – "New Family Units at Victory Homes" and 244.A – "New Elderly Units Elizabeth Virrick II" to Appendix A to Resolution R-918-04, after a public hearing, and the addition of Project Nos. 242.A and 244.A to Appendix A of Resolution R-1154-08 as projects eligible for funding from Series 2008B bond proceeds and the acceleration of these two projects.

The addition of Project Nos. 242.A and 244.A requires the waiver of the provisions of Implementing Order 3-47 Section C.1(a), which establishes that surplus funds may fund new projects only after all projects have been completed or necessary funding for completion of all Projects has been identified to the satisfaction of the Board. The remaining provisions of Implementing Order 3-47 Section C regarding the addition of new projects to the Program using surplus funds are being complied with.

The above recommendation was presented to the BBC GOB Citizens' Advisory Committee (CAC) at their meeting of April 27, 2009. This item was forwarded to the BCC with a favorable recommendation by the BBC GOB CAC.

Scope

Of the five projects being deleted, two are in Commission District 5 (Project Nos. 242 and 248) and three are in Commission District 3 (Project Nos. 244, 245, and 246). The one project being modified (Project No. 247) is in Commission District 3. Lastly, the two projects recommended for addition (Project Nos. 242.A and 244.A) are in Commission District 3. Attachment 1 to this cover memorandum includes detailed information on each project with the respective address and Commission District location.

Fiscal Impact/Funding Source

There is no fiscal impact on the existing BBC GOB Program allocation due to these additions, deletions, and significant modifications. The total original allocation remains the same at $32.3 million; however, the approximate number of units estimated to be constructed will decrease from 341 units to approximately 296 units. This reduction is due to the difference in construction costs from early 2004 through today.

Although the current construction market is highly competitive, construction costs are still not comparable to what they were five years ago. The combined acceleration for Project Nos. 242.A ($161,250), 244.A ($277,500) and 247 ($495,000) is $933,750 to be allocated in FY 2009-10. The funds for these accelerations will be re-allocated from a portion of the funds included in the 2008 B/B1 bond sale for GOB Project no. 138 – "Tamiami Swing Bridge". Project No. 138 is not moving forward at this time because not all funding sources have been identified.

Track Record/Monitor

The implementing agency is the Miami-Dade Public Housing Agency (MDPHA), and the project manager is Jorge Cibran, MDPHA's Director of Facilities and Development Division.

Background

On November 2, 2004 voters overwhelmingly approved the eight referendum questions to fund more than 300 capital improvements throughout the County over the next 15 to 20 years. Each ballot question included a list of projects defined in Appendix "A" eligible for funding from the BBC GOB Program by number, name and project description. All additions, deletions and significant modifications to individual projects require a majority vote of the Board following a public hearing. There is an allocation of $32.3 million for MDPHA public housing projects in the BBC GOB Program. Such projects are:

- Project No. 242 – New Elderly Units at Joe Moretti,
- Project No. 244 – New Elderly Units at Dante Fascell,
- Project No. 245 – New Elderly Units at Three Round Towers,
- Project No. 246 – New Family Units at Annie Coleman,
- Project No. 247 – New Family Units at Lincoln Gardens, and
- Project No. 248 – New Elderly Units at Elizabeth Virrick I.

MDPHA staff re-analyzed the six original projects, and made the necessary changes in project scope, name, and description to ensure the most successful utilization of available funds. A determination was made to focus on, and proceed with, the three most feasible projects. Please see the attached report to the accompanying item on this same agenda titled "Evaluation of GOB Projects." Thus, it is recommended that Project Nos. 242, 244, 245, 246 and 248 be deleted and that the Board approve two new projects, those being Project Nos. 242.A and 244.A, and that the Board approve a significant modification to Project No. 247, all as indicated in Attachment 1.

MDPHA further recommends a change to the development approach from a mixed-income approach, which would involve the selection of a developer to leverage BBC GOB funds with other funding sources (including Low Income Housing Tax Credits, LIHTCs), to a design-build approach without a financing component for all public housing (ACC) units at Elizabeth Virrick II, Lincoln Gardens, and Victory Homes. The change to a design-build approach involves the procurement of an Architect to provide Design Criteria Documents for the project, and a design-build contractor to implement the final design and subsequently build the project utilizing the available BBC GOB funds. The three sites will remain as MDHPA administered public housing developments.

The design-build approach is recommended due to 1) current market conditions and key changes in the availability of funding through the Florida Housing Finance Corporation (FHFC), 2) elimination of both Extremely Low Income (ELI) funds and State Apartment Incentive Loan (SAIL) funds in January of 2009 and 3) the decline in the four percent LIHTC tax credit equity pricing from $0.85 to $0.70 per credit dollar.

It is anticipated that using design-build with public housing (ACC) units will expedite the design and construction and will also take advantage of a highly competitive construction market, in addition to benefiting local architects, engineers and contractors who would be selected in the design-build process. Additionally, all units for Lincoln Gardens and Victory Homes could be counted towards meeting compliance with R-1416-08, sponsored by Commissioner Dorrin D. Rolle, which directs staff to use best efforts to identify up to 850 ACC equivalent units within the expanded HOPE VI Target Area. An accompanying item on this same agenda is seeking BCC authorization to change the development approach.

In addition, to the attachment to this memorandum, the following table summarizes the original projects versus the revised recommended project list.

Original BBC Projects		Recommended BBC Projects	
Total Original GOB allocation	$32.3 million	Total Modified GOB allocation	$32.3 million
Original Projects (6 projects)	242, 244 245, 246 247, 248	Recommended Projects (3 projects)	242.A 244.A 247
Original Number of Units Planned	341	Recommended Number of Units	Approx. 296

Subsequently, on November 20, 2008, the Board adopted Resolution R-1154-08, which itemized the list of projects to be funded from the most recent sale of BBC GOB bond proceeds (Series 2008B). The list attached to R-1154-08 included two of the six projects (Project Nos. 242 and 248) that are no longer recommended for BBC GOB funding and therefore Project Nos. 242 and 248 must be deleted from the list. Additionally, it is recommended that new Project Nos. 242.A and 244.A and Project No. 247 be added to the list attached to Resolution R-1154-08 and that funding for such projects be accelerated.

Attachments

Cynthia W. Curry
Senior Advisor to the County Manager

Attachment 1

Original Project Information in Appendix A of R-918-04 (BBC GOB Program)						Change to Appendix A of R-918-04 (BBC GOB Program)			Change to Appendix A to R-1154-08 (Projects in Series 2008B Bonds)
Name	Number	Description	Number of Units	BBC Allocation	Comm. District	Change	Number of Units	Recommended Allocation	
New Elderly Units at Joe Morretti (SW 5th Avenue and 6th Street)	242	Construct new public and affordable elderly housing on existing County land	100	$9,400,000	5	Deletion	0	$0	Deletion from list.
New Elderly Units at Dante Fascell (2929 NW 18 Avenue)	244	Construct new public and affordable elderly housing on existing County land	30	$3,000,000	3	Deletion	0	$0	Not applicable. Not included under Series 2008B Bonds projects list.
New Elderly Units at Three Round Towers (1661 NW 28 Street)	245	Construct new public and affordable elderly housing on existing County land	100	$9,400,000	3	Deletion	0	$0	Not applicable. Not included under Series 2008B Bonds projects list.
New Family Units at Annie Coleman (2501 NW 58 Street)	246	Construct new public and affordable elderly housing on existing County land	24	$2,500,000	3	Deletion	0	$0	Not applicable. Not included under Series 2008B Bonds projects list.
New Elderly Units at Elizabeth Virrick 1 (1615 NW 25 Avenue)	248	Construct public and affordable elderly housing on existing County land	51	$4,600,000	5	Deletion	0	$0	Deletion from list.
New Family Units at Lincoln Gardens (NW 46th Street and 24th Avenue)	247	Construct new public and affordable family housing on existing County land	36	$3,400,000	3	Demolition of existing dilapilated units and construction of approximately 95 units of new affordable housing	95	$12,300,000	Addition. Not originally included under Series 2008B Bonds projects list but now recommended for inclusion.
Subtotal for Projects Being Deleted or Modified			341	$32,300,000			95	$12,300,000	

Proposed Additions to Project Information in Appendix A of R-918-04 (BBC GOB Program)							Change to Appendix A to R-1154-08 (Projects in Series 2008B Bonds)
Name	Number	Description	Comm. District	Change	Number of Units	Recommended Allocation	
New Family Units at Victory Homes (530 NW 74 Street)	242.A	Construct approximately 77 new affordable family units on underutilized vacant land	3	Addition	77	$10,000,000	Addition
New Elderly Units at Elizabeth Virrick II (2820 NW 23 Avenue)	244.A	Demolition of existing dilapidated units and construction of approximately 124 new affordable elderly units.	3	Addition	124	$10,000,000	Addition
Subtotal for Projects Being Added					201	$20,000,000	

Proposed Change TOTAL	296	$32,300,000

MEMORANDUM
(Revised)

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

DATE: January 21, 2010

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

SUBJECT: Agenda Item No. 5(B)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(B)
1-21-10

RESOLUTION NO. _____

RESOLUTION APPROVING DELETION OF GOB PROJECT NOS. 242 – "NEW ELDERLY UNITS AT JOE MORETTI," 244- "NEW ELDERLY UNITS AT DANTE FASCELL," 245 – "NEW ELDERLY UNITS AT THREE ROUND TOWERS," 246 – "NEW FAMILY UNITS AT ANNIE COLEMAN" AND 248 – "NEW ELDERLY UNITS AT ELIZABETH VIRRICK I" AND SIGNIFICANT MODIFICATION OF PROJECT NO. 247 – "NEW FAMILY UNITS AT LINCOLN GARDENS," EACH IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-918-04 AFTER PUBLIC HEARING; APPROVING ADDITION OF PROJECT NOS. 242.A – "NEW FAMILY UNITS AT VICTORY HOMES" AND 244.A – "NEW ELDERLY UNITS AT ELIZABETH VIRRICK II" TO APPENDIX A TO RESOLUTION NO. R-918-04 AFTER A PUBLIC HEARING; WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS; APPROVING DELETION OF GOB PROJECT NOS. 242 AND 248 FROM APPENDIX A TO RESOLUTION NO. R-1154-08; APPROVING ADDITION OF GOB PROJECT NOS. 247, 242.A AND 244.A TO RESOLUTION NO. R-1154-08 AND APPROVING ACCELERATION OF FUNDING FOR SUCH PROJECTS

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

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

Section 1. The deletion of Building Better Communities General Obligation Bond Program (the "BBC GOB Program") Project Nos. 242 - "New Elderly Units at Joe Moretti," 244 – "New Elderly Units at Dante Fascell," 245 – "New Elderly Units at Three Round Towers," 246 – "New Family Units at Annie Coleman" and 248 – "New Elderly Units at Elizabeth Virrick I," each identified in Appendix A to Resolution No. R-918-04 after a public hearing, all as more particularly described in the accompanying memorandum, is approved.

Section 2. The significant modification of Project No. 247 – "New Family Units at Lincoln Gardens," identified in Appendix A to Resolution No. R-918-04 after a public hearing, all as more particularly described in the accompanying memorandum, is approved.

Section 3. The addition of BBC GOB Program Project Nos. 242.A - "New Family Units at Victory Homes" and 244.A – "New Elderly Units at Elizabeth Virrick II" to Appendix A to Resolution No. R-918-04 after a public hearing, all as more particularly described in the accompanying memorandum, is approved.

Section 4. For Project Nos. 242.A and 244.A, the waiver of the requirements that surplus funds may fund new projects only after all Projects have been completed or necessary funding for completion of all Projects has been identified to the satisfaction of the Board of Implementing Order 3-47 is approved.

Section 5. The deletion of BBC GOB Program Project Nos. 242 - "New Elderly Units at Joe Moretti" and 248 – "New Elderly Units at Elizabeth Virrick I," each identified in Appendix A to Resolution No. R-1154-08, from the list of projects eligible for funding from Series 2008B bond proceeds, all as more particularly described in the accompanying memorandum is approved.

Section 6. The addition of BBC GOB Program Project Nos. 247 – "New Family Units at Lincoln Gardens," 242.A - "New Family Units at Victory Homes" and 244.A – "New Elderly Units at Elizabeth Virrick II" to Appendix A to Resolution No. R-1154-08 as projects eligible for funding from Series 2008B bond proceeds, and the acceleration of funding for such projects, all as more particularly described in the accompanying memorandum, are approved.

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:

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 21st day of January, 2010. 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. MR

Monica Rizo