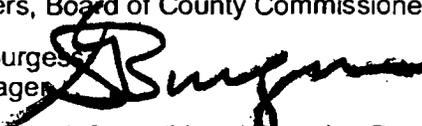


# Memorandum



**Date:** September 15, 2010

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

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

**Subject:** Proposed FY 2011 Consolidated Planning Process Policies

HCD  
Agenda Item No. 1(G)3

## RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) adopt the attached FY 2011 Consolidated Planning Process Policies document, which outlines the utilization of federally funded grants allocated to Miami-Dade County. These policies will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan through the development of the FY 2011 Action Plan and the FY 2011 Consolidated Request for Applications (RFA) process.

## SCOPE

The attached FY 2011 Consolidated Planning Process Policies document addresses high priority needs of low- and moderate-income communities within the Miami-Dade County entitlement jurisdiction. It should be noted that the County's Community Development Block Grant (CDBG) entitlement funds are utilized to meet the needs of the Unincorporated Municipal Service Area (UMSA) and those municipalities without their own entitlement jurisdiction. Often referred to as the "participating municipalities," these cities have decided to participate in the County's CDBG program instead of separating from the County and applying directly to the U.S. Department of Housing and Urban Development (US HUD) for their own entitlement. They include the following cities; Sweetwater, North Miami Beach, South Miami, Opa-locka, Hialeah Gardens, and the Village of El Portal.

In addition to the County's entitlement, there are six municipalities within geographic Miami-Dade County that are designated as their own federal entitlements (Miami Gardens, Miami, Hialeah, Miami Beach, North Miami and Homestead) and receive federal funds directly from US HUD. One municipality (Florida City) participates in the State's Small Cities Program for federal CDBG and Home Investment Partnership (HOME) funds. Miami-Dade County may utilize federal funds, as appropriate, to fund high priority needs within Entitlement jurisdictions if it can be demonstrated that the project is of "Metropolitan Significance."

## FISCAL IMPACT

The FY 2011 Consolidated Planning Process Policies include the projected revenues for FY 2011 federal, state and local community, housing, and economic development programs. As part of the FY 2011 Action Plan, these revenues will be recommended for allocation to organizations, developers, municipalities, for profit and not-for-profit organizations and County departments to address high priority needs in low- and moderate-income communities.

The FY 2011 Consolidated Planning Process Policies document includes the guidelines for how the County will allocate federal CDBG, HOME, and Emergency Shelter Grant (ESG) funds.

Documentary Stamp Surtax (Surtax) and State Housing Initiatives Program (SHIP) funds have been included in past annual Consolidated Planning Process Policies as it offered an opportunity to use

one consolidated RFA process for all federal, state, and local funds. However, no Surtax funds will be included in the FY 2011 RFA process that will result from the Board's adoption of this item.. Surtax funds collected throughout the year will be reserved for a Mid-Year RFA process if sufficient funds are available. Although the amount of set aside for the SHIP program has not yet been determined, any SHIP funds allocated by the State will continue to be used for second mortgage assistance and is available for homeownership counseling. The following table includes estimated funds available in the FY 2011 RFA.

**FY 2010-FY 2011 Proposed Funds Available**

Funding Source	Type	FY 2010 Actual Funding *	Estimated FY 2011 Funding
Community Development Block Grant (CDBG)	Federal	\$19,779,850	\$17,360,000
Emergency Shelter Grant (ESG)	Federal	788,826	750,000
**Home Investment Partnerships (HOME)	Federal	10,529,971	6,679,000
State Housing Initiative Partnership (SHIP)	State	500,000	TBD
***CDBG-R Recovery	Federal	1,000,000	0
<b>TOTAL ALL SOURCES</b>	--	<b>32,598,647</b>	<b>24,789,000</b>

\* Please note that the funding amounts reported reflect the actual funds awarded by US HUD as of March 31, 2010. These figures differ from the amounts in the FY 2010 Action Plan, as those amounts were projections based on prior year funding estimates.

\*\* FY 2010 Includes prior years program income of \$3 million

\*\*\*Stimulus Funds not available for FY 2011 RFA

**BACKGROUND**

US HUD requires the County to submit a Consolidated Plan every five years, with the most recent Plan submitted in November 2007. An annual Action Plan is also required in order to guide that respective year's implementation on the Consolidated Plan. The attached recommended FY 2011 Consolidated Planning Process Policies document serves as a blue print to facilitate the submission of the FY 2011 Action Plan, which must be filed by November 15, 2010.

DHCD continues to consult with other County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen participation groups as part of its continuing effort to meet the goals of the FY 2008-2012 Consolidated Plan. Active participation of all stakeholders is critical for successful implementation of the Action Plan while ensuring that federal requirements are met.

The outcome of these consultations has yielded new policy recommendations and changes to existing policies for the FY 2011 Consolidated Planning Process. These changes are being proposed based on feedback from the community and the latest federal Community Planning and Development (CPD) guidelines that strongly encourage: 1) the use of a local performance measurement system, 2) the development of new management strategies, and 3) the implementation of management by objectives.

US HUD requires that the County's CDBG balance does not exceed 1.5 times its annual allocation. In 2008, the County exceeded the expenditure requirement with a 1.64 ratio. In 2009, the County implemented an aggressive corrective action plan and reduced the expenditure ratio requirement to 1.48 before US HUD's deadline. The County will continue to allocate funds to projects that have properly leveraged other funding, which increases the likelihood that they can be completed in a timely manner, and will achieve a national objective.

For the HOME program, US HUD requires that the dollars be committed in two years and spent within five years, since these funds are primarily used for the construction of affordable housing which typically takes longer than one year to complete.

This year, the changes recommended in the FY 2011 Policy Paper are designed to address the high priority needs identified in the FY 2008-FY 2012 Consolidated Plan. In a recent meeting with the various chairs of the County's eight Neighborhood Revitalization Strategy Areas (NRSAs), the Community Advisory Committee (CAC) chairs expressed frustration at the lack of progress in their neighborhoods. At the meeting, DHCD staff was reminded that a very comprehensive process had been established by the County to elicit their input; however, since the Consolidated Plan was approved by the BCC in 2007, very few, if any, of these needs had been funded through the annual RFA process. These changes delineated below are designed to address the high priority needs, which will result in an increase in the quality of services, as well as an effective use of the funding awarded to the high poverty areas identified in the Consolidated Plan.

The following new policies are proposed for 2011:

**1) The allocation of CDBG funds to Reserves will be discontinued.**

In the past, each CAC and Commission District received \$100,000 and \$200,000 respectively to address the needs of the NRSA and their respective neighborhoods on an annual basis. In some instances, when eligible projects were not identified, these funds were allocated to their respective CAC or Commission District Fund (CDF) reserve accounts instead. By allocating these funds into reserves, they are considered unallocated and not used to immediately address the primary purpose of providing services to the County's most distressed communities.

In a letter received from US HUD dated December 21, 2009, US HUD reminded the County that all allocations must adhere to a 30-day public comment period, pursuant to both federal regulations and the County's own Citizen Participation Plan approved by the BCC. As such, all funds in the FY 2011 Action Plan must be allocated to a specific, eligible project prior to the commencement of the federally required 30-day public comment period, including those allocations made by Commission Districts. Funds not allocated to a specific activity before the commencement of the 30-day public comment period will be recommended for a funding recommendation from the County Mayor or the County Mayor's designee. All funding recommendations are final.

**2) Implementation of a new funding methodology to specifically address the high priority needs in the NRSAs as identified in the FY 2008-FY 2012 Consolidated Plan, and eligible neighborhood initiatives.**

It is recommended that the annual CDBG set aside of \$100,000 for each CAC be eliminated and that those funds be used to only address priority neighborhood needs in the NRSAs. It is further recommended that the \$200,000 CDF set aside be restricted to the following funding categories: 1) NRSA High Priority Needs/Neighborhood Initiatives and 2) County Department/Public Facilities/Capital Improvements/Economic Development. The high priority needs were identified and approved by the BCC with the approval of the FY 2008-FY 2012 Consolidated Plan. DHCD will work directly with other County departments and residents to identify "neighborhood initiatives" in areas eligible for funding that are not NRSAs. These initiatives will be funded from the NRSA High Priority Needs/Neighborhood Initiatives category, as shown on the table on the following page. The Municipalities referred to in the "Municipalities/Public Facilities/Capital Improvement/Economic Development" item are the County's "participating municipalities" previously referenced in the Scope Section of this

memorandum. As stated in policy number one above, allocations must be made prior to the commencement of the federal 30-day comment period. No funds will be placed in reserve accounts.

To address the high priority needs in the eight NRSAs and the neighborhood initiatives throughout Miami Dade County, the County will identify a minimum of \$2.708 million in eligible projects (16 percent) and set aside \$2.5 million (14 percent) for the Municipalities/Public Facilities/Capital Improvements/Economic Development category. In the aggregate, no more than 30 percent of the total in CDBG funds will be allocated between these two categories.

The catalyst for the NRSA High Priority Need proposed funding change was the citizen comments received from the NRSAs. This was further supported at a US HUD CDBG workshop held on January 13 and 14, 2010, attended by DHCD staff and other South Florida entitlements, where US HUD expressed concerns that entitlement communities, such as Miami-Dade County, are not investing funds in their own strategy (NSRA) areas. Currently each CAC receives \$100,000 to address high priority needs in their respective NSRA. However, the CACs have allocated their funds to countywide (non-NSRA specific) activities because no projects submitted applications through the RFA process to meet the needs of their respective NRSA. Therefore, the CACs' allocations have not always directly impacted their NRSAs. For instance, many of the CACs expressed interest in sidewalk improvements, infrastructure, and street lighting. However, in the FY 2010 RFA no applications were submitted for these activities, except for those submitted through the County's participating municipalities. Therefore, it is now recommended that the \$100,000 previously set aside for each NRSA in past Consolidated Planning Process Policies be re-allocated to a pool specifically targeted to address the top three priority needs in each NRSA. Likewise, the Commission staff has expressed frustration at the lack of entities within their district that are applying for CDBG funds. In summary, this policy change will ensure that funds are allocated to NRSA high priority needs, neighborhood initiatives and address US HUD's concerns, as well as the concerns of the CACs and the Commissioners.

Based on the proposed funding methodology described above, the estimated \$17.36 million entitlement projected to be available for FY 2011 will be allocated as follows:

<b>CDBG Entitlement</b>		
<b>Category</b>	<b>FY 2011 Estimated Funding</b>	<b>FY 2011 Percentage</b>
Administration	\$3,472,000	20%
County Departments	8,680,000	50%
*Municipalities/Public Facilities/Capital Improvements/Economic Development	2,500,000	14%
*NRSA High Priority Needs/Neighborhood Initiatives	2,708,000	16%
<b>Total</b>	<b>\$17,360,000</b>	<b>100%</b>

\*These amounts may change since CDF allocations will not be known until applications are received, scored and ranked. CDF allocations can only be made to these two categories

The County Department allocations include public service activities, as well as housing and public facilities. Amounts allocated to the NRSA High Priority Needs/Neighborhood Initiatives category will not be subject to the County department cap of 50 percent.

**3) Set aside \$1 million in HOME funds to homeownership rehabilitation/reconstruction**

It is recommended that \$1 million be set aside for homeowner rehabilitation to assist families with rehabilitating the aging housing stock in Miami-Dade County. Eligible applicants will be households whose annual area median income (AMI) does not exceed 80 percent. Through the HOME program, the County currently funds homeownership rehabilitation for seniors only. With the creation of this new program, the County will now be able to address the needs of families regardless of the age of the homeowner.

**4) Increase technical assistance and capacity building to Community Housing Development Organizations (CHDOs)**

In an effort to strengthen CHDOs that have been negatively impacted by the depressed housing market, the County will make an effort to provide additional technical assistance, and capacity building to these organizations and expand the number of certified CHDOs in Miami-Dade County. CHDOs are non-profit housing providers that are certified to meet certain HOME Program requirements in order to be eligible for HOME CHDO operating support and other funding set aside for CHDOs. Technical assistance and capacity building will be provided through training workshops and project-specific technical support. DHCD staff and outside consultants will provide these services and DHCD will seek to identify funding to enhance and expand these activities.

**5) Community Advisory Committee Membership**

In the FY 2009 Consolidated Planning Policies, the BCC approved a policy requiring each CAC to have thirteen members, one of which was to be appointed by the Commissioner of the CAC's district. This policy was to be implemented during the FY 2010 CAC elections. It is recommended that this policy now be eliminated because it poses a potential conflict with the federal Community Action Agency (CAA) Community Service Block Grant (CSBG) guidelines. The CSBG guidelines require all members to be appointed by the community. Since the majority of CACs in Miami-Dade County are subject to the CSBG regulations, the FY 2009 policy needs to be nullified.

**6) Establish a Cure Period for Housing Applications Only**

For Housing applications, it is proposed that a cure period be established in the Consolidated Request for Application (RFA) Process, during which applicants will have a designated time period to address issues raised during the scoring of their application.

Within three business days of issuance of the preliminary scores for the Consolidated RFA process, each applicant for Housing Applications **ONLY** shall be allowed to cure their proposal by submitting additional documentation, revised pages and such other information as the applicant deems appropriate to address the issues raised during the preliminary scoring process.

The current RFA process allows applicants one day to meet with staff to obtain information on their scores and ask questions regarding their evaluation. In the existing system, scores may be adjusted to address technical errors; however, applicants are not allowed to provide additional information or correct mistakes in their application. The proposed cure period would allow applicants a specified period of time to provide information to address specific issues, as defined in the RFA.

**7) Provide Innovation Funding to projects that undertake sustainability, green development and other initiatives that DHCD is seeking to promote.**

DHCD anticipates utilizing recaptured or unallocated dollars, wherein these funds become available, to fund innovative projects. DHCD contemplates that these projects might include sustainability pilot projects (i.e. green, transit oriented development, mixed type projects including mixed income and mixed housing, etc.). These projects shall highlight joint ventures, public/private partnerships, leveraging, non-financial contributions/resources, and green and/or job creation activities. DHCD anticipates funding one or two such projects through the reprogramming process, depending on the availability of funds. If federal dollars are used to fund such a project, the project must meet a US HUD national objective.

**8) New construction projects for homeownership units will not be funded in FY 2011.**

Due to the current condition of the housing market, in FY 2011 DHCD proposes **NO** funding for the construction of new homeownership units. This includes funding for the CHDO set aside projects. Instead, the County will provide additional technical assistance to assist CHDOs to complete and close out existing homeownership projects.

**9) Develop Strategy to assist DHCD funded for sale homeownership projects**

It is recommended that, in the spirit of the "finish what we started" policy, priority be given to housing projects that have received a prior allocation of County funds but have been affected by the economic downturn. These allocations will be subject to internal and/or external underwriting, ensuring that the County's funding will provide the last critical piece of additional funding necessary to complete the housing project. These dollars will only be made available after an internal project financing restructuring analysis wherein "but for" Miami-Dade County funds, the project cannot be completed. Reprogrammed dollars will be used to fund this strategy.

These funds may also be used to assist home owners who received County second mortgage assistance when they purchased their primary residence, but after some time, have been negatively affected by the economy. Funds can be used to replace senior debt and homeowner association obligations provided that the homeowner is motivated and the senior lender is willing.

**10) Increase funding for County Departments**

Pursuant to federal regulations, no more than 20 percent of the CDBG annual entitlement will be used for program administration, with the remainder available for projects and programs. Miami-Dade County also requires that 40 percent of CDBG funding be set aside for County departments to carry out programmatic activities. It is recommended that the cap be raised to 50 percent for County Departments. It is further recommended that the County maintain the practice of calculating the 50 percent for County Departments based on the total CDBG allocation and that any allocations from the Commission District Funds and NSRAs not count toward the 50 percent cap.

In order to ensure compliance with US HUD regulations governing the restrictive use of federal funding, all CDBG and HOME funded activities must meet a US HUD national objective. In addition, any previously approved policies by the Board, not amended herein, will continue to guide the FY 2011 Action Plan Process, including, but not limited to the following:

- The funding of CDBG awards as forgivable loans, except for municipalities and County departments.

Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners  
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- The awarding of bonus points to activities that create jobs and/or that support green development or to housing projects that incorporate Energy Star or energy efficient appliances.
- The policy that only activities in the top 45 percent of their funding category are eligible for funding.

The County requires all sub-grantees to adhere to federal and local program compliance requirements. In the event that a sub-grantee cannot meet the terms and conditions (such as the ones mentioned above) of its contract or agreement, DHCD may recommend that the contract be terminated and the funds either be allocated to another entity to carry out the same activity, or allocated to a different priority.

The intent of the implementation of these policies is to streamline the FY 2011 Consolidated RFA process and ensure the County enters into viable contracts. In addition, the policies will ensure that high priority needs will finally be addressed in these last two years of the five year Consolidated Plan. Moreover, the policies should facilitate the County's adherence to the CDBG 1.5 spending ratio, as well as the HOME program commitment and expenditure guidelines. This will also have a direct impact on improving the effectiveness of County efforts to revitalize low- to moderate-income areas.

Attachment



Irene Taylor Wooten  
Special Assistant for Social Services



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss      **DATE:** July 8, 2010  
and Members, Board of County Commissioners

**FROM:** R. A. Cuevas, Jr.      **SUBJECT:** Agenda Item No.  
County Attorney

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

Agenda Item No.

Veto \_\_\_\_\_

4-6-10

Override \_\_\_\_\_

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

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR AMENDMENTS TO THE FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2011 ACTION PLAN; APPROVING THE USE OF A REQUEST FOR APPLICATIONS PROCESS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), STATE HOUSING INITIATIVES PARTNERSHIP (SHIP), AND THE EMERGENCY SHELTER GRANT (ESG) TO SOLICIT AGENCIES TO APPLY FOR FUNDING TO ADDRESS NEEDS ALREADY IDENTIFIED IN THE PLAN OR TO MEET NEEDS RESULTING FROM THE CITIZEN PARTICIPATION PROCESS

**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 this Board approves the policies governing amendments to the FY 2008-2012 Consolidated Plan including the FY 2011 Action Plan Planning Process for the Community Development Block Grant, HOME Investment Partnerships, State Housing Initiatives Partnership, Documentary Surtax, and Emergency Shelter Grant programs; and approves the use of a Request for Application process to include the CDBG, HOME, SHIP, and ESG Programs to solicit agencies to apply for funding to address needs to be identified in the Plan or to meet additional needs resulting from the Citizen Participation Process in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of July, 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. 

Brenda Kuhns Neuman



# **Miami-Dade County**

## **FY 2011 Consolidated Planning Process Policies**

**Department of Housing and Community Development  
Formerly Known as the Office of Community and Economic Development**

May 6, 2010

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## Glossary

**Action Plan** - The United States Department of Housing and Urban Development (US HUD) requires that Miami-Dade County submit an annual Action Plan for each of the calendar years in the County's five-year Consolidated Plan. The annual Action Plan describes the Federal and Non-Federal resources expected to be available to address the priority needs and goals identified in the Consolidated Plan, the activities to be undertaken, and the geographic areas to be assisted.

**Business Incubators** – Business incubators are programs designed to accelerate the successful development of entrepreneurial companies through an array of business support resources and services offered both in the incubator and through its network of contacts.

**CAC** - Community Advisory Committee – The Community Advisory Committees (CACs) represent Miami-Dade County's Neighborhood Revitalization Strategy Areas (NRSAs). CAC members serve in an advisory capacity and provide recommendations to the Miami-Dade County Board of County Commissioners (BCC) on the development and implementation of neighborhood plans and projects.

**CDBG** – The Community Development Block Grant (CDBG) is a Federal formula grant entitlement program administered by U.S. Department of Housing and Urban Development (U.S. HUD). The CDBG program is intended to help develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.

**CHDO** - Community Housing Development Organization: A federally defined type of non-profit housing provider that is certified to meet certain HOME Program requirements in order to be eligible for HOME CHDO funding. A minimum of 15 percent of all Federal HOME funds must be set-aside for CHDOs. The primary difference between CHDO and other non-profits is the level of low-income resident participation on the Board of Directors.

**CDC** - Community Development Corporation: CDCs are community based organizations that are committed to enhancing community well-being and facilitating revitalization through economic development, housing and other services.

**CP Plan** - Citizen Participation Plan - A plan that describes and documents the efforts that will be undertaken to provide for and encourage citizens to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the performance report.

**Consolidated Plan** – Miami-Dade County is required to submit a Consolidated Plan to US HUD in accordance with the Consolidated Submissions for Community Planning and Development programs (24 CFR 91). The County's five-year Consolidated Plan describes the community development, economic development and housing needs of low-and-moderate-income residents, outlines strategies to meet those needs and identifies all Federal and Non-federal resources available to implement the strategies.

**Consolidated Planning Process Policies (Policy Paper)** – This document contains the policies for implementing the FY 2008-2012 Consolidated Plan.

**DHCD** - Miami-Dade County Department of Housing and Community Development, formerly known as the Office of Community and Economic Development: DHCD is responsible for the administration of the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) program, and other federal, state and local funding programs.

**Green Jobs** - Employment generating activities that result in significant gains in energy efficiency or use of alternative energy sources recognized as leading to net reductions in carbon emissions. Such activities include weatherization; manufacturing, sales distribution, marketing, installation and repair of solar energy systems of high efficiency appliances; construction and/or design of energy efficient structures; design, manufacture and servicing of electric, hybrid or biodiesel vehicles; and recycling of discarded materials.

**EBGs** - Eligible Block Groups: EBGs are census block groups where at least 51 percent of the households have incomes at or below 80 percent of the County's area median income and where there is a high concentration of poverty and unemployment. The boundaries of CDBG eligible block groups are based on the results of the most recent U.S. Census. A census block group (BG) is the smallest geographical unit for which the U.S. Census Bureau publishes sample data.

**Environment Review** - 24 CFR Part 58: Environmental Review Procedures for Entities receiving CDBG and HOME funds. U.S. HUD Environmental Responsibilities is used by local governments to determine program compliance with the National Environmental Policy Act (NEPA) and other related statutes.

**ESG** - Emergency Shelter Grant: A Federal grant program designed to provide adequate shelter and essential social services to homeless individuals and to help prevent homelessness.

**FL HOP** - Florida Homebuyer Opportunity Program: FL HOP was created in 2009 and is administered through the State Housing Initiatives Partnership (SHIP) program. The program provides financial assistance to first time homebuyers eligible to receive the federal first time homebuyer tax credit established through the American Recovery and Reinvestment Act of 2009. Eligible FL HOP applicants can receive up to \$8,000 in purchase assistance, which is expected to be repaid by the applicant upon receipt of the federal tax refund.

**Funding GAP** - Financing that is required, but for which no provision has been made. The difference in total funding needed for a proposal and the amount of funding already made available.

**HOME** - HOME Investment Partnerships Program is a Federal formula grant program intended to expand the supply of decent, affordable housing for low and very low- income families by through the provision of affordable housing.

**Job Creation** - Jobs created as a result of Federal funds provided to a CDBG eligible activity benefiting low and moderate income persons.

**Leverage** - The use of funds to complete a transaction. The use of various financial instruments or borrowed capital, such as margin, to increase the potential return of an investment. The amount of debt used to finance firm's assets.

**Metropolitan Significance** - Miami-Dade County may utilize Federal funds, as appropriate, to fund high priority needs within municipalities if the activities demonstrate Metropolitan Significance. To be considered an activity of Metropolitan Significance, the proposed activity must

have a countywide benefit in which the majority of its past and present beneficiaries are from unincorporated Miami-Dade County and its participating jurisdictions.

**Neighborhood Revitalization Strategic Area (NRSA)** – NRSAs are designated areas which have been targeted for revitalization and which are eligible for federal funding under the U.S. HUD Community Development Block Grant program. There are eight NRSAs in Miami-Dade County: 1) Opa-locka; 2) Model City; 3) West Little River; 4) Melrose; 5) South Miami; 6) Perrine 7) Leisure City/Naranja; and 8) Goulds. Areas designated as NRSAs must have contiguous boundaries, must be primarily residential, and must have a population with at least 70 percent of the persons considered low-and-moderate income.

**Recapture/Reallocation- Plan Amendment** - The process of recapturing CDBG, HOME and/or other funding sources from non-viable activities and reallocating that funding to activities/projects that can meet the national objective. This process is conducted through an amendment to the annual Action Plan (Plan Amendment) and is a necessary step in ensuring timeliness in expenditure of various funding sources.

**Retainage** - In a construction contract, retainage is the withholding of a portion of each payment earned by a contractor or subcontractor until the construction project is complete (usually 10 percent is withheld from each payment request).

**RFA** — Request for Applications (RFA): Each year, the Department of Housing and Community Development conducts a consolidated RFA for CDBG, HOME, and ESG. Through this process, private non-profit community based organizations (CBOs), community development corporations (CDCs), private-for-profit developers and public agencies are able apply for funds to address the affordable housing, public facilities and infrastructure improvements, and economic development needs addressed in the Consolidated Plan.

**SHIP** — State Housing Initiatives Program: This State of Florida funding program is intended to help develop and maintain affordable housing and requires the implementation of a Local Housing Assistance Plan.

**SURTAX** - Documentary Surtax Program: The Documentary Surtax Program is a discretionary surtax on recorded commercial property sales. The funds are used for a wide-range of housing programs, including the financing of construction, rehabilitation, or purchase of housing for low-income and moderate-income families.

**Sustainability** — Sustainability refers to the ability to maintain a viable community while also preserving and protecting vital natural resources. The intent is to achieve a balance between economic prosperity, social well-being and environmental health.

**TBRA** — Tenant Based Rental Assistance: This is a HOME program which assists low- and very low-income families in obtaining decent, safe, and sanitary housing in private accommodations by providing a rental subsidy which covers a portion of their rental expenses.

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# **FY 2011 CONSOLIDATED PLANNING PROCESS POLICIES**

## **EXECUTIVE SUMMARY**

The Miami-Dade County Department of Housing and Community Development (DHCD), formerly known as the Office of Community and Economic Development (OCED), recommends that the Board of County Commissioners adopt the FY 2011 Consolidated Planning Process Policies (Policy Paper) with the policy changes described below. The changes are being proposed in response to input from the community and recommendations from the U.S. Department of Housing and Urban Development (US HUD). These policies will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan through the development of the FY 2011 Action Plan and the FY 2011 Consolidated Request for Applications (RFA) process. The intent of the policy changes is to ensure that all federal funds are allocated in a timely manner and that the goals and objectives identified in the FY 2008-2012 Consolidated Plan for Miami-Dade County's Neighborhood Revitalization Strategy Areas (NRSAs) are addressed.

The Policy Paper includes the funding criteria for the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), and the Emergency Shelter Grant (ESG) programs. It also includes information on two non-federal programs: the Documentary Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) programs. However, no surtax funds will be included in the FY 2011 RFA that will result from the Board's adoption of the attached Consolidated Planning Process Policies document. Surtax funds collected throughout the year will be reserved for a Mid-Year RFA process if sufficient funds are available. Any SHIP funds allocated by the State will continue to be used for second mortgage assistance and is available for homeownership counseling. This Policy Paper provides a brief description of these programs since they are both under the purview of the DHCD.

### **BACKGROUND**

US HUD requires the County to submit a Consolidated Plan every five years, with the most recent Plan submitted in November 2007. An annual Action Plan is also required in order to guide that respective year's implementation on the Consolidated Plan. The attached recommended FY 2011 Consolidated Planning Process Policies document serves as a blue print to facilitate the submission of the FY 2011 Action Plan, which must be filed by November 15, 2010.

DHCD continues to consult with other County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen participation groups as part of its continuing effort to meet the goals of the FY 2008-2012 Consolidated Plan. Active participation of all stakeholders is critical for successful implementation of the Action Plan while ensuring that federal requirements are met.

The outcome of these consultations has yielded new policy recommendations and changes to existing policies for the FY 2011 Consolidated Planning Process. These changes are being proposed based on feedback from the community and the latest federal Community Planning and Development (CPD) guidelines that strongly encourage: 1) the use of a local performance measurement system, 2) the development of new management strategies, and 3) the implementation of management by objectives.

US HUD requires that the County's CDBG balance does not exceed 1.5 times its annual allocation. In 2008, the County exceeded the expenditure requirement with a 1.64 ratio. In 2009, the County implemented an aggressive corrective action plan and reduced the expenditure ratio requirement to 1.48 before US HUD's deadline. The County will continue to allocate funds to projects that have properly leveraged other funding, which increases the likelihood that they can be completed in a timely manner, and will achieve a national objective.

For the HOME program, US HUD requires that the dollars be committed in two years and spent within five years, since these funds are primarily used for the construction of affordable housing which typically takes longer than one year to complete.

This year, the changes recommended in the FY 2011 Policy Paper are designed to address the high priority needs identified in the FY 2008-FY 2012 Consolidated Plan. In a recent meeting with the various chairs of the County's eight Neighborhood Revitalization Strategy Areas (NRSAs), the Community Advisory Committee (CAC) chairs expressed frustration at the lack of progress in their neighborhoods. At the meeting, DHCD staff was reminded that a very comprehensive process had been established by the County to elicit their input; however, since the Consolidated Plan was approved by the BCC in 2007, very few, if any, of these needs had been funded through the annual RFA process. These changes delineated below are designed to address the high priority needs, which will result in an increase in the quality of services, as well as an effective use of the funding awarded to the high poverty areas identified in the Consolidated Plan.

The following new policies are proposed for 2011:

**1) The allocation of CDBG funds to Reserves will be discontinued.**

In the past, each CAC and Commission District received \$100,000 and \$200,000 respectively to address the needs of the NRSA and their respective neighborhoods on an annual basis. In some instances, when eligible projects were not identified, these funds were allocated to their respective CAC or Commission District Fund (CDF) reserve accounts instead. By allocating these funds into reserves, they are considered unallocated and not used to immediately address the primary purpose of providing services to the County's most distressed communities.

In a letter received from US HUD dated December 21, 2009, US HUD reminded the County that all allocations must adhere to a 30-day public comment period, pursuant to both federal regulations and the County's own Citizen Participation Plan approved by the BCC. As such, all funds in the FY 2011 Action Plan must be allocated to a specific, eligible project prior to the commencement of the federally required 30-day public comment period, including those allocations made by Commission Districts. Funds not allocated to a specific activity before the commencement of the 30-day public comment period will be recommended for a funding recommendation from the County Mayor or the County Mayor's designee. All funding recommendations are final.

**2) Implementation of a new funding methodology to specifically address the high priority needs in the NRSAs as identified in the FY 2008-FY 2012 Consolidated Plan, and eligible neighborhood initiatives.**

It is recommended that the annual CDBG set aside of \$100,000 for each CAC be eliminated and that those funds be used to only address priority neighborhood needs in

the NRSAs. It is further recommended that the \$200,000 CDF set aside be restricted to the following funding categories: 1) NRSA High Priority Needs/Neighborhood Initiatives and 2) County Department/Public Facilities/Capital Improvements/Economic Development. The high priority needs were identified and approved by the BCC with the approval of the FY 2008-FY 2012 Consolidated Plan. DHCD will work directly with other County departments and residents to identify "neighborhood initiatives" in areas eligible for funding that are not NRSAs. These initiatives will be funded from the NRSA High Priority Needs/Neighborhood Initiatives category, as shown on the table on the following page. The Municipalities referred to in the "Municipalities/Public Facilities/Capital Improvement/Economic Development" item are the County's "participating municipalities" previously referenced in the Scope Section of the accompanying cover memorandum. As stated in policy number one above, allocations must be made prior to the commencement of the federal 30-day comment period. No funds will be placed in reserve accounts.

To address the high priority needs in the eight NRSAs and the neighborhood initiatives throughout Miami Dade County, the County will identify a minimum of \$2.708 million in eligible projects (16 percent) and set aside \$2.5 million (14 percent) for the Municipalities/Public Facilities/Capital Improvements/Economic Development category. In the aggregate, no more than 30 percent of the total in CDBG funds will be allocated between these two categories.

The catalyst for the NRSA High Priority Need proposed funding change was the citizen comments received from the NRSAs. This was further supported at a US HUD CDBG workshop held on January 13 and 14, 2010, attended by DHCD staff and other South Florida entitlements, where US HUD expressed concerns that entitlement communities, such as Miami-Dade County, are not investing funds in their own strategy (NSRA) areas. Currently each CAC receives \$100,000 to address high priority needs in their respective NSRA. However, the CACs have allocated their funds to countywide (non-NSRA specific) activities because no projects submitted applications through the RFA process to meet the needs of their respective NSRA. Therefore, the CACs' allocations have not always directly impacted their NRSAs. For instance, many of the CACs expressed interest in sidewalk improvements, infrastructure, and street lighting. However, in the FY 2010 RFA no applications were submitted for these activities, except for those submitted through the County's participating municipalities. Therefore, it is now recommended that the \$100,000 previously set aside for each NSRA in past Consolidated Planning Process Policies be re-allocated to a pool specifically targeted to address the top three priority needs in each NSRA. Likewise, the Commission staff has expressed frustration at the lack of entities within their district that are applying for CDBG funds. In summary, this policy change will ensure that funds are allocated to NSRA high priority needs, neighborhood initiatives and address US HUD's concerns, as well as the concerns of the CACs and the Commissioners.

Based on the proposed funding methodology described above, the estimated \$17.36 million entitlement projected to be available for FY 2011 will be allocated as follows:

CDBG Entitlement		
Category	FY 2011 Estimated Funding	FY 2011 Percentage
Administration	\$3,472,000	20%
County Departments	8,680,000	50%
*Municipalities/Public Facilities/Capital Improvements/Economic Development	2,500,000	14%
*NRSA High Priority Needs/Neighborhood Initiatives	2,708,000	16%
<b>Total</b>	<b>\$17,360,000</b>	<b>100%</b>

\*These amounts may change since CDF allocations will not be known until applications are received, scored and ranked. CDF allocations can only be made to these two categories

The County Department allocations include public service activities, as well as housing and public facilities. Amounts allocated to the NRSA High Priority Needs/Neighborhood Initiatives category will not be subject to the County department cap of 50 percent.

**3) Set aside \$1 million in HOME funds to homeownership rehabilitation/reconstruction**

It is recommended that \$1 million be set aside for homeowner rehabilitation to assist families with rehabilitating the aging housing stock in Miami-Dade County. Eligible applicants will be households whose annual area median income (AMI) does not exceed 80 percent. Through the HOME program, the County currently funds homeownership rehabilitation for seniors only. With the creation of this new program, the County will now be able to address the needs of families regardless of the age of the homeowner.

**4) Increase technical assistance and capacity building to Community Housing Development Organizations (CHDOs)**

In an effort to strengthen CHDOs that have been negatively impacted by the depressed housing market, the County will make an effort to provide additional technical assistance, and capacity building to these organizations and expand the number of certified CHDOs in Miami-Dade County. CHDOs are non-profit housing providers that are certified to meet certain HOME Program requirements in order to be eligible for HOME CHDO operating support and other funding set aside for CHDOs. Technical assistance and capacity building will be provided through training workshops and project-specific technical support. DHCD staff and outside consultants will provide these services and DHCD will seek to identify funding to enhance and expand these activities.

**5) Community Advisory Committee Membership**

In the FY 2009 Consolidated Planning Policies, the BCC approved a policy requiring each CAC to have thirteen members, one of which was to be appointed by the Commissioner of the CAC's district. This policy was to be implemented during the FY 2010 CAC elections. It is recommended that this policy now be eliminated because it poses a potential conflict with the federal Community Action Agency (CAA) Community Service Block Grant (CSBG) guidelines. The CSBG guidelines require all members to be appointed by the community. Since the majority of CACs in Miami-Dade County are subject to the CSBG regulations, the FY 2009 policy needs to be nullified.

**6) Establish a Cure Period for Housing Applications Only**

For Housing applications, it is proposed that a cure period be established in the Consolidated Request for Application (RFA) Process, during which applicants will have a designated time period to address issues raised during the scoring of their application.

Within three business days of issuance of the preliminary scores for the Consolidated RFA process, each applicant for Housing Applications **ONLY** shall be allowed to cure their proposal by submitting additional documentation, revised pages and such other information as the applicant deems appropriate to address the issues raised during the preliminary scoring process.

The current RFA process allows applicants one day to meet with staff to obtain information on their scores and ask questions regarding their evaluation. In the existing system, scores may be adjusted to address technical errors; however, applicants are not allowed to provide additional information or correct mistakes in their application. The proposed cure period would allow applicants a specified period of time to provide information to address specific issues, as defined in the RFA.

**7) Provide Innovation Funding to projects that undertake sustainability, green development and other initiatives that DHCD is seeking to promote.**

DHCD anticipates utilizing recaptured or unallocated dollars, wherein these funds become available, to fund innovative projects. DHCD contemplates that these projects might include sustainability pilot projects (i.e. green, transit oriented development, mixed type projects including mixed income and mixed housing, etc.). These projects shall highlight joint ventures, public/private partnerships, leveraging, non-financial contributions/resources, and green and/or job creation activities. DHCD anticipates funding one or two such projects through the reprogramming process, depending on the availability of funds. If federal dollars are used to fund such a project, the project must meet a US HUD national objective.

**8) New construction projects for homeownership units will not be funded in FY 2011.**

Due to the current condition of the housing market, in FY 2011 DHCD proposes **NO** funding for the construction of new homeownership units. This includes funding for the CHDO set aside projects. Instead, the County will provide additional technical assistance to assist CHDOs to complete and close out existing homeownership projects.

**9) Develop Strategy to assist DHCD funded for sale homeownership projects**

It is recommended that, in the spirit of the "finish what we started" policy, priority be given to housing projects that have received a prior allocation of County funds but have been affected by the economic downturn. These allocations will be subject to internal and/or external underwriting, ensuring that the County's funding will provide the last critical piece of additional funding necessary to complete the housing project. These dollars will only be made available after an internal project financing restructuring analysis wherein "but for" Miami-Dade County funds, the project cannot be completed. Reprogrammed dollars will be used to fund this strategy.

These funds may also be used to assist home owners who received County second mortgage assistance when they purchased their primary residence, but after some time, have been negatively affected by the economy. Funds can be used to replace senior debt and homeowner association obligations provided that the homeowner is motivated and the senior lender is willing.

#### **10) Increase funding for County Departments**

Pursuant to federal regulations, no more than 20 percent of the CDBG annual entitlement will be used for program administration, with the remainder available for projects and programs. Miami-Dade County also requires that 40 percent of CDBG funding be set aside for County departments to carry out programmatic activities. It is recommended that the cap be raised to 50 percent for County Departments. It is further recommended that the County maintain the practice of calculating the 50 percent for County Departments based on the total CDBG allocation and that any allocations from the Commission District Funds and NSRAs not count toward the 50 percent cap.

In order to ensure compliance with US HUD regulations governing the restrictive use of federal funding, all CDBG and HOME funded activities must meet a US HUD national objective. In addition, any previously approved policies by the Board, not amended herein, will continue to guide the FY 2011 Action Plan Process, including, but not limited to the following:

- The funding of CDBG awards as forgivable loans, except for municipalities and County departments.
- The awarding of bonus points to activities that create jobs and/or that support green development or to housing projects that incorporate Energy Star or energy efficient appliances.
- The policy that only activities in the top 45 percent of their funding category are eligible for funding

The County requires all sub-grantees to adhere to federal and local program compliance requirements. In the event that a sub-grantee cannot meet the terms and conditions (such as the ones mentioned above) of its contract or agreement, DHCD may recommend that the contract be terminated and the funds either be allocated to another entity to carry out the same activity, or allocated to a different priority.

The intent of the implementation of these policies is to streamline the FY 2011 Consolidated RFA process and ensure the County enters into viable contracts. In addition, the policies will ensure that high priority needs will finally be addressed in these last two years of the five year Consolidated Plan. Moreover, the policies should facilitate the County's adherence to the CDBG 1.5 spending ratio, as well as the HOME program commitment and expenditure guidelines. This will also have a direct impact on improving the effectiveness of County efforts to revitalize low to moderate-income areas.

# **PART I: PURPOSE AND BACKGROUND**

## **PURPOSE**

FY 2011 Consolidated Planning Process Policies (Policy Paper) contains the proposed policies for implementing the FY 2008-2012 Consolidated Plan, the FY 2011 Action Plan, and the FY 2011 Consolidated Request for Application (RFA) process. Based on standards established by the U.S. Department of Housing and Urban Development (U.S. HUD), the overall goals of the Consolidated Plan are to:

- Develop viable communities by providing decent housing;
- Provide a suitable living environment by improving the safety and livability of neighborhoods and implementing U.S. HUD's Sustainable Community Initiative;<sup>1</sup> and
- Expand economic opportunities including job creation and retention.

## **BACKGROUND**

US HUD requires the Miami-Dade Department of Housing and Community Development (DHCD) to submit a Consolidated Plan every five years and an annual Action Plan each calendar year. The current Consolidated Plan covers the five-year period from January 1, 2008, through December 31, 2012. The Consolidated Plan includes a Housing and Homeless needs assessment, a Housing market analysis, a five-year Strategic plan for Neighborhood Revitalization Strategy Areas (NRSAs), an annual Action Plan, U.S. HUD Certifications and Monitoring standards and procedures. This policy paper includes the FY 2011 Action Plan priorities and funding criteria for the following programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Shelter Grant (ESG)
- Documentary Surtax Activity (SURTAX)
- State Housing Initiatives Partnership Program (SHIP)

Although neither Surtax nor SHIP funds are included in FY 2011, this Policy paper includes a brief description of these programs since they are both under the purview of the DHCD

To meet the intent and spirit of federal requirements, DHCD will continue to consult with relevant County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen participation groups as part of its effort to fulfill its mission. Active participation of all stakeholders facilitates successful implementation of the Action Plan.

## **FEDERAL FUNDING PROGRAMS**

### **CDBG**

The County's CDBG Program allocates block grant funds from US HUD to private non-profit community based development organizations, community development corporations,

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<sup>1</sup> U.S. HUD and U.S. Department of Transportation Sustainable Communities Initiative.  
<http://www.hud.gov/news/release.cfm?content=pr09-023.cfm>

community-based organizations, for-profit businesses, municipalities and County departments for activities that benefit low-and-moderate income areas (areas in which at least 51 percent of residents make below eighty (80) percent of the County's median income), or low and moderate income persons. For reference, below is a table reflecting Area Median Income (AMI) in Miami-Dade County by family size.

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

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

### HOME

The HOME Program allocates housing funds in the form of a permanent mortgage for construction in either first or second position to assist very low and low income families in renting or purchasing affordable housing units. The HOME Program is designed to:

- Expand the supply of decent and affordable housing, particularly rental housing, for low- and very-low income Americans.
- Strengthen the abilities of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing.
- Provide both financial and technical assistance to participating jurisdictions (entitlement areas) including the development of model programs of affordable housing for very-low and low-income families.
- Expand and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing.

### ESG

The County allocates ESG funds to operate the Beckham Hall facility, a temporary shelter for homeless individuals. The ESG program is intended to:

- Reduce hardships on homeless persons through the provision of emergency shelter.
- Provide or arrange for the provisions of essential support services to homeless persons in the shelter, including food, clothing, personal care items, medical care, alcohol and drug abuse and mental health treatment, counseling and assistance in obtaining government benefits, employment and permanent housing.

### Federal Expenditure Limits and Funding Requirements

The following shows the expenditure limits and funding requirements for the federal funding programs:

Requirement	CDBG	HOME	ESG
Administrative Cap	20%	10%	None
Public Service	15%	None	None
Match	None	25%	100%
Leveraging	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds
CHDO Set-Aside	None	15%*	None

\*15 percent of HOME funds must be used for the HOME CHDO Set-Aside. This does not include the HOME funding from prior years.

## **NON-FEDERAL FUNDING PROGRAMS**

### **SHIP**

The legislative intent of the SHIP Program is "...to allow local government the greatest degree of flexibility in meeting its communities housing needs." As required, Miami-Dade County has adopted both an ordinance (Ordinance 95-70) and a resolution (R-517-95) that describe a housing program for utilizing SHIP funds. The legislation sets forth the following minimum program requirements for the use of SHIP funds. Funds must be used to implement the approved Local Housing Assistance Plan (LHAP). The program must benefit eligible persons occupying eligible housing. Generally, SHIP funds may be used:

- For locally designated strategies that create or preserve affordable housing.
- To supplement other housing programs.
- To provide local match to obtain Federal housing grants or programs (such as HOME).
- Funds may be used for both homeownership and rental housing activities. However, at least 65 percent must be used for homeownership activities.
- A minimum of 75 percent of the annual grant must be used for construction, rehabilitation, or emergency repair.

In 2009, the County created a Foreclosure Prevention Program funded with SHIP dollars. For FY 2010, SHIP funding must be used exclusively for the Florida Homebuyer Opportunity Program (FL HOP). The FL HOP program is intended to work in conjunction with the first-time homebuyer tax credit program of the American Recovery and Reinvestment Act (ARRA). The program provides up to \$8,000 as a bridge loan for qualified first-time homebuyers to use as down payment assistance, thereby making the purchase of a HOME more affordable. The assistance is to be repaid by the Applicant when they receive their federal tax refund. FL HOP Program sunsets as of April 30, 2010.

### **DOCUMENTARY SURTAX PROGRAM (SURTAX)**

The Documentary Surtax Program is a discretionary surtax on recorded commercial property sales. The funds generated from this revenue source can be used for housing programs. Specifically, the provisions of Florida Statute (F.S.) 125.0167 require that a minimum of fifty (50) percent of the funds benefit low-income families (those with incomes at or below eighty (80) percent of the area median income). Furthermore, no less than 35 percent of SURTAX dollars can be used to provide homeownership assistance and no less than 35 percent can be used for construction, rehabilitation, and purchase of rental housing units. The remaining amount may be allocated to provide for homeownership assistance or rental housing units, at the discretion of the County.<sup>2</sup> For the SURTAX program, a "low-income family" is defined as a family whose income does not exceed 80 percent of the area median income, and a "moderate income family" is a family whose income is in excess of 80 percent but less than 140 percent of the area median income.

## **STRATEGIC PLANNING**

The FY 2008-2012 Consolidated Plan has been developed in concert with the County's Strategic Plan. The strategic area mission statements, goals and performance measures are in the following areas: Housing, Economic Development, Health and Human Services,

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<sup>2</sup> Surtax funds were reauthorized in 2009, pursuant to Florida Statute (F.S.) 125.0167.

Neighborhood and Unincorporated Area Municipal Services, Public Safety, Recreation and Culture, and Transportation.

## **CITIZEN PARTICIPATION**

In December 15, 2009, the Board of County Commissioners (BCC) approved the revised Citizen Participation Plan and Guidelines for the Miami-Dade County Department of Housing and Community Development and the Miami-Dade Community Action Agency (CP Plan) through Resolution R-1428-09 (Attachment A). The CP Plan was updated and modified to comply with US HUD's Consolidated Planning requirements.

The County's citizen participation process for the Consolidated Plan and the annual Action Plan is year round and requires two public hearings before the Housing and Community Development Committee (HCD). The purpose of the first public hearing is to consider the Consolidated Planning Policies. As explained previously, this document guides the Consolidated Request for Application (RFA) process and establishes the basic policies for funding eligible activities. The purpose of the second public hearing is to consider the annual Action Plan and its funding recommendations. Prior to each public hearing, the public is given a 30-day comment period to review the proposed documents. Below is the expected public hearing schedule for the FY 2011 Action Plan process:

- First Public Hearing: May 12, 2010 (To Consider the FY 2011 Policy Paper)
- Second Public Hearing: September, 2010 (To Consider the FY 2011 Action Plan)  
Please check the County Calendar and the DHCD website, [miamidade.gov/ced](http://miamidade.gov/ced), for the specific dates.

In addition to the two public hearings, the CP Plan calls for quarterly community meetings with the Community Advisory Committees (CACs). The CACs are the entities that represent each of the eight NRSAs identified in the Consolidated Plan. These meetings allow for residents to provide feedback on the implementation of the FY 2008-2012 Consolidated Plan, as well as annual funding priorities and the RFA process. Agencies with currently funded activities are required to give periodic updates of activities to the CACs. These presentations are designed to provide citizens with an opportunity to receive information on proposed and ongoing projects. Through this citizen participation process, DHCD relies upon County residents to:

- **Identify** both neighborhood and community needs;
- **Prioritize** those needs;
- **Recommend** activities that address priority needs based upon consultation with stakeholders; and

## **PART II: FY 2011 AND PRIOR YEAR POLICIES**

### **FY 2011 PLAN NEEDS AND OBJECTIVES**

The strategic plan section of the current FY 2008-2012 Consolidated Plan contains numerous policy objectives. The FY 2011 Action Plan focuses on policy objectives including, but not limited to, the following:

- Provide very-low and moderate-income households access to decent and affordable housing;
- Expand economic opportunities to create and retain jobs through business development;
- Provide adequate Public Services; and
- Promote access to Public Facilities/Capital Improvements (primarily senior services, for the disabled, youth, substance abuse services, employment training, and child care).
- Ensure the timely expenditures of HOME and CDBG dollars to ensure that services are provided to the neighborhoods;

In fulfilling these objectives, it is recommended that DHCD utilize a consolidated Request for Applications (RFA) process for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) programs. The RFA will serve to identify agencies that have the capacity to address the inventory of unmet needs identified during the FY 2008-2012 Plan update. The priority will be given to activities that address the high priority needs for the NRSAs, as identified by the Community Advisory Committees for each NRSA in the following categories:

- Economic Development
- Housing
- Public Facilities/Capital Improvements

### **FY 2011 PLAN PRIORITIES AND FUNDING CRITERIA**

The following will serve as funding priorities for FY 2011:

- Neighborhood Revitalization Strategy Areas (NRSAs)
- Low- to moderate-income and extremely low-income households and neighborhoods;
- Affordable housing;
- Economic development.

### **EXISTING AND PROPOSED FY 2011 PLANNING PROCESS POLICIES**

The following is a list of all the Planning Process Policies approved by the BCC to date, organized by category. The list includes the proposed policies for FY 2011. The additions in text are illustrated in underline and deletions are represented with a ~~strikethrough~~.

## GENERAL POLICIES

### Allocation Deadline

- **Proposed New Policy for FY 2011:** In a letter received from US HUD dated December 21, 2009, US HUD reminded the County that all allocations must adhere to a 30-day public comment period, pursuant to federal regulations and the County's own Citizen Participation Plan, as approved by the BCC. As such, all funds in the annual Action Plan must be allocated to a specific, eligible project prior to the commencement of the federally required 30-day public comment period. Funds not allocated to a specific activity before the commencement of the 30-day public comment period will be recommended for a funding recommendation from the County Mayor or the County Mayor's designee. All funding recommendations are final.<sup>3</sup>
- ~~All CDBG funds not appropriated at the time of adoption of the Action Plan must be appropriated within 90 days of approval of the Action Plan, to ensure timely allocation and expenditure of funds.<sup>4</sup> The adoption of the proposed new policy above will nullify this policy.~~

### CDBG

#### *Allocation Requirements for CDBG*

- Ensure that all CDBG funds are allocated to projects that are adequately leveraged to ensure that they are completed in a timely manner. All CDBG funds, including Community Advisory Committee (CAC) allocations and Commission District Fund (CDF) allocations, can only be allocated to Economic Development, Housing, Historic Preservation, or Public Facility activities that have applied through the competitive RFA process, have received a score in the top 45 percent of the applications for the funding category and have received points in providing proof of leverage. Projects cannot be funded for greater (sum total of all allocations) than the original amount requested from the agency. This minimum score will not apply to County department allocations.<sup>5</sup>

#### *CDBG Loans*

- All CDBG funds, except those awarded to County Departments and municipalities, will be awarded in the form of a loan that is forgivable if the national objective is met. If a national objective is met, meaning that funds were used to accomplish the goal stipulated in the Request for Application (RFA) and minimum performance benchmarks as specified in the award contract are met, then the loan will be forgiven. The repayment terms in the event that the national objective and minimum performance benchmarks are not met will be specified in the award contract and a promissory note.<sup>6</sup>

#### *Failure to Perform or Repay CDBG Loans*

- Future funds will not be provided to an agency that has failed to meet the national objective, has failed to meet required performance benchmarks, or fails to repay any CDBG loans according to the terms agreed to in the award contract. If a government agency or non-governmental organization (NGO) fails to achieve the national objective within the contract period or any extension provided by DHCD for the purpose of

<sup>3</sup> Proposed FY 2011 Planning Process Policies.

<sup>4</sup> FY 2007 Planning Process Policies.

<sup>5</sup> FY 2010 Planning Process Policies

<sup>6</sup> FY 2010 Planning Process Policies

achieving the objective, the agency or NGO will not be eligible to receive current or future CDBG dollars for the same activity.<sup>7</sup>

Funding Methodology for CDBG

- Proposed New Policy for FY 2011: The County will follow the funding methodology described below in allocating the CDBG entitlement award.

Pursuant to federal regulations, no more than 20 percent of the CDBG annual entitlement will be used for program administration, with the remainder available for projects and programs. Miami-Dade County also requires that 50 percent of the total CDBG funding award be set aside for County departments to carry out programmatic activities. The County will maintain the practice of calculating the 50 percent for County Departments based on the total CDBG allocation. The County Department allocations include public service activities, as well as housing and public facilities.

In addition, the County will identify a minimum of 16 percent of eligible projects for the NRSA High Priority Needs/Neighborhood Initiatives and set aside 14 percent for the Municipalities/Public Facilities/ Capital Improvements/Economic Development category. In the aggregate, no more than 30 percent of CDBG funds will be allocated between these two categories. Amounts allocated to the NRSA High Priority Needs/Neighborhood Initiatives will not be subject to the County department cap of 50 percent.

Specifically, the County will allocate \$100,000 to each NRSA and those funds will be used to address only priority neighborhood needs in the NRSAs. Furthermore, the \$200,000 set aside for the Commission District Fund (CDF), will be restricted to the following funding categories: 1) NRSA High Priority Needs/Neighborhood Initiatives and 2) Municipalities/Public Facilities/Capital Improvements/Economic Development. The high priority needs were identified and approved by the BCC with the approval of the FY 2008-FY 2012 Consolidated Plan. DHCD will work directly with other County departments and residents to identify "neighborhood initiatives" in areas eligible for funding that are not NRSAs. These initiatives will be funded from the NRSA High Priority Needs/Neighborhood Initiatives category, as shown on the table below. The Municipalities referred to in the "Municipalities/Public Facilities/Capital Improvement/Economic Development" item are the County's "participating municipalities," referenced in the "Geographic Areas of Special Emphasis" section of this report. All allocations must be made prior to the commencement of the federal 30-day comment period. No funds will be placed in reserve accounts.

Based on the funding methodology described above, the CDBG entitlement award will be allocated as indicated on the table below:

CDBG Entitlement	
Category	Percentage
Administration	20%
County Departments	50%
*Municipalities/Public Facilities/Capital Improvements/Economic Development	14%
*NRSA High Priority Needs/Neighborhood Initiatives	16%
<b>Total</b>	<b>100%</b>

\*These amounts may change since CDF allocations will not be known until applications are received, scored and ranked. CDF allocations can only be made to these two categories

<sup>7</sup> FY 2010 Planning Process Policies

### **Cure Process**

- **Proposed New Policy for FY 2011:** For Housing applications, it is proposed that a cure period be established in the Consolidated Request for Application (RFA) Process, during which applicants will have a designated time period to address issues raised during the scoring of their application.<sup>8</sup>

Within three business days of issuance of the preliminary scores for the Consolidated RFA process, each applicant for Housing Applications ONLY shall be allowed to cure their proposal by submitting additional documentation, revised pages and such other information as the applicant deems appropriate to address the issues raised during the preliminary scoring process.

The proposed cure period will allow applicants a specified period of time to provide information to address specific issues, as defined in the RFA.

### **Finish What We Started and Ongoing Projects**

- Due to the County's need to meet US HUD's national objectives, priority will be given to completing ongoing projects approved by the BCC, provided there is project viability and financial feasibility. These activities are limited to public facilities and housing projects, including mortgage assistance programs for housing projects *currently* utilizing *federal funds* awarded by the County.<sup>9</sup>

### **Funding Priorities**

- For housing, community and economic development activities, emphasis will be placed on funding:
  - Mixed-income single and multi-family affordable housing projects and the dispersal of these projects throughout the County to avoid an over-concentration of such projects in particular geographic areas;
  - Mixed-use projects that support both housing and economic development;
  - Ongoing projects with previous funding approval by the BCC to encourage the "finish what we started" mandate, providing there is project viability and financial feasibility. These activities are limited to public facilities and housing projects.
  - Formulating partnerships among the private and non-profit sectors in the development, construction and operation of affordable housing;
  - Supporting housing proposals using nine percent (9%) and four percent (4%) Federal Low Income Housing Tax Credits meeting Subsidy Layering Review threshold requirements to enhance competitive positions in the State or County competition for credits; and competitive costs per client or units.
  - For FY 2011, only 4 percent tax credit housing projects can apply. Proposals using 9 percent credits must apply through the Mid Year cycle tentatively scheduled for Spring 2011.

### **HOME Loans**

- HOME funds will be viewed as loans, not grants. All HOME funds, except for Tenant Based Rental Assistance (TBRA) and CHDO Operating funds will be treated as loans, requiring property or another form of collateral to be used as security for repayment for the duration of the affordability period. Loan repayment may be in the form of a purchase

<sup>8</sup> Proposed FY 2011 Planning Process Policies.

<sup>9</sup> FY 2007 Planning Process Policies.

price buy-down in accordance with an appropriate Restrictive Covenant and Shared Equity Provision. Forgiveness of the loan will be considered on a case-by-case basis, only for projects serving very-low income residents, homeless persons and families.

#### **Pre-Consultation Meeting**

- New Housing, Public facilities and Economic Development applicants are required to have a technical assistance pre-consultation meeting with their respective DHCD teams. As a mandatory prerequisite, no housing, public facilities or economic development applications will be accepted without a pre-consultation meeting. Attendance at a pre-consultation meeting does not guarantee funding.

#### **Presumption of Funding**

- The concept of "zero-based" budgeting will be implemented in the review of requests for funding. Thus, there is no presumption of funding for any agency that is currently receiving funding. However, County Departments and agencies currently implementing projects may be recommended for subsequent funding for on-going projects started in a prior year.<sup>10</sup>

#### **COMMUNITY ADVISORY COMMITTEES**

- ~~The Community Advisory Committees (CACs) shall have thirteen (13) members. Twelve (12) are to be elected by the community and one (1) appointed by the Commissioner of the district. The new committee structure should be implemented during the 2010 CAC election.<sup>11</sup> The adoption of the proposed new policy below will nullify this policy.~~
- **Proposed New Policy for FY 2011:** In the FY 2009 Consolidated Planning Policies, the BCC approved the above policy. It is recommended that this policy now be eliminated as it poses a potential conflict with the federal Community Action Agency (CAA) Community Service Block Grant (CSBG) guidelines. The CSBG guidelines require all members to be appointed by the community. Since the majority of CACs in Miami-Dade County are subject to the CSBG regulations, the FY 2009 policy needs to be nullified.<sup>12</sup>

#### **COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE (CAHSA) TASK FORCE**

- The Community Affordable Housing Strategies Alliance (CAHSA) Task Force was created in 2006 is tasked with issuing a report in to address housing issues, including affordable and workforce homeownership and rental housing, public housing, maintenance of affordability issues, property taxes, insurance, and land use. All housing activities that meet the criteria set forth by the national objectives of HUD's resources (i.e. CDBG, HOME, HOPWA) are to be addressed utilizing the CAHSA recommendations, as a guideline for implementation.<sup>13</sup>

#### **COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOS)**

- **Proposed New Policy for FY 2011:** CHDOs are non-profit housing providers that are certified to meet certain HOME Program requirements in order to be eligible for HOME CHDO operating support and other funding set aside for CHDOs. The County will make an effort to provide additional technical assistance and capacity building to these organizations

<sup>10</sup> FY 2010 Planning Process Policies

<sup>11</sup> FY 2009 Planning Process Policies.

<sup>12</sup> Proposed FY 2011 Planning Process Policies.

<sup>13</sup> FY 2007 Planning Process Policies.

and expand the number of CHDOs that currently serve Miami-Dade County. Technical assistance and capacity building will be provided through training workshops and project-specific technical support. DHCD staff and outside consultants will provide these services and DHCD will seek to identify funding to enhance and expand these activities.<sup>14</sup>

#### **COMMISSION DISTRICT FUND (CDF) AND COMMUNITY ADVISORY COMMITTEE (CAC) FUND**

- Proposed Policy for FY 2011: The annual CDBG set aside of \$100,000 for each CAC will be eliminated.

Funds previously set aside for the CACs will now be used to only address priority neighborhood needs in the NRSAs.

The \$200,000 set aside for the Commission District Fund (CDF) will be restricted to the following funding categories: 1) NRSA High Priority Needs/Neighborhood Initiatives and 2) County Department/Public Facilities/Capital Improvements/Economic Development. The high priority needs were indentified and approved by the BCC with the approval of the FY 2008-FY 2012 Consolidated Plan. DHCD will work directly with other County departments and residents to identify "neighborhood initiatives" in areas eligible for funding that are not NRSAs. These initiatives will be funded from the NRSA High Priority Needs/Neighborhood Initiatives category. All allocations must be made prior to the commencement of the federal 30-day comment period. No funds will be placed in reserve accounts.

- Proposed Policy for FY 2011: The allocation of CDBG funds to Reserves will be discontinued.
- ~~\$3.4 million in CDBG funds are to be set aside annually for the following:~~
  - ~~\$2.6 million for the Commission District Fund (\$200,000 for each of the thirteen Commission Districts)~~
  - ~~\$800,000 for the Community Advisory Committees representing the Neighborhood Revitalization Strategy Areas (\$100,000 for each NRSA). The adoption of the proposed new policy above will nullify this policy.~~
- The County Manager may substitute CDBG funds with HOME, HODAG and Rental Rehabilitation funding sources when necessary to address high priority housing needs.<sup>15</sup>

#### **Shovel Ready Projects**

- ~~GAG~~ and CDF allocations shall have a minimum award of \$50,000 per entity. It is highly encouraged that ~~GAG~~ and the CDF funds be allocated toward "shovel ready" public facility projects.

<sup>14</sup> Proposed FY 2011 Planning Process Policies.

<sup>15</sup> Approved on June 22, 2004, through Resolution R-805-04. Amended on June 2006, through R-670-08

## **CONSTRUCTION PROJECTS (PUBLIC FACILITIES AND HOUSING)**

### **Expenditure Timelines**

- Timelines of expenditures will be factored in the evaluation of proposals. As such, it is anticipated that:
  - Each project to be funded should have a schedule for the use of projected funds tied to key project milestones, so that performance can be measured against expectations and problems identified at an early stage.
  - An alternative plan to handle unexpended funds is to recapture dollars from projects that are no longer feasible and reallocation for the completion of ongoing projects.
  - Priority will be given to completing ongoing projects approved by the BCC. The capacity of all agencies will be enhanced with technical assistance from DHCD staff.

### **Land Acquisition**

- Agencies requesting funds for land acquisition must submit a realistic and attainable development plan for all properties to be acquired with County funds.
- For housing projects, acquisition is subtracted from the total land development cost when calculating the eligible developer's fee.

### **Loan Closings**

- Agencies funded under Housing and Public Facilities activities, except for infrastructure, must initiate loan closings within one year of the execution of their contract. A funded agency must provide proof that they have initiated a loan closing within the required one-year time period and within that time span has secured the balance of the funding from non-County, private funding sources. If these conditions are not met, the Mayor or his designee shall have the authority to recommend to the BCC a recapture and reallocation of these funds to other eligible activities.

### **Mortgage Requirement**

- For major Public facilities and housing projects, DHCD will require that the CDBG and or HOME funds awarded be in the form of a loan, which must be secured by a mortgage on all real property acquired or improved in whole or in part with CDBG/HOME funds. Contractors shall execute any mortgage required by DHCD and pay any costs associated with recording and perfecting of said mortgage. However, the contractor will not be required to make any payments on the mortgage until the property is sold or fails to be used to meet a CDBG national objective.

### **Multi-Year Funding Commitments**

- Sub-recipients funded for public facilities or construction of housing may be given multi-year funding commitments and/or contracts, provided they meet all U.S. HUD guidelines and DHCD contractual requirements. SHIP and Surtax projects will not be considered for multi-year funding.

### **Partnerships and Joint Ventures**

- For-profit and non-profit entities applying for the same housing or public facilities Projects must apply as single entities such as joint ventures. Partnerships and or Joint

Ventures must submit their partnership agreements. This includes sources and uses budget, operating pro-formas, capital budget, and scope of services for each project. County Departments will be exempt from this requirement.

#### **Pre-Development and Overhead Costs**

- To facilitate payment of pre-development and overhead costs, developers will be allowed the use, at a pro-rated percentage, their developers' fee. DHCD shall pay the agency as maximum compensation or fee for the developer services required pursuant to the scope of work. The percentage of compensation shall be predetermined based on each applicant's scope of work. Each phase of development will have a corresponding percentage of the fee assigned. These are project related soft costs that are necessary and reasonable. This measure shall assist agencies including non-profit entities and CHDOs to have access to cash in the initial stage of the project to finance pre-development.

#### **Site Control**

- Site control is mandatory for housing and public facilities projects. No substantial change of the initial BCC-approved projects such as site change or transfer of funds to other projects will be allowed. In such event(s), the application will be nullified for the current fiscal cycle. A change of entity for the same site, same use and same funding amount may be approved.

#### **Recapture of CDBG Funds**

- The County will move to recapture funds from projects that are slow moving. Because funds in the RFA are meant to provide gap financing, a construction project must have other sources of funds in order for construction to commence. If construction or development progress does not commence within the first year of award, the County must recapture these funds and award to other projects that can expend them so as not to negatively impact services to the community. If the same project does obtain full financing, the agency may re-apply through the RFA process and the project may be awarded bonus points if the recapture occurred as a result of cancelled/reduced financing, or if municipal public facility projects had various funding sources and construction could commence without CDBG funds. Municipalities will only be required to submit an abbreviated application.<sup>16</sup>

#### **Risk Assessment Protocol**

- Funding criteria for housing and public facility projects will be based on a risk assessment protocol comprising underwriting risk, fund leveraging analysis, review of program and project results, developer's ability to perform, staff and organization's capacity, affordability, feasibility, project contribution to public goals, past compliance and performance, and quality of reporting and documentation when applicable.

#### **Technical Assistance**

- DHCD will provide increased project management and technical assistance through DHCD staff for activities funded through CDBG and HOME. The cost of such assistance will be charged to the activities budget. All housing and public facility project budgets will be charged costs associated with Environmental and Historic Preservation Reviews, if applicable.

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<sup>16</sup> FY 2010 Planning Process Policies

## COUNTY DEPARTMENTS

- **Proposed New Policy for FY 2011:** Pursuant to federal regulations, no more than 20 percent of the CDBG annual entitlement will be used for program administration, with the remainder available for projects and programs. Miami-Dade County also requires that 50 percent of CDBG funding be set aside for County departments to carry out programmatic activities. It is further recommended that the County maintain the practice of calculating the 50 percent for County Departments based on the total CDBG allocation.

The County Department allocations include public service activities, as well as housing and public facilities. Amounts allocated to the NRSA High Priority Needs will not be subject to the 50 percent cap for County departments.

- County departments shall be reimbursed for work performed based on pre-established performance measures.<sup>17</sup>

## ECONOMIC DEVELOPMENT

### Business Incubators – Standard Procedures

- The County requires that incubators provide a minimum level of support to its businesses in an effort to ensure their success after they graduate from an incubator. Support such as assisting businesses with developing and implementing a strategic plan, assisting with the development of business plans and applying for loans or grants, in addition to providing financial support for membership in trade associations, are required prerequisites for an incubator to receive CDBG funds.<sup>18</sup>
- Incubators receiving CDBG funding will be required to meet performance benchmarks set forth as a condition of funding award, with established penalties for failure to meet performance benchmarks, as may be considered reasonable by DHCD. Penalties may include cancellation of award or ineligibility to receive future funding. Similar performance benchmarks and penalties for failure to meet performance measures will also be applied to non-governmental organizations providing CDBG funded business consulting services.<sup>19</sup>

### Economic Development CDBG Allocation Goal

- As best effort goal, at least twenty (20) percent of the CDBG funding allocation will be allocated for economic development activities.

### Economic Development Objectives and Accomplishments

- Economic development is defined as all endeavors aimed at sustaining or increasing the level of business activity and creating/retaining jobs. CDBG programmatic responses to these needs must have at least one of the following outcomes and should accomplish the following:
  - Assist the economy at all levels and be tied to affordable housing initiatives, strategies and programs.

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<sup>17</sup> FY 2007 Planning Process Policies

<sup>18</sup> FY 2010 Planning Process Policies

<sup>19</sup> FY 2010 Planning Process Policies

- Create economic opportunities aimed at the County's low- and moderate-income residents and distressed communities that promote financial self-sufficiency and a greater share in the economic prosperity of the area.
- Address the interrelated needs of Miami-Dade County's distressed communities through coordinated programmatic responses across a range of disciplines including workforce development, small business assistance, public facilities and community economic development.
- Foster a local entrepreneurial environment that promotes capacity of small businesses and community economic development organizations.
- Promote access to private capital (equity and debt-financing) through effective public-private partnerships and leveraging of public resources.
- Encourage mixed-use projects that are needed in Miami-Dade County's distressed neighborhoods that are transit-friendly and fulfill both commercial and housing needs.

#### **Job Creation**

- All economic development activities funded through the Action Plan must create and or retain jobs. In order for a for-profit business to meet the contractual job creation/retention requirement, full-time permanent jobs must be created or retained due to improvements to the business property, micro enterprise or a direct loan to the for-profit business. A not-for-profit organization may count full time, permanent jobs created or retained through the execution of a job placement agreement with a for-profit business that agrees to hire the employee. The employee must be low-to-moderate income. The agreement must remain on file with the grantee and the hiring business must agree to keep or create a specific number of jobs and identify such job by type and whether the job will be full or part-time.<sup>20</sup>

#### **Green Jobs**

- Bonus points will be awarded to economic development projects that create and retain green jobs. In an effort to further support the manufacturing and distribution of environmentally safe products, the County's evaluation of proposals for CDBG funds will award bonus points to those employment generating activities that result in significant gains in energy efficiency or use of alternative energy sources recognized as leading to net reductions in carbon emissions. Such activities include weatherization; manufacturing, sales distribution, marketing, installation and repair of solar energy systems of high efficiency appliances; construction and/or design of energy efficient structures; design, manufacture and servicing of electric, hybrid or biodiesel vehicles; and recycling of discarded materials.<sup>21</sup>

#### **ENVIRONMENTAL REVIEWS**

- All costs associated with the United States Department of Housing and Urban Development (US HUD) environmental reviews, conducted by DHCD, will be charged to each construction project funded through the Request for Application (RFA).<sup>22</sup>

<sup>20</sup> FY 2009 Planning Process Policies

<sup>21</sup> FY 2010 Planning Process Policies

<sup>22</sup> FY 2007 Planning Process Policies.

## GEOGRAPHIC AREAS OF SPECIAL EMPHASIS

### Neighborhood Revitalization Strategy Areas (NRSAs)

- There are eight US HUD approved NRSAs in Miami-Dade County: Opa-locka, West Little River, Model City, Melrose, South Miami, Perrine, Goulds, and Leisure City/Naranja.
- The NRSAs represent the communities that the County has targeted for revitalization. To be designated as an NRSA, the area must have: 1) distinct boundaries; 2) at least 70 percent of the households must be low-to-moderate income; 3) the area must be primarily residential; 4) consultation with residents, businesses and non-profits must be demonstrated; and 5) an economic empowerment strategy and performance measurements for the area must be developed.
- The following is a list of US HUD incentives that apply in the NRSAs:
  - ◻ Job creation/retention activities undertaken pursuant to the NRSA strategy may be qualified as meeting area benefit requirements, thus eliminating the need to track the income of persons;
  - ◻ Aggregation of housing units for the purposes of applying the low and moderate-income national objective criteria may be used;
  - ◻ Aggregate public benefit standard for economic development activities carried out under the NRSA strategy may be exempt from the aggregate public benefit standards, thus increasing a grantee's flexibility for program design as well as reducing its record-keeping requirements.
- DHCD must give priority to funding those activities located in, or serving, US HUD approved Neighborhood Revitalization Strategy Areas.<sup>23</sup>
- DHCD awards additional RFA points to activities benefiting NRSAs.

### Eligible Block Groups (EBGs)

- EBGs are census block groups where **at least 51 percent of the households have incomes of 80 percent of the County's area median income or below and there is a high concentration of poverty and unemployment.** The boundaries of CDBG eligible block groups are determined by the results of the 2000 Census.
- EBGs not formerly designated as Community Development NRSAs are grouped regionally by Commission District and are included in the District's Strategic Plan.
- Non-housing projects are recommended for census tracts and EBGs in unincorporated Miami-Dade County and participating jurisdictions where at least 51 percent of the households are low to moderate-income. In municipalities that do not have their own CDBG entitlement program, proposed activities funded by the County must address the priority needs of populations identified in the Miami-Dade County Consolidated Plan.

### Entitlement Jurisdictions

- Within geographic Miami-Dade, six municipalities are designated with their own federal entitlements (Miami Gardens, Miami, Hialeah, Miami Beach, North Miami and Homestead) and receive federal funds directly from the US Department of Housing and Urban Development (US HUD). In addition, one municipality (Florida City) participates in the State's Small Cities Program for federal Community Development Block Grant

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<sup>23</sup> FY 2007 Planning Process Policies.

(CDBG) and Home Investment Partnership (HOME) funds. Miami-Dade County may utilize Federal funds, as appropriate, to fund high priority needs within those jurisdictions if the activities demonstrate Metropolitan Significance and are consistent with the high priority needs identified in that jurisdiction's Consolidated Plan. To be considered an activity of Metropolitan Significance and be eligible for CDBG funding, the proposed activity must pass an eligibility test that demonstrates that the activity has a countywide benefit in which the majority of its past and present beneficiaries are from unincorporated Miami-Dade County and its participating jurisdictions. HOME projects in entitlement jurisdictions require a 25 percent local match.

## HOUSING

### **Affordable Housing Contracts**

- The following language must be included in all affordable housing contracts:

Upon sale of an assisted Property within the affordability period, the homeowner will pay to Miami-Dade County the principal amount of the Loan, together with a share of the appreciation in the value of the Property. Such share shall be determined by applying (I) the percentage that represents the ratio of the original principal amount of the Loan to the original unsubsidized sales price (i.e. the gross purchase price) in the connection with the purchase of the Property (The "Principal to Original Sales Price Ratio") to (II) the amount, if any, by which the sales price upon transfer of the Property exceeds such original sales price. If the Loan is not evidenced by funds but a benefit conferred by the Lender (Miami-Dade County) or other public agency on the seller of the Property, and the homeowner is not in default under the Note or the Subordinate Security Instrument, the share of appreciation due the Lender herein shall be reduced by sum of (a) the amount of any cash down payment for the purchase of the Property, (b) the homeowner's reasonable and customary costs of sale of the Property (including any broker's commission, and (c) the value of any documented, permanent improvements to the Property that are in compliance with any applicable requirements established by the Lender.

### **Displacement**

- All projects involving acquisition of existing buildings must demonstrate that there will be no displaced individuals as a result of the acquisition. If the displacement of individuals is necessary, a relocation plan must be submitted with the application.

### **DCHC Funded For Sale Homeownership Projects**

- **Proposed Policy for FY 2011: DHCD will develop a strategy to assist DHCD funded for sale homeownership projects. In the spirit of the "finish what we started" policy, priority be given to housing projects that have received a prior allocation of County funds but have been affected by the economic downturn. These allocations will be subject to internal and/or external underwriting, ensuring that the County's funding will provide the last critical piece of additional funding necessary to complete the housing project. These dollars will only be made available after an internal project financing restructuring analysis wherein "but for" Miami-Dade County funds, the project cannot be completed. Reprogrammed dollars will be used to fund this strategy.**

**These funds may also be used to assist home owners who received County second mortgage assistance when they purchased their primary residence, but after some time, have been negatively affected by the economy. Funds can be used to replace senior**

debt and homeowner association obligations provided that the homeowner is motivated and the senior lender is willing.<sup>24</sup>

#### **Foreclosure Prevention and Intervention**

- Encourage homeownership through the funding of second mortgages, and providing the necessary resources to ensure that families are able to keep their homes during stressful economic times.<sup>25</sup>
- Miami-Dade County will address foreclosures through:<sup>26</sup>
  - Establishment of forbearance accounts;
  - One-time fresh start agreements that suspend payments from troubled borrowers in order to help improve their financial condition;
  - Counseling services; and
  - Foreclosure Intervention Prevention program. This program is limited to homeowners who currently have mortgages with Miami-Dade County. The program funds may be utilized to contract with Homebuyer Assistance Counseling agencies to include foreclosure intervention prevention.

#### **Homeownership**

- Promote homeownership opportunities by providing assistance to homebuyers and by maintaining the supply of affordable units available for purchase. Due to the condition of the housing market, the County will not fund new construction projects for homeownership, ~~except prior funded HOME CHDO projects.~~<sup>27</sup>

**Proposed Policy for FY 2011:** New construction projects for homeownership units will not be funded in FY 2011. DHCD proposes NO funding for the construction of new homeownership units in 2011. This includes funding for the CHDO set aside projects. Instead, the County will provide additional technical assistance to assist CHDOs to complete and close out existing homeownership projects.<sup>28</sup> This proposed change will require the above policy to be revised.

- ~~Surtax and SHIP funds should be equitably distributed between rental developments (50 percent) and homeownership mortgage and rehabilitation assistance (50 percent).~~<sup>29</sup> Funding priority should be given to homeownership second mortgages and to developments funded by the County.<sup>30</sup>

#### **Homeowner Rehabilitation**

- Continue to assist existing homeowners to maintain their properties by providing financial assistance to the rehabilitation of substandard units.<sup>31</sup>
- **Proposed New Policy for FY 2011:** It is recommended that \$1 million in HOME be set aside for homeowner rehabilitation/reconstruction to assist families with rehabilitating the

<sup>24</sup> Proposed FY 2011 Planning Process Policies.

<sup>25</sup> FY 2009 Planning Process Policies.

<sup>26</sup> FY 2009 Planning Process Policies.

<sup>27</sup> FY 2008-2012 Consolidated Plan. Revised through the FY 2009 and FY 2010 Planning Process Policies.

<sup>28</sup> Proposed FY 2011 Planning Process Policies.

<sup>29</sup> The policy to evenly split Surtax and SHIP funds between homeownership and rental development was suspended on March 17, 2009 as per Resolution No. R-289-09. This policy is temporary until additional affordable housing funding becomes available.

<sup>30</sup> FY 2009 Planning Process Policies.

<sup>31</sup> FY 2008-2012 Consolidated Plan.

aging housing stock in Miami-Dade County. Eligible applicants will be households whose annual Area Median Income (AMI) does not exceed 80 percent.<sup>32</sup>

#### **Housing for Homeless and Special Needs Persons**

- Provide support facilities and services, as well as increase the supply of units for non-homeless persons with special needs. Continue to improve the living conditions of residents of public housing by physically upgrading existing units.<sup>33</sup>
- \$1 million of HOME funds will be set aside for Homeless initiatives.<sup>34</sup>
- \$1 million of HOME funds will be set aside for Elderly Housing Rehabilitation

#### **Lead-Based Paint Hazards**

- Reduce lead-based paint hazards.<sup>35</sup>

#### **Preservation of Affordable Housing**

- The County will not provide support for projects that would result in the loss or conversion of affordable housing units without the replacement of the same number of units in or around the area. For HOME units, affordable housing is defined as households with incomes at or below 80 percent of area median income (AMI), adjusted for family size. The Documentary Surtax Program requires that a minimum of 50 percent of funds allocated to each successful developer must benefit low-income families (those with income at 80 percent or less of AMI for Miami-Dade County).<sup>36</sup>

#### **Resale/Recapture Option**

- In the event of a transfer by homeowners of affordable housing units (through sale within the affordability period), DHCD, shall be entitled to recapture an amount equal to the percentage subsidized, from the proceeds of the sale of the home. These funds will be utilized for provision of new affordable housing.
- In addition to recapture, the County has a resale option, which ensures that the HOME assisted unit remains affordable over the entire affordability period. If a unit is designated affordable and it is sold during the affordability period, the sale must be to a low-income family meeting the HOME program definition.
- **The County has opted to use the Resale option instead of the recapture option.**

#### **Rental Housing**

- Provide assistance to rental households by increasing both the supply of affordable housing and the availability of rental assistance and support services, especially for those with incomes at or below 30 percent of the median income group.<sup>37</sup>
- Focus on delivering affordable rental housing instead of converting existing rental units to condominiums.<sup>38</sup>

<sup>32</sup> Proposed FY 2011 Planning Process Policies.

<sup>33</sup> FY 2008-2012 Consolidated Plan.

<sup>34</sup> FY 2010 Planning Process Policies.

<sup>35</sup> FY 2008-2012 Consolidated Plan.

<sup>36</sup> FY 2009 Planning Process Policies.

<sup>37</sup> FY 2008-2012 Consolidated Plan.

<sup>38</sup> FY 2009 Planning Process Policies.

### **Retainage**

- In accordance with industry and County standards, DHCD will retain ten percent of the development award until a project reaches 75 percent completion, at which point the retainage will be reduced to five percent. The five percent retainage and any remaining retainage will be released after satisfactory final certification of completion or occupancy, final release of liens, and as-built drawings are received by DHCD. This will allow more flexible cash flow for the project.<sup>39</sup>

### **LEVERAGING**

#### **Leveraging and Gap Financing**

- Proposals will be evaluated for leverage and must indicate adequate financial resources to complete the project. Any financial gaps or contingencies must be noted prior to project commencement. Documentation of other funding sources through letters of commitment will be required for all projects.
- DHCD will not consider funding for any activity that has not secured a minimum of \$25,000 in outside funding sources to support its operations. The implementing agency for the activity must submit with its Request for Application (RFA) documents that confirm that the outside funding has been secured.
- CDBG, HOME and HOME/CHDO funds are to be used as gap financing and not as the sole funding source for a project or program. Applicants must provide written documentation, with the application, of the availability and status of all other current sources of funding (towards the project or its administration).

### **LOW INCOME AND EXTREMELY LOW INCOME HOUSEHOLDS AND NEIGHBORHOODS**

- Strong emphasis will be placed on projects, CBO capacity building programs, and activities that directly address priority needs of populations that contain the highest incidences of poverty identified in the FY 2008-2012 Consolidated Plan.

### **MONITORING AND EVALUATION**

- The County requires all sub-grantees to adhere to all federal and local program compliance requirements. The County, on a regular basis, will monitor each sub-grantee through progress reports and site visits. If a sub-grantee cannot meet the terms and conditions of its contract or agreement, DHCD may recommend that the contract be terminated and the funds either be used by another entity to carry out the same activity, or address a different priority.

### **PUBLIC SERVICE**

- Only County departments will be funded with public service funds, subject to the fifteen (15) percent U.S. HUD mandated cap.

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<sup>39</sup> FY 2009 Planning Process Policies.

## SUSTAINABLE DEVELOPMENT AND SMART GROWTH

### Green Development

- In the Consolidated Request for Application (RFA) evaluation process, DHCD will:
  - Reward Green Development with bonus points.<sup>40</sup>
  - Award points to projects that promote infill development and Transit Oriented Developments (TOD) in conjunction with the Community Affordable Housing Strategies Alliance (CAHSA) Housing Strategic Plan.<sup>41</sup>
  - Encourage building of ENERGY STAR Qualified New Homes. ENERGY STAR homes must meet guidelines for energy efficiency set by the US Environmental Protection Agency.<sup>42</sup>
  - Encourage water efficiency and methods recommended through the US Environmental Protection Agency (EPA) WaterSense program.

### Innovation Funding

- Proposed New Policy for FY 2011: DHCD will seek to provide Innovation Funding to projects that undertake sustainability, green development and other initiatives that DHCD is seeking to promote. It is anticipated that recaptured or unallocated dollars will be utilized, wherein these funds become available, to fund innovative projects. DHCD contemplates that these projects might include sustainability pilot projects (i.e. green, transit oriented development, mixed type projects including mixed income and mixed housing, etc.). These projects shall highlight joint ventures, public/private partnerships, leveraging, non-financial contributions/resources, and green and/or job creation activities. DHCD anticipates funding one or two such projects through the reprogramming process, depending on the availability of funds. If federal dollars are used to fund such a project, the project must meet a US HUD national objective.

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<sup>40</sup> FY 2009 Planning Process Policies.

<sup>41</sup> FY 2009 Planning Process Policies.

<sup>42</sup> FY 2009 Planning Process Policies.

## PART III: FUNDING AND PROJECTED ALLOCATIONS

### ACTION PLAN FUNDING ALLOCATIONS

The following table lists the FY 2010 funding sources and types that were included in the FY 2010 Action Plan. Projected allocations for 2011 for each program are also provided. (These projected numbers are estimates based on current allocations and are subject to change.)

#### FY 2010-2011 TOTAL ESTIMATED FUNDING ALLOCATION BY FUNDING SOURCE\*

<b>Community Development Block Grant (CDBG)</b>	<b>Federal</b>	<b>19,779,850</b>	<b>17,360,000</b>
<i>CDBG Allocation</i>	<i>Federal</i>	<i>19,579,850</i>	<i>17,060,000</i>
<i>CDBG Program Income</i>	<i>Federal</i>	<i>200,000</i>	<i>300,000</i>
<b>Emergency Shelter Grant (ESG)</b>	<b>Federal</b>	<b>788,826</b>	<b>750,000</b>
<b>Home Investment Partnerships (HOME)</b>	<b>Federal</b>	<b>10,529,971</b>	<b>6,679,000</b>
<i>HOME Allocation</i>	<i>Federal</i>	<i>7,029,971</i>	<i>6,479,000</i>
<i>HOME Program Income</i>	<i>Federal</i>	<i>500,000</i>	<i>200,000</i>
<i>HOME Prior Year Program Income**</i>	<i>Federal</i>	<i>3,000,000</i>	<i>0</i>
<b>State Housing Initiative Partnership (SHIP)</b>	<b>State</b>	<b>500,000</b>	<b>TBD</b>
<b>Documentary Surtax Program (Surtax)</b>	<b>County</b>	<b>0</b>	<b>0</b>
<b>CDBG-Recovery (CDBG-R)***</b>	<b>Federal</b>	<b>1,000,000</b>	<b>0</b>
<b>TOTAL ALL SOURCES</b>		<b>32,598,647</b>	<b>24,789,000</b>

\*FY 2010 Includes prior years program income of \$3 million

\*\* Stimulus Funds not available for FY 2011 RFA\*\*

\*\*\* Please note that the funding amounts reported reflect the actual funds awarded by US HUD as of March 31, 2010. These figures differ from the amounts in the FY 2010 Action Plan, as those amounts were based on prior year funding estimates.

DHCD reserves the right to substitute all or part of any set aside project funding, as appropriate for the funded activity. In order to receive HOME funds from US HUD a local funding match is required. Although this match is expected to be covered through the utilization of the SHIP funds, any housing project located in an entitlement area must demonstrate a match from the entitlement where the project is located.

HODAG program income and prior year HOME program income funds may also be available for allocation in the FY 2011 RFA.

**FY 2011 CDBG ESTIMATED FUNDING ALLOCATION**

<b>CDBG Entitlement</b>		
<b>Category</b>	<b>FY 2011 Estimated Funding</b>	<b>FY 2011 Percentage</b>
Administration	\$3,472,000	20%
County Departments	8,680,000	50%
*Municipalities/Public Facilities/Capital Improvements/Economic Development	2,500,000	14%
*NRSA High Priority Needs/Neighborhood Initiatives	2,708,000	16%
<b>Total</b>	<b>\$17,360,000</b>	<b>100%</b>

\*These amounts may change since CDF allocations will not be known until applications are received, scored and ranked. CDF allocations can only be made to these two categories

**FY 2011 HOME ESTIMATED FUNDING ALLOCATION**

<b>Category</b>	<b>Estimated FY 2011 Funding</b>	<b>FY 2011 Percentage</b>
Program Administration	\$667,900	10.0%
CHDOs Operating Support	\$333,950	5.0%
CHDO Set-Aside	\$1,001,850	15.0%
Rental Housing	\$ 1,175,300	17.5%
New Construction Homeownership - CHDO	-	0.0%
Elderly Homeowner Rehabilitation	\$1,000,000	15%
Homeowner Rehabilitation	\$1,000,000	15%
Homeless Housing	\$1,000,000	15%
Tenant Based Rental Assistance (TBRA)	\$500,000	7.5%
<b>TOTAL</b>	<b>\$6,679,000</b>	<b>100%</b>

## PART IV: TIMELINE FOR FY 2011 CONSOLIDATED PLANNING ACTIVITIES

<b>March, 2010</b>
<ul style="list-style-type: none"> <li>• DHCD meets with the NRSA Community Advisory Committees (CACs) regarding performance of currently funded neighborhood activities and priority needs for FY 2011.</li> <li>• Distribute appropriate sections of RFA and attachments to DHCD, and Homeless Trust for updating and revisions</li> </ul>
<b>April 2010</b>
<ul style="list-style-type: none"> <li>• Consultation with South Florida Community Development Coalition</li> <li>• Meeting with RFA Work Group</li> <li>• DHCD meets with County Departments regarding performance of currently funded neighborhood activities and priority needs for FY 2011</li> <li>• Consult with participating municipalities to update neighborhood priorities and needs</li> <li>• Consult with Office of Americans With Disability Act (ADA) Coordination and Commission on Disabilities</li> <li>• Monitoring of Action Plan activities begins and continues throughout the year</li> <li>• RFA technical assistance workshop for agencies, groups and individuals</li> <li>• Meeting with RFA County partners working groups.</li> </ul>
<b>May, June, July, August 2010</b>
<ul style="list-style-type: none"> <li>• May 12, 2010, Housing and Community Development Committee public hearing to approve FY 2011 Policies</li> <li>• May public meetings.</li> <li>• FY 2011 RFA available</li> <li>• DHCD and the Office of Strategic Business Management discuss funding recommendations.</li> <li>• First draft of Action Plan, along with accompanying recommendations, is forwarded to Budget Office for review, upon approval by County Mayor's Office.</li> <li>• Funding recommendations are completed and forwarded to County Manager for approval and transmittal to Board for second public hearing.</li> <li>• Neighborhood agencies included in Plan are advised of funding recommendations.</li> <li>• Staff recommendations published in August and 30-day comment period begins.</li> </ul>
<b>September 2010</b>
<ul style="list-style-type: none"> <li>• BCC approves funding recommendations following a 30-day Public Comment period for affected citizens to review the proposed Action Plan.</li> <li>• Consultations with Applicants by DHCD staff</li> </ul>
<b>October-December 2010</b>
<ul style="list-style-type: none"> <li>• FY 2011 Action Plan submitted to U.S. HUD</li> <li>• FY 2011 Action Plan is presented to citizens at public meetings.</li> <li>• FY 2011 contracts are completed</li> </ul>

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# **ATTACHMENTS**

## **ATTACHMENT A**

### **CITIZEN PARTICIPATION PLAN**

**(The Citizen Participation Plan is attached)  
Adopted by the Board of County Commissioners  
Resolution #R-1428-09 on December 15, 2009**

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**Exhibit 2**

**CITIZEN PARTICIPATION PLAN  
FOR THE CONSOLIDATED PLANNING PROCESS  
&  
CITIZEN PARTICIPATION GUIDELINES**

**For**

**DEPARTMENT OF HOUSING  
AND COMMUNITY DEVELOPMENT  
&  
COMMUNITY ACTION AGENCY**

***“Delivering Excellence Every Day”***

December 15, 2009

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*On behalf of the tri-partnership between the Department of Housing and Community Development (DHCD), Miami-Dade Community Action Agency (CAA) and the Community Advisory Committees (CAC), we are pleased to submit to the Board of County Commissioners a revised Citizen Participation Plan & Guidelines. This plan updates the previous document, approved on August, 2005.*

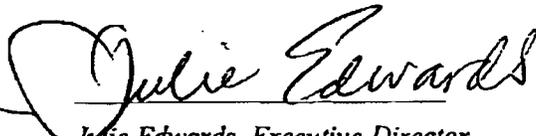
*This update is designed to enhance the citizen participation process in light of the changes in technology and current trends in neighborhood and economic development, new County programs and overall County, State and Federal policy shifts affecting Miami-Dade County.*

*Citizen Participation is essential to our organizational missions. The Citizen Participation process affords opportunities for local residents to involve themselves in the planning and development of activities that affect their lives and their communities. The CACs provide a format for communication between citizens and decision-making entities in more than twenty (20) community target areas throughout Miami-Dade County.*

*DHCD and CAA are delighted to be a part of the citizen participation process and look forward to continuing the efforts of empowering Miami-Dade County's residents and neighborhoods through citizen participation and advocacy.*

*As a part of the democratic process, we encourage citizens to participate and make their voices heard!*

*Sincerely,*  
  
Shalley Jones Horn  
Miami-Dade County  
DHCD

  
Julie Edwards, Executive Director  
Miami-Dade County  
Community Action Agency

## **PART I:**

### **MIAMI-DADE COUNTY CITIZEN PARTICIPATION PLAN FOR THE CONSOLIDATED PLANNING PROCESS**

#### **OVERVIEW OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

The Department of Housing and Community Development (DHCD), formerly known as the Office of Community and Economic Development (OCED), administers Federal and State funding that supports the development of viable urban neighborhoods in Miami-Dade County. Such support is characterized as decent housing, expansion of economic opportunities, public service, capital improvements and the preservation of historic properties. The main sources of funding utilized to meet these needs are the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG). These programs are established to help low- and moderate-income persons, particularly those living in slum and blighted areas. The U.S. Department of Housing and Urban Development (U.S. HUD) regulates and governs the CDBG, HOME and ESG programs. The regulations specify that an entitlement area (an area which receives a direct allocation from U.S. HUD to address high priority needs in low to moderate income communities) must adopt a citizen participation plan, which establishes policies and procedures for citizen participation. The following are entitlement areas in Miami-Dade County: City of Miami, City of Miami Gardens, City of Miami Beach, City of North Miami, City of Hialeah, City of Homestead, Florida City, through the State of Florida Small City Program, and Miami-Dade County.

#### **APPLICABILITY AND ADOPTION OF THE CITIZEN PARTICIPATION PLAN**

The U.S. HUD requires the adoption of a Citizen participation Plan that sets forth the jurisdiction's policies and procedures for citizen involvement. Those citizen participation policies and procedures are listed below.

A Citizen Participation Plan is required as a part of the County's Consolidated Plan. Section 24 of the Code of Federal Regulations (CFR) Parts 91, et al, requires that Miami-Dade submit a Consolidated Plan in order to receive funding under various grant programs. A Consolidated Plan is an approved plan that displays the objectives that a participating jurisdiction proposes to achieve with its federal funding throughout a specific five-year period. Miami-Dade County's Consolidated Plan includes three US HUD Community Planning and Development (CPD) formula programs described previously:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Shelter Grants (ESG)

## **ENCOURAGEMENT OF CITIZEN PARTICIPATION**

The Citizen Participation Plan encourages participation through the following:

- Citizens have an opportunity to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the Consolidated Annual Performance Evaluation Report.
- The main focus of Miami-Dade's Citizen Participation Plan is to encourage all residents, including minorities, non-English speaking persons, as well as persons with disabilities to participate in each of the above-defined activities.
- Additionally, the County works with public housing authorities in an effort to encourage residents of public and assisted housing developments, along with other low-income residents of neighborhood revitalization strategy areas (NRSAs) and, eligible block groups (i.e. communities where more than 51% of the people are low and moderate income), to participate in the process of developing and implementing the Consolidated Plan.

### **Neighborhood Revitalization Strategy Areas**

U.S. HUD has approved eight Neighborhood Revitalization Strategy Areas (NRSA) in Miami-Dade County: Leisure City/Naranja, Goulds, Perrine, South Miami, Melrose, Model City, West Little River, and Opa Locka. Each NRSA has an elected advisory body of area stakeholders who facilitate meetings, review policies and procedures, set priority needs and allocate a percentage of CDBG funds to meet selected community needs during the annual Consolidated Request for Application Process. These meetings provide for multiple venues to hear citizen comments on the development of the Citizen Participation Plan, the Consolidated Plan, the annual Policy Paper, the annual Action Plan and the Consolidated Annual Performance Evaluation Report (CAPER).

As the lead entity, DHCD will consider all public comments and to conduct citizen participation in an advisory manner. The County's citizen participation philosophy is simply that the community's involvement is essential to the development and implementation of all DHCD programs.

## **DEVELOPMENT OF THE CONSOLIDATED PLAN**

Before Miami-Dade County adopts a Consolidated Plan, DHCD will make available to citizens, public agencies and other interested parties information that includes:

- The amount of grant funds and/or program income Miami-Dade County expects to receive and proportionally how those funds will benefit persons of low-to-moderate income, as well as activities that may be undertaken to address high

priority needs included in NRSA strategies, Neighborhood Plans and County approved Charrette process.

- Measures to avoid displacement of families and individuals while carrying out activities under the Consolidated Plan. This includes acquiring vacant buildings and land rather than occupied buildings and land. However, where there seems to be no alternative, the following steps will be taken to assist families and individuals who are displaced:
  - Tenants and homeowners will receive those benefits provided for under the Relocation and Real Property Acquisition Act of 1970, as amended.
  - Relocation referrals are provided to persons being displaced. Various methods are utilized by the relocation staff to identify relocation sources. Those include:
    - ♦ Referrals from realtors or large rental agencies.
    - ♦ Response from owners/agents to advertisements, published in English and Spanish.
    - ♦ Signs displayed by owners/agents in various neighborhoods noted by relocation advisors and/or housing inspectors who report this information to the relocation office.
    - ♦ Word of mouth referrals from persons with whom the relocation office has dealt in the past.
    - ♦ Advertisements in English and Spanish and other non-English newspapers placed by owners/agents offering units for rent and/or sale.
  - When possible and if requested, provisions shall be made to allow displacees to relocate in the neighborhood from which they were displaced.
  - Tenants and homeowners shall be advised of their rights and responsibilities.

### **Publishing the Proposed Consolidated Plan**

DHCD will publicly notice hearings to adopt the Consolidated Plan. This information will also be part of the package of information provided to persons or groups applying for funding through grant programs supporting the Consolidated Plan.

### **Public Hearings**

There will be two (2) public hearings to obtain citizens' views and to respond to proposals and questions. Both hearings will be held before the Miami-Dade Board of

County Commissioners (BCC) or a designated committee of the Board. These hearings will address housing and community development needs, development of proposed activities and review of program performance. The hearings will be held in a public facility that is easily accessible to the public including persons with disabilities. The place, date and time of these hearings will be determined by the County Manager in consultation with the Chairperson of the Board of County Commissioners or the Chairperson of the Board's designated committee.

The first public hearing will be held during the development of the Consolidated Plan. To guide the process of soliciting proposals for funding, a policy paper will be presented to the Board of County Commissioners or a designated committee of the Board. The views of citizens on housing and community development needs, including priority non-housing community development needs will be considered.

The second public hearing will be held to adopt the Consolidated Plan. The Board of County Commissioners or a designated committee of the Board will review program performance, including the performance of ongoing activities, in their consideration of adopting the annual action plan. During the public hearing, the board will consider the comments or views of citizens received orally, or in writing, in preparing to adopt the proposed consolidated plan.

Together the two public hearings shall address, in addition to the above issues, community development and housing needs; development of proposed activities, and review of program performance.

The Community Advisory Committees (CACs) for the Neighborhood Revitalization Strategy Areas will have the opportunity to review and comment on the Consolidated Plan, prior to its adoption. The CAC meetings will provide citizens from the NRSAs with a reasonable opportunity to comment on the Consolidated Plan.

A public notice summarizing the action to be taken at each public hearing will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons, at least fifteen (15) days prior to the hearing. Notice of the hearings shall be published on the DHCD website (<http://www.miamidade.gov/ced>) and the County Calendar (<http://www.miamidade.gov>). The notice shall provide information on the time, location and subject of the hearing, and state that accommodations for the disabled or non-English speaking residents will be made available for free upon advance request, at least five (5) days prior to public the hearing.

Copies of the Consolidated Plan will be distributed to regional public libraries, the Office of American's with Disabilities Coordination, the Homeless Trust and through the Miami-Dade Community Action Agency neighborhood network. Copies of the Consolidated Plan will also be available at the DHCD office, located at 701 NW 1<sup>st</sup> Court, 14<sup>th</sup> Floor, Miami, FL 33136, during regular business hours.

This public notice period, as required by U.S. HUD, allows for citizens to respond to the proposed Plan before it is adopted by the Board of County Commissioners. Citizens will have at least thirty (30) days to provide comments on the Consolidated Plan. A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan. Written responses to citizen complaints and grievances, including procedures that citizens must follow when submitting complaints and grievances, shall be issued within fifteen (15) working days of receipt of the complaint or grievance, where practicable.

Every effort will be made to increase public awareness and participation for public hearings through additional methods of advertising in order to obtain citizen's views in response to the proposals concerning the consolidated plan.

### **CRITERIA FOR SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED PLAN**

A substantial change for a planned or actual activity will require an amendment to the Plan. A substantial change is any change in purpose, scope, funding amount, location and/or beneficiaries of an activity, which actually and/or materially affects one or more of the preceding in the manner stated below:

- An activity assumes a new purpose.
- The scope of activity is increased by 50% or more.
- The minimum change in the cost of an activity is \$125,000 or more, or
- An activity's services are redirected outside of the previously agreed upon strategy areas.

Amendments, which affect established target areas will be submitted to the respective Neighborhood Advisory Committees for review and comment during the committee's next regularly scheduled meeting in order to provide citizens with a reasonable opportunity to comment on any substantial amendments to the Plan.

A public notice summarizing the amendment(s) will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons, at least 15-days prior to the hearing. Copies of the amendments will be available at the DHCD office, located at 701 NW 1<sup>st</sup> Court, 14<sup>th</sup> Floor, Miami, FL 33136, during regular business hours. Notice of the hearing shall also be published on the DHCD website (<http://www.miamidade.gov/ced>) and the County Calendar (<http://www.miamidade.gov>). The notice shall provide information on the time, location and subject of the hearing, and state that accommodations for the disabled or non-English speaking residents will be made available for free upon advance request, at least five (5) days prior to public the hearing.

This public notice period, as required by U.S. HUD, allows for citizens to respond to the proposed amendment before it is adopted by the Board of County Commissioners.

Citizens will have not less than thirty (30) days to provide comments on the proposed amendment(s). A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

### **PERFORMANCE REPORTS**

Before DHCD submits the annual CAPER to U.S. HUD, a public notice announcing the availability of the report will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the report will be available at the DHCD office during regular business hours. The notice will allow for a 15-day period during which DHCD will receive comments on the performance report before its submission. The Miami-Dade Department of Housing and Community Development will consider any comments or views of citizens received in writing or orally at public hearings in preparing the performance report. A summary of these comments or views will be attached to the performance report.

### **MEETINGS**

Miami-Dade County has adopted a Citizen Participation Plan that establishes a formal structure through which residents may participate in the planning, implementation and evaluation of the program in an advisory role. Residents are afforded the opportunity to help identify community conditions and determine community needs, help develop corrective strategies and monitor their progress and effectiveness. To foster the most effective citizen participation process possible, Miami-Dade County will make reasonable efforts to ensure continuity of residents' involvement by encouraging continuous participation throughout all stages of the process, from initial planning through assessment of performance.

Public meetings will be held in each of the NRSAs no less than four times per year to provide residents an opportunity for input into all phases of the process. The meetings will be for the general purpose of providing residents with information, soliciting their views and providing them with an opportunity to comment on Miami-Dade County's community development needs and performance.

As a public body, the CACs are subject to the Florida Sunshine Law (Sunshine Law). The Sunshine Law requires:

- All meetings must be open to the public;
- Reasonable notification of such meetings must be given; and
- Minutes of the meetings must be taken.

### **ACCESS TO RECORDS**

Pursuant to Florida statutes, all information and records relating to the development of the Consolidated Plan and Miami-Dade County's use of funds awarded under the

Consolidated Plan will be on file at the Department of Housing and Community Development, 701 NW 1 Court, Suite 1400, Miami, FL. The office is open from 8:00 a.m. until 5:00 p.m., Monday through Friday. It is closed on holidays. The public has access to these records for the current year and four years after the performance report is submitted to U.S. HUD.

### **TECHNICAL ASSISTANCE**

Upon request, technical assistance will be provided to groups representing low-and-moderate income persons, including persons with disabilities or other special needs with the completion of applications or proposals for funding assistance under any of the programs covered by the Consolidated Plan, as well as the preparation of a budget for any proposed activity.

### **COMPLAINTS**

Complaints from citizens received in writing or orally at public hearings, in the development of the final Consolidated Plan, amendments to the plan, or the performance report, will be summarized and attached to the final consolidated plan, amendment of the plan or performance report. A summary of comments or views not accepted and the reason thereof will also be attached. Citizens' written complaints will receive a response in writing within fifteen (15) days of receipt of the complaint, where practicable.

## **PART II:**

### **COMMUNITY ACTION AGENCY**

#### **OVERVIEW OF COMMUNITY ACTION AGENCY**

Community Action Agencies (CAAs) are private non-profit or public organizations that were initially created by the federal government in 1964 to combat poverty in geographically designated areas. The Miami-Dade County Community Action Agency is one of a number of CAAs nationally that are part of a local government structure. Status as a CAA is the result of an explicit designation by local or state government. A CAA has a tripartite board structure that is designed to promote the participation of the entire community in the reduction or elimination of poverty. Community Action Agencies seek to involve the community, including elected public officials, private sector representatives and especially low-income residents in assessing local needs and attacking the causes and conditions of poverty.

#### **PURPOSE AND MISSION**

A substantial portion of the funding for CAAs comes from the Community Services Block Grant (CSBG), which was created in 1981 by the Omnibus Budget Reconciliation Act.

The purpose of the CSBG Act, as amended by the Coats Human Services Act of 1998, is "to provide assistance to States and local communities, working through a network of CAAs and other neighborhood based organizations, for the reduction of poverty, the revitalization of low-income communities and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient".

A CAA carries out its mission through a variety of means including: (a) community-wide assessments of needs and strengths, (b) comprehensive anti-poverty plans and strategies, (c) provision of a broad range of direct services, (d) mobilization of financial and non-financial resources, (e) advocacy on behalf of low-income people and (f) partnerships with other community-based organizations to eliminate poverty. A CAA involves the low-income population it serves in the planning, administering and evaluation of its programs.

Six national goals were developed by the U.S. Department of Health and Human Services in 1994 for community action. Those goals are:

- Goal 1: Low-income people become more self-sufficient.
- Goal 2: The conditions in which low-income people live are improved.
- Goal 3: Low-income people own a stake in their community.
- Goal 4: Partnerships among supporters and providers of services to low - income people are achieved.

- Goal 5: Agencies increase their capacity to achieve results.
- Goal 6: Low-income people, especially vulnerable populations, achieve potential by strengthening family and other supportive systems.

### **MIAMI-DADE COMMUNITY ACTION AGENCY STRATEGY & APPROACH**

The CSBG Act requires the formation and maintenance of a tripartite board, for a CAA, as the critical structure to assure decision-making and participation by low-income individuals in the development, planning, implementation and evaluation of programs funded under CSBG. The tripartite board must be constituted such that:

- One-third of the members of the board are elected public officials, holding office on the date of selection, or their representatives;
- Not fewer than one-third of the members are persons chosen in accordance with a democratic selection procedure adequate to assure that these members are representatives of low-income individuals and families in the neighborhood served; and
- The remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education or other major groups and interests in the community served.

Although the State of Florida has the option to develop a different mechanism for public CAAs, such as Miami-Dade CAA, the State has utilized the requirements cited above as the framework for public CAAs as well.

CAA, in its desire to fully engage the community, employs a two-tiered approach to the engagement of the community. The Community Action Agency Board (CAAB), as the tripartite board for Miami-Dade County, is duly responsible to ensure the involvement of all three sectors in advocacy, resource mobilization, education and service delivery to impact the incidence of poverty in Miami-Dade County. Recognizing the magnitude of the geography of Miami-Dade County, the formation of community advisory committees in targeted communities provides CAA with an enhanced opportunity to maximize representation of low-income residents, to reduce isolation of those communities and to present a unified voice to address community attitudes and practices toward the poor and to impact the allocation of public and private resources for the reduction or elimination of poverty.

Community Advisory Committees consist of two structures: the CAA CAC and the CAA/DHCD CAC. The CAA Community Advisory Committees focus on social concerns impacting their neighborhoods. In communities where CAA and DHCD share the same boundaries, the CAA/DHCD Community Advisory Committees, in addition to social concerns, focus on issues related to the community and economic development of their neighborhoods.

Community Advisory Committees consist of two structures. The CAA CACs are intended serve as the advisory committees for the Target Areas, and the CAA/DHCD CACs are the advisory committees for the joint Target Areas/Neighborhood Revitalization Strategy Areas (NRSAs). The CAA Community Advisory Committees for the Target Areas focus on social concerns impacting their neighborhoods. In communities where Target Areas and NRSAs share the same boundaries, the communities have joint CAA/DHCD Community Advisory Committees. In addition to social concerns, the joint CACs focus on issues related to the community and economic development of their neighborhoods.

### **STRUCTURE AND SCOPE**

Through the formation of CACs, residents are empowered to effectively speak directly on behalf of their interests and views within their immediate areas and within the broader community while working together to reach solutions to problems. Central to the plan is the establishment of two citizen participation structures on the neighborhood level and on a countywide level. To better maximize the use of local resources, the Community Advisory Committees must develop and nurture positive relationships with private and public sector entities to improve the quality of life in low-income neighborhoods. The neighborhood structure exists in the form of Community Advisory Committees. The countywide structure exists in the form of a Community Action Agency Board. Throughout its history, the Community Action Agency Board mandated that:

- There shall be a Community Advisory Committee in each of the identified target areas as established by Citizen Participation Guidelines of CAA and adopted by the County Commission.
- Each Community Advisory Committee shall serve in an advisory capacity to the Community Action Agency Board and shall have the opportunity to recommend, plan and conduct neighborhood projects.
- Each Community Advisory Committee may establish subcommittees deemed necessary to carry out the neighborhood projects.
- Guidelines for community advisory committees, established by the Community Action Agency and adopted by the Board of County Commissioners, shall govern the Community Advisory Committees.

### **LEADERSHIP DEVELOPMENT**

Critical to the Community Action Agency philosophy is the need for residents of low-income communities to become advocates and to play a central role in public policy initiatives and programs that have a direct impact on their environment. The CAA's objective is to reduce the isolation of the poor and to improve communication between themselves and policy-makers. The ultimate objective is not to speak for the people,

but rather to enable them to speak for themselves. To better equip the Advisory Committees in fulfilling their advocacy mission and making sound decisions, CAA must provide CAC members with capacity building and leadership development training to support their efforts in the building of better communities.

## **PART III:**

### **COMMUNITY ADVISORY COMMITTEE GUIDELINES**

#### **NAME**

Each Community Advisory Committee (CAC) will be identified by the name of its Target Area or Neighborhood Revitalization Strategy Area (NRSA). Each committee will represent the Target Area or NRSA whose boundaries are recognized by the Board of County Commissioners.

#### **MEMBERSHIP**

The Community Advisory Committees will consist of residents and area stakeholders. Stakeholders are those individuals who may be impacted by the outcome of the initiatives that will be developed in the Target Area/NRSA. Stakeholders are defined as residents, property owners, business owners or persons employed in the Target Area/NRSA.

#### **A. COMMUNITY ADVISORY COMMITTEE COMPOSITION**

- In order to serve as a member of any CAC, you must be at least eighteen (18) years of age and a registered voter in Miami-Dade County.
- The Department of Housing and Community Development (DHCD), the CAA/DHCD and the Community Action Agency (CAA) Advisory Committees will consist of thirteen (13) members. Members must be residents, property owners, business owners, or employed in the Target Area/NRSA.
- The DHCD Advisory Committees will consist of four (4) Officers and nine (9) Members, as follows:
  - Chairperson
  - Vice-chairperson
  - Secretary
  - Parliamentarian
  - 9 Members
- The combined CAA/DHCD Advisory Committees will consist of five (5) Officers and eight (8) Members. Of the eight members, each CAA Advisory Committee may have two (2) non-resident, non-stakeholder members that shall be appointed by the CAA Advisory Committees. The remaining eleven (11) members shall be duly elected. The configuration of the CAA/DHCD Advisory Committee shall be as follows:

- Chairperson
  - Vice-chairperson
  - Secretary
  - Parliamentarian
  - CAA Board Representative Alternate
  - 8 Members
- The CAA Advisory Committees will consist of five (5) Officers and eight (8) Members. Each CAA Advisory Committee may have two (2) non-resident, non-stakeholder members that shall be appointed by the Committee. The remaining eleven (11) members shall be duly elected. The configuration of the CAA Advisory Committee shall be as follows:
    - Chairperson
    - Vice-chairperson
    - Secretary
    - Parliamentarian
    - CAA Board Representative Alternate
    - 8 Members
  - Miami-Dade County staff employed by DHCD or CAA are ineligible to be Advisory Committee members. Staff may, however, participate in discussions at meetings of any Committee. Any person who works for an agency that receives funds from DHCD/CAA may serve as a member of the Advisory Committee but must adhere to rules of conflict of interest.
  - Miami-Dade County staff employed by Miami-Dade County departments other than DHCD or CAA may serve as Committee members provided they reside within the target area, however employees of Miami-Dade County are not eligible if they merely work, own property, or operate a business in the target neighborhood.

**B. TYPES OF MEMBERSHIP**

There are two types of membership in the Community Advisory Committee: Member and Officer.

**MEMBERS**

A Member of the Advisory Committee must be a stakeholder in the Target Area/NRSA.

The committee may consider using one (1) parent of a child currently enrolled in Head Start/Early Head Start who will represent Head Start and one (1) young adult representative (age 18 – 25). However, this is not a requirement.

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## **SUB-COMMITTEES**

- The Sub-Committees shall comply with all of the rules governing the Community Advisory Committee and are subject to Florida's Government-in-the-Sunshine Laws.
- A maximum of two Sub-committees are allowed and are limited to Housing, and Capital Improvements/Economic Development.
- Sub-committee meetings must be held on the same day as the regularly scheduled CAC meeting.
- A minimum notice of forty-eight (48) hours of the Committee members is required.
- A notice must be posted on the County Calendar a minimum of twenty-four (24) hours prior to the meeting.

## **VACANCIES**

A vacancy on the Committee will be determined to exist under the following conditions:

- Absence from three (3) consecutive meetings without proper notification or an excused absence.
- Recall or removal in accordance with the Citizen Participation Guidelines.
- Upon resignation.

Attendance will be verified by a sign-in sheet. Only communication with CAA or DHCD staff in advance of the meeting will be accepted as "proper notification" for an excused absence. An excused absence includes, sickness, travel, family emergency, or significant commitments, such as work related commitments. At the subsequent Committee meeting, the CAC will consider and vote whether to approve the request for the excused absence.

If a member has two (2) unexcused absences within a calendar year, a warning letter will be sent from the Chair of the CAC to the member. When a member attains three (3) unexcused absences within a calendar year, a letter will be sent to the member from the Chair of the Committee indicating that they are no longer on the CAC.

If a member has two (2) unexcused absences within a calendar year, the Chair of the CAC will present a warning letter for the member at the next regularly scheduled meeting. Following the warning letter, when a member attains three (3) unexcused absences within a calendar year, the Chair of the Committee will present a letter at the next regularly scheduled meeting indicating that the member is no longer on the CAC, at which point the Committee may take a vote to remove the Board member. If the member is not present at any of the aforementioned Committee meetings, the Committee may request for County staff to send the letter/s to the member.

When for any reason, a vacancy occurs, the CAC will nominate and elect a new member at the next regularly scheduled meeting. The new member shall be subject to the eligibility requirements for CAC members and must provide the required documentation. If a replacement is not made within thirty (30) days from the date of the letter, the seat shall be deemed vacant and non-voting. The size of the Committee will be reduced for the remaining months in the Committee's calendar year so that the quorum is not affected.

### **OFFICERS**

The Officers of the Community Advisory Committee shall be elected from the body of the committee members. Officers of the CAC will include:

- **Chairperson** - The Chairperson will preside at all Committee meetings. Chairpersons will provide subcommittees the opportunity to form and present their recommendations to the membership for action, will reflect any action approved by the full membership rather than actions of individual members and will assist staff in the preparation of agendas;
- **Vice-Chairperson** - The Vice-Chairperson will, in the absence of the Chairperson, become Acting Chairperson of the committee with all the rights, privileges, and powers afforded to the Chairperson. In the case of a lack of attendance, resignation, recall or death of the Chairperson, the Vice-Chairperson will automatically become the Chairperson.
- **Secretary** - The Secretary will be responsible for drafting Committee correspondence and recording all minutes and other records of the Committee. In the absence of the Chairperson and Vice-Chairperson, the Secretary will temporarily assume the duties of Chairperson. In the case of a lack of attendance, resignation, recall or death of the Vice-Chairperson, the Secretary will automatically become the Vice-Chairperson. In the case of a lack of attendance, resignation, recall or death of the Secretary, the Committee will nominate and elect a new Secretary by voice vote at a regularly scheduled meeting.

- **Parliamentarian (DHCD and CAA/DHCD only)** - The Parliamentarian's responsibility is to ensure that the meeting is conducted in a respectful manner and in accordance with customary rules of decorum. In the case of a lack of attendance, resignation, recall or death of the Parliamentarian, the Committee will nominate and elect a new Parliamentarian by voice vote at a regularly scheduled meeting
- **Community Action Agency Board Representative (CAA and CAA/DHCD only)** The Committee's representative to the Community Action Agency Board will serve as a liaison between the Advisory Committee and the Board. Representatives will be responsible for attending all Board Meetings, reporting to the Committee all Board actions that might affect and/or be beneficial to their target area, bringing to the Board concerns and recommendations from the Community Advisory Committee, and assuming an advocacy position on behalf of their target area in Board decisions. The Community Action Agency Board Representative must reside in the target area that they represent. In case of a lack of attendance at Community Advisory Committee and/or Community Advisory Board meetings, resignation, recall or death of the Community Action Agency Board Representative, the Committee will nominate and elect a new Community Action Agency Board Representative by a voice vote at a regularly scheduled meeting.

**C. GENERAL RESPONSIBILITIES OF MEMBERS AND OFFICERS**

Members and Officers are expected to:

- Support the missions of the Community Action Agency and the Department of Housing and Community Development;
- Solicit input from the community at large;
- Attend meetings regularly; and
- Solely represent the views of the majority of the residents of the area.

**D. TERM OF OFFICE**

Members and Officers of the Community Advisory Committee will be elected for three (3) year terms.

**E. ELIGIBILITY FOR MEMBER AND OFFICER**

All candidates for membership must submit documentation supporting qualifications to serve on the Community Advisory Committee. All eligible candidates must demonstrate that they are at least eighteen (18) years of age

and a registered voter in Miami-Dade County. Additionally, each candidate must have current documentation, which consists of a photo identification issued by a governmental agency as proof of identity. Depending on which eligibility category you are registering under, you will need to submit one of the following:

- **Resident**  
Residents who wish to serve as a Member or an Officer must submit proof of residency within the Target Area/NRSA. Proof of residency may include:
  - A current utility bill with the candidate's name at an address within the Target Area/NRSA;
  - Deeds, mortgages or homestead exemption documentation with the candidate's name and an address within the Target Area/NRSA; or
  - Official correspondence from a governmental agency indicating the candidate's name and an address within the Target Area/NRSA.
  
- **Property Ownership**  
Property owners who wish to serve as a Member must submit property records consisting of deeds, mortgages, homestead exemption documentation and/or mortgage payment documentation with the owners name and address showing ownership and proof that the property in question is located within the Target Area/NRSA.
  
- **Business Ownership**  
Business owners who wish to serve as a Member must submit documentation consisting of corporate records and evidence that the business is located within the Target Area/NRSA.
  
- **Employment in Target Area/NRSA**  
Employees in the Target Area/NRSA who wish to serve as a Member must submit a letter or documentation from the employer stating that the candidate's work location is within the boundaries of the Target Area/NRSA.

**F. MEMBER AND OFFICER ELIGIBILITY QUALIFICATION AFFIDAVIT**

All candidates for the Community Advisory Committee Member position are required to complete the Eligibility Qualification Affidavit (see attachment A) attesting that they have fulfilled the qualifying criteria and are eligible to serve as a Member. This Affidavit will also serve as temporary proof of eligibility for individuals wishing to seek membership on the Community Advisory Committee who are unable to provide the documentation cited above at the time of registration for candidacy. Completion of the Eligibility Qualification Affidavit will

allow an individual to seek membership, pending validation of the information by Miami-Dade County staff. This Affidavit must be filed with the Executive Director of the Community Action Agency or the Executive Director's designee. Staff will have a period of up to thirty (30) days to review the information. If upon review the Committee or Miami-Dade County staff finds that the information attested to in the Eligibility Qualification Affidavit is false or unsubstantiated, this may result in immediate removal from the Member position on the Committee.

## **PART IV:**

### **RULES AND PROCEDURES GOVERNING THE VOTER REGISTRATION AND ELECTION PROCESS**

#### **A. ELECTION ORIENTATION PUBLIC MEETING**

Election orientation public meetings will be held in each target area/NRSA to educate residents and stakeholders on the election process. It is a requirement that at these meetings a minimum of fifteen (15) of the respective Target Area/NRSA residents and/or stakeholders be present. In the event that the resident attendance requirement is not met, another Election Orientation Public Meeting shall be automatically scheduled. If, at the second Election Orientation Public Meeting, the resident attendance requirement is not met, the presiding Community Advisory Committee will remain in office until the next election cycle.

Notification of the Election Orientation Public Meetings will be made ten (10) days in advance and will include the date, time, location and the purpose of the meeting. Public Notification regarding the Election Orientation Public Meetings will occur using various methods of communication (e.g. newspaper, flyer, radio and electronic mail) to ensure inclusion and facilitate maximum participation from the targeted neighborhood. At these meetings, staff will explain to participants the voting registration process, candidate qualifications and the election process for the Community Advisory Committees. The Election Guidelines and Procedures will be provided to individuals registering for candidacy during and after the Election Orientation Public Meeting. CAA Election Staff will also provide a schedule of office hours for the following activities:

- Registration for candidates and voters;
- Submission of poll watcher designation

#### **B. ELECTION DATE**

The date and location of the election will be set by Miami-Dade County staff at the Election Orientation Public Meeting and will be scheduled within a period of no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting.

#### **C. REGISTRATION FOR CANDIDACY**

All candidates seeking a position as a Community Advisory Committee Member must meet eligibility criteria. Registration for all candidates and voters will begin at the Election Orientation Public Meeting and will last for a period of five (5)

working days. All candidates must be pre-registered to appear on the ballot and be considered for election. No write-in candidates will be accepted.

**D. CANDIDATE NOTIFICATION**

After the closing of the registration period, CAA Election Staff will:

- Notify candidates of their eligibility within five (5) working days following the close of the registration period.
- Upon request, provide a list of candidates who have (to date) registered to be placed on the ballot.
- Notify candidates of their ineligibility within five (5) working days following the close of the registration period.

**E. TARGET AREA/NRSA VOTERS**

Participation in the Target Area/NRSA elections will allow community residents and stakeholders the opportunity to contribute to a process that provides input on projects and issues that affect the social and economic well being of their Target Area/NRSA. This section will inform residents and stakeholders on how to qualify and register to vote in their area elections.

**VOTER ELIGIBILITY**

Community Advisory Committee Members are elected by individuals who have been verified to be eligible voters in the Target Area/NRSA Community Advisory Committee election. Only those individuals who have been verified, and deemed qualified will be eligible to vote. Each voter in the Community Advisory Committee (CAC) elections must be at least eighteen (18) years of age, be a registered voter in Miami-Dade County, and be either a resident, property owner, business owner and/or employed in the Target Area/NRSA.

**VOTER QUALIFICATIONS**

In order to qualify as an eligible voter, a person will need to present a current photo identification issued by a government agency as proof of identity and one of the following:

- **Resident**  
Residents who wish to vote must submit proof of residency within the Target Area/NRSA. Proof of residency may include:
  - A current utility bill with the resident's name at an address within the Target Area/NRSA;

- Deeds, mortgages or homestead exemption documentation with the resident's name and an address within the Target Area/NRSA; or
  - Official correspondence from a governmental agency indicating the resident's name and an address within the Target Area/NRSA.
- **Property Ownership**  
Property owners who wish to vote must submit property records consisting of deeds, mortgages, homestead exemption documentation and/or mortgage payment documentation with the owners name and address showing ownership and proof that the property in question is located within the Target Area/NRSA.
  - **Business Ownership**  
Business owners who wish to vote must submit documentation consisting of corporate records and/or evidence that the business is located within the Target Area/NRSA.
  - **Employment in Target Area/NRSA**  
Employees in the Target Area/NRSA who vote must submit a letter or documentation from the employer stating that the voter's work location is within the boundaries of the Target Area/NRSA.

### **CAC ELECTION VOTER REGISTRATION**

Registration of voters for the CAC elections will begin at the Election Orientation Public Meeting and will last for a period of five (5) working days. Voter registration for the CAC elections must be done in person. During the voter registration period, those individuals wishing to vote in the Community Advisory Committee election must register with Miami-Dade County staff at the Target Area/NRSA office and complete a CAC election voter registration form (see Attachment B).

Registration will not reopen on the day of election.

At the end of the CAC election voter registration period, the CAA staff will review the voter registration form and the supporting documents for accuracy. Staff will then do the following:

- Develop the roster of qualified voters;
- Compile the registration forms of all qualified voters; and
- Provide the qualified voters list to CAA election staff to use on Election Day.

**F. ELECTION PROCEDURES**

- **DHCD Only**  
If there are more than thirteen (13) qualified candidates, an election will take place no earlier than ten (10) and later than twenty (20) working days after the Election Orientation Public Meeting. If there are thirteen (13) or fewer qualified candidates in the election, each candidate will be declared a winner without a formal election process. The CAA Election Staff will send the roster of the candidates to the Executive Director of the Community Action Agency or the Executive Director's designee for certification.
  
- **CAA and CAA/DHCD Only**  
Of the thirteen members in a CAA and CAA/DHCD, only eleven (11) members must be elected. The remaining two members may be appointed by the Committee. If there are more than eleven (11) qualified candidates seeking election to serve on the Committee, an election will take place no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting. If there are eleven (11) or less qualified candidates in the election, each candidate will be declared a winner without a formal election process. The CAA Election Staff will send the roster of the candidates to the Executive Director of the Community Action Agency or Executive Director's designee for certification.

**G. ELECTION PROCESS**

This section will address the procedures and processes by which an election will be carried out in each Target Area/NRSA. The Executive Director of CAA and the Director of DHCD will appoint staff members to oversee and coordinate a joint election process.

**POLLING HOURS**

Each polling place will be open on the day of election from 10 a.m. – 7 p.m. Voters will only be permitted in the polling place at the time that they are casting their vote. Individuals in line to vote in the election at 7 p.m. will be allowed to vote.

**PROCEDURES BEFORE POLLS OPEN:**

- **Voting Booths**  
Two voting booths will be provided in each Target Area/NRSA polling place.

- **Certification of the Ballot Box**

The ballot box will be inspected by staff and witnesses to insure that it is empty and sealed with a numbered seal. The seal number is recorded on the election certificate, which is then signed by the CAA Election Staff.

- **Qualified Voters List**

CAA Election Staff must have a roster of qualified voters at the election table to verify voter eligibility.

- **Ballots**

CAA Election Staff must ensure that there are sufficient ballots.

#### **H. POLL WATCHERS**

A candidate requesting poll watchers must do so in writing; the request must include a list of poll watchers which the candidate has selected. The request for poll watchers must be submitted to the designated staff person no later than twenty-four hours prior to the day of the election. The schedules of each Target Area/NRSA office hours for poll watcher designation will be provided at the Election Orientation Public Meeting. A candidate may have up to a maximum of three (3) poll watchers. However, each candidate may have only one (1) poll watcher in the polling place at any one time during the election. If a candidate submits the names of more than one poll watcher for any polling place, the list must also contain the time periods in which each watcher is to be present in the polling place. Substitutions will not be permitted once the list is submitted.

- Each poll watcher must be a qualified and be registered to vote in the Target Area/NRSA election in which the candidate is running for membership. No candidate or member of the candidate's immediate family, to include parents, brothers, sisters, spouse, or children, shall be designated as a poll watcher. Poll watchers must adhere to the direction of CAA election staff.
- The purpose of a poll watcher is to observe the conduct of the election. If a poll watcher witnesses election irregularities or violations of the election that do not comply with these guidelines, they must inform staff. If the staff person is perceived to be the one at fault, the poll watcher may call the office of the Executive Director of the Miami-Dade County Community Action Agency.
- Poll watchers are not to speak to or interfere in anyway with any poll worker or any voter, with the exception of when entering the polling place. The poll watcher must give their name and provide current photo identification, issued by a government agency, as proof of identity to

staff. Such will be used to verify that they have been designated to serve as a poll watcher at that polling place.

- Poll watchers are not allowed in the registration and check-in areas at any time, and are prohibited from wearing or distributing campaign materials or in any way campaigning for any candidate.

#### **I. PROHIBITED ACTIVITIES**

The following activities are not permitted within a polling place or the building in which it is located on the day of election:

- Distribution of any political or campaign material;
- Solicitation of any vote, opinion, or contribution for any purpose;
- Solicitation of a signature on any petition;
- The sale of any item except in an established place of business;
- Campaign material or literature shall not be posted within a polling place or the building in which it is located;
- Candidates are not permitted within a polling place or the building in which it is located during the hours of voting on the day of any election except for the purpose of casting their vote. This provision does not apply to candidates whose regular place of employment is within the confines of the building in which the polling place is located, nor to clients participating in activities or services provided within the building. However, in neither case are they allowed in the designated polling place except to vote.
- Entrance into the polling place by any person who is not in line to vote from the opening to the closing of the polls, except the officially designated poll watchers, and CAA election staff.
- Voters who come to cast their ballots are allowed to wear campaign materials.

#### **J. VOTING PROCEDURE**

Voters will be directed to a registration check-in table, where they will provide current photo identification, issued by a government agency, as proof of identity to the CAA election staff. The election staff will locate the voter's name in the roster of qualified voters and will ask the voter to sign their name in the designated space on the roster. If the voter is unable to write, they will sign with a mark, which will be initialed by staff. Staff will then compare the signature on the voter roster with the signature on the voter's registration form, and, if necessary, require other identification. Staff will then issue, to the voter, the ballot. CAA Election Staff will provide at each polling place a fictitious sample ballot (Attachment C) to be used in instructing voters on how to vote. Upon request, staff may provide individual voters further instruction by using the

sample ballot. The voter will, without leaving the polling place, enter the voting booth alone to cast the ballot, unless the person requires assistance.

#### K. BALLOTS

- **Spoiled Ballots**

Any voter, who spoils a ballot, will return it to the inspector who will immediately destroy it without examination, and give the voter another ballot. In no case will a voter be furnished with more than three ballots. The inspector will keep a record of all ballots destroyed.

- **Ballot Assistance**

Any voter who registers to vote in any election and is unable to read or write or because of some physical disability, needs assistance in voting, may request assistance of election officials or some other person during the election, to assist them in casting their vote.

#### L. CLOSING THE POLLS

At 7:00 p.m., CAA election staff will make a public announcement that the last voter in line at that time will be the last person permitted to vote. Those voters standing in line at 7:00 p.m. will be allowed to cast their ballot.

After the last vote has been cast, the CAA election staff will declare the polls closed. At that time, all candidates, poll watchers, and members of the news media may enter the polling place to witness the breaking of the seal on the ballot box.

#### M. VOTE TABULATION

After all eligible voters have cast their ballots and the polls are officially declared to be closed, the vote tabulation of the Community Advisory Committee election will proceed as follows:

- Before the tabulation begins, staff may request witnesses to designate two individuals to assist in witnessing the reading of the names and the recording of the votes on the tally sheet. In addition, these witnesses will also sign the election certificate certifying the results of the election;
- CAA Election Staff will then tabulate the results by one staff person calling out the name on each ballot and another staff person recording the vote. The eleven candidates for CAA and CAA/DHCD only and thirteen (13) candidates for DHCD only with the highest number of votes will be elected.

- The CAA Election Staff will certify and issue a preliminary certification of the election results;
- Each member of the CAA Election Staff and the designated witnesses will then sign the election certificate; and
- In the event of a tie, a runoff election will take place at the next regularly scheduled Community Advisory Committee meeting following the Target Area/NRSA election. A notice of the runoff election will be sent to all registered voters of the Target Area/NRSA. A vote by ballot will be held to decide the outcome of the runoff election.

**N. PROTEST OF ELECTION RESULTS**

Any candidate or voter registered and qualified to vote in a CAA CAC or CAA/DHCD CAC election will have the right to protest the results as being erroneous by filing with the Executive Director of the Community Action Agency a sworn, written protest within five (5) business days following the day the election is held. Protests related to the DHCD CAC elections should be filed with the Director of DHCD.

**O. ELECTION CERTIFICATION**

The Executive Director of the Community Action Agency will certify the results of the Election within five (5) business days following the date of the election (barring a protest of the election results). Prior to certifying the results, the Executive Director of the Community Action Agency will have reviewed all letters of protest, investigated the allegations, and taken any action deemed necessary to address election concerns. The Executive Director/Designee will notify the candidates of the election results via U.S. mail.

**P. ELECTION OF OFFICERS**

Election of Officers shall be held within thirty (30) calendar days following the final certification of the members. Miami-Dade County staff will convene the newly elected Community Advisory Committee to elect from among themselves, the Officers of the Community Advisory Committee. The nomination and election of the Officers will take place by voice vote. In case of a tie, the election process will be repeated. If the tie is not broken following the second vote, the tie shall be broken by the toss of a coin. The coin must fall on the floor after it is tossed.

**Q. DUTIES AND RESPONSIBILITIES OF STAFF**

CAA/DHCD staff will provide notices of all Community Advisory Committee meetings and meeting agendas to each Advisory Committee member in writing at least five working (5) days in advance of the meeting. CAA/DHCD staff will be

responsible for ensuring that minutes of all Committee meetings are prepared and that all official action taken by the Community Advisory Committee is included. Minutes will be forwarded to all members prior to the next scheduled meeting and available for public inspection upon request. In communities where there are numerous non-English speaking residents, meeting notices, agendas and summaries of minutes will be provided in the language(s) represented in the communities. Appropriate interpreters will be available during meetings, if possible. At least once a year, a training session for Community Advisory Committee members will be held by a training team of the Community Action Agency. The areas of training will include: HHS Policies and Guidelines, Community Advocacy, Leadership Development, and Project Planning and Evaluating.

**R. DUTIES, RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP**

After being elected, there are certain duties, rights and responsibilities that all members of the Community Advisory Committee must observe. There are also restrictions that govern the activities of Advisory Committee members. They are as follows:

- **QUORUM**  
The Quorum required for any meeting of the Community Advisory Committee will be fifty percent (50%) plus one of the current members. In the absence of a quorum, the Advisory Committee can take no lawful action.
- **PARTICIPATION**  
Participation at Community Advisory Committee meetings, excluding voting, will be open to all interested persons. Voting, however, will be restricted to the members of the Advisory Committee. Each Committee member will have one vote. Voting by proxy or absentee ballot will not be permitted. Provided a quorum is present, a simple majority of those voting will be sufficient to take action in accordance with the Community Advisory Committee Guidelines on those issues that are in support of the missions of the Community Action Agency and the Department of Housing and Community Development.
- **OBJECTIVES OF THE ADVISORY COMMITTEE**  
It will be the responsibility of the Advisory Committee to initiate and to assume a leadership role in the Target Area/NRSA in order to address the following objectives:
  - Support the missions of DHCD and/or CAA.
  - Conduct Target Area/NRSA meetings.
  - Involve all persons who have an interest in the Target Area/NRSA.

- Make people aware of Target Area/NRSA conditions and encourage the improvements of those conditions.
  - Identify problems and issues in Target Area/NRSAs.
  - Identify alternative projects.
  - Facilitate two-way communication with government representative and Target Area/NRSA residents.
  - Recommend priorities within the purview of DHCD/CAA.
  - Provide an opportunity for the discussion of Target Area/NRSA problems and related issues directly related to CAA or DHCD.
  - Review the progress of Target Area/NRSA activities
- **DISCLOSURE**  
 All Community Advisory Committee members are required to disclose any affiliations they have with any organization or person that may have business before the Community Advisory Committee. Upon election, at the first meeting, each member shall disclose, for the record, these affiliations. In the event, the member becomes affiliated with an agency during their tenure, after the first meeting, this must be disclosed at the next scheduled meeting.

**S. ORDER OF BUSINESS**

The order of business for Committee meetings may constitute the following:

- Acceptance of Agenda
- Minutes of Preceding Meeting
- Reports of Officers
- Reports of Subcommittees
- Reports of Staff
- Unfinished Business
- New Business
- Announcements
- Adjournment

**T. SPECIAL MEETINGS**

Special meetings may be held under the following conditions:

- When requested at a regular meeting by a majority vote of the members present subject to county staff availability.
- When requested in advance, at a regularly scheduled meeting, by one-third of the members of the Committee and subject to county staff availability

- When called by Miami-Dade County staff.
- May only be held based upon availability of staff
- Requires a minimum notice of forty-eight (48) hours of the Committee members
- Must be noticed on the County Calendar a minimum of twenty-four (24) hours
- Are subject to the Sunshine Law

**U. DUTIES OF THE ADVISORY COMMITTEE**

In pursuit of the objectives indicated above, the Community Advisory Committee will:

- Convene to establish the regular meeting time and schedule of the Community Advisory Committee that will allow for maximum citizen participation. This will occur within thirty (30) calendar days following the final certification of members.
  - Hold all meetings in a Miami-Dade County facility, which is accessible and amenable to community residents.
  - Assist in providing sufficient notice of meetings to community residents.
  - Establish subcommittees consisting of members and non-members as necessary and appropriate.
  - Review and take official action on sub-committee reports.
  - Make every effort to address and resolve Target Area/NRSA concerns within the Target Area/NRSA prior to being referred to the departmental level. Only matters approved by the majority vote of the members present may be referred to any other level.
- The Advisory Committee participates in program planning, monitoring, and evaluation of activities and programs within their community. In performance of this duty the Advisory Committee will:
  - Provide an opportunity for residents to identify needs or problems in their community as they relate to DHCD/CAA missions.
  - Encourage residents to propose viable solutions to identified needs and problems in their community as they relate to DHCD/CAA missions.
  - Elicit the recommendation and set program or neighborhood priorities from the Target Area/NRSA residents.
  - Review progress of activities within the Target Area/NRSA.
  - Enhance community input in planning Section 3 activities

**V. RESTRICTIONS ON ADVISORY COMMITTEE MEMBERS**

No Advisory Committee member will have the authority to change actions as voted upon by the Advisory Committee as a whole; all recommendations submitted will reflect the vote of the majority. No Advisory Committee member may represent themselves as a spokesperson for the Community Advisory Committee on ideas, issues or proposals, unless it has been pre-approved and authorized by the Advisory Committee as a whole. Nor may any Advisory Committee member appear before official public bodies, as a representative of the Advisory Committee (i.e. County Commission, City Commission, School Board, etc.) unless authorization to represent the Advisory Committee has been voted upon by a majority of the Community Advisory Committee. Any willful violation of the provisions of this section by a member of the Advisory Committee will be grounds for recall.

**W. CONFLICT OF INTEREST**

Any member who holds a board position or is employed by any agency receiving funds from CAA or DHCD shall be able to retain or run for a position on a Community Advisory Committee as long as the following conditions are adhered to:

- A member must recuse him/herself and physically leave the room while any discussion arises that involves funding decisions related to that agency or any discussion about that agency in general.
- The records of the meeting must reflect the above-required actions of the member.

An Advisory Committee member whose immediate family (defined as spouse, parents and/or children of the person involved) receives a financial benefit or serves as a Board member of an organization that may benefit as a result of action before that Advisory Committee will make known that interest and must refrain from voting and follow the process for recusing him/herself from the meeting.

The CAC Chairperson shall automatically remove any member found to have violated the conflict of interest policy. In the event the Chairperson is the member who has violated the policy, the next highest-ranking Committee member shall remove the Chairperson and thereby follow Part III – Community Advisory Committee Guidelines, Section B – Types of Membership to govern the Committee.

All members of the CAC are subject to the Conflict of Interest and Code of Ethics Ordinance (Section 2-11.1 of the Code of Miami-Dade County), as amended from time to time.

**X. RECALL OF A MEMBER**

A Target Area/NRSA stakeholder may initiate a recall of a member of the Community Advisory Committee for malfeasance or misconduct. Allegations of malfeasance and misconduct must be supported by concrete evidence.

The stakeholder must notify the Community Advisory Committee in writing regarding the allegations against a member or an officer of the CAC.

**Recall is a two-step process.**

**1. Community Advisory Committee Action**

The role of the Community Advisory Committee is to make a decision based on the evidence presented whether or not there are sufficient grounds to refer the matter by a 2/3 vote to the appropriate department for a binding hearing.

The Community Advisory Committee will allow both the stakeholder and the Committee member involved an opportunity to present their evidence at a regularly scheduled meeting. Upon the conclusion of the presentation of the evidence, the Committee will vote on whether to proceed to a formal hearing. In this instance, the member(s) or officers(s) involved in the action must refrain from voting.

**2. Departmental Hearing**

The Community Advisory Committee will forward all documents related to the petition for recall to the Executive Director of CAA, if the CAC is within a Target Area, or to the Director of DHCD, if the CAC is within a NRSA. The respective director will create a hearing committee. The hearing committee shall have a maximum of five (5) people. The hearing committee will notify the stakeholder and the Committee member involved of the date, location and time of the hearing within a thirty (30) day period of its creation. At the binding Hearing all parties shall present their arguments to the Hearing Committee. The parties shall agree to accept the committee's decision and waive any rights to subsequent action. The action of the hearing committee shall be final and binding.

**Y. REIMBURSEMENT (CAA and CAA/DHCD Advisory Committees only)**

Reimbursement is a payment made to an individual to cover the cost of certain expenses actually incurred as a result of attendance at a meeting or in performance of other official duties and responsibilities in connection with a Community Action Program.

- **Meetings:** A meeting is considered to take place (for purposes of reimbursement only) when proper notification has been made inviting the participants to attend even if no quorum is achieved.
- **Travel:** Travel reimbursement may be made to and from official appointments by the least expensive, convenient means of transportation. This may be by public transportation. Requests for travel reimbursement shall be subject to the availability of funds.

**Z. PROCEDURES REGARDING RIGHT OF PETITION, WAIVER REQUESTS AND AMENDMENTS**

When citizens feel inadequately represented on the Advisory Committee, they are permitted to propose amendments to these guidelines. Any such proposals shall be submitted to the DHCD and/or CAA Executive Director/Designee. The following questions will serve as a guide when requests for appeals are reviewed.

- Does the request for representation or waiver significantly influence the quality of citizen input?
- Does the request for representation or waiver complement County, State and/or Federal rules and regulations?
- Does the request for representation or waiver have significant negative implications in respect to an effective citizen participation process?
- Does the request for representation or waiver relate significantly to other legally established governmental citizen advisory structures?
- Does the request for representation or waiver relate to a citizen participation function or activity, or geographic area/population in which the general-purpose government has a responsibility or special interest?

The request should include specific information describing the:

- Purpose of the request.
- Expected Target Area benefits to be obtained.
- Special conditions peculiar to the Target Area making request.
- Existing Target Area representation.
- Description of compliance with governing rules and regulations.

**AA. HISTORY OF DOCUMENT CREATION/REVISIONS**

Document was created on July 7, 1981 Previous amendments were made on:

- October 1983
- June 1989
- May 1990
- October 2001
- August 2005



**ELIGIBILITY QUALIFICATION AFFIDAVIT**  
**Declaration of Candidacy for Miami-Dade Community Action Agency**  
**and Miami-Dade Department of Housing and Community Development Election**

I, \_\_\_\_\_  
PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT

do hereby file as a Candidate for election to the CAA and/or DHCD Advisory Committee in the \_\_\_\_\_ target area/NRSA . I declare that I am at least 18 years of age and a registered voter in Miami-Dade County. Additionally, I declare that I am a registered voter for the Advisory Committee election to be held on: \_\_\_\_\_ at 10:00 A.M. – 7:00 P.M.

I am eligible to run for this office based on one or more of the following qualification(s):

- \_\_\_\_\_ I live in the target area/NRSA      \_\_\_\_\_ HOME ADDRESS
- \_\_\_\_\_ I am 18 years old or older      \_\_\_\_\_ CITY, STATE, ZIP CODE
- \_\_\_\_\_ I am between the ages of 18 – 25      \_\_\_\_\_ PROPERTY ADDRESS
- \_\_\_\_\_ I own property in the target area/NRSA      \_\_\_\_\_ BUSINESS ADDRESS
- \_\_\_\_\_ I own a business in the target area/NRSA      \_\_\_\_\_ EMPLOYMENT ADDRESS
- \_\_\_\_\_ I am employed in the target area/NRSA
- \_\_\_\_\_ I am a Head Start Parent/Guardian
- \_\_\_\_\_ I am a participant in a Miami-Dade County sponsored Elderly Program
- \_\_\_\_\_ My income falls within the US Department Health and Human Services Poverty Guidelines (See attached CAA income guidelines)
- \_\_\_\_\_ None of the above

\_\_\_\_\_  
SIGNATURE OF CANDIDATE

By signing this affidavit, I do hereby declare that all information contained herein is correct to the best of my knowledge. If information provided reveals to be false, I will be subject to immediate removal from the committee and waive all rights to appeal or otherwise.

\_\_\_\_\_  
SIGNATURE OF CANDIDATE

\_\_\_\_\_  
ELECTION STAFF SIGNATURE

8/6

(Attachment B)



**MIAMI-DADE COUNTY COMMUNITY ACTION AGENCY  
MIAMI-DADE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
Community Advisory Committee Voter Registration Form**

Target Area/NRSA Name: \_\_\_\_\_

\_\_\_\_\_  
FIRST MIDDLE LAST NAME

\_\_\_\_\_  
RESIDENT ADDRESS APT. ZIP CODE

\_\_\_\_\_  
WORK ADDRESS ZIP CODE

\_\_\_\_\_  
PROPERTY ADDRESS ZIP CODE

\_\_\_\_\_  
BUSINESS ADDRESS ZIP CODE

\_\_\_\_\_  
REGISTRATION DATE DATE OF BIRTH

**QUALIFICATION OF VOTER**

LIVE IN AREA

OWN A BUSINESS IN AREA

OWN PROPERTY IN AREA

EMPLOYED IN AREA

I hereby swear that all of the information on this form is true and correct.

\_\_\_\_\_  
SIGNATURE OF VOTER

87

(Attachment C)



**MIAMI-DADE COMMUNITY ACTION AGENCY  
MIAMI-DADE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
MEMBERSHIP ELECTION  
10:00 A.M. – 7:00 P.M.**

**SAMPLE BALLOT  
(CAA and DHCD/CAA ONLY)**

**QUALIFIED VOTERS MAY VOTE FOR UP TO THIRTEEN (13) CANDIDATES\***

(Candidate names are in alphabetical order)

\_\_\_\_\_ John Axel

\_\_\_\_ ✓ \_\_\_\_ Bernice Bake

\_\_\_\_\_ Betty Charles

\_\_\_\_ ✓ \_\_\_\_ Washington Dowell

\_\_\_\_\_ Elie Evans

\_\_\_\_ ✓ \_\_\_\_ Mary Fonseca

\_\_\_\_ ✓ \_\_\_\_ Moris Frankel

\_\_\_\_ ✓ \_\_\_\_ Michelle Sajous

\_\_\_\_ ✓ \_\_\_\_ Merlot Graham

\_\_\_\_ ✓ \_\_\_\_ Mitchell Johnson

\_\_\_\_ ✓ \_\_\_\_ Maria Jones

\_\_\_\_ ✓ \_\_\_\_ Saens Kontz

\_\_\_\_ ✓ \_\_\_\_ Clay Lawrence

\_\_\_\_\_ Angelica Seymour

\_\_\_\_ ✓ \_\_\_\_ Pedro Rodriguez

**\*(If you voted for more than thirteen (13) candidates, this ballot will be void)**

Jonas Hamilton, Election Staff, CAA  
Marisol Edward, Election Staff, CAA

PP

(Attachment D)



Miami-Dade Community Action Agency  
Election Certificate

Target Area/NRSA ELECTION \_\_\_\_\_

I, the undersigned \_\_\_\_\_, Staff of Miami-Dade Community Action Agency overseeing the process of the CAC Elections, do, by my signature hereto, certify that the ballot box for the Community Advisory Committee (CAC) election being held this day of the month \_\_\_\_\_, 20 \_\_\_\_\_ is locked with seal number \_\_\_\_\_

\_\_\_\_\_  
Election Staff Name (Print)

\_\_\_\_\_  
Election Staff Signature

We, the undersigned, \_\_\_\_\_, Staff of Miami-Dade County Community Action Agency overseeing the process of the CAC Elections, hereby certify to the best of our knowledge that the seal number locked in the ballot box corresponds exactly with the number registered above. In my presence also were the following witnesses who have assisted in the breaking of the seal and the tabulation process. Except as otherwise specifically set forth and declared in this certification, in our presence and sight, no ballot was removed from or added, and no ballot was in any manner altered or tampered with by any person, and no person touched any ballot, except a person authorized to do so.

Quantity of voted ballots [    ]

Quantity of voided ballots [    ]

\_\_\_\_\_  
Election Staff Name (Print)

\_\_\_\_\_  
Election Staff Signature

\_\_\_\_\_  
Election Staff Name (Print)

\_\_\_\_\_  
Election Staff Signature

\_\_\_\_\_  
Witness Name (Print)

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name (Print)

\_\_\_\_\_  
Witness Signature

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**ATTACHMENT B**  
**BOARD APPROVED ORDINANCES AND RESOLUTIONS**

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## **BOARD APPROVED ORDINANCES AND RESOLUTIONS ORDINANCES**

### **ORDINANCES**

- **Ordinance 82-16** - Further restricts CDBG program allocations:
  - At minimum, 75 percent of all beneficiaries must be low- or moderate-income households;
  - Emphasis must be placed on job creation for economic development activities; and
  - Emphasis must be placed on neighborhoods and citizen participation.
- **Ordinance 16A-2** – States that the Consolidated Planning Process must include protection; enhancement and perpetuation of properties of historical, cultural, archeological, aesthetic and architectural merit is in the interests of health, prosperity and welfare of the people of Miami-Dade County.
- **Ordinance 97-33** - Creates the Task Force on Urban Economic Revitalization, and provides for a review of DHCD recommendations for CDBG economic development category funding and CBO funding relating to economic development for the purpose of ensuring that DHCD's staff recommendations are in accordance with priorities established by the Plan. When the Board considers funding for economic development in Targeted Urban Areas, the Board will accept the recommendations of the Task Force unless the recommendations are disapproved by a two-thirds vote of the entire membership of the Board. DHCD must report to the Board the dollar amount being spent in Targeted Urban Areas.

### **RESOLUTIONS**

- **Resolution 404-92** - All CDBG program income from economic development loans is to be placed into the Revolving Loan Fund until \$15 million is reached in the loan pool.
- **Resolution 406-92** - The County will develop a plan for CDCs engaged in rental housing construction to establish escrow accounts to be used to renovate rental housing projects.

- **Resolution 408-92** – The County will emphasize minority business participation in CDBG and Surtax projects.
- **Resolution 409-92** - The County is to provide a cost estimate for each CDBG funded Public facilities or historic preservation projects.
- **Resolution 1185-98** – The County requires compliance with U.S. HUD Section 3 requirements and directs all County departments to monitor compliance. It also requires all applicable County contracts and solicitations to contain language-requiring compliance with *Section 3*. *Section 3* ensures that employment and other economic opportunities generated by certain U.S. HUD financial assistance shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly those receiving government assistance for housing and to business concerns providing economic opportunities to low- and very low-income persons.
- **Resolution 543-05** – The County Manager to submit an annual performance report relating to Community Development Block Grant (CDBG) funding to the Board of County Commissioners.

Procedures have been put in place to fulfill the requirements of the ordinances, and resolutions listed above. It is recommended that the Board of County Commissioners continue these policies accommodating potential conflicts with Federal policies as required.

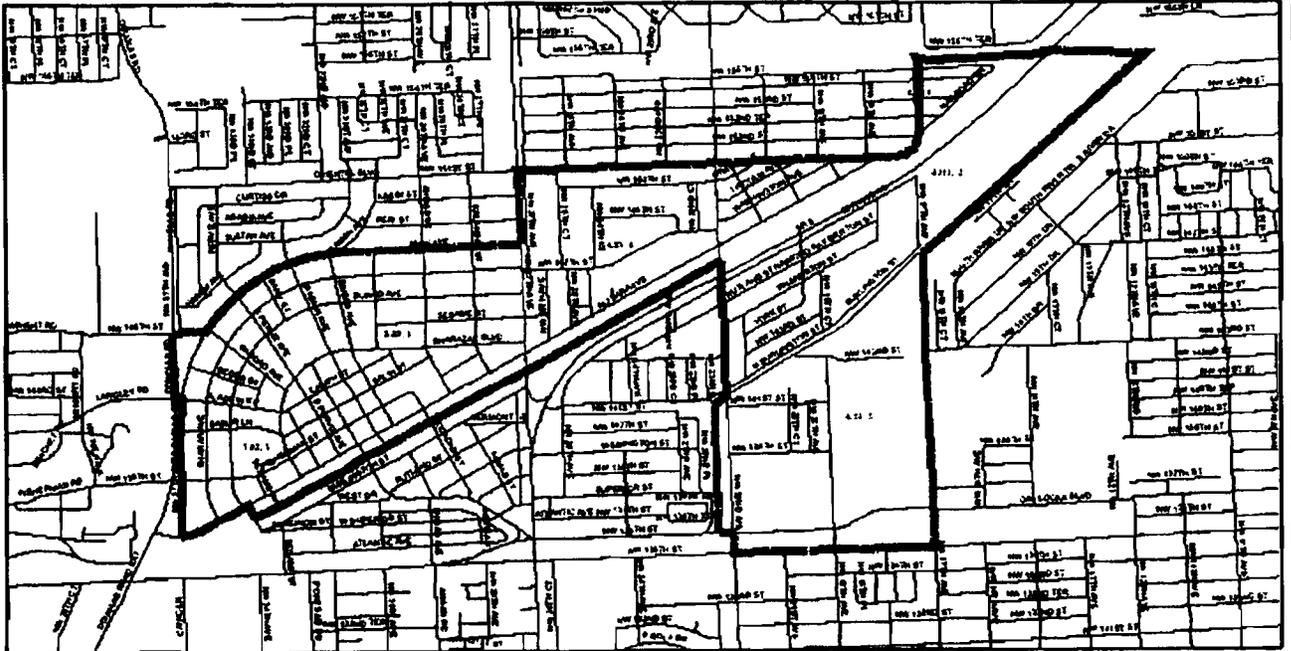
## ATTACHMENT C

### NEIGHBORHOOD REVITALIZATION STRATEGY AREAS LIST AND MAPS

Opa-locka	Commission District 1
West Little River	Commission District 2
Model City	Commission Districts 2 & 3
Melrose	Commission District 2
South Miami	Commission District 7
Perrine	Commission District 9
Goulds	Commission District 9
Leisure City/Naranja	Commission Districts 8 & 9

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**OPA-LOCKA NRSA**  
MIAMI - DADE COUNTY, FLORIDA



**LEGEND**

-  Opa - Locka NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



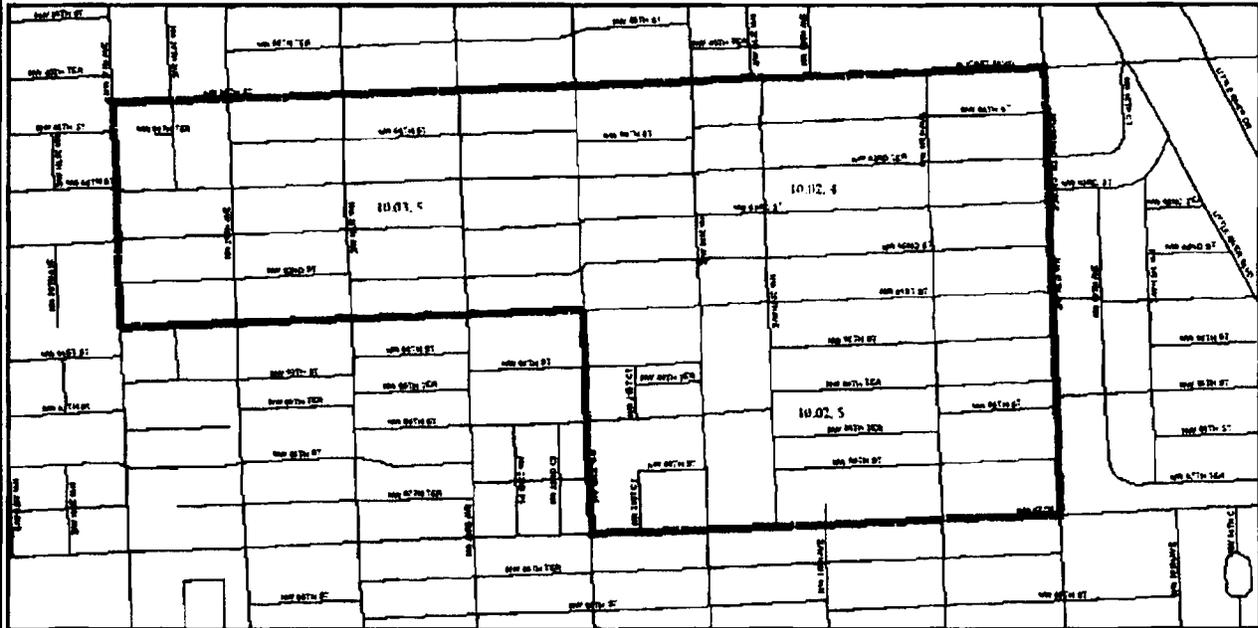
NOVEMBER 2007

DATE OF REVISION

  
 DEPARTMENT OF PLANNING & ZONING  
 PLANNING RESEARCH SECTION

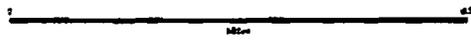
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**WEST LITTLE RIVER NRSA**  
**MIAMI - DADE COUNTY, FLORIDA**



**LEGEND**

-  West Little River NRSA Boundary
-  3000 Block Groups
-  Streets and Highways



NOVEMBER 2007

City of Miami

**DEPARTMENT OF PLANNING & ZONING**  
**PLANNING RESEARCH SECTION**



MELROSE NRSA  
MIAMI - DADE COUNTY, FLORIDA

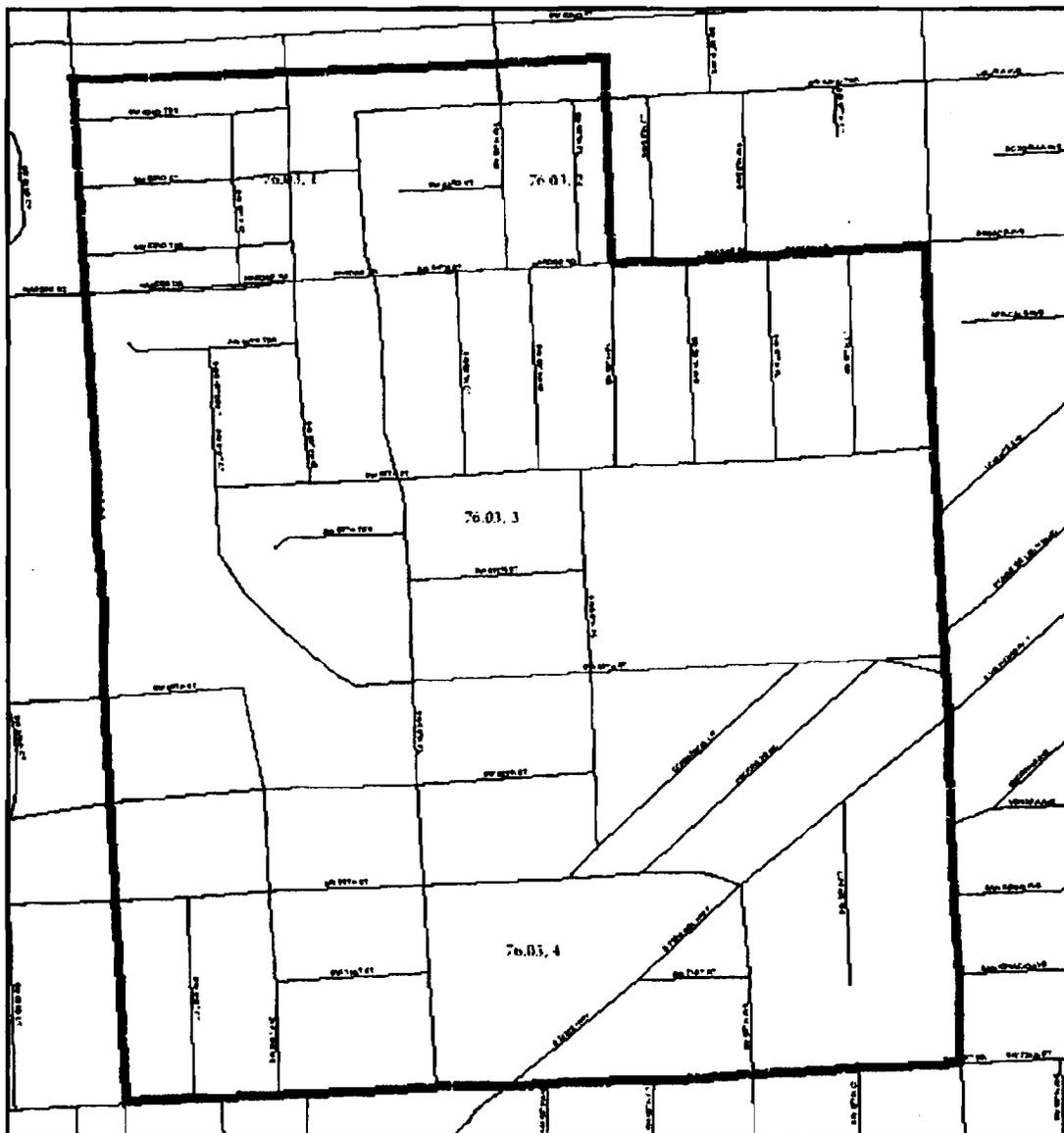


**LEGEND**  
Melrose NRSA Boundary  
2000 Block Groups  
Streets and Highways

NOVEMBER 2007

DEPARTMENT OF PLANNING & ZONING  
PLANNING RESEARCH SECTION

**SOUTH MIAMI NRSA**  
**MIAMI - DADE COUNTY, FLORIDA**



**LEGEND**

-  South Miami NRSA Boundary
-  2000 Block Groups
-  Streets and Highways

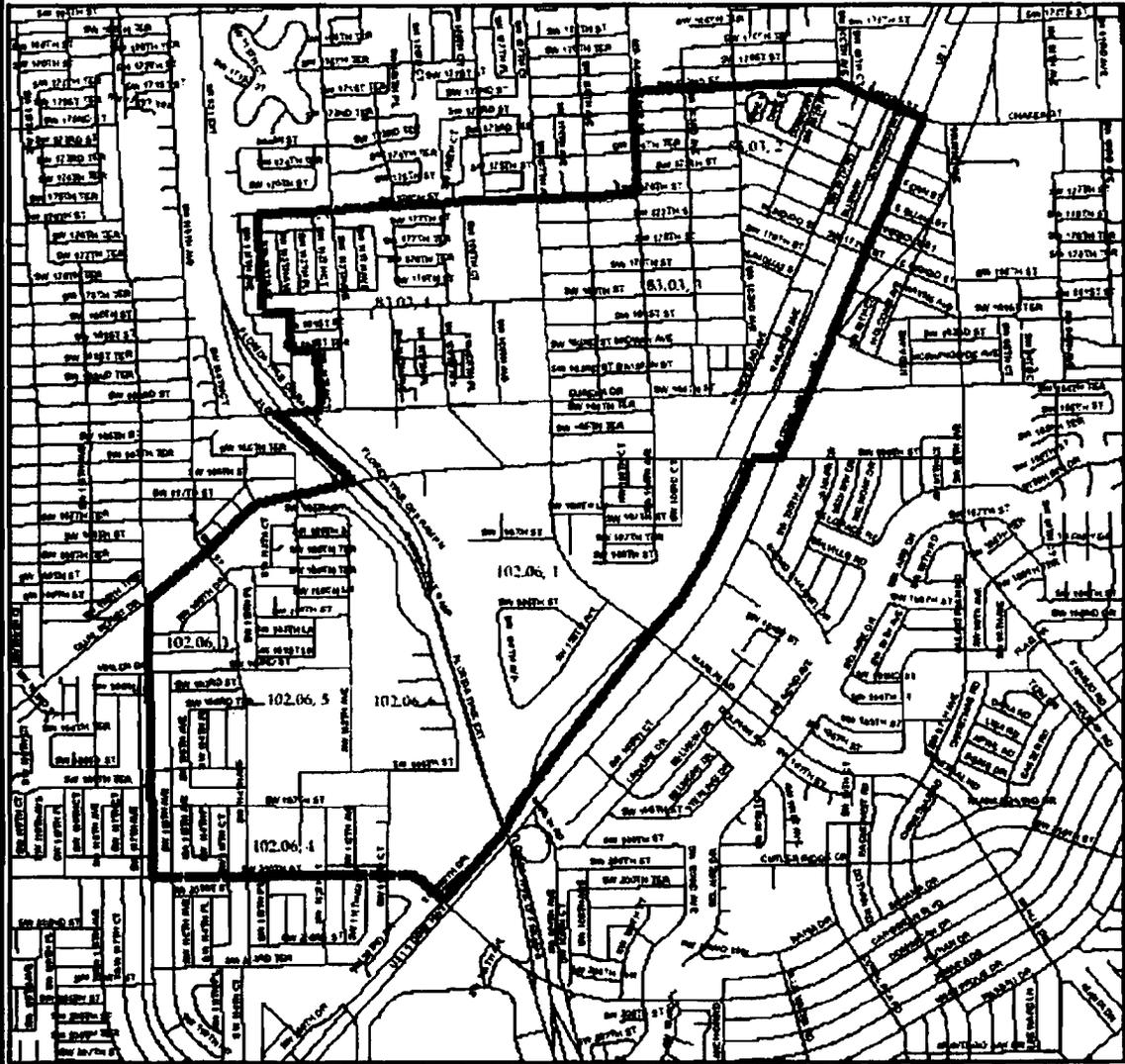


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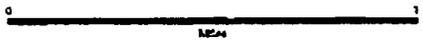
 **DEPARTMENT OF PLANNING & ZONING**  
**PLANNING RESEARCH SECTION**

**PERRINE NRSA**  
MIAMI - DADE COUNTY, FLORIDA



**LEGEND**

-  Perrine NRSA Boundary
-  2000 Block Groups
-  Streets and Highways

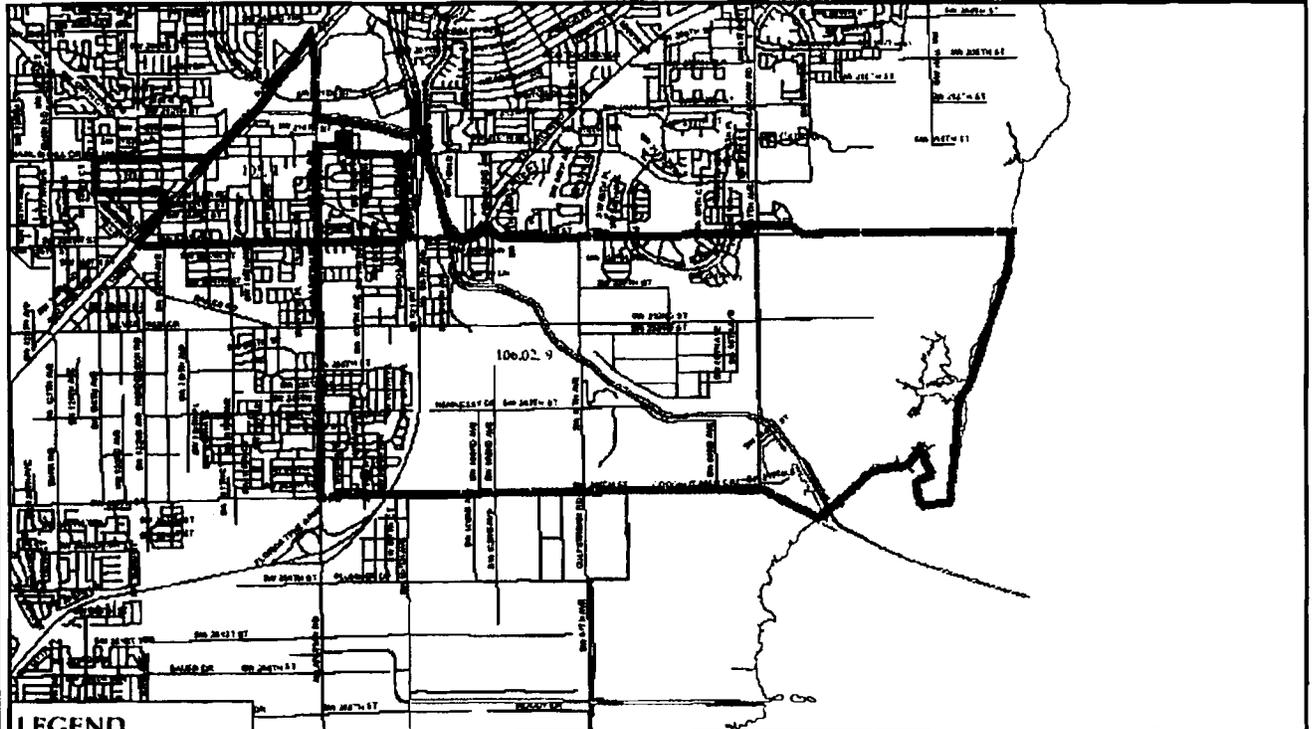


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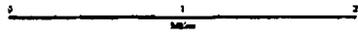
  
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 PLANNING RESEARCH SECTION

GOULDS NRSA  
MIAMI - DADE COUNTY, FLORIDA



**LEGEND**

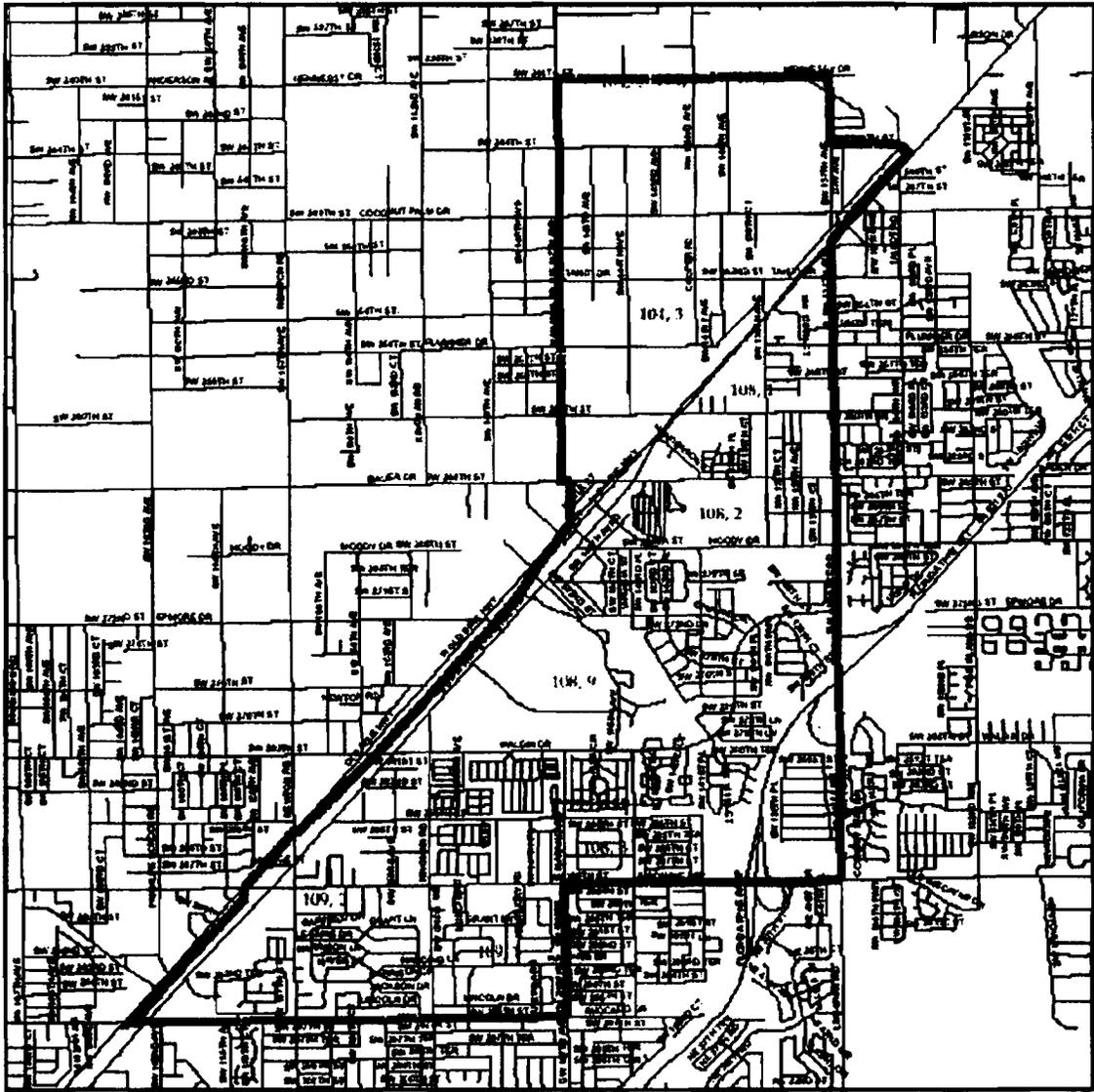
- Goulds NRSA Boundary
- 2001 Block Groups
- Streets and Highways



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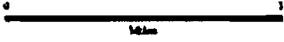
  
DEPARTMENT OF PLANNING & ZONING  
PLANNING RESEARCH SECTION

**LEISURE CITY NRSA**  
**MIAMI - DADE COUNTY, FLORIDA**



**LEGEND**

-  Leisure City NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



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NOVEMBER 2007

  
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**PLANNING RESEARCH SECTION**

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