

Memorandum

MIAMI-DADE
COUNTY

Date: April 4, 2011

To: Honorable Chairman Joe A. Martinez
and Members Board of County Commissioners

From: George M. Briggs
County Manager

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

Subject: Resolution Reprogramming 2005 Disaster Recovery Initiative (DRI) Round 1 Funds

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing the Mayor or the Mayor's designee to recapture and reallocate \$375,793 in unexpended funds from the Florida Department of Community Affairs (DCA), 2005 DRI Florida Small Cities Community Development Block Grant (CDBG) Program (DRI Round 1).

This recapture includes \$83,423 from the City of Hialeah's Single-family Unit Rehabilitation Project and \$292,370 from the County's Department of Housing and Community Development (DHCD) Assets Management Project. The funds are recommended for reallocation to Habitat for Humanity (\$125,265), the City of Miami Gardens (\$125,264), and the City of North Miami (\$125,264), all of which will utilize the funds to rehabilitate single-family units as originally intended.

SCOPE

Habitat for Humanity's Single-family Rehabilitation Program activities will have countywide benefit. The City of Miami Garden's program will impact Commission District 1, while the City of North Miami's activities will impact Commission Districts 1, 2, 3 and 4.

FISCAL IMPACT

This item does not create a fiscal impact as it reallocates existing DRI Round I funding. The DCA has advised that these funds must be expended by June 2011.

BACKGROUND

As a result of Hurricanes Katrina and Wilma, Congress appropriated \$11.5 billion of Community Development Block Grant (CDBG) funding in the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriation Act to five states for disaster relief, long term recovery, and the restoration of infrastructure damaged as a result of these storms. As required by the US Department of Housing and Urban Development (US HUD), DCA developed the 2005 DRI Action Plan which outlined program requirements and the application process for Florida communities. The purpose of this funding is to provide disaster relief, long-term recovery and restoration of housing, and damaged infrastructure. Florida's allocation from US HUD is \$82.9 million. Through DCA, \$16.1 million was awarded to the Miami-Dade County area under Round I.

The City of Hialeah was allocated \$750,000 through Resolution R-1292-06 to rehabilitate single-family homes that sustained damage by Hurricane Katrina. The City of Hialeah was among several local recipients awarded an allocation of DRI Round 1 grant funds by the BCC through R-1292-06 to undertake the rehabilitation of single-family homes, as well as Miami Gardens, North Miami, and Habitat for Humanity. The City of Hialeah advised that they successfully completed 100 percent of its Hurricane Katrina recovery efforts on time and under budget. The City, upon not identifying any additional needs for Hurricane Katrina recovery efforts, returned the balance of \$83,423 to the County.

DHCD's Asset Management Division, after using other sources of revenues to address hurricane damages, is unable to identify any further multi-family projects that sustained damage as a result of Hurricane Katrina. It is difficult to identify projects that have not already gone through repairs. It is recommended that the combined remaining balance of \$375,793 previously allocated to the City of Hialeah and DHCD's Asset Management Division be reallocated to Habitat for Humanity, the City of Miami Gardens, and the City of North Miami, each of which is on target to fully expend its DRI Round 1 grant funds, have a waiting list, and expressed a need and ability to expend additional funding. These municipalities are the only three

participating entities in the original DRI I allocation that are performing single-family rehabilitation work. These funds would be utilized to assist single-family housing at 80 percent of the Annual Median Income.

For your reference, below is a table that indicates the area median income threshold size for Miami-Dade County in 2010.

MIAMI-DADE COUNTY: HUD 2010 AREA MEDIAN INCOME (AMI) THRESHOLDS BY HOUSEHOLD SIZE

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
50% of AMI	\$24,650	\$28,150	\$31,650	\$35,150	\$38,000	\$40,800	\$43,600	\$46,400
80% of AMI	\$39,400	\$45,000	\$50,650	\$56,250	\$60,750	\$65,250	\$69,750	\$74,250
120% of AMI	\$59,150	\$67,600	\$76,000	\$84,400	\$91,200	\$97,200	\$104,650	\$111,350

The following table illustrates the impact of the proposed recapture and reallocation of funds:

Project Title	Previous Awards (R-1292-06, R-645-08, and R-184-10)	Reallocation	Adjusted Award Amount	Commission District
City of Hialeah Single-family Unit Rehabilitation Program	\$750,000	(\$83,423)	\$666,577	13
Miami-Dade County DHCD Assets Management – Rehab of County-owned Section 8 new construction and market properties	292,370	(292,370)	0	Countywide
Habitat for Humanity Single-Family Unit Rehabilitation Project	2,750,000	125,265	2,875,265	Countywide
City of Miami Gardens Single-Family Unit Rehabilitation Project	1,450,000	125,264	1,575,264	1
City of North Miami Single-Family Unit Rehabilitation Project	1,965,000	125,264	2,090,264	1,2,3 and 4
	\$7,207,370	\$0	\$7,207,370	

TRACK RECORD/MONITORING

The entities recommended for the reallocation of \$375,793 in CDBG DRI Round 1 funding for single-family rehabilitation projects have completed homes ahead of the projected schedule pursuant to their contractual agreements with DHCD.

DHCD, through its planners and project managers, will work to monitor and manage the projects mentioned above to ensure successful completion and compliance with Federal guidelines and County policies.

Attachments


 Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 4, 2011

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

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

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(1)(A)
4-4-11

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AMEND THE COUNTY'S DISASTER RECOVERY INITIATIVE (DRI) ACTION PLAN FROM THE 2005 DRI FLORIDA ROUND 1 PROGRAM OF THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND FURTHER AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND GRANT FUNDS; EXECUTE SUCH CONTRACTS AND AMENDMENTS AS REQUIRED; APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS; AND FILE AND EXECUTE ANY NECESSARY AMENDMENTS, MODIFICATIONS, RENEWALS, CANCELLATIONS, AND TERMINATION PROVISIONS OF ANY RESULTING CONTRACTS AND AGREEMENTS UPON APPROVAL FROM THE OFFICE OF THE COUNTY ATTORNEY

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 authorizes the County Mayor or the County Mayor's designee to amend the County's Disaster Recovery Initiative (DRI) Action Plan from the FY 2005 DRI Florida Round 1 Program (Hurricane Katrina) of the Florida Department of Community Affairs to reflect the reallocation of \$375,793 of FY 2005 DRI Round 1 Program funds from the City of Hialeah and the Miami-Dade County DHCD Assets Management Division to Habitat for Humanity, the City of North Miami and the City of Miami Gardens; and further authorizes the County Mayor or the County Mayor's designee to execute such contracts, agreements and amendments, as are required, following approval by the County Attorney's Office; and finally, further authorizing the County Mayor or the County Mayor's designee to receive and expend grant funds and execute such contracts and

amendments as required; apply for, receive and expend additional funds; file and execute any necessary amendments; and exercise amendment modification, renewal, cancellation and termination provisions and subject to proper execution by the parties; and to exercise the cancellation provisions contained therein.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto


The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of April, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Shannon D. Summerset

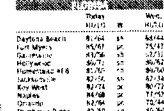
Weather

WEEKLY FORECAST

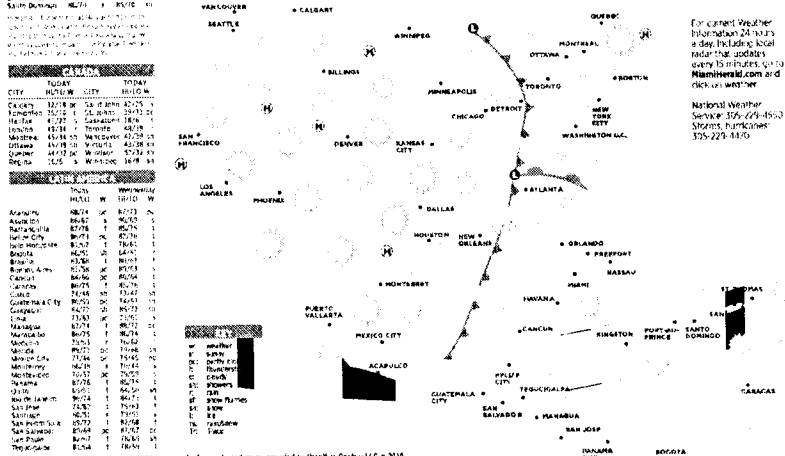
Day	High	Low	Day	High	Low
Tuesday	84	64	Friday	81	61
Wednesday	82	62	Saturday	79	59
Thursday	80	60	Sunday	77	57

WINDS
 Tuesday: 10-15 mph
 Wednesday: 10-15 mph
 Thursday: 10-15 mph
 Friday: 10-15 mph
 Saturday: 10-15 mph
 Sunday: 10-15 mph

MOISTURE
 Tuesday: 60-70%
 Wednesday: 60-70%
 Thursday: 60-70%
 Friday: 60-70%
 Saturday: 60-70%
 Sunday: 60-70%



Wendy News
 For current weather forecasts 24 hours a day, including local radar, log on to miamiherald.com or call 305-375-4100.



City	High	Low	Day	High	Low
Atlanta	82	62	Friday	80	60
Boston	78	58	Saturday	76	56
Chicago	75	55	Sunday	73	53
Denver	70	50	Monday	68	48
Houston	80	60	Tuesday	78	58
Los Angeles	72	52	Wednesday	70	50
London	65	45	Thursday	63	43
Madrid	60	40	Friday	58	38
Manila	85	65	Saturday	83	63
Mexico City	75	55	Sunday	73	53
New York	78	58	Monday	76	56
San Francisco	70	50	Tuesday	68	48
Seattle	65	45	Wednesday	63	43
Washington	75	55	Thursday	73	53

TEMPERATURE RECORDS

City	High	Low
Atlanta	82	62
Boston	78	58
Chicago	75	55
Denver	70	50
Houston	80	60
Los Angeles	72	52
London	65	45
Madrid	60	40
Manila	85	65
Mexico City	75	55
New York	78	58
San Francisco	70	50
Seattle	65	45
Washington	75	55

POLITIFACT

Members, not speaker, must change rules

WILSON, FROM B1

hat on the House floor the other day — but the House wasn't in session."

She managed to show off at least one of her hats in Washington, D.C. She arrived for freshman orientation wearing a black cowboy hat with sequins, according to the Washington Post.

Roll Call also wrote about Wilson's hat dilemma on Nov. 4. "But while we expect Wilson to become the Hill's newest fashionista — for better or worse, depending on who you ask — she likely will have to ditch her trademark headpieces, while she's on the House floor. Although there isn't a specific dress code, hats have been banned on the floor since September 1837. Abzug, D-N.Y., couldn't sport her trademark broad-brimmed hats when she served during the 1970s."

This is not a serious heady matter. But the Truth-O-Meter was curiously correct in saying that the rule banning members from wearing hats on the House floor dates back to the 1800s. And who can waive the rule?

Wilson said she brought six hats to Washington and has been researching the rules about hat wearing and still hopes to speak to Boehner about the ban. Wilson said she would get back to us regarding her research on the hat ban and who she believes can waive it, but we did not hear back.

Let's return to our research on the hat ban. The rules of the 113th Congress — the current one in session — state under "Comportment" and appear pretty clear: "During the session of

POLITIFACT FLORIDA
 A project of the St. Petersburg Times and Miami Herald that will help you find the truth in Florida politics. Reporters and editors fact-check statements by lawmakers, lobbyists and others in the political process. For more, click on <http://politifact.com/florida/>

THE STATEMENT
 "The U.S. House rule barring members from wearing hats while in session dates back to the 1800s and can be waived by the speaker."

Frederica Wilson on Nov. 17 in an interview with Miami Herald's Naked Politics blog.

THE RULING
 She's correct in stating that the ban on House members wearing hats started in the 1800s. Sept. 14, 1837, to be precise. But concerning House speaker John Boehner or any individual "waive" the rule? It appears that the House would have to vote on a new rule in January 2011. At this point, Wilson's proof that any individual could simply waive the rule, if she provides us such proof from her research, or if Boehner later responds with evidence that he does have that power, we could revisit this topic. But for now, we rate this claim a Half True.



Politifact.com
 www.politifact.com

the House, a Member, Delegate, or Resident Commissioner may not wear a hat or come to the Clerk's desk during the call of the roll or the counting of ballots... The Sergeant-at-Arms is charged with the strict enforcement of this clause."

The Herald obtained a copy of historic documents kept by the House and also forwarded to Politifact, a 2009 copy of the Constitution Jefferson's Manual and Rules of the House of Representatives. That document states: "No Member is to come into the House with his head covered, nor to remove from one place to another with his hat on, nor to put on his hat in coming in or removing, until he be set down in his place. Sept. 6, 1837, the parliamentary practice of wearing hats during the session was abolished by adoption of current clause

5 of rule XVII."

The practice of wearing hats during the session was challenged when Charles F. Mercer of Virginia proposed the following rule "as early as March 14, 1822: 'Nor shall any Member remain in the hall covered during the session of the House.'" Mercer's proposal wasn't adopted, but other members of Congress also proposed similar bans during the next several years. A ban proposed in 1833 was rejected because "Members would have no places in which to put their hats if they should not wear them, and also that the custom of wearing hats was a sign of independence of the Commons of England, and therefore a good usage to preserve the American House."

A historical highlight document from the House provides a short summary of the history of the hat ban. That document states

that member John M. Patton of Virginia defended "the really harmless but apparently indecorous practice of wearing our hats..." Regarding their usage as merely "the outward and visible sign of the inward and spiritual freedom of this body from all executive control or interference, let us preserve it. And whenever, if ever, our executive magistrates shall attempt to employ any improper influence on this body, let us be found with our hats on."

But on Sept. 14, 1837, the House adopted the rule banning members from wearing hats during the session or by the Clerk's table during the call of the roll.

So far, Wilson is correct: The House ban dates to the 1800s. But she also said that she thought that the speaker could waive the rule. She said she wanted to discuss it with Boehner, whose Republican colleagues chose him to be speaker in the next session.

We contacted Boehner spokesman Michael Steel to ask if he had the power to waive the rule, if any leader could waive it or if it requires a full vote by the House in January. Steel said he didn't know.

We turned to the House Practice, Assembly of Congress (Chapter 5), which includes a section on Adoption of Rules. That section states that the House can adopt its own procedural rules — and "ordinarily the House adopts the rules of the prior Congress but with various amendments." So it appears that the House in January could adopt a rule waiving the hat ban, but that would require a vote by the House.

We asked Vincent Morris, spokesman for the House Rules Committee. He replied in an e-mail: "Current Rules prohibit hat wearing, so any one showing up with a hat would likely be told to take it off. For the Rules to change, members would need to approve revisions when the next Congress starts in January."

So for now, it appears that Wilson will need to persuade her peers to change the rule in January. So does Wilson have her facts right? She is correct to state that the ban on House members wear-

ing hats started in the 1800s — Sept. 14, 1837, to be precise. But can Boehner or any individual "waive" the rule? It appears that the House would have to vote on a new rule in January.

At this point, Wilson has not provided any proof that any individual could simply waive the rule. If she provides us such proof from her research, or if Boehner later responds with evidence that he does have that power, we could revisit this topic. But for now, we rate this claim Half True.

MIAMI-DADE COUNTY PUBLIC NOTICE

REQUEST FOR PUBLIC COMMENTS ON THE PROPOSED AMENDMENT TO THE MIAMI-DADE COUNTY FY 2005 DISASTER RECOVERY INITIATIVE (DRI) ROUND ONE ACTION PLAN

The public is being notified that Miami-Dade County is proposing to make the following plan amendment to its \$16.1 million allocation as approved by the Board of County Commissioners by Resolution #R-1292-06 dated November 28, 2006. Federal regulations governing the Florida Department of Community Affairs (FCA) Community Development Block Grant (CDBG) 2006 Hurricane Disaster Recovery Initiative require that a participating jurisdiction provide citizens with reasonable notice of, and an opportunity to comment on, any substantial amendments to the FY 2005 Disaster Recovery Initiative Round One Action Plan. Through this amendment, \$375,793 would be reprogrammed for use by qualified participants to provide disaster relief, long-term recovery, and restoration of housing damaged as a result of Hurricane Katrina. The public may view the Draft Amendment to the DRI Round One Action Plan and provide comments in writing by no later than December 31, 2010, to the attention of:

Ms. Rowena Crawford, Assistant Director
 Department of Housing and Community Development
 701 NW 1st Court, 14th Floor
 Miami, Florida 33136

The Housing and Community Development Committee (HCD) will consider the proposed substantial amendment to the County's FY 2005 Disaster Recovery Initiative Round One Action Plan on December 15, 2010 at 9:30 a.m. in the Chambers of the Board of County Commissioners. Please call Sheila Martinez at (786) 469-2100 if you have any questions.

Minority County residents equal access and equal opportunity in employment and services and does not discriminate against persons with disabilities. A person who checks to appear on a list may be contacted by telephone for confirmation with respect to any other concerns at the meeting of hearing and need approval of the proceedings. Such persons may need to ensure that a valid record of the proceedings is made, including the history and evidence upon which the record is based. Such requests for procedures are available upon request. Please call (786) 469-2100 at least four (4) days in advance.

For legal aids online, go to <http://legalsaids.miamidade.gov>

6