MEMORANDUM

Agenda Item No. 5(D)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	September 16, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution authorizing the County Mayor to substantially amend the FY 2010 – FY 2014 Action Plans to recapture and reallocate $582,415.46 of Community Development Block Grant Funds and to recapture $500.00 Home Investment Partnership Funds; and waving provision of Resolution R-596-12

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Health & Social Services Committee.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: September 16, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Substantial Amendment to the FY 2010 - FY2014 Action Plans for Recapture and Reallocation of CDBG and HOME funds

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the County Mayor or the County Mayor's designee to substantially amend the FY 2010 through FY 2014 Action Plans to:

- Recapture and reallocate $582,415.46 of Community Development Block Grant (CDBG) funds and $500.00 of FY 2012 Home Investment Partnerships (HOME) funds. The detailed recapture and proposed reallocation of said funds is itemized in Exhibits I and II; and
- Waive the provisions of Resolution No. R-596-12, to recapture and reallocate CDBG Commission District (CDF) funds from the FY 2014 Action Plan and allocate the maximum public service funds for the year.

SCOPE

Exhibits I and II include the proposed recapture and reallocation funding recommendations and the Commission District for each project.

FISCAL IMPACT/FUNDING SOURCE

The recapture and reallocation of CDBG and HOME funds will not have a negative fiscal impact on the County's General Fund.

TRACK RECORD/MONITORING

Selena Williams and Clarence Brown, Division Directors in the Public Housing and Community Development (PHCD) Department, will monitor all CDBG, HOME, Emergency Solutions Grant (ESG), State Housing Initiatives Partnership Program (SHIP) and Surtax funded activities. Through the review of quarterly progress reports, PHCD will continue to monitor these projects to ensure compliance with federal, state and local guidelines and policies.

The allocation of funds will enable the implementing entities to complete their project delivery objectives in a timely manner. For entities that have commenced project development, the supplemental funding will assist them in meeting their objectives and is consistent with the County's policy of *Finish What We Started.* Some recaptured funds will be used to reduce an over-allocation that occurred in 2013. At that time more funds were allocated than Miami-Dade County had available.

BACKGROUND

Funded activities are monitored throughout the year to ensure that agencies are in compliance with federal regulations, such as the progress of each activity towards accomplishing the national objectives or other goals set forth by United States Department of Housing and Urban Development (U.S. HUD). As such, PHCD recommends the recapture of CDBG and HOME funding from: 1) activities that have been completed and have met a national objective/goal; 2) activities that are not feasible or were unable to meet a national objective/goal; 3) agencies that were unable to expend funds; 4) activities where the contract expired prior to expenditure of funds; 5) agencies which declined funding; or 6) Other (as noted in Exhibit I).

This item does not comply with the provisions of Resolution No. R-596-12, as it only includes the reallocation of CDBG Commission District Funds and maximum allocation of public service funds for FY 2014 Action Plan year.

SUBSTANTIAL AMENDMENTS – Recapture and Reallocation of FY 2014 CDBG FUNDS ($582,415.46) and HOME FUNDS ($500.00)

Staff recommends the reallocation of CDBG funds, as these activities are: 1) Projects that received partial or no funding but were Next-in-Line in the FY 2014 RFA; 2) Projects that received prior funding and have a current funding gap (Finish What We Started); 3) Commission District Funds (CDF); 4) administered through County Departments; 5) Projects completed under budget and agency requested remaining funds to continue the same activity and serve more beneficiaries; or 6) Other (CDBG funds only- addressing the over-allocation). It is proposed that the recaptured CDBG funds be reprogrammed to the activities described below and set forth in Exhibit II.

Public Service

Adult Mankind Organization ($23,179.00) (District 6 - Commissioner Sosa) (CDF)

This is a CDF allocation from District 10. A reallocation of $23,179.00 of public service funding to the organization for youth employment services to provide work maturity and life skills training to at risk youth.

Florida Venture Foundation, Inc. ($53,180.00) (District 10 - Commissioner Souto and District 12 Commissioner Diaz) (CDF)

This consists of a $23,180.00 CDF allocation by District 10 and a $30,000.00 CDF allocation by District 12. A reallocation of $53,180.00 of public service funding to the organization for Elderly Services.

Lil Abner Foundation ($30,000.00) (District 12- Commissioner Diaz) (CDF)

This is a CDF allocation from District 12. A reallocation of $30,000.00 of public service funding to the organization for the Minority Education and Underserved Community Enrichment Program to provide children with afterschool K-12 tutoring and educational/discipline program for adults.

Community Action and Human Services Department ($128,104.00) (County-wide)

Staff recommends the reallocation of $128,104.00 of public service funding to the organization for the Advocates for Victims Program to provide temporary emergency shelter and outreach services to approximately 325 victims of violent crimes and domestic violence and their dependent children.

Little Havana Activities and Nutritional Centers of Miami-Dade County, Inc. ($15,000.00) (District 5 - Commissioner Barreiro) (CDF)

This is a CDF allocation from District10. A reallocation of $15,000.00 of public service funding to the organization for Elderly in-home and center based services to serve congregate meals to elderly at the Mildred Pepper Center. This agency has potential liability with the County and has been advised that if required documentation of national objective accomplishment is not received, that recapture and/or repayment of funds could be required.

Economic Development

Fanm Ayisyen Nan Myami, Inc. ($20,000.00) (District 3 - Commissioner Edmonson) (CDF)

This is a reallocation of CDF funds by District 2. A reallocation of $20,000.00 of special economic development funding to the organization for the FANM Technical Assistance to Small Businesses to provide a technical assistance program for small businesses. This agency has potential liability with the County and has been advised that if required documentation of national objective accomplishment is not received, that recapture and/or repayment of funds could be required.

Public Facilities/Capital Improvements

Parks, Recreation and Open Spaces ($46,452.00) (District 10 - Commissioner Souto) (CDF)

Staff recommends the reallocation of $46,452.00 of public facilities and capital improvements funding to the organization for the landscaping and beautification to eligible parks in Commission District 10. This is a CDF allocation from District 10.

City of Hialeah ($47,811.00) (District 12 - Commissioner Diaz) (CDF)

Staff recommends the reallocation of $47,811.00 of public facilities and capital improvements funding to the organization for the Street Improvements to county road at West 68th Street from West 12th Avenue to the Palmetto Expressway (West 20th Avenue). This is a CDF allocation from District12.

Miami-Dade Public Housing and Community Development ($218,689.46) (Countywide)

Staff inadvertently over-allocated Community Development Block Grant funds in 2013, as part of the 2013 Substantial Amendment through Resolution No. R-356-13. At the time, staff included program income that had been previously accounted for in the 2013 Action Plan through Resolution No. R-165-13 as well as an unrealized reimbursement to U.S. Housing and Urban Development (U.S. HUD). Also, in Resolution No. R-627-13, in an effort to assist with achieving the U.S. HUD 1.5 ratio, the Board gave authority to reallocate funds in excess of the amount recaptured with the excess being funded with CDBG Program Income funds. This gave the Department the ability to either cancel those County department activities that were not moving, thus decreasing the potential excess, or use Program Income funds in the event that County department activities spent their funding timely and more funding was needed to fund the additional projects awarded funds in R-627-13. Realizing this scenario the Department began to expend funds on those projects that were moving the quickest in an effort to meet the U.S. HUD mandated 1.5 ratio. The over-allocation has been reduced to $2,230,884.47 and the $218,689.46 recommended for re-allocation will further reduce the balance and allow the Department to fund the projects listed in Exhibit II.

Housing

Miami-Dade Public Housing and Community Development ($500.00) (Countywide)

To be determined HOME Tenant Based Rental Assistance activities. Funds recaptured in R-686-14 from South Dade Community Development LLC inadvertently did not include $500.00 of HOME funds. These funds will be applied to a TBRA activity.

Attachments

Russell Benford, Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 16, 2014

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

SUBJECT: Agenda Item No. 5(D)

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 Mayor's report for public hearing**

✓ **No committee review**

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

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(D)
9-16-14

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBSTANTIALLY AMEND THE FY 2010 THROUGH FY 2014 ACTION PLANS TO RECAPTURE AND REALLOCATE $582,415.46 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND TO RECAPTURE $500.00 HOME INVESTMENT PARTNERSHIP FUNDS; AND WAIVING PROVISIONS OF RESOLUTION R-596-12

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

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

Section 1. The Board ratifies and adopts the matters set forth in the accompanying justification memorandum as if fully set forth herein.

Section 2. The Board approves the recaptures and reallocations recommended in the justification memorandum attached hereto and set forth in exhibits I and II. The Board authorizes the County Mayor or County Mayor's designee to file with U.S. HUD updates to Miami-Dade County's FY 2008-2012 and FY 2013–2017 Consolidated Plans and respective Action Plans, including the FY 2014 Action Plan. The Board waives the provisions of R-596-12 to approve reallocations of Commission District Funds as set forth in the justification memorandum.

Section 3. All funding awards and conditional loan commitments set forth herein are contingent upon availability of funding from the funding source or program and the recipient agency complying with the conditions set forth in this resolution and the justification

memorandum. For all funding awards and conditional loan commitments made herein, the County Mayor or County Mayor's designee is authorized to shift funding between agencies without exceeding the total award amount to that activity and to shift funds for each program among activities of the same agency or related entity engaged in the same project or activity as described herein without exceeding the total amount allocated. For all funding awards and, where applicable, conditional loan commitments made herein, the County Mayor or County Mayor's designee is authorized to execute all conditional loan commitments, standard shell contracts, standard shell loan documents, amendments and other agreements necessary to fulfill the purposes of this resolution. The Board further authorizes the County Mayor or County Mayor's designee, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, agreements, amendments and loan documents so long as such modifications are approved by the County Attorney's Office and are not substantially inconsistent with this resolution and to exercise the termination, waiver, acceleration, or other provisions set forth therein. The Board authorizes the County Mayor or the County Mayor's designee to execute other documents necessary to accomplish the purposes set forth in this resolution and authorizes the County Mayor or the County Mayor's designee to exercise the cancellation and other 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

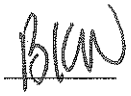
The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

EXHIBIT I
Miami-Dade County Public Housing and Community Development
Recapture Recommendations
FY 2014

Source of CDBG Funds to be Recaptured

Plan Year	District	Agency	Activity Title	Category	Activity Description	Activity Address	Amount to be Recaptured	Reason for Recapture
Various	CW	Miami-Dade County Public Housing and Community Development (PHCD)	Special Economic Development Activity	Special Economic Development	Implementation of Special Economic Development Requests for Applications	701 NW 1st Court	$ 20,000.00	6- Correction-recapture of Commission District Fund(CDF) Allocation from District 2
2014	CW	Miami-Dade County Public Housing and Community Development (PHCD)	Public Housing Modernization	Housing	Funding will make needed improvements to outdated structural, electrical and mechanical systems of public housing units	Various Locations	$ 215,622.00	6- Commission District Fund Allocations for Districts 10 and 11
2014	CW	Miami-Dade Juvenile Services (JAC)	Counseling/Mentoring	Public Service	This program would provide a full time counselor/facilitator to serve youth and families within public housing facilities and Model City NRSA to facilitate peer groups and support the Mayor's Joint Roundtable on Youth Safety. An additional $10,000 for incentives/supportive services to public housing residents may be eligible for public housing resident services funds.	Various Locations	$ 70,000.00	3- Agency unable to expend funds
2014	CW	Miami-Dade County Community Action and Human Services Department (CAHSD)	Neighborhood Service Centers	Public Facilities and Capital Improvements	Funding will make needed improvements to outdated structural, electrical and mechanical systems of public facilities to include Neighborhood Community Ceners located in targeted neighborhoods thrughout the County that serve low income residents	Various Locations	$ 58,104.00	6- Agency has greater need in Public Service activity
2012	9 (Moss)	Miami-Dade Parks, Recreation and Open Spaces	Domino Park	Public Facilities and Capital Improvements	Site Improvements- to include metal fence, shade structure, site furniture and landscaping	10202 SW 172 Street Miami, FL	$ 6,352.90	1- Project is complete and a balance remains
2010	CW	Miami-Dade County Community Action and Human Services Department (CAHSD)	Richmond Heights Senior Center	Public Facilities and Capital Improvements	Facility repairs - The Richmond Heights Senior Center	14638 Lincoln Blvd. Miami, FL 33176	$ 7,284.00	1- Project is complete and a balance remains
2010	CW	Miami-Dade County Community Action and Human Services Department (CAHSD)	MD CAA- Facility Improvements	Public Facilities and Capital Improvements	Repair and Renovate Human Services Facilities	Various Locations	$ 17,531.91	1- Project is complete and a balance remains
2011	CW	Miami-Dade County Community Action and Human Services Department (CAHSD)	Repair and Renovate Human Services Facilities	Public Facilities and Capital Improvements	Repair and Renovate Facilities	Various Locations	$ 187,520.65	1- Project is complete and a balance remains
						TOTAL CDBG:	$ 582,415.46	

Source of HOME Funds to be Recaptured

2012	9	South Dade Community Development LLC	Vilage of Southland Affordable Workforce Housing	Housing	Rental new construction	11293 SW 216 Street, Miami, FL 33170	$ 500.00	6- Staff inadvertently submitted $920,000 instead of $920,500 for recapture. Therefore the balance is submitted for recapture.
						TOTAL HOME:	$ 500.00	

Legend: 1-Project completed met national objective 2-Project not feasible unable to meet national objective 3-Agency unable to expend funds 4-Contract Expired 5-Agency declined funding 6-Other

EXHIBIT II
Miami-Dade Public Housing and Community Development
Reallocation Recommendations
September 2014

#	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner	Reason for Reallocation	Total Amount to be Reallocated
CDBG								
CDBG-Public Service								
1	Adult Mankind Organization (CDF-District 10)	Youth Employment Services	Public Service	Provide work maturity and life skills training to 30 at risk youth	3899 NW 7 ST Suite 216 Miami, FL 33126	District 6 (Sosa)	3	$ 23,179.00
2	Florida Venture Foundation, Inc. *(CDF-Districts10 & 12)*	Elderly Services	Public Service	Provide elderly services	2418 NW 87 Place, Miami,. FL 33172	District 12 (Diaz)	3	$ 53,180.00
3	Lil Abner Foundation *(CDF- District 12)*	Minority Education and Underserved Community Enrichment Program	Public Service	Provide children with afterschool K-12 tutoring and educational/discipline program for adults	11387 W Flagler, Sweetwater, FL 33174	District 12 (Diaz)	3	$ 30,000.00
4	Community Action and Human Services Department (CAHSD)	Advocates for Victims	Public Service	Provide temporary emergency shelter and outreach services to approx. 325 victims of violent crimes and domestic violence and their dependent children	701 NW 1st Court, Miami, FL 33136	CW	2	$ 128,104.00
5	Little Havana Activities and Nutritional Centers of Miami-Dade County, Inc. *(CDF- District 10)*	Elderly in-home and Center Based Services	Public Service	Serving congregate meals to elderly at Mildred Pepper Center	700 SW 8 Street, Miami, FL 33130	District 5 (Barreiro)	3	$ 15,000.00
							CDBG-Public Service Subtotal	$ 249,463.00
CDBG-Economic Development								
6	FANM AYISYEN NAN MYAMI, INC *(CDF-District 2)*	FANM Technical Assistance to Small Businesses	Economic Development	Technical Assistance program for small businesses	181 NE 82 ST, STE 101, Miami, FL 33138	District 3 (Edmonson)	3	$ 20,000.00
							CDBG-Economic Subtotal	$ 20,000.00

Legend: 1=Rcvd partial or no funding in FY2014 RFA -Next In Line, 2=Rcvd prior funding; current funding gap (Finish What We Started) 3=CDF, 4=Cty Depts., 5=Rqstd remaining funds, 6=Other

EXHIBIT II
Miami-Dade Public Housing and Community Development
Reallocation Recommendations
September 2014

#	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner	Reason for Reallocation	Total Amount to be Reallocated
CDBG-Public Facilities & Capital Improvements								
7	Miami-Dade Parks, Recreation, and Open Spaces (PROS) *(CDF- District 10)*	Landscaping and Beautification	Public Facilities and Capital Improvements	Landscaping and Beautification in District 10 Parks	Various Locations	District 10 (Souto)	3	$ 46,452.00
8	City of Hialeah *(CDF- District 12)*	Street Improvements	Public Facilities and Capital Improvements	Street Improvements to County road at West 68 St from West 12 Ave to the Palmetto (West 20 Ave)	W 68th Street from W12th Ave– W 20th Ave	District 12 (Diaz)	3	$ 47,811.00
							CDBG-Public Facilities & Capital Improvements Subtotal:	**$ 94,263.00**
9	Miami-Dade Public Housing and Community Development (PHCD)	Correction of over allocation in 2013	Public Facilities and Capital Improvements	Some recaptured funds will be used to reduce an over-allocation that occurred in 2013. At that time more funds were allocated than the County had available. City of S. Miami Community Pool; Sunrise Community, Inc.-Eureka Drive Adult Day Care; The Family Christian Association of America,Inc.-Youth and Family Development Complex	701 NW 1st Court, Miami, FL 33136	CW	6	$ 218,689.46
							CDBG TOTAL:	**$ 582,415.46**

Legend: 1=Rcvd partial or no funding in FY2014 RFA -Next In Line, 2=Rcvd prior funding; current funding gap (Finish What We Started) 3=CDF, 4=Cty Depts., 5=Rqstd remaining funds, 6=Other

EXHIBIT II
Miami-Dade Public Housing and Community Development
Reallocation Recommendations
September 2014

#	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner	Reason for Reallocation	Total Amount to be Reallocated
HOME								
1	Miami-Dade Public Housing and Community Development (PHCD)	Unallocated HOME Tenant Based Rental Assistance (TBRA)	Housing	To be determined HOME activities	701 NW 1st Court, Miami, FL 33136	CW	4	$ 500.00
							HOME TOTAL:	$ 500.00

12

Legend: 1=Rcvd partial or no funding in FY2014 RFA -Next In Line, 2=Rcvd prior funding; current funding gap (Finish What We Started) 3=CDF, 4=Cty Depts., 5=Rqstd remaining funds, 6=Other