

MEMORANDUM

Agenda Item No. 11(A)(1)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015

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

SUBJECT: Resolution directing the
County Mayor to include
in all affordable housing
funding agreements, grant
agreements and rental
regulatory agreements
requirements for notice of
availability of rental and
homeownership opportunities

This item was amended at the December 8, 2014 Health and Social Services Committee to (1) include owners and their appropriate agents and representatives who are required to provide notice of the availability of affordable rental and homeownership units; (2) to require developers, owners or their representatives or agents to provide the County with their contact information; and (3) to require Public Housing and Community Development to include on their web page information that informs the public that such available affordable rental and homeownership units can be acquired by contacting the developer, owner or their representatives or agents directly.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.



R. A. Cuevas, Jr.
County Attorney

RAC/smm




MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015


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

SUBJECT: Agenda Item No. 11(A)(1)

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. 11(A)(1)
1-21-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO (I) INCLUDE IN ALL AFFORDABLE HOUSING FUNDING AGREEMENTS, GRANT AGREEMENTS AND RENTAL REGULATORY AGREEMENTS TERMS AND CONDITIONS REQUIRING AFFORDABLE HOUSING DEVELOPERS TO PROVIDE WRITTEN NOTICE TO MIAMI-DADE COUNTY OF THE AVAILABILITY OF RENTAL OR HOMEOWNERSHIP OPPORTUNITIES; (II) INCLUDE TERMS AND CONDITIONS IN SUCH AGREEMENTS REQUIRING AFFORDABLE HOUSING DEVELOPERS TO ADVERTISE THE INFORMATION DESCRIBED HEREIN IN NEWSPAPERS OF GENERAL CIRCULATION; AND (III) POST THE INFORMATION CONTAINED IN SUCH WRITTEN NOTICE ON THE COUNTY'S WEBSITE

WHEREAS, there is a severe housing shortage which exists within Miami-Dade County with respect to the supply of housing for residents with low and moderate incomes; and

WHEREAS, the Housing Element of the Miami-Dade Comprehensive Plan sets as one of its goals that the County ensure the provision of affordable housing products that will meet the spatial and economic necessities of all current and future Miami-Dade County residents, regardless of household type and income; and

WHEREAS, the County relies heavily on its partnerships with the private sector to acquire, construct and/or rehabilitate affordable housing developments through programs such as Affordable Housing Surtax, State Housing Initiatives Partnership, HOME Investment Partnership Program, Community Development Block Grant and the Building Better Communities General Obligation Bond Program and any other affordable housing programs ("Housing Programs"); and

WHEREAS, without the private sector's assistance and involvement in the County's Housing Programs, many low and moderate income residents of Miami-Dade County would not and could not be housed; and

WHEREAS, the Board desires that the residents of Miami-Dade County be given every opportunity to apply for affordable housing funded in part through one or more of the Housing Programs; and

WHEREAS, many residents of Miami-Dade County may not be aware of the availability of such affordable housing; and

WHEREAS, the Board wishes to ensure that the public is made aware of affordable housing opportunities when they become available,

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

Section 1. Incorporates and approves the foregoing recitals as if fully set forth herein.

Section 2. Directs the County Mayor or the County Mayor's designee to include in all Affordable Housing Surtax, State Housing Initiatives Partnership, HOME Investment Partnership Program, Community Development Block Grant, the Building Better Communities General Obligation Bond Program and any other affordable housing program funding agreements, grant agreements and rental regulatory agreements, terms and conditions requiring affordable housing developers >>and/or owners or appropriate agents and representatives<<¹ to provide written notice to the County related to the availability of rental or homeownership opportunities, including, but not limited to, the number of available units, bedroom size, and rental or sales prices of such rental or homeownership units >>at the start of any sales or leasing

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

activity<< ~~[[both prior to]]~~ and after issuance of certificate of occupancy >>as well as contact information for the developer, owner or their appropriate agents and representatives<<.

Section 3. Further directs the County Mayor or the County Mayor's designee to also include terms and conditions in all Housing Programs' funding and grant agreements a requirement that each affordable housing developer advertise the information described in Section 2 this resolution in newspapers of general circulation.

Section 4. Directs the County Mayor or the County Mayor's designee to post the information received from each affordable housing developer >>or owner<<, as described in Section 2 of this resolution, on the County's website, such as on the Public Housing and Community Development Department's web page >>and that such information on the Public Housing and Community Development web page will inform the public that current sales, rental and availability can be acquired directly from the developer, owner or their appropriate agents and representatives using the contact information provided in Section 2<<.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It 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:

- | | |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman | |
| Esteban L. Bovo, Jr., Vice Chairman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Sally A. Heyman | Barbara J. Jordan |
| Dennis C. Moss | Rebeca Sosa |
| Sen. Javier D. Souto | Xavier L. Suarez |
| Juan C. Zapata | |

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2015. 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.



Terrence A. Smith