

MEMORANDUM

Agenda Item No. 8(K)(1)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 16, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving proposed Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership funding recommendation in an amount up to \$2,500,000.00 to the Related Urban Development Group's affiliate, Three Round Towers B and C, LLC. for the rehabilitation of Three Round Towers B and C, a public housing development; and authorizing the County Mayor to award such funds, to execute amendments, shell contracts, loan documents and other transactional documents necessary to accomplish the purposes set forth in this resolution, and to exercise termination, waiver, acceleration and other provisions set forth therein

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.



Abigail Price-Williams
County Attorney

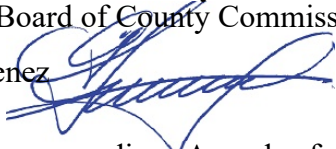
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Memorandum



Date: June 16, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Recommending Award of up to \$2,500,000.00 of Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership Program Funding to Related Urban Development Group's (Three Round Towers B and C, LLC.) for Three Round Towers B and C Apartments

Recommendation

It is recommended that the Board of County Commissioners (Board):

1. Approve the funding recommendation for up to \$2,500,000.00 for the Fiscal Year (FY) 2016 Request for Applications (RFA) for the Documentary Stamp Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) Program in the Multi-Family Public Housing Development category to the Related Urban Development Group's (RUDG) affiliate Three Round Towers B and C, LLC for the rehabilitation of the Three Round Towers B and C Apartments (Project); and
2. Authorize the County Mayor or County Mayor's designee to execute all conditional loan commitments, standard shell contracts, standard shell loan documents, amendments, and other agreements necessary to accomplish the purposes of this resolution; to subordinate and/or modify the terms of contracts, agreements, amendments, and loan documents for the project approved herein, so long as such modifications are: (1) approved by the County Attorney's Office for legal form and sufficiency; (2) not substantially inconsistent with this resolution; (3) if found by the County Mayor or County Mayor's designee to be in the best interest of the County, (4) to execute other documents necessary to accomplish the purposes set forth in this resolution; and to exercise the termination, waiver, acceleration, and other provisions set forth in agreements executed in performance of this resolution.

Scope

The Project is located in District 3, represented by Chairwoman Audrey M. Edmonson. However, low-income residents countywide may apply to become residents of the development once completed.

Fiscal Impact/Funding Source

The award of Surtax and SHIP funds will not have a negative fiscal impact on the County's General Fund.

Track Record/Monitor

Michael Liu, Director of the Public Housing and Community Development Department (PHCD), will monitor all Surtax/SHIP activities. PHCD will continue to monitor the projects to ensure compliance with State and County guidelines and policies.

Background

On October 22, 2013, the Board adopted Resolution No. R-855-13, which among other things, authorized the County Mayor or the County Mayor’s designee to execute ground leases giving site control to various public housing properties to certain developers, including, but not limited to, RUDG, which will redevelop Three Round Towers B and C through its affiliate Three Round Towers B and C, LLC. On July 15, 2014, the Board also adopted Resolution No. R-668-14, which, among other things, authorized the County Mayor or the County Mayor’s designee to execute a Master Development Agreement related to the redevelopment of Three Round Towers public housing site, which includes the Project. This resolution further authorized the conversion of Collins Park Apartments to a public housing site, subject to the approval of the United States Department of Housing and Urban Development (HUD). After the Board adopted Resolution No. R-668-14 and HUD approved the conversion of Collins Park Apartment, the former residents of Tower C were relocated to Collins Park Apartments.

On November 17, 2017, the Board also adopted Resolution No. R-1068-17, which authorized the issuance of the debt by the Housing Finance Authority of Miami-Dade County (HFA) in an aggregate principal amount not to exceed \$26,400,000.00, in one or more series, for the purpose of financing a loan to the Three Round Towers B and C, LLC for the acquisition and rehabilitation of the Project. Finally, on March 3, 2020, the Board adopted Resolution No. R253-20, which authorized the issuance of the debt by the HFA in an aggregate principal amount not to exceed \$41,000,000.00, in one or more series, for the purpose of financing a loan to the Three Round Towers B and C, LLC also for the acquisition and rehabilitation of the Project.

The Project will consist of the rehabilitation of 263 rental apartment units—all of which will be subject to Surtax and/or SHIP restrictions—within two existing apartment buildings. The apartment buildings are located at 2920 and 2940 NW 18th Avenue, in the City of Miami, Florida, located in District 3. This public housing elderly development consists of only one-bedroom units and for persons ranging in income at or below 30 percent or up to 80 percent of Area Median Income (AMI). Of the 263 units, 90 units will be Rental Assistance Demonstration (RAD) units.

The FY 2016 RFA was made available on August 30, 2016 and applications were due by September 29, 2016. The public was advised of the application process through the posting of the notice on PHCD’s website and through email distribution to interested parties. Prior to the issuance of the RFA, PHCD solicited comments from the public through three roundtable meetings for developers held on July 20, 2016, July 22, 2016, and July 29, 2016. All proposals were reviewed and scored by an evaluation/selection committee appointed by the County Mayor.

The FY 2016 Surtax and SHIP RFA was issued with \$32,477,339.00 in available Surtax funding and \$4,400,000.00 in SHIP funding for a total funding level of \$36,877,339.00. Applications for FY 2016 Surtax/SHIP funding were solicited through PHCD’s RFA process for the following categories: Rental Activities, Homeownership Activities, Small Housing Developments, Homebuyer Counseling, and Public Housing Developments. Under the FY 2016 RFA, Surtax and SHIP funds are prioritized or targeted for those projects requiring “gap” financing for developments.

In the Public Housing Developments category, four applications were submitted, with two applications not meeting established minimum thresholds and thus not forwarded to the evaluation selection committee for scoring and ranking. The Project received a score of 104 out of a possible total score of 104, ranking as the highest scored proposal. The Surtax/SHIP funding allocation will be an amount recommended by a favorable underwriting and subsidy layering review, but no more than \$2,500,000.00. On October 3, 2019, the Board adopted Resolution No. R-1059-19, which approved the conversion of the Project through RAD program from public housing to Section 8 project-based. As part of the financing, the developer is required to close on the funds by June 30, 2020.

A due diligence review, as required by Resolution No. R-630-13, was conducted. The resolution requires a report of findings to accompany all recommendations for the commitment of County funds. PHCD's diligence review did not find negative information concerning the recommended entity.

A handwritten signature in blue ink, appearing to read "M. Kemp", with a large, stylized flourish extending from the end of the signature.

Maurice L. Kemp, Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 16, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(K)(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
- Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)
6-16-20

RESOLUTION NO. _____

RESOLUTION APPROVING PROPOSED FISCAL YEAR 2016 DOCUMENTARY STAMP SURTAX AND STATE HOUSING INITIATIVES PARTNERSHIP FUNDING RECOMMENDATION IN AN AMOUNT UP TO \$2,500,000.00 TO THE RELATED URBAN DEVELOPMENT GROUP'S AFFILIATE, THREE ROUND TOWERS B AND C, LLC., FOR THE REHABILITATION OF THREE ROUND TOWERS B AND C, A PUBLIC HOUSING DEVELOPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SUCH FUNDS, TO EXECUTE AMENDMENTS, SHELL CONTRACTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum,

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

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

Section 2. This Board approves the proposed funding recommendation in the amount of \$2,500,000.00 in Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership funds associated with Fiscal Year 2016 Request for Applications, as more fully described in the County Mayor's memorandum, for Three Round Towers B and C Apartments, a 263-unit elderly, public housing development of which 90 units will be converted from public housing to Section 8 project-based units through the Rental Assistance Demonstration program,

and all units will house persons, whose incomes are within the range at or below 30 percent to 80 percent area median income.

Section 3. This Board further authorizes the County Mayor or County Mayor's designee to execute all standard shell contracts, amendments, standard shell loan documents and other agreements necessary to accomplish the purposes of this resolution and to exercise the cancellation and other provisions contained therein. All funding awards 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. This 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 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.,	Daniella Levine Cava
Jose Pepe Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of June, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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 Summerset-Williams