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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2009

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

From: George M. Burgess
County Manager

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

Resolution No. R-37-09

Subject: Resolution Regarding 11010 Pinkston Drive Affordable Housing Development

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RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve a resolution authorizing: 1) the construction of an affordable housing development at a different address than previously authorized by the BCC through Resolution R-412-08 (from 11010 Pinkston Drive, a 3.09 acre lot, to 11001 Pinkston Drive, a 3.01 acre lot); and that the $2,000,000 of Surtax funds previously awarded for the development of affordable housing units to accompany the change of site location.

This recommendation shall be contingent upon: 1) the land being replatted by the SBC Community Development Corporation of Richmond Heights, Inc. (SBCCDC) or SBCCDC being granted a Waiver of Plat, 2) payment of all outstanding encumbrances including the mortgage by Second Baptist Church of Richmond Heights with Wachovia Bank on the 11001 Pinkston Drive parcel in an amount of approximately $400,000 and property taxes due, and 3) the project being initiated within two years of the approval of this resolution, in accordance with current contract policies of the Office of Community and Economic Development (OCED).

SCOPE

The development will be located at 11001 Pinkston Drive, Miami, FL 33176, in Commission District 9.

FISCAL IMPACT

This resolution does not create a negative fiscal impact to the County nor does it change the funding amount previously awarded.

TRACK RECORD

SBC Community Development Corporation of Richmond Heights, Inc. (SBC CDC), a 501 (c) (3) corporation was formed to jointly develop this project.

BACKGROUND

On July 25, 2000, the BCC adopted Resolution R-903-00 authorizing the County Manager to form a Florida not-for-profit corporation to be known as MDHA Development Corporation (MDHADC), as well as create subsidiaries and affiliated entities of such corporation. On December 4, 2003, the BCC adopted resolution R-1310-03 authorizing the County Manager to convey 3.09 acres of surplus, County owned property and allocate $2 million of Surtax funds to MDHADC for construction of an affordable housing development on Pinkston Drive. As part of the development plan, it was the intention of MDHADC to enter into a joint redevelopment agreement with SBC Community Development Corporation of Richmond Heights, Inc.

On April 8, 2008, the BCC approved Resolution R-412-08, adopting the Execution of Transitional Agreement between Miami-Dade County and MDHADC, which stated that any contracts with, and property conveyed or leased to, MDHADC shall be terminated and/or assigned directly to SBC CDC to continue the construction of the affordable housing development on Pinkston Drive. However, the County's consent to this assignment and execution of the contract and loan agreements with SBC

CDC is conditioned upon SBC CDC entering into a contract with a qualified developer and that the developer meets specific timelines and deliverables. Accordingly, this resolution enables SBC CDC to comply with these conditions.

The revised site plans indicate that SBC CDC is now proposing that the housing development be constructed on a parcel of land presently owned by Second Baptist Church of Richmond Heights located at 11001 Pinkston Drive and that the family/community center be constructed on the County owned parcel, where the affordable housing development was previously envisioned to be built, located at 11010 Pinkston Drive.

The parcel located at 11001 Pinkston Drive, the site where the affordable housing development will now be built, presently has a mortgage with Wachovia Bank with an outstanding balance of approximately $400,000. Although the County customarily subordinates its lien position to a first mortgage lender, this outstanding mortgage is not connected to the proposed affordable housing development. Therefore, the County is requiring that this outstanding mortgage be paid prior to the execution of the loan documents for the Surtax funds.

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM

(Revised)

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

DATE: January 22, 2009

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

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

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(1)(B)
1-22-09

RESOLUTION NO. R-37-09

RESOLUTION AUTHORIZING THE CHANGE IN SITE LOCATION FOR THE CONSTRUCTION OF AN AFFORDABLE HOUSING DEVELOPMENT PREVIOUSLY AUTHORIZED BY THE BOARD OF COUNTY COMMISSIONERS, THROUGH RESOLUTION R-412-08, FROM 11010 PINKSTON DRIVE, A 3.09 ACRE LOT, TO 11001 PINKSTON DRIVE, A 3.01 ACRE LOT; AND TO AUTHORIZE $2,000,000 OF SURTAX FUNDS PREVIOUSLY AWARDED FOR THE DEVELOPMENT OF THE AFFORDABLE HOUSING UNITS TO ACCOMPANY THE CHANGE OF SITE LOCATION, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS

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 construction of an affordable housing development at a different address than previously authorized by the BCC through Resolution R-412-08, from 11010 Pinkston Drive, a 3.09 acre lot, to 11001 Pinkston Drive, a 3.01 acre lot; authorizes $2,000,000 of Surtax funds previously awarded for the development of the affordable housing units to accompany the change of site location; and further authorizes the County Mayor or the County Mayor's designee to execute agreements, contracts and amendments on behalf of Miami-Dade County, following approval by the County Attorney's office; to shift funding sources for this program activity without exceeding the total amount allocated to that agency; to shift funding to different agencies without exceeding the total amount allocated to the project; and to exercise amendment, modification, renewal, cancellation and termination clauses on behalf of Miami-Dade County, Florida.

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

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman aye

Bruno A. Barreiro	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Barbara J. Jordan	absent	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2009. 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: Kay Sullivan
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset