

## MEMORANDUM

Agenda Item No. 11(A)(16)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** June 2, 2009

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

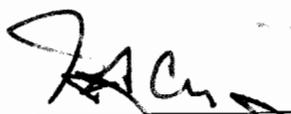
**SUBJECT:** Resolution directing the Mayor  
to research the availability  
of American Recovery and  
Reinvestment Act of 2009  
funds to be used as gap funding  
for the construction of green and  
sustainable buildings

**Resolution No. R-743-09**

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**The resolution was amended by the Housing and Community Development Committee to remove the report requirement and direct the Mayor to apply for American Recovery and Reinvestment Act of 2009 funds.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle.



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R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

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

**DATE:** June 2, 2009

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

**SUBJECT:** Agenda Item No. 11(A)(16)

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 Mayor'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. 11 (A) (16)  
6-2-09

**RESOLUTION NO. R-743-09**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RESEARCH THE AVAILABILITY OF AND APPLY FOR AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS TO BE USED AS GAP FUNDING FOR THE CONSTRUCTION OF GREEN AND SUSTAINABLE BUILDINGS IN THE HOPE VI PROJECT

**WHEREAS**, in 1999, the County submitted a HOPE VI application to the United States Department of Housing and Urban Development ("HUD") to seek funding to demolish and revitalize the James E. Scott Homes and Carver Homes Public Housing Development ("Scott-Carver"); and

**WHEREAS**, HUD awarded a HOPE VI implementation grant in the amount of \$35 million for the purpose of demolishing and revitalizing Scott-Carver Homes; and

**WHEREAS**, the County is in the process of rebuilding the new community to re-house the former residents of Scott-Carver; and

**WHEREAS**, on December 16, 2008, this Board adopted Resolution No. R-1417-08, which awarded a Master Developer Agreement ("MDA") to McCormack Baron Salazar, Inc. ("MBS") for the completion of Phase II (Sectors III, IIA, IV and Carver Homes) of the Scott-Carver HOPE VI project; and

**WHEREAS**, on December 29, 2009, the County entered into the MDA with MBS; and

**WHEREAS**, the MDA requires MBS, in conjunction with the Miami Worker's Center, Emerging Green Builders and other interested groups, to develop a Concept Plan that includes "a

plan that is highly energy-efficient and innovative in its use of ‘green’ and ‘sustainable’ (‘Green Building Concepts’) building materials, components, and construction methods”; and

**WHEREAS**, funding provided by the American Recovery and Reinvestment Act of 2009 (“Recovery Act) offers a tremendous opportunity for state and local governments to jump-start green building efforts, create green jobs, and save energy and money; and

**WHEREAS**, this Board also desires to use Recovery Act funds received or applied for and received by the County as gap funding for the HOPE VI project to ensure that MBS constructs green and sustainable buildings in this project,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board [~~Section 2.~~]<sup>1</sup> directs the Mayor or Mayor’s designee to research the availability of ~~and apply for~~ American Recovery and Reinvestment Act of 2009 funds to be used as gap funding for the construction of green and sustainable buildings by McCormack Baron Salazar, Inc. within the Scott-Carver HOPE VI project.

~~[[Section 2. Directs the Mayor or Mayor’s designee to provide a report to this Board within sixty (60) days from the effective date of this resolution.]]~~

The Prime Sponsor of the foregoing resolution is Commissioner Dorrin D. Rolle. It was offered by Commissioner **Jose “Pepe” Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

	Dennis C. Moss, Chairman	<b>aye</b>	
	Jose "Pepe" Diaz, Vice-Chairman	<b>aye</b>	
Bruno A. Barreiro	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>absent</b>
Dorrrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>absent</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of June, 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: **DIANE COLLINS**  
 Deputy Clerk

Approved by County Attorney as  
 to form and legal sufficiency. 

Terrence A. Smith

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item: 11(A)16**

**File Number: 091519**

**Committee(s) of Reference:** Board of County Commissioners

**Date of Analysis:** May 18, 2009

**Type of Item:** Resolution Directing County Mayor on Use of American Recovery and Reinvestment Act of 2009

**Prime Sponsor: Commissioner Dorrin D. Rolle**

**Commission District: 2**

**Summary**

The resolution directs the County Mayor to research the availability of American Recovery and Reinvestment Act of 2009 funds to be used as gap funding for the construction of green and sustainable building in the Hope VI project.

**Background and Relevant Legislation**

Under the American Recovery and Reinvestment Act of 2009, Miami-Dade County expects to receive an estimated amount of \$24 million. According to a memo dated March 3, 2009, from the County Manager, the County expects to receive nearly \$5 million in Community Development Block Grants and more than \$19 million in Public Housing Capital funds to upgrade and create energy efficiencies in existing public-housing units. A list of projects is currently being developed. The focus will be on deferred repair and replacement of systems such as elevators, roofs and windows. Money will also be available for gap financing on projects that receive Low-Income Housing Tax Credits.

According to a letter dated March 6, 2009 from the U.S. Department of Housing and Urban Development, HUD outlined the programs that are going to be funded: Community Development Block Grants; Public Housing Capital Fund; Lead Hazard Reduction; Section 8 Project-based Rental Assistance; Homelessness Prevention Fund and Tax Credit Assistance. At least 60 percent of funds must be spent within two years; all funds must be spent within three years.

**Policy Change and Implication**

**N/A**

**Question(s)**

Has the Miami-Dade Housing Agency determined the estimated gap funding that is necessary for the Hope VI project?

*During the May 13, 2009 Housing and Community Development Committee meeting, supplemental information to the monthly report on the Miami-Dade Public Housing Agency was provided to Committee members detailing the financing strategy for the Hope VI project. According to the report, three different scenarios were given explaining different building plans based upon the availability of certain funding. Each scenario also lists the anticipated funding gap existing with each proposal. Scenario A includes a nine percent tax credit application for Sector IIA and a four percent tax credit application for Sectors IIB, III, and IIIA along with Hope VI grant funding, US HUD Replacement Housing Factor funds and County bond proceeds. The financing gap under Scenario A is \$4,141,946. Scenario B has a financing gap of \$5,099,729 and Scenario C has a financing gap of \$14,448,840.*

**Budgetary Impact**

N/A

**Prepared By:**

Tiandra D. Sullivan