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

Memorandum

MIAMI-DADE COUNTY

Date: November 3, 2009

Amended
Agenda Item No. 8(G)(1)(A)

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

From: George M. Burgess
County Manager

Resolution No. R-1280-09

Subject: Resolution Authorizing to Accept and Expend Capital Fund Recovery Competition (CFRC) Award from US HUD for the Scott/Carver HOPE VI Redevelopment Project

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Recommendation

It is recommended that the Board of County Commissioners (BCC) accept $16,643,865.00 in funds awarded to Miami-Dade Public Housing Agency (MDPHA) by United States Housing and Urban Development (US HUD) pursuant to the Capital Fund Recovery Competition (CFRC) as part of the American Recovery Reinvestment Act (ARRA) funding under grant number FL00580000109G, and authorize the expenditure of funds for Phase II of the HOPE VI Scott/Carver Redevelopment project.

Scope

Phase II of the HOPE VI Scott/Caver Redevelopment, for which these funds will be used, is located in Commission District 2 and consists of the following parcels:

- Sector III of Scott Homes bounded by EE.C. Railroad on the south, NW 24 Avenue on the west, NW 75th Street on the north, and NW 23 Avenue on the east (approximately 9.75 acres).
- Sector IIIA of Scott Homes generally bounded by EE.C. Railroad on the south, NW 23 Avenue on the west, NW 75th Street on the north, and NW 22 Avenue on the east. This sector is comprised of scattered parcels; however, existing public housing single-family homes contained in this Sector IIIA are not included in this scope of work.
- Sector IV of Scott Homes bounded by F.E.C. railroad on the south, NW 22 Avenue on the west, NW 75th Street on the north, and NW 21 Avenue on the east (approximately 10.4 acres).
- Carver Homes bounded by NW 21 Avenue on the west, NW 74 Street on the north, NW 19 Avenue on the east, and EE.C. Railroad on the south (approximately 9.2 acres).

Fiscal Impact/Funding Source

There is no additional fiscal impact to the County with the approval of this item. The CFRC grant allows for the completion of all 354 mixed-income units (including 177 public housing units) envisioned under Phase II of the Scott/Carver HOPE VI Revitalization Plan.

However, these funds will not be used towards public infrastructure improvements which are currently under design. Although estimates are not complete for the pending public infrastructure improvements, $8.6 million of Neighborhood Stabilization Program funds have been allocated for this purpose.

Background

In May of 2009, US HUD issued a Notice of Funding Availability (NOFA) advising Public Housing Agencies (PHAs) across the country that $995 million in ARRA funding was available under a competitive process. As such, Resolution R-743-09, sponsored by Commissioner Dorrin D. Rolle and approved by the BCC on June 2, 2009, requested staff to research the availability of, and to apply for, ARRA funds that can be used as gap funding for the construction of green and sustainable buildings within the Scott-Carver HOPE VI project.

MDPHA evaluated the various funding categories and determined that the Scott/Carver HOPE VI Redevelopment project was eligible to receive funding for Category 4, Option 1, related to creating efficient,

green communities. MDPHA, together with the HOPE VI master developer, McCormack Baron Salazar (MBS), developed and submitted an application for $16,643,865 on July 20, 2009.

On September 18, 2009, US HUD advised MDPHA that the County's request has been granted. These CFRC funds will be used to enhance the project's green features, increase energy efficiency, environmental performance, and generate new employment and training opportunities.

The Scott/Carver project will incorporate Green Building Concepts, including insulation and air-sealing treatments of the home envelope, reflective roofing, weather-tight high-performance windows and doors, and compact fluorescent lighting. The proposed plan calls for the use of products that meet or exceed the Energy Star Label such as air conditioning equipment, ceiling fans, washers, dishwashers, refrigerators, and water heaters. Grant funds will help support special design, construction, implementation, and operational aspects of this project that are intended to substantially improve energy efficiency and environmental performance, such as:

- Reductions in water use of 20 to 30 percent over those requirements of the Energy Policy Act (1992).
- Reductions in energy use of 15 percent on air conditioning, hot water, and electricity.
- Reductions in stormwater charges of 20 to 50 percent over comparable sites without innovative strategies.
- Improvement of the indoor climate through the use of low-emitting materials, particulate removal, improved air ventilation and quality.
- Implementation of a waste management plan that will divert at least 25 percent of construction waste to parties that will recycle, salvage, or reuse salvaged materials.
- Use of passive solar design features including overhangs that fully shade southern windows June 1 to August 31, and allow for full-sun on December 21.
- Use of native and drought resistant plants and flowers with other erosion preventing materials, drought-resistant sod, and /or xeriscaping for landscaping activities.
- Utilization of photovoltaic (PV) panels (solar panels) that will provide at least 10 percent of the project's electricity demand.

A significant benefit of these improvements is not only to reduce the carbon footprint of these future units, but most importantly to lower the recurring energy costs for future residents of Phase II of the HOPE VI Scott/Caver Redevelopment project.

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM
(Revised)

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

DATE: November 3, 2009

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

SUBJECT: Amended Agenda Item No. 8(G)(1)(A)

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 Manager'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 _____

Amended
Agenda Item No. 8(G)(1)(A)
11-3-09

RESOLUTION NO R#1280-09

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND THE CAPITAL FUND RECOVERY COMPETITION (CFRC) AWARD OF $16,643,865 IN AMERICAN RECOVERY REINVESTMENT ACT (ARRA) FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND SAID FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL NECESSARY AGREEMENTS WITH US HUD FOR CREATING EFFICIENT GREEN COMMUNITIES IN PHASE II OF THE HOPE VI SCOTT/CARVER REDEVELOPMENT PROJECT

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

WHERAS, this Board desires to authorize the County Mayor or the County Mayor's designee to receive and expend the Capital Fund Recovery Competition (CFRC) award in American Recovery Reinvestment Act (ARRA) funding from US HUD,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Mayor or the County Mayor's designee to receive and expend $16,643,865 in ARRA funding from US HUD, for creating efficient green communities in Phase II of the HOPE VI Scott/Carver Redevelopment project; further authorizes the County Mayor or the County Mayor's designee to prepare and execute the necessary documents to accomplish same, subject to the County Attorney's approval, for creating efficient green communities in Phase II of the HOPE VI Scott/Carver redevelopment project; and further directs the Mayor or the Mayor's designee to use products that meet or exceed the energy efficiency standards associated with the Energy Star label.

The foregoing resolution was offered by Commissioner Dorrin D. Rolle, who moved its adoption. The motion was seconded by Commissioner Natacha Seijas 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	aye
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Barbara J. Jordan	aye	Joe A. Martinez	aye
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 3rd day of November, 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

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

MEMORANDUM

Agenda Item No. 11(A)(16)

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

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.

R. A. Cuevas, Jr.
County Attorney

RAC/up

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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 1.~~]][1] 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:

[1] 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	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd 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