Amended

MEMORANDUM

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

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: July 7, 2011

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

SUBJECT: Resolution approving the policies governing the planning process for amendments to the FY 2008-2012 Consolidated Plan through the preparation of the FY 2012 Action Plan

Resolution No. R-532-11

The accompanying resolution was prepared by the Department of Housing Community Development and placed on the agenda at the request of Prime Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: July 7, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Alina T. Hudak
County Manager

Subject: Proposed FY 2012 Consolidated Planning Process Policies

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RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) adopt the attached FY 2012 Consolidated Planning Process Policies (Policy Paper) which will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan. This Policy Paper outlines the utilization of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Home Investment Partnerships (HOME), and State Housing Initiatives Partnership (SHIP) program income, and Documentary Stamp Surtax (Surtax) funding. Once adopted, these policies will be used to complete the FY 2012 Consolidated Request for Applications (RFA) process, which will be used to develop the FY 2012 Action Plan for BCC consideration and approval.

SCOPE

The attached FY 2012 Policy Paper addresses the needs of low to moderate income communities within the Miami-Dade County entitlement jurisdiction. The Miami-Dade County entitlement jurisdiction excludes six municipalities that receive their own federal entitlements directly from the US Department of Housing and Urban Development (US HUD). These are Miami Gardens, Miami, Hialeah, Miami Beach, North Miami and Homestead. In addition, one municipality (Florida City) participates in the State's Small Cities Program for CDBG and HOME funds.

The County's CDBG entitlement funds are utilized to meet the needs of residents in the unincorporated municipal service area (UMSA) and municipalities that do not receive their own entitlement. Often referred to as the "participating municipalities", these cities have decided to participate in the County's CDBG program instead of the State's Small Cities Program. Participating municipalities include Sweetwater, North Miami Beach, South Miami, Opa-Locka, Hialeah Gardens and the Village of El Portal.

FISCAL IMPACT

The FY 2012 Policy Paper contemplates the funds anticipated from federal, state, and local sources in FY 2012 as shown in the Table 1 below. As part of the Action Plan that will be developed using this Policy Paper, these revenues will be recommended for allocation to developers, municipalities, not-for-profit organizations and for projects benefiting the entitlement jurisdiction that will be managed by County departments. Emphasis will be placed on addressing high priority needs in low to moderate income communities.

Table 1. Projected Funds Available for FY 2012

Funding Source	Type	FY 2011 Anticipated Funding	FY 2012 Estimated Funding
Community Development Block Grant (CDBG)*	Federal	$14,330,400	$13,613,880
Emergency Solutions Grant (ESG)	Federal	750,000	750,000
Home Investment Partnerships (HOME)*	Federal	6,679,000	6,345,050
State Housing Initiatives Partnership Program Income (SHIP)	State	500,000	500,000
Documentary Surtax	Local	Not included	11,900,000
TOTAL ALL SOURCES		**$22,259,400**	**$33,108,930**

* Excludes program income

Surtax and SHIP funds are included in this Policy Paper, as this approach offers an opportunity to conduct a single RFA for projects to be funded from all federal, state, and local funds.

EXPENDITURE LIMITS AND REQUIREMENTS

In developing the Policy Paper and Action Plan, the programs will adhere to the expenditure limits imposed by funding agencies. US HUD has established requirements for the commitment, expenditure and allocation of federal awards to its grantees. Failure to manage program awards within these guidelines may result in forfeiture of funds, cancellation of some activities and assessment of penalties. For example, one of US HUD's primary requirements regarding CDBG is that on November 1 of each year, the County may not have more than 1.5 times its annual allocation in its line of credit with US HUD. Failure to meet this spending ratio will result in the County forfeiting the difference between the balance in the line of credit and the value of the spending ratio. Also, regarding HOME funds, US HUD will cancel funding for HOME activities that have no disbursed funds within a 12-month period.

Table 2 shows the expenditure limits and funding requirements for the federal, state, and local funding sources.

Requirement	CDBG (federal)	HOME (federal)	ESG (federal)	Surtax (Local)	SHIP (State)
Administrative Cap	20%	10%	None	10%	10%
Public Service	15%	N/A	N/A	N/A	N/A
Required Local Match	NONE	25%	100%	N/A	N/A
Leveraging	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	No requirement. Strongly recommended	No requirement, Strongly recommended
CHDO Set-Aside*	N/A	15%*	N/A	N/A	N/A
Commitment Deadline	Reserves cannot be established or maintained	2 years	None	None	2 years
Expenditure Deadline	8 years	5 years	None	N/A	3 years
Rental	N/A	N/A	N/A	Minimum of 35%	N/A
Homeownership	N/A	N/A	N/A	Minimum of 35%	N/A

Note: *15 percent of HOME funds must be set-aside for a HOME Community Housing Development Organization (CHDO). A CHDO is a private non-profit organization that provides decent housing that is affordable to low and moderate income persons as evidenced in the CHDO's charter, articles of incorporation, resolutions, or by-laws. A CHDO may apply for funding as a Developer, Owner, or Sponsor, but only CHDOs may apply for a HUD mandated set-aside percentage of local HOME funds.

Below is a brief description of the funding sources in this Policy Paper:

- CDBG: Funds are distributed by a federal formula based on a community's population, poverty, the age of its housing stock, and extent of overcrowded housing. The CDBG program is authorized under Title I of the Housing and Community Development Act of 1974, as amended and enables local governments to undertake a wide range of activities intended to create suitable living environments, provide decent affordable housing and expanded economic opportunities, primarily for persons of low- and moderate-income.
- HOME: Federal funds are allocated to units of general local government on the basis of a formula that considers the relative inadequacy of each jurisdiction's housing supply, its incidence of poverty, its fiscal distress, and other factors. HOME is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended and enables states and local governments to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income residents.
- ESG: The federal government distributes a share of US HUD's Homeless Assistance Grants as ESG funding, which is distributed by formula to cities, counties, and states. Funding that is not allocated for the ESG formula is made available through a nationwide Continuum of Care competition. ESG provides homeless persons with basic shelter and essential supportive services. ESG also provides

short-term homeless prevention assistance to persons at imminent risk of losing their housing due to eviction, foreclosure, or utility shutoffs.

- Surtax: A state authorized local program that imposes the collection of a $0.45 tax on every $100 worth of commercial real estate transactions. Surtax funds are used to assist in the financing of construction, rehabilitation, or purchase of housing for low-income and moderate-income families.
- SHIP: A State program established by the William E. Sadowski Affordable Housing Act. Funds are allocated on a population-based formula. The Florida Housing Finance Corporation administers the SHIP, which provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate-income families.

BACKGROUND

US HUD requires that the County submit a Consolidated Plan every five years and an annual Action Plan to guide that respective year's implementation of the Consolidated Plan. The Action Plan must be filed with US HUD by November 15 of each year. The most recent Consolidated Plan was submitted to US HUD in November 2007.

In developing the annual Action Plan, the County develops the Policy Paper which serves as a blueprint for the Action Plan funding recommendations to the BCC. The Department of Housing and Community Development (DHCD) is the lead agency responsible for development of the Policy Paper and Action Plan. DHCD Staff continues to consult with municipalities, community development corporations (CDCs), community-based organizations (CBOs), neighborhood based citizen groups and other stakeholders as part of its continuing effort to meet the goals of the FY 2008 – 2012 Consolidated Plan and to finalize the Policy Paper being recommended for BCC approval. These stakeholder inputs have resulted in several new policy recommendations and changes to existing policies for FY 2012. The new or revised policies are being proposed based on feedback from the community and the latest US HUD Community Planning and Development (CPD) guidelines that strongly encourage the: 1) use of a local performance measurement system; 2) development of new management strategies, and 3) implementation of management by objectives.

As the BCC is aware, US HUD expects that Community Development supported by federal funding should include citizen and community participation. Within the County's entitlement jurisdiction, there are several CDBG eligible block groups (EBGs) otherwise known as census tracts, a significant number of which are geographically contiguous. In order to better focus attention on these clusters, the BCC established several Neighborhood Revitalization Strategy Areas (NRSAs), which are contiguous EBGs. The Chairpersons of the County's eight NRSAs have actively participated in the planning process and together made a total of 23 recommendations for consideration in the FY 2012 Policy Paper. The group subsequently agreed to only proffer 20 recommendations, of which eight have been incorporated into this Policy Paper, four will be implemented when the Action Plan is being developed, and three are currently part of normal County operations and program requirements. Attachment E to the Policy Paper is a list of all the final recommendations made by the NRSA Chairpersons presented for consideration.

The following new policies are proposed for FY 2012:

ECONOMIC DEVELOPMENT

Recommendation #1: Small businesses receiving CDBG assistance from Business Incubators will be encouraged to apply to become certified as a Miami-Dade County Green business.

This policy seeks to amend a previous policy approved under the FY 2010 Policy Paper regarding standard procedures for Business Incubators to include BCC-approved sustainability initiatives into all County activities. By amending the existing policy, all businesses receiving CDBG assistance from any County funded Business Incubator are now encouraged to apply to become certified as a Miami-Dade County Green business. However, failure to meet the criteria for certification as a Green business shall not disqualify the business from receiving CDBG support. This strategy will allow small businesses to learn about and implement sustainable business practices in their day-to-day operations.

HOUSING

<u>Recommendation #2</u>: *Increase the allocation of HOME funding for Tenant Based Rental Assistance*

It is recommended that the County increase the set-aside of HOME funding for Tenant Based Rental Assistance (TBRA) in order to meet the increasing demand for rental assistance from households being negatively impacted by the current economic conditions. The County has, in the past, awarded HOME funds to local agencies to administer TBRA programs, primarily for the benefit of persons or families with incomes well below 50 percent of the area media income (AMI). While these agencies have worked diligently to serve special needs populations, including the homeless, senior citizens, and youth aging out of foster care, more needs to be done to address the problems currently faced by the County's families earning between 50 percent and 80 percent of the AMI. Below is a table showing Miami-Dade County's AMI thresholds by household size.

Miami-Dade County: U.S. HUD AMI Thresholds by Household Size

	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
30% of AMI	14,800	16,900	19,000	21,100	22,800	24,500	26,200	27,900
50% of AMI	24,650	28,150	31,650	35,150	38,000	40,800	43,600	46,400
80% of AMI	39,400	45,000	50,650	56,250	60,750	65,250	69,750	74,250

The current economic environment has contributed to a significant increase in the number of households in Miami-Dade County having to spend in excess of 50 percent of their household income towards rent. This policy would increase the availability of TBRA to special needs populations with incomes at or below 50 percent of AMI and expands TBRA eligibility to households with incomes up to 80 percent of AMI, as permitted by the federal HOME regulations. TBRA reduces a household's out-of-pocket monthly rent burden to only 30 percent of the household's income.

TBRA funds will be used to provide short and medium-term tenant-based rental housing assistance to individuals and families who are homeless, at risk of becoming homeless, or threatened with economic displacement. The amount, level, and term of such assistance shall be based on a sliding scale determined by household income.

<u>Recommendation #3</u>: *Provide short and medium-term tenant-based or project-based rental housing assistance under the ESG Program.*

The Miami-Dade Homeless Trust (Trust), which oversees the continuum of supportive services to the County's homeless families, reports a dramatic increase in demand for short and medium term rental assistance. According to the Trust, during the past year demand for rental housing assistance has increased exponentially from an average of 100 calls per month to well over 1,000 monthly calls from either homeless families or households threatened with homelessness.

DHCD has typically received approximately $750,000 annually in ESG funding, which it has earmarked for the continued operation of the Beckham Hall Emergency Shelter. However, given the increase in demand for short and medium term rental assistance, it is recommended that any ESG funding in excess of $750,000 be set-aside to expand TBRA.

<u>Recommendation #4</u>: *When applicable, based on the type of award, each activity recommended for funding must undergo and be contingent upon a feasibility determination and subsidy layering review/underwriting analysis to determine the final level of award, terms, and structure.*

Prior to contract execution, the County, in determining whether and how much funding to award/allocate to a project and to evaluate whether the project can be successful, will require each activity recommended for funding be subject to a feasibility determination and underwriting analysis or other assessment. Given the limitations in funding and the need to meet US HUD's national or other local performance objectives, the County cannot invest more dollars than necessary in any project or program. A feasibility determination will identify the appropriate level of County funding and the appropriate funding structure. Additionally, all awards must be evidenced by a contract, memorandum of understanding, or inter-local/inter-department agreement, as well as any appropriate security instrument(s). This requirement may be waived upon review and determination by the Mayor or the Mayor's designee.

Recommendation #5: Funding to agencies which provide Homebuyer Counseling and Education services shall be limited to a geographic distribution.

It is recommended that the County limit funding to three Homebuyer Counseling agencies. The County will endeavor to select agencies to ensure geographic equity such that residents in the North, Central, and South shall have reasonable access to such services. This policy seeks to achieve greater efficiencies in the provision of these services and the expenditure of funds by eliminating the funding of multiple agencies that provide duplicative services in the same market areas.

OTHER PROPOSED POLICIES

Recommendation #6: The award of CDBG, HOME and ESG funding to activities located in other entitlement jurisdictions will be limited to projects and activities that have the demonstrated capacity to provide benefits to residents and communities within the boundaries of Miami-Dade County's entitlement jurisdiction.

As explained earlier, six municipalities within Miami-Dade County have their own federal entitlements from US HUD. US HUD regulations require that funding awards made by the County to activities conducted within the boundaries of another entitlement jurisdiction, must demonstrate "*Metropolitan Significance*". Examples of measures which are applied to assess "*Metropolitan Significance*" are: a) is the activity necessary to further the purposes of the Housing and Community Development Act of 1974; b) is the activity necessary to further the purposes of Miami-Dade County's community development objectives and c) will there be a reasonable benefit from the activity that will accrue to residents within Miami-Dade County's entitlement jurisdiction's boundaries.

Recommendation #7: All projects or activities identified as "countywide" must demonstrate measurable impact in all NRSAs and EBGs.

The County continues to promote funding of programs, projects, and activities that are intended to serve low and moderate income clientele (LMC) on a "*countywide basis*". However, in many cases CDBG funds are awarded to support countywide activities, but the impact and benefits of such activities are often not clearly evident in the County's NRSAs, EBGs and participating municipalities. To address this concern, each applicant wishing to undertake "countywide" activities must clearly develop an acceptable plan and performance measures outlining how the program will benefit residents within Miami-Dade County entitlement jurisdiction. That plan must identify the resources and capacity within the applicant's organization that are available to satisfy the stated objective of countywide performance.

Recommendation #8: Applicants shall be entitled to an appeal process to dispute their scores, application rankings, and final recommendations for funding.

DHCD will implement a formal RFA appeals procedure, to be completed prior to submission of the funding recommendations to the BCC. All applicants shall be entitled to a review of their score received as a result of the RFA process. A protest may not challenge the relative weight of the evaluation criteria or the formula specified for assigning points in the RFA specifications. To the extent issues are identified in the scoring of the application, where appropriate adjustments to the applicant's score and resultant ranking may be made. The County shall not address any request that has not been submitted in writing and received by the County within the appeal period. Additionally, the appeals process shall not apply to subsequent recapture/reallocation activities. The appeals will be governed by the following procedures:

1. Once the Evaluation and Selection Committee (the Committee) complete the evaluation of the applications, the Committee will report applicants' scores and rankings to the DHCD management.
2. DHCD will publish the score and ranking on the DHCD website and each applicant will be advised of their scores via email or facsimile on the same day that the scores are posted online.
3. Applicants will have three (3) working days from the date the results are posted on the County's website to formally advise DHCD of their intent to appeal the results of the RFA.
4. Applicants will have five (5) working days from the date the results are posted on the County's website to formally submit their appeal with any supporting documentation to DHCD. Only the information and data presented in the formal appeal to DHCD within this stipulated 5-day period will be considered during the appeal hearing.
5. DHCD will convene an Ad Hoc Appeals Committee comprising professional County staff to hear each appeal. DHCD and the Appeals Committee will receive guidance from the County Attorney as needed. For any questions of responsiveness, a request to the County Attorney shall be made to certify whether the application in question is responsive. Upon receiving such request, the County Attorney shall, in consultation with the County Mayor or Mayor's designee if necessary, determine whether the application is responsive. The Appeals Committee and DHCD shall be bound by the determination of the County Attorney with regard to the issue of responsiveness.
6. All Appeals Committee decisions and recommendations are final.
7. The appeals hearing process must be completed within 20 working days following the posting of the RFA results on the County's website unless extended by the DHCD Director.
8. Changes in scores, rankings etc. resulting from the appeals process will be incorporated in the final RFA results as required.

<u>Recommendation #9</u>: *All applicants that are in non-compliance with the requirements and conditions of their existing CDBG, HOME, NSP, SHIP, or Surtax contracts with Miami-Dade County shall be ineligible for funding.*

All applicants with an existing DHCD contract that have either, 1) failed to demonstrate achievement of the National Objective, or appropriate performance measure under their existing CDBG, HOME, NSP and/or Section 108 loan agreements as well as SHIP and Surtax contractual requirements, or 2) are currently in a delinquent payment status with their existing County contracts/agreements shall be ineligible for funding under the FY 2012 RFA. Entities that are delinquent with their payments will be evaluated and assessed for new or continuing contracts as provided under Section 2-8.1(h)(ii) of the County Code. Future funding will require that the agency, in coordination with County staff, develop a successful work-out plan to address all issues for which the agency is non-compliant.

<u>Recommendation #10</u>: *Environmental Review applications must be completed in their entirety and received within 30 days of contract award, or funding will be reassessed for recapture.*

The purpose of an environmental review process is to foster implementation of environmentally compatible activities. In accordance with Federal regulations, Miami-Dade County cannot fund projects that will negatively impact communities or the environment. The environmental review process is initiated prior to, or during the contract development process. In accordance with 24 CFR Part 58: Miami-Dade County as a CDBG entitlement jurisdiction is responsible for environmental reviews, decision-making, and actions that would otherwise apply under the National Environmental Policy Act (NEPA).

All awardees must ensure completion of an environmental review prior to commencing project-related work. By undertaking the environmental review early in the process, recipients can avoid further delays in meeting project commencement timelines.

Recommendation #11: The County shall award bonus points for funding requests under the FY 2012 RFA that directly respond to, or seek to implement, projects, programs, and activities that directly respond to existing NRSA charrettes and community plans.

In recent years, several of the County's communities have created or are created charrettes and other community redevelopment plans that set forth specific projects, goals, and objectives for these target areas. The County shall award bonus points under the FY 2012 RFA to qualifying projects that directly respond to, or seek to implement, the development goals and objectives as identified and prioritized in such existing NRSA charrettes and/or community plans.

Recommendation #12: County Departments that will manage a project/program shall be required to make a presentation before the respective NRSA being impacted by the proposed County project/activity.

County departments receiving CDBG funds to implement projects, programs, and services in the NRSA shall be required to make a presentation to the respective NRSA being impacted by the proposed activity. This will enable local community residents to understand the proposed activity and to become familiar and more informed of the improvements or services being provided. This approach will also afford County departments the opportunity to obtain valuable, direct feedback from local residents regarding these activities.

All County departments awarded CDBG funding to implement such NRSA-related projects, programs, or activities shall also be required to provide semi-annual status reports and updates at subsequent NRSA CAC meetings.

Recommendation #13: All projects or activities awarded CDBG or HOME funds that have failed to complete the activity in a timely manner, shall be subject to recapture. This policy may be waived at the discretion of the administration.

US HUD has established commitment timelines, expenditure ratios and allocation percentages for CDBG and HOME funds. Failure to manage program awards within these guidelines may result in forfeiture of the funds, cancellation of some activities and the assessment of penalties, depending on which requirements were not met.

The County routinely reviews the status and progress of CDBG and HOME funded activities and reallocates funding from completed or stalled projects to projects that can comply with US HUD-mandated expenditure requirements and performance objectives. Projects will be prioritized for funding reallocations under the County's *Finish What We Started* policy previously adopted by the BCC.

This policy will also assist the County in meeting federal commitments and expenditure requirements in a more timely manner.

Recommendation #14: A Community Advisory Committee (CAC) may elect to prioritize single-family housing rehabilitation as one of its NRSA high priorities.

Prior year policies limited CAC allocations to economic development, capital improvements and infrastructure activities. This policy is being recommended in response to a request from the CACs, which will give the CACs increased flexibility in identifying the high priorities within the NRSA.

Recommendation #15: Reduce the Public Service allocation to County departments by $1.05 million.

Based on the CDBG guidelines and as outlined in the proposed policy paper, CDBG spending on public services is capped at 15 percent of the total grant funding. EDSS Committee amended the item to reduce the CDBG funding for the public service programs administered by the County by $1.05 million and allow each Commissioner to allocate $50,000 from their respective Commissioner District Fund to fund public service activities that competed through the annual RFA process. Additionally, the amendment allows each of the eight NRSA CACs to allocate $50,000 to public service activities that competed through the RFA.

Recommendation #16: Rescind the Policy of scoring in the top 45 percent to be eligible for funding.

As part of the FY 2010 Policy Paper, the Board adopted policies to ensure CDBG funds are allocated to projects that are adequately leveraged and can be completed in a timely manner. As such, one of the steps was to allocate funds to applicants that received a score in the top 45 percent of viable applications for their respective funding category. In order for a project to score in the top 45 percent, the project must have received points for providing proof of leverage, since leveraged projects have a greater chance of success. This policy is eliminated and funding can now be allocated to any entity that competed through the RFA process, as long as the proposed activity is eligible, financially viable, and meets all the federal requirements.

General Policy Guidelines:

CDBG funds can be used to fund administrative, economic development, public infrastructure/capital improvements, housing, and historic preservation activities. Consistent with the federal rules and regulations, 20 percent and up to 15 percent of the CDBG funds will be used for administrative and public service activities, respectively. Additionally, up to ten percent will be used to fund economic development activities. The remaining funds will be used fund public infrastructure, capital improvements and housing-related activities within EBGs and NRSAs. As approved by the BCC in 2011, it is recommended that a minimum of 20 percent of the CDBG funds be allocated to projects that will benefit the NRSAs. It is also recommended that the County Commissioners allocate their respective funds to any eligible activity that benefits residents of EBGs, inclusive of NRSAs.

In order to continue to expedite infrastructure and capital improvements and to effectively serve EBGs countywide, it is further recommended that a total of 40 percent of all the projects funded in the FY 2012 Action Plan, including the portion of public services activities not funded by Commissioners and NRSA CACs, be allocated to projects managed and implemented by the County, exclusive of the 20 percent for administration.

The Board directed that staff determine its funding recommendations prior to Commissioners allocating their respective Commission District Funds. This will allow Commissioners to use their allocations as gap funding for entities that were not able to receive full funding.

ADDITIONAL INFORMATION

2010 Census Data
US HUD recently released data extracted from the 2010 Census to be used for establishing the census tracts that may be designated EBGs and where applicable, designated as Neighborhood Revitalization Strategy Areas. However, this data requires extensive analysis before the any geographical designations may be finalized. DHCD and Department of Planning and Zoning are analyzing the US HUD data. Once the analysis is complete, the information will be used to develop the 2012 RFA and subsequent allocations of CDBG, HOME and ESG funds.

FY 2013 through FY 2017 Consolidated Five-Year Plan

The proposed FY 2012 Policy Paper and Action Plan is the fifth year submission under the County's 2008 – 2012 Consolidated Plan. DHCD is procuring a consultant to prepare the new five-year Consolidated Plan which will guide the County's strategy for its community development and housing activities from 2013 through 2017. Staff intends to simplify the planning and decision-making process and to seek alternatives to maximize community impact by leveraging ongoing and planned community development activities within census tracts and surrounding areas, and to only fund activities that will have significant community impacts. Additionally, because community needs far outweigh the available funds, efforts will also be made to allocate fund to achieve broader community development goals, which will necessitate changes in funding strategies.

Attachment

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: July 7, 2011

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

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

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 [signature] Mayor
Veto ________
Override ________

Amended
Agenda Item No. 8(K)(1)(B)
7-7-11

RESOLUTION NO. R-532-11

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR AMENDMENTS TO THE FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2012 ACTION PLAN; APPROVING THE USE OF A REQUEST FOR APPLICATIONS PROCESS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), STATE HOUSING INITIATIVES PARTNERSHIP (SHIP), DOCUMENTARY STAMP SURTAX (SURTAX) AND THE EMERGENCY SOLUTIONS GRANT (FORMERLY KNOWN AS THE EMERGENCY SHELTER GRANT) (ESG) TO SOLICIT AGENCIES TO APPLY FOR FUNDING TO ADDRESS NEEDS ALREADY IDENTIFIED IN THE PLAN OR TO MEET NEEDS RESULTING FROM THE CITIZEN PARTICIPATION PROCESS

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 approves the policies governing amendments to the FY 2008-2012 Consolidated Plan including the FY 2012 Action Plan Planning Process for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), State Housing Initiatives Partnership (SHIP), and Emergency Solutions Grant programs (ESG); and approves the use of a Request for Application process to include the CDBG, HOME, SHIP, SURTAX and ESG Programs to solicit agencies to apply for funding to address needs to be identified in the Plan or to meet additional needs resulting from the Citizen Participation Process in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman — aye
Audrey M. Edmonson, Vice Chairwoman — aye

Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	absent	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of July, 2011. 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.

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Brenda Kuhns Neuman

Miami-Dade County

FY 2012
Consolidated Planning
Process Policies

Department of Housing and Community Development

May _____, 2011

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FY 2012 CONSOLIDATED PLANNING PROCESS POLICIES

EXECUTIVE SUMMARY

It is recommended that the Board of County Commissioners (BCC) adopt the FY 2012 Consolidated Planning Process Policies (Policy Paper) with the policy changes described below. The changes are being proposed in response to input from the community and recommendations from the U.S. Department of Housing and Urban Development (US HUD). These policies will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan through the development of the FY 2012 Request for Applications (RFA) process and the FY 2012 Action Plan. The intent of the policy changes is to ensure that all Federal funds are allocated in a timely manner and that the goals and objectives identified in the FY 2008-FY 2012 Consolidated Plan for Miami-Dade County's Neighborhood Revitalization Strategy Areas (NRSAs) and Eligible Block Groups (EBGs) are addressed.

The Policy Paper includes the funding criteria for the federal programs including, Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG) (formerly known as the Emergency Shelter Grant). It also includes information on two non-Federal programs including the Documentary Stamp Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) programs.

US HUD requires the County to submit a Consolidated Plan every five years, with the most recent Plan submitted in November 2007. An annual Action Plan is also required in order to guide that respective year's implementation of the Consolidated Plan. The recommendations contained in the FY 2012 Policy Paper serve as a blueprint to facilitate the development of the FY 2012 Action Plan, which must be submitted to US HUD by November 15, 2011. The FY 2008-FY 2012 Consolidated Plan was developed in concert with the County's Strategic Plan. The County's strategic area mission statements, goals, and performance measures are in the following areas: Housing and Economic Development; Health and Human Services; Neighborhood and Unincorporated Area Municipal Services; Public Safety; Recreation and Culture; Transportation; and Enabling Strategies. The strategic plan section of the current FY 2008-FY 2012 Consolidated Plan contains numerous policy objectives including, but not limited to the following:

- Provide very low-, low- and moderate-income households access to decent and affordable housing;
- Expand economic opportunities to create and retain jobs through business development;
- Provide adequate Public Services;
- Promote access to Public Facilities/Capital Improvements (primarily senior services, for the disabled, youth, substance abuse services, employment training, and child care); and,
- Facilitate the timely expenditure of HOME, CDBG and ESG dollars to ensure that services are provided in eligible areas.

To maintain fairness and objectivity while ensuring the likelihood of project completion towards achievement of a US HUD national objective, it is recommended that the County utilize a RFA process for the various federal, state, and local programs. Consistent with the policy established in prior years, the County will maintain its threshold for funding only activities which score 45 percent and above. This policy was established based on the historical performance of agencies which have been funded through the RFA. County staff has noted that agencies which do not score above 45 percent typically do not have the capacity to complete their projects and consequently have a significant impact on the County's ability to meet its expenditure and other federal requirements, as these agencies' funds often have to be recaptured and reprogrammed to other activities. Additionally, priority must be given to agencies that support activities in the NRSAs and other eligible block groups.

The RFA will serve to identify agencies with the capacity to address the unmet needs as identified during the FY 2008-FY 2012 Consolidated Plan update, in the following categories:

- Economic Development;
- Public Services

- Housing; and
- Public Facilities/Capital Improvements.

The FY 2012 Consolidated Planning Process Policies (Policy Paper) contains the proposed policies for implementing the FY 2008-FY 2012 Consolidated Plan, the FY 2012 Action Plan, and the FY 2012 Request for Applications (RFA) process. Based on standards established by the U.S. Department of Housing and Urban Development (US HUD), the overall goals of the Consolidated Plan are to:

- Develop viable communities by providing decent housing;
- Provide a suitable living environment by improving the safety and livability of neighborhoods and implementing US HUD's Sustainable Community Initiative;[1] and
- Expand economic opportunities including job creation and retention.

The County continues to consult with other County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen groups as part of its continuing effort to meet the goals of the FY 2008 through FY 2012 Consolidated Plan. Active participation of all stakeholders is critical for the successful implementation of the Action Plan while ensuring that Federal requirements are met. The outcome of these consultations has yielded proposed new policy recommendations and changes to existing policies for the FY 2012 Consolidated Planning Process. These policies are being proposed based on feedback from the community and the latest Federal Community Planning and Development (CPD) guidelines that strongly encourage: 1) the use of a local performance measurement system, 2) the development of new management strategies and 3) the implementation of management by objectives.

The County would like to express a special thank you to the Community Advisory Committee (CAC) members who provided input related to the FY 2012 Policy Paper and for their continued dedication to their communities.

[1] U.S. HUD and U.S. Department of Transportation Sustainable Communities Initiative. http://www.hud.gov/news/release.cfm?content=pr09-023.cfm

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PART I: PROPOSED FY 2012 POLICY RECOMMENDATIONS

This year, the changes recommended in the FY 2012 Policy Paper are designed to better address the high priority needs indentified in the FY 2008-FY 2012 Consolidated Plan.

The proposed policy recommendations delineated below will result in an increase in the quality of services, as well as an effective use of the funding awarded to the high poverty areas identified in the Consolidated Plan. The following new policies are proposed for FY 2012:

ECONOMIC DEVELOPMENT

Recommendation #1: *Small businesses receiving CDBG assistance from Business Incubators will be encouraged to apply to become certified as a Miami-Dade County Green business.*

This policy seeks to amend a previous policy approved under the FY 2010 Policy Paper regarding standard procedures for Business Incubators to include BCC-approved sustainability initiatives into all County activities. By amending the existing policy, all businesses receiving CDBG assistance from any County funded Business Incubator are now encouraged to apply to become certified as a Miami-Dade County Green business. However, failure to meet the criteria for certification as a Green business shall not disqualify the business from receiving CDBG support. This strategy will allow small businesses to learn about and implement sustainable business practices in their day-to-day operations.

HOUSING

Recommendation #2: *Increase the allocation of HOME funding for Tenant Based Rental Assistance*

It is recommended that the County increase the set-aside of HOME funding for Tenant Based Rental Assistance (TBRA) in order to meet the increasing demand for rental assistance from households being negatively impacted by current economic conditions. The County has, in the past, awarded HOME funds to local agencies to administer TBRA programs, primarily for the benefit of persons or families with incomes well below 50 percent of the area media income (AMI). While these agencies have worked diligently to serve special needs populations, including the homeless, senior citizens, and youth aging out of foster care, more needs to be done to address the problems currently faced by the County's families earning between 50 percent and 80 percent of the AMI. Below is a table showing Miami-Dade County's AMI thresholds by household size.

Miami-Dade County: U.S. HUD AMI Thresholds by Household Size

	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
30% of AMI	14,800	16,900	19,000	21,100	22,800	24,500	26,200	27,900
50% of AMI	24,650	28,150	31,650	35,150	38,000	40,800	43,600	46,400
80% of AMI	39,400	45,000	50,650	56,250	60,750	65,250	69,750	74,250

The current economic environment has contributed to a significant increase in the number of households in Miami-Dade County having to spend in excess of 50 percent of their household income towards rent. This policy would increase the availability of TBRA to special needs populations with incomes at or below 50 percent of AMI and expands TBRA eligibility to households with incomes up to 80 percent of AMI, as permitted by the federal HOME regulations. TBRA reduces a household's out-of-pocket monthly rent burden to only 30 percent of the household's income.

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TBRA funds will be used to provide short and medium-term tenant-based rental housing assistance to individuals and families who are homeless, at risk of becoming homeless, or threatened with economic displacement. The amount, level, and term of such assistance shall be based on a sliding scale determined by household income.

Recommendation #3: *Provide short- and medium-term tenant-based or project-based rental housing assistance under the ESG Program.*

The Miami-Dade Homeless Trust (Trust), which oversees the continuum of supportive services to the County's homeless families, reports a dramatic increase in demand for short and medium term rental assistance. According to the Trust, during the past year demand for rental housing assistance has increased exponentially from an average of 100 calls per month to well over 1,000 monthly calls from either homeless families or households threatened with homelessness.

DHCD has typically received approximately $750,000 annually in ESG funding, which it has earmarked for the continued operation of the Beckham Hall Emergency Shelter. However, given the increase in demand for short and medium term rental assistance, it is recommended that any ESG funding in excess of $750,000 be set-aside to expand TBRA for families in need.

Recommendation #4: *When applicable, based on the type of award, each activity recommended for funding must undergo and be contingent upon a feasibility determination and subsidy layering review/underwriting analysis to determine the final level of award, terms, and structure.*

Prior to contract execution, the County, in determining whether and how much funding to award /allocate to a project and to evaluate whether the project can be successful, will require each activity recommended for funding be subject to a feasibility determination and underwriting analysis. Given the limitations in funding and the need to meet US HUD's national or other local performance objectives, the County cannot invest more dollars than necessary in any project or program. A feasibility determination will identify the appropriate level of County funding and the appropriate funding structure. Additionally, all awards must be evidenced by a contract, memorandum of understanding, or inter-local/inter-department agreement, as well as appropriate security instrument(s) where applicable. This requirement may be waived upon review and determination by the Mayor or the Mayor's designee.

Recommendation #5: *Funding to agencies which provide Homebuyer Counseling and Education services shall be limited to a geographic distribution.*

It is recommended that the County limit funding to three Homebuyer Counseling agencies. The County will endeavor to distribute these funds in a geographically equitable manner such that residents in the North, Central, and South shall have reasonable access to such services. This policy seeks to achieve greater efficiencies in the provision of these services and the expenditure of funds by eliminating the funding of multiple agencies that provide duplicative services in the same market areas.

OTHER PROPOSED POLICIES

Recommendation #6: *The award of CDBG, HOME and ESG funding to activities located in other entitlement jurisdictions will be limited to projects and activities that have the demonstrated capacity to provide benefits to residents and communities within the boundaries of Miami-Dade County's entitlement jurisdiction.*

As explained earlier, six municipalities within Miami-Dade County have their own federal entitlements from US HUD. These municipalities are referred to as entitlement jurisdictions. US HUD regulations require that funding awards made by the County to activities conducted within the boundaries of another entitlement jurisdiction, must demonstrate "*Metropolitan Significance*". Examples of measures which are applied to assess "*Metropolitan Significance*" are: a) is the activity necessary to further the purposes of the Housing and Community Development Act of 1974; b) is the activity necessary to further the purposes of Miami-Dade County's community development objectives and c) will there be a reasonable benefit from the activity that will accrue to residents within Miami-Dade County's entitlement jurisdiction's boundaries.

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Recommendation #7: *All projects or activities identified as "countywide" must demonstrate measurable impact in all NRSAs and EBGs.*

The County continues to promote funding of programs, projects, and activities that are intended to serve low and moderate income clientele (LMC) on a "*countywide basis*". However, in many cases CDBG funds are awarded to support countywide activities, but the impact and benefits of such activities are often not clearly evident in the County's NRSAs, EBGs and participating municipalities. To address this concern, each applicant wishing to undertake countywide activities, must clearly develop an acceptable plan and performance measures outlining how the program will benefit residents within Miami-Dade County entitlement jurisdiction. That plan must identify the resources and capacity within the applicant's organization that are available to satisfy the stated objective of countywide performance.

Recommendation #8: *Applicants shall be entitled to an appeal process to dispute their scores, application rankings, and final recommendations for funding.*

DHCD will implement a formal RFA appeals procedure, which must be completed prior to submission of the funding recommendations to the BCC. All applicants shall be entitled to a review of their score received as a result of the RFA. A protest may not challenge the relative weight of the evaluation criteria or the formula specified for assigning points in the RFA specifications. To the extent issues are identified in the scoring of the application, the appropriate adjustments to the applicant's score and ranking may be made at that time, prior to final BCC approval. The County shall not address any request that has not been submitted in writing and received by the County within the appeal period. Additionally, the appeals process shall not apply to subsequent recapture/reallocation activities. The appeals will be governed by the following procedures:

1. Once the Evaluation and Selection Committee (the Committee) complete the evaluation of the applications, the Committee will report applicants' scores and rankings to the DHCD management.
2. DHCD will publish the score and ranking on the DHCD website and each applicant will be advised of their scores via email or facsimile on the same day that the scores are posted online.
3. Applicants will have three (3) working days from the date the results are posted on the County's website to formally advise DHCD of their intent to appeal the results of the RFA.
4. Applicants will have five (5) working days from the date the results are posted on the County's website to formally submit their appeal with any supporting documentation to DHCD. Only the information and data presented in the formal appeal to DHCD within this stipulated 5-day period will be considered during the appeal hearing.
5. DHCD will convene an Ad Hoc Appeals Committee comprising professional County staff to hear each appeal. DHCD and the Appeals Committee will receive guidance from the County Attorney as needed. For any questions of responsiveness, a request to the County Attorney shall be made to certify whether the application in question is responsive. Upon receiving such request, the County Attorney shall, in consultation with the County Mayor or Mayor's designee if necessary, determine whether the application is responsive. The Appeals Committee and DHCD shall be bound by the determination of the County Attorney with regard to the issue of responsiveness.
6. All Appeals Committee decisions and recommendations are final.
7. The appeals hearing process must be completed within 20 working days following the posting of the RFA results on the County's website unless extended by the DHCD Director.
8. Changes in scores, rankings etc. resulting from the appeals process will be incorporated in the final RFA results as required.

Recommendation #9: *All applicants that are in non-compliance with the requirements and conditions of their existing CDBG, HOME, NSP, SHIP, or Surtax contracts with Miami-Dade County shall be ineligible for funding.*

All applicants with an existing DHCD contract that have either: 1) failed to demonstrate achievement of the National Objective, or appropriate performance measure under their existing CDBG, HOME, NSP and/or

Section 108 loan agreements as well as SHIP and Surtax contractual requirements, or 2) are currently in a delinquent payment status with their existing County contracts/agreements shall be ineligible for funding under the 2012 RFA. Entities that are delinquent will be evaluated and assessed for new or continuing contracts as provided under Section 2-8.1(h)(ii) of the County Code. Future funding will require that the agency, in coordination with County staff, develop a successful work-out plan to address all issues for which the agency is non-compliant.

Recommendation #10: *Environmental Review applications must be completed in their entirety and received within 30 days of contract award, or funding will be reassessed for recapture.*

The purpose of an environmental review process is to foster implementation of environmentally compatible activities. In accordance with Federal regulations, Miami-Dade County cannot fund projects that will negatively impact communities or the environment. The environmental review process is initiated prior to, or during the contract development process. In accordance with 24 CFR Part 58: Miami-Dade County as a CDBG entitlement jurisdiction is responsible for environmental reviews, decision-making, and actions that would otherwise apply under the National Environmental Policy Act (NEPA). All awardees must ensure completion of an environmental review prior to commencing project-related work. By undertaking the environmental review early in the process, recipients can avoid further delays in meeting project commencement timelines.

Recommendation #11: *The County shall award bonus points for funding requests under the FY 2012 RFA that directly respond to, or seek to implement, projects, programs, and activities that directly respond to existing NRSA charrettes and community plans.*

In recent years, several of the County's communities have created or are creating charrettes and other community redevelopment plans that set forth specific projects, goals, and objectives for these target areas. The County shall award bonus points under the FY 2012 RFA to qualifying projects that directly respond to, or seek to implement, the development goals and objectives as identified and prioritized in such existing NRSA charrettes and/or community plans.

***Recommendation #12*:** *County Departments that will manage a project/program shall be required to make a presentation before the respective NRSA being impacted by the proposed County project/activity.*

County departments receiving CDBG funds to implement projects, programs, and services in the NRSA shall be required to make a presentation to the respective NRSA being impacted by the proposed activity. This will enable local community residents to understand the proposed activity and to become familiar and more informed of the improvement or services being provided. This approach will also afford County departments the opportunity to obtain valuable, direct feedback from local residents.

All County departments awarded CDBG funding to implement such NRSA-related projects, programs, or activities shall also be required to provide semi-annual status reports and updates at subsequent NRSA CAC meetings.

Recommendation #13: *All projects or activities awarded CDBG or HOME funds that have failed to complete the activity in a timely manner, shall be subject to recapture. This policy may be waived at the discretion of the administration.*

The County routinely reviews the status and progress of CDBG and HOME funded activities and reallocates funding from completed or stalled projects to shovel ready projects that can comply with US HUD-mandated expenditure requirements and performance objectives. Projects will be prioritized for funding reallocations under the County's existing *Finish What We Started* policy previously adopted by the BCC.

US HUD has established commitment timelines, expenditure ratios and allocation percentages for CDBG and HOME funds. Failure to manage program awards within these guidelines may result in forfeiture of the funds, cancellation of some activities and the assessment of penalties, depending on which of the requirements were not met by the grantee.

This policy will also assist the County in meeting federal commitments and expenditure requirements in a timely manner.

Recommendation #14: *A Community Advisory Committee may elect to prioritize single-family housing rehabilitation as one of its NRSA high priorities.*

Prior year policies limited CAC allocations to economic development, capital improvements and infrastructure activities. This policy is being recommended in response to a request from the CACs, which will give the CACs increased flexibility in the identification of their high priorities within the NRSA.

Recommendation #15: *Reduce the Public Service allocation to County departments by $1.05 million.*

Based on the CDBG guidelines and as outlined in the proposed policy paper, CDBG spending on public services is capped at 15 percent of the total grant funding. EDSS Committee amended the item to reduce the CDBG funding for the public service programs administered by the County by $1.05 million and allow each Commissioner to allocate $50,000 from their respective Commissioner District Fund to fund public service activities that competed through the annual RFA process. Additionally, the amendment allows each of the eight NRSA CACs to allocate $50,000 to public service activities that competed through the RFA.

Recommendation #16: *Rescind the Policy of scoring in the top 45 percent to be eligible for funding.*

As part of the FY 2010 Policy Paper, the Board adopted policies to ensure CDBG funds are allocated to projects that are adequately leveraged and can be completed in a timely manner. As such, one of the steps was to allocate funds to applicants that received a score in the top 45 percent of viable applications for their respective funding category. In order for a project to score in the top 45 percent, the project must have received points for providing proof of leverage, since leveraged projects have a greater chance of success. This policy is eliminated and funding can now be allocated to any entity that competed through the RFA process, as long as the activity is eligible, financially viable, and meets all the federal requirements.

PART II: BACKGROUND

US HUD requires the County to submit a Consolidated Plan every five years and an annual Action Plan each calendar year. The current Consolidated Plan covers the five-year period from January 1, 2008, through December 31, 2012. The Consolidated Plan includes a Housing and Homeless needs assessment, a Housing market analysis, a five-year Strategic Plan for Neighborhood Revitalization Strategy Areas (NRSAs), an annual Action Plan, US HUD Certifications, and Monitoring standards and procedures. This policy paper includes the FY 2012 Action Plan priorities and funding criteria for the following programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Solutions Grant (ESG)
- Documentary Stamp Surtax (Surtax)
- State Housing Initiatives Partnership Program (SHIP)

Surtax and SHIP funds are included in this Policy Paper, as this approach offers an opportunity to conduct a single RFA process for all federal, state, and local funds.

To meet the intent and spirit of Federal requirements, staff will continue to consult with relevant County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen participation groups as part of the County's efforts to fulfill its mission. Active participation of all stakeholders facilitates successful implementation of the Action Plan.

A. FEDERAL FUNDING PROGRAMS

1. Community Development Block Grant (CDBG)

The County's CDBG Program allocates block grant funds from US HUD to private not-for-profit community based development organizations, community development corporations, community-based organizations, for-profit businesses, municipalities and County departments, for activities that benefit low- and moderate-income areas or low- and moderate-income persons. Low and moderate income areas are defined as areas in which at least 51 percent of residents earn below 80 percent of the County's median income. For reference, below is a table reflecting Area Median Income (AMI) in Miami-Dade County by family size.

Miami-Dade County: U.S. HUD 2010 30%, 50% and 80% of AMI Income Thresholds by Household Size

	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
30% of AMI	14,800	16,900	19,000	21,100	22,800	24,500	26,200	27,900
50% of AMI	24,650	28,150	31,650	35,150	38,000	40,800	43,600	46,400
80% of AMI	39,400	45,000	50,650	56,250	60,750	65,250	69,750	74,250

2. HOME Investment Partnerships (HOME)

The HOME Program is designed to:

- Expand the supply of decent and affordable housing, particularly rental housing, for low and very low income.
- Strengthen the ability of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing.
- Provide both financial and technical assistance to participating jurisdictions (entitlement areas) including the development of model programs of affordable housing for very low- and low-income families.
- Expand and strengthen partnerships among all levels of government and the private sector, including for-profit and not-for-profit organizations, in the production and operation of affordable housing.

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Due to the current housing market conditions, no funding will be awarded for the construction of new homeownership units in FY 2012. This includes funding for the CHDO set-aside projects. Instead, the County will provide additional technical assistance to assist CHDOs to complete and close out existing homeownership projects currently underway.

Per US HUD regulatory requirements, HOME program funds must be committed in two years and spent within five years. Effective January 1, 2011, US HUD will automatically cancel all HOME commitments over one year old that fail to incur any expenditure within one year of funding commitment.

3. Emergency Solutions Grant (formerly known as the Emergency Shelter Grant) (ESG)

The ESG funding allocated to Miami-Dade County is used to administer the Beckham Hall facility, a temporary shelter for homeless individuals. The County may enter into a longer contract term in order to maintain continuation of services contingent on funding and renewal of the facility's lease with the City of Miami. ESG funding will be awarded as part of the FY 2012 RFA competitive process.

It is recommended that the County enters into multi-year contracts (two to three years) for the provision of Emergency Solutions Grant (ESG) program funds to support the Beckham Hall facility, contingent on funding availability, acceptable lease terms with the City of Miami, and appropriate contract language which addresses a satisfactory performance-based contract. This policy was recommended in 2010 and the RFP for the contract awarded to operate Beckham Hall included this multi-year contract language. Staff is recommending exercising the option to renew under the current contract with Camillus House. This is contingent upon funding from HUD and a performance review of the project.

The ESG program is intended to:

- Reduce hardships on homeless persons through the provision of emergency shelter.
- Provide, or arrange for the provision of, essential support services to homeless persons in the shelter, including food, clothing, personal care items, and medical care. The program also provides alcohol and drug abuse and mental health treatment, counseling and assistance in obtaining government benefits, employment assistance and permanent housing.

FEDERAL EXPENDITURE LIMITS AND REQUIREMENTS

In developing the Policy Paper and Action Plan, the programs will adhere to the expenditure limits imposed by the funding agencies. US HUD has established requirements for the commitment, expenditure and allocation of federal awards to its grantees. Failure to manage program awards within these guidelines can result in forfeiture of funds, cancellation of some activities and the assessment of penalties. By example, one of US HUD's requirements is that 60 days prior to the end of the County's Plan year, the County may not have more than 1.5 times its annual allocation in its line of credit with HUD. Failure to meet this requirement will result in the County forfeiting the difference between its actual balance in US HUD's Integrated Disbursement Information System (IDIS) and the value of 1.5 times the allocation for the given Plan year. Also, US HUD will cancel funding for HOME activities that do not have any funds disbursed within 12 months.

Table 2 shows the expenditure limits and funding requirements for the federal, state, and local funding sources included in this Policy Paper.

Requirement	CDBG (federal)	HOME (federal)	ESG (federal)	Surtax (Local)	SHIP (State)
Administrative Cap	20%	10%	None	10%	10%
Public Service	15%	N/A	N/A	N/A	N/A
Required Local Match	NONE	25%	100%	N/A	N/A
Leveraging	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	No requirement. Strongly recommended	No requirement. Strongly recommended
CHDO Set-Aside*	N/A	15%*	N/A	N/A	N/A
Commitment Deadline	Reserves cannot be established or maintained	2 years	None	None	2 years
Expenditure Deadline	8 years	5 years	None	N/A	3 years
Rental	N/A	N/A	N/A	Minimum of 35%	N/A
Homeownership	N/A	N/A	N/A	Minimum of 35%	N/A

Note: *15 percent of HOME funds must be set-aside for a HOME Community Housing Development Organization (CHDO). A CHDO is a private nonprofit organization that provides decent housing that is affordable to low- and moderate income persons, among other things, as evidenced in the CHDO's charter, articles of incorporation, resolutions, or by-laws. A CHDO may apply for funding in the capacity of a Developer, Owner, or Sponsor, but only CHDOs may apply for a HUD mandated set-aside percentage of local HOME funds.

B. NON-FEDERAL FUNDING PROGRAMS

1. State Housing Initiatives Partnership Program (SHIP)

The legislative intent of the SHIP Program is "...to allow local government the greatest degree of flexibility in meeting its community's housing needs". As required, Miami-Dade County has adopted both Ordinance 95-70 and Resolution R-517-95 that establish the programmatic requirements and criteria for utilizing SHIP funds. In accordance with program requirements, SHIP funds must be used to implement the approved Local Housing Assistance Plan (LHAP). The program must benefit eligible persons occupying eligible housing. Generally, SHIP funds may be used:

- For locally designated strategies that create or preserve affordable housing.
- To supplement other housing programs.
- To provide local match to obtain Federal housing grants or programs (such as HOME).
- To finance both homeownership and rental housing activities. However, at least 65 percent of SHIP funds must be used for homeownership activities.
- for construction, rehabilitation, or emergency repair (a minimum of 75 percent of the annual grant must be used).

For FY 2012, the County anticipates that no new SHIP funds will be available from the State. The County will continue to use SHIP program income to support Homebuyer Education and Counseling programs currently being administered through not-for-profit agencies throughout the County.

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2. Documentary Stamp Surtax Program (Surtax)

The Documentary Stamp Surtax Program is a discretionary Surtax on recorded commercial property sales. The funds generated from this revenue source can be used for housing programs. Specifically, the provisions of Florida Statute (F.S.) 125.0167 require that a minimum of 50 percent of the funds benefit low-income families (those with incomes at or below 80 percent of the AMI). Furthermore, the Surtax program, a "low-income family" is defined as a family whose income does not exceed 80 percent of the AMI, and a "moderate-income family" is a family whose income is in excess of 80 percent but less than 140 percent of the AMI.

PART III: CITIZEN PARTICIPATION

On December 15, 2009, the Board of County Commissioners (BCC) approved the revised Citizen Participation Plan, Guidelines for the Miami-Dade County Department of Housing and Community Development, and the Miami-Dade Community Action Agency (CP Plan) through Resolution *R-1428-09* (Attachment C). The CP Plan was updated to ensure compliance with US HUD's Consolidated Planning requirements.

The County's citizen participation process for adoption of the Consolidated Plan and substantial amendments to the Consolidated Plan is an ongoing, year-round process and requires two public hearings before the BCC's Economic Development and Social Services (EDSS) Committee (formerly the Housing and Community Development, or HCD, Committee). The purpose of the first public hearing is to consider the Policy Paper. As explained previously, this document guides the RFA process and establishes the basic policies for funding eligible activities. The purpose of the second public hearing is to adopt the Consolidated Plan and its funding recommendations. A public hearing is also required for substantial amendments to the Consolidated Plan. Prior to each public hearing, the public is given a 30-day comment period to review the proposed documents. Below is the expected public hearing schedule for the FY 2012 Action Plan process:

- First Public Hearing: **June 15, 2011** (to Consider the FY 2012 Policy Paper)
- Second Public Hearing: **October 26, 2011** (to Consider the FY 2012 Action Plan)

In addition to the two public hearings, the CP Plan calls for quarterly community meetings with the Community Advisory Committees (CACs). The CACs are the entities that represent each of the eight NRSAs identified in the Consolidated Plan. These meetings allow residents to provide feedback on the implementation of the Consolidated Plan, as well as annual funding priorities and the RFA process. Agencies with currently funded activities are required to provide periodic updates of activities to the CACs. These presentations are designed to provide citizens with an opportunity to receive information on proposed and ongoing projects. Through this citizen participation process, staff relies upon County residents to:

- **Identify** both neighborhood and community needs;
- **Prioritize** those needs; and
- **Recommend** activities that address priority needs based upon consultation with stakeholders.

DHCD will increase the number of NRSA meetings from quarterly to bi-monthly. The complete CP Plan is included as Attachment B to this Policy Paper.

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PART IV: FUNDING AND PROJECTED ALLOCATIONS

ACTION PLAN FUNDING ALLOCATIONS

The following table lists the FY 2011 funding sources and types that were included in the FY 2011 Action Plan. Projected allocations for 2012 for each program are also provided. (These projected numbers are estimates based on current allocations and are subject to change.

FY 2011 – FY 2012 TOTAL ESTIMATED FUNDING ALLOCATION BY FUNDING SOURCE*

Funding Source	Type	FY 2011 Actual Funding*	FY 2012 Estimated Funding*
Community Development Block Grant (CDBG)	Federal	$14,330,400	$13,613,880
Emergency Solutions Grant (ESG)	Federal	750,000	750,000
Home Investment Partnerships (HOME)	Federal	6,679,000	6,345,050
State Housing Initiatives Partnership (SHIP)	State	500,000	500,000
Documentary Surtax Program (Surtax)	County	Not Included	11,900,000
TOTAL ALL SOURCES		**$22,259,400**	**$33,108,930**

***Funding does not include program income**

DHCD reserves the right to substitute all or part of any set aside project funding, as appropriate for the funded activity. US HUD HOME funding requires a local match of 25%. Although this match is expected to be covered through the utilization of non-federal funds such as Surtax and SHIP, any housing project located in an entitlement area must demonstrate a match from the entitlement where the project is located.

FY 2012 ESTIMATED HOME FUNDING ALLOCATION

Funding Category	FY 2012 Estimated Funding	FY 2012 Percentage
Program Administration	$ 634,505	10.0%
CHDO Operating Support	317,253	5.0%
CHDO Set-Aside	951,757	15.0%
Rental Housing	1,110,385	17.5%
Elderly/Homeowner Rehabilitation	1,427,636	22.5%
Homeless Housing	951,757	15.0%
Tenant Based Rental Assistance (TBRA)	951,757	15.0%
TOTAL	**$6,345,050**	**100.0%**

FY 2012 ESTIMATED CDBG FUNDING ALLOCATION

The CDBG funds can be used to fund administrative, economic development, public infrastructure/capital improvements, housing, and historic preservation activities. Consistent with the federal rules and regulations, 20 percent and up to 15 percent of the CDBG funds will be used for administrative and public

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service activities, respectively. Additionally, up to ten percent will be used to fund economic development activities. The remaining funds will be used fund public infrastructure, capital improvements and housing-related activities within EBGs and NRSAs. As approved by the BCC in 2011, it is recommended that a minimum of 20 percent of the CDBG funds be allocated to projects that will benefit the NRSAs. It is also recommended that the County Commissioners allocate their respective funds to any eligible activity that benefits residents of EBGs, inclusive of NRSAs.

In order to continue to expedite infrastructure and capital improvements and to effectively serve EBGs countywide, it is further recommended that a total of 40 percent of all the projects funded in the FY 2012 Action Plan, including the portion of public services activities not funded by Commissioners and NRSA CACs, be allocated to projects managed and implemented by the County, exclusive of the 20 percent for administration.

PART V: TIMELINE FOR FY 2012 CONSOLIDATED PLANNING ACTIVITIES

April 2011
• Meeting with Community Advisory Committees (CACs) Executive Committees from 8 NRSAs to receive recommendations for the FY 2012 Policies
May 2011
• Policy Committee meets with County Executive Office to finalize 2012 Policies.
• Policy Paper to ACM
• Distribute Policy Paper to:
• Community Advisory Committees (for 8 NRSAs)
• Community Action Agency; Homeless Trust
• Regional Libraries
• Begin development of FY 2012 RFA Application Booklet
• Newspaper Ad begins 30-day comment period on FY 2012 Policy Paper
June 2011
• Economic Development and Social Services Committee (Public Hearing on Policy Paper)
• Technical Assistance Workshops (throughout the month)
• Draft RFA Booklets sent to County Attorney's Office
• Letters to Community Advisory Committees' and currently funded agencies informing them of the upcoming RFA
• FY 2012 RFA Evaluation Committee list goes to County Manager for approval
July 2011
• Board of County Commissioners considers FY 2012 Policy Paper.
• Release of RFA
• Evaluation Committee Training.
August 2011
• FY 2012 RFA applications due
• Department of Housing and Community Development staff conducts due diligence
• RFA applications boxed for Evaluation Committee
• Applications requiring County Attorney Office (CAO) ruling sent to CAO
• RFA Applications to Evaluation Committee, Homeless Trust, and Urban Economic Revitalization Task Force
• Evaluation Committee meets to review applications and scores
September 2011
• FY 2012 Action Plan to County Executive Office (for October 26, 2012 EDSS Committee)
October 2011
• Newspaper Ad begins 30-day comment period on FY 2012 Action Plan
• Public Hearing on FY 2012 Action Plan before Economic Development and Social Services Committee
November 2011
• BCC Hearing on FY 2012 Action Plan
• Submission of FY 2012 Action Plan to US HUD
▪ Funding award letters to agencies
▪ Contract Development Workshops
▪ Project Managers begin contract development

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ATTACHMENT A
Glossary

Action Plan: The United States Department of Housing and Urban Development (US HUD) requires that Miami-Dade County submit an annual Action Plan for each of the calendar years in the County's five-year Consolidated Plan. The annual Action Plan describes the Federal and Non-Federal resources expected to be available to address the priority needs and goals identified in the Consolidated Plan, the activities to be undertaken, and the geographic areas to be assisted.

Business Incubators: Business incubators are programs designed to accelerate the successful development of entrepreneurial companies through an array of business support resources and services offered both in the incubator and through its network of contacts.

Community Advisory Committee (CAC): The CACs represent Miami-Dade County's Neighborhood Revitalization Strategy Areas (NRSAs). CAC members serve in an advisory capacity and provide recommendations to Administration on the development and implementation of neighborhood plans and projects.

Community Development Block Grant (CDBG): A federal formula grant entitlement program administered by U.S. Department of Housing and Urban Development (US HUD). The CDBG program is intended to help develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.

Community Housing Development Organization (CHDO): A federally defined type of not-for-profit housing provider that is certified to meet certain HOME Program requirements in order to be eligible for HOME CHDO funding. A minimum of 15 percent of all Federal HOME funds must be set-aside for CHDOs. The primary difference between CHDO and other not-for-profits is the level of low-income resident participation on the Board of Directors.

Community Development Corporation (CDC): Community-based organizations that are committed to enhancing community well-being and facilitating revitalization through economic development, housing and other services.

Citizen Participation (CP) Plan: A plan that describes and documents the efforts that will be undertaken to provide for and encourage citizens to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the performance report.

Consolidated Plan – Miami-Dade County is required to submit a Consolidated Plan to US HUD in accordance with the Consolidated Submissions for Community Planning and Development programs (24 CFR 91). The County's five-year Consolidated Plan describes the community development, economic development and housing needs of low-and-moderate-income residents, outlines strategies to meet those needs and identifies all Federal and Non-Federal resources available to implement the strategies.

Consolidated Planning Process Policies (Policy Paper): This document contains the policies for implementing the Consolidated Plan.

Green Jobs: Employment generating activities that result in significant gains in energy efficiency or use of alternative energy sources recognized as leading to net reductions in carbon emissions. Such activities include weatherization; manufacturing, sales distribution, marketing, installation and repair of solar energy systems of high efficiency appliances; construction and/or design of energy efficient structures; design, manufacture and servicing of electric, hybrid or biodiesel vehicles; and recycling of discarded materials.

Eligible Block Groups (EBGs): Census block groups where at least 51 percent of the households have incomes at or below 80 percent of the County's area median income and where there is a high concentration of poverty and unemployment. The boundaries of CDBG eligible block groups are based on the results of the most recent U.S. Census. A census block group (BG) is the smallest geographical unit for which the U.S. Census Bureau publishes sample data.

Environment Review: 24 CFR Part 58: Environmental Review Procedures for Entities receiving CDBG and HOME funds. U.S. HUD Environmental Responsibilities is used by local governments to determine program compliance with the National Environmental Policy Act (NEPA) and other related statutes.

Emergency Solutions Grant (ESG): A Federal grant program formally known as the Emergency Shelter Grant is designed to provide adequate shelter and essential social services to homeless individuals and to help prevent homelessness.

Florida Homebuyer Opportunity Program (FL HOP): FL HOP was created in 2009 and is administered through the State Housing Initiatives Partnership (SHIP) program. The program provides financial assistance to first time homebuyers eligible to receive the Federal first time homebuyer tax credit established through the American Recovery and Reinvestment Act of 2009. Eligible FL HOP applicants can receive up to $8,000 in purchase assistance, which is expected to be repaid by the applicant upon receipt of the Federal tax refund.

Funding GAP - Financing that is required, but for which no provision has been made. The difference in total funding needed for a proposal and the amount of funding already made available.

HOME Investment Partnerships Program (HOME): A Federal formula grant program intended to expand the supply of decent, affordable housing for low and very low- income families by through the provision of affordable housing.

Job Creation: Jobs created as a result of Federal funds provided to a CDBG eligible activity benefiting low- and moderate-income persons.

Leverage: The use of funds to complete a transaction. The use of various financial instruments or borrowed capital, such as margin, to increase the potential return of an investment. The amount of debt used to finance firm's assets.

Metropolitan Significance: "*Metropolitan Significance*" is defined as: a) the activity necessary to further the purposes of the Housing and Community Development Act of 1974; b) the activity necessary to further the purposes of Miami-Dade County's community development objectives and c) the activity which will be a reasonable benefit to residents within Miami-Dade County's entitlement jurisdiction's boundaries..

Neighborhood Revitalization Strategic Area (NRSA): Designated areas which have been targeted for revitalization and which are eligible for Federal funding under the U.S. HUD Community Development Block Grant program. There are eight NRSAs in Miami-Dade County: 1) Opa-locka; 2) Model City; 3) West Little River; 4) Melrose; 5) South Miami; 6) Perrine 7) Leisure City/Naranja; and 8) Goulds. Areas designated as NRSAs must have contiguous boundaries, must be primarily residential, and must have a population with at least 70 percent of the persons considered low- and moderate-income.

Recapture/Reallocation (otherwise known as a Plan Amendment): The process of recapturing CDBG, HOME and/or other funding sources from non-viable activities and reallocating that funding to activities/projects that can meet the national objective. This process is conducted through an amendment to the annual Action Plan (Plan Amendment) and is a necessary step in ensuring timeliness in expenditure of various funding sources.

Retainage: In a construction contract, retainage is the withholding of a portion of each payment earned by a contractor or subcontractor until the construction project is complete (usually 10 percent is withheld from each payment request.

Request for Applications (RFA): Each year, the Department of Housing and Community Development conducts a consolidated RFA for CDBG, HOME, and ESG and other funding sources. Through this process, private not-for-profit community-based organizations (CBOs), community development corporations (CDCs), private-for-profit developers and public agencies are able apply for funds to address the affordable housing, public facilities and infrastructure improvements, and economic development needs addressed in the Consolidated Plan.

State Housing Initiatives Program (SHIP): This State of Florida funding program is intended to help develop and maintain affordable housing and requires the implementation of a Local Housing Assistance Plan.

Documentary Surtax Program (Surtax): A discretionary Surtax on recorded commercial property sales. The funds are used for a wide-range of housing programs, including the financing of construction, rehabilitation, or purchase of housing for low-income and moderate-income families.

Sustainability: The ability to maintain a viable community while also preserving and protecting vital natural resources. The intent is to achieve a balance between economic prosperity, social well-being and environmental health.

Tenant Based Rental Assistance (TBRA): This is a HOME program which assists low- and very low-income families in obtaining decent, safe, and sanitary housing in private accommodations by providing a rental subsidy which covers a portion of their rental expenses.

ATTACHMENT B

CITIZEN PARTICIPATION PLAN

(The Citizen Participation Plan is included as Attachment B)
Adopted by the Board of County Commissioners through
Resolution #R-1428-09 on December 15, 2009

ATTACHMENT C

BOARD APPROVED ORDINANCES AND RESOLUTIONS

ORDINANCES

- **Ordinance 82-16** - Further restricts CDBG program allocations:
  - At minimum, 75 percent of all beneficiaries must be low- or moderate-income households;
  - Emphasis must be placed on job creation for economic development activities; and
  - Emphasis must be placed on neighborhoods and citizen participation.

- **Ordinance 16A-2** – States that the Consolidated Planning Process must include protection; enhancement and perpetuation of properties of historical, cultural, archeological, aesthetic and architectural merit is in the interests of health, prosperity and welfare of the people of Miami-Dade County.

- **Ordinance 97-33** - Creates the Task Force on Urban Economic Revitalization, and provides for a review of DHCD recommendations for CDBG economic development category funding and CBO funding relating to economic development for the purpose of ensuring that DHCD's staff recommendations are in accordance with priorities established by the Plan. When the Board considers funding for economic development in Targeted Urban Areas, the Board will accept the recommendations of the Task Force unless the recommendations are disapproved by a two-thirds vote of the entire membership of the Board. DHCD must report to the Board the dollar amount being spent in Targeted Urban Areas.

RESOLUTIONS

- **Resolution 404-92** - All CDBG program income from economic development loans is to be placed into the Revolving Loan Fund until $15 million is reached in the loan pool.

- **Resolution 406-92** - The County will develop a plan for CDCs engaged in rental housing construction to establish escrow accounts to be used to renovate rental housing projects.

- **Resolution 408-92** – The County will emphasize minority business participation in CDBG and Surtax projects.

- **Resolution 409-92** - The County is to provide a cost estimate for each CDBG funded Public facilities or historic preservation projects.

- **Resolution 1185-98** – The County requires compliance with U.S. HUD Section 3 requirements and directs all County departments to monitor compliance. It also requires all applicable County contracts and solicitations to contain language-requiring compliance with *Section 3. Section 3* ensures that employment and other economic opportunities generated by certain U.S. HUD financial assistance shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly those receiving government assistance for housing and to business concerns providing economic opportunities to low- and very low-income persons.

- **Resolution 543-05** – The County Manager is to submit an annual performance report relating to Community Development Block Grant (CDBG) funding to the Board of County Commissioners.

Procedures have been put in place to fulfill the requirements of the ordinances, and resolutions listed above. It is recommended that the Board of County Commissioners continue these policies accommodating potential conflicts with Federal policies as required.

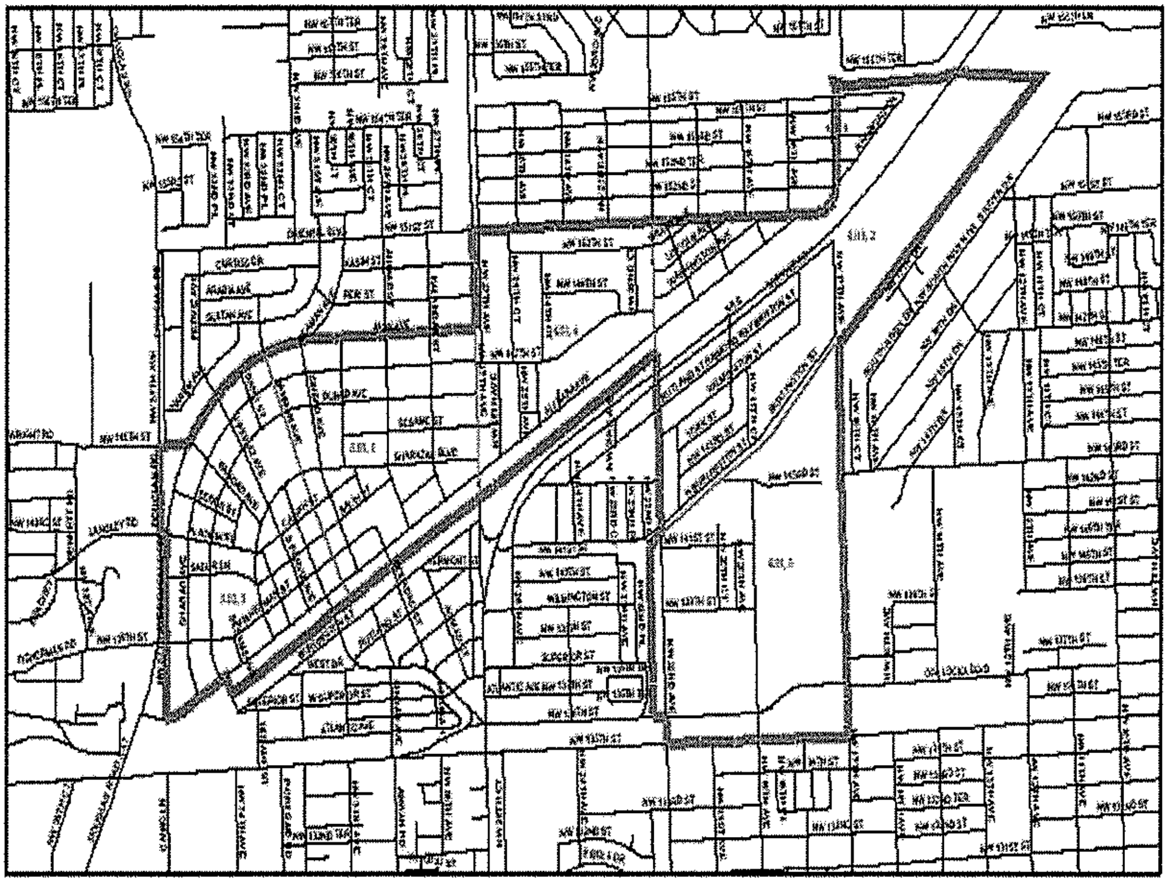
ATTACHMENT D

NEIGHBORHOOD REVITALIZATION STRATEGY AREAS
LIST AND MAPS

Opa-locka	**Commission District 1**
West Little River	**Commission District 2**
Model City	**Commission Districts 2 & 3**
Melrose	**Commission District 2**
South Miami	**Commission District 7**
Perrine	**Commission District 9**
Goulds	**Commission District 9**
Leisure City/Naranja	**Commission Districts 8 & 9**

OPA-LOCKA NRSA

MIAMI - DADE COUNTY, FLORIDA



LEGEND

- Opa - Locka NRSA Boundary
- 2000 Block Groups
- Streets and Highways

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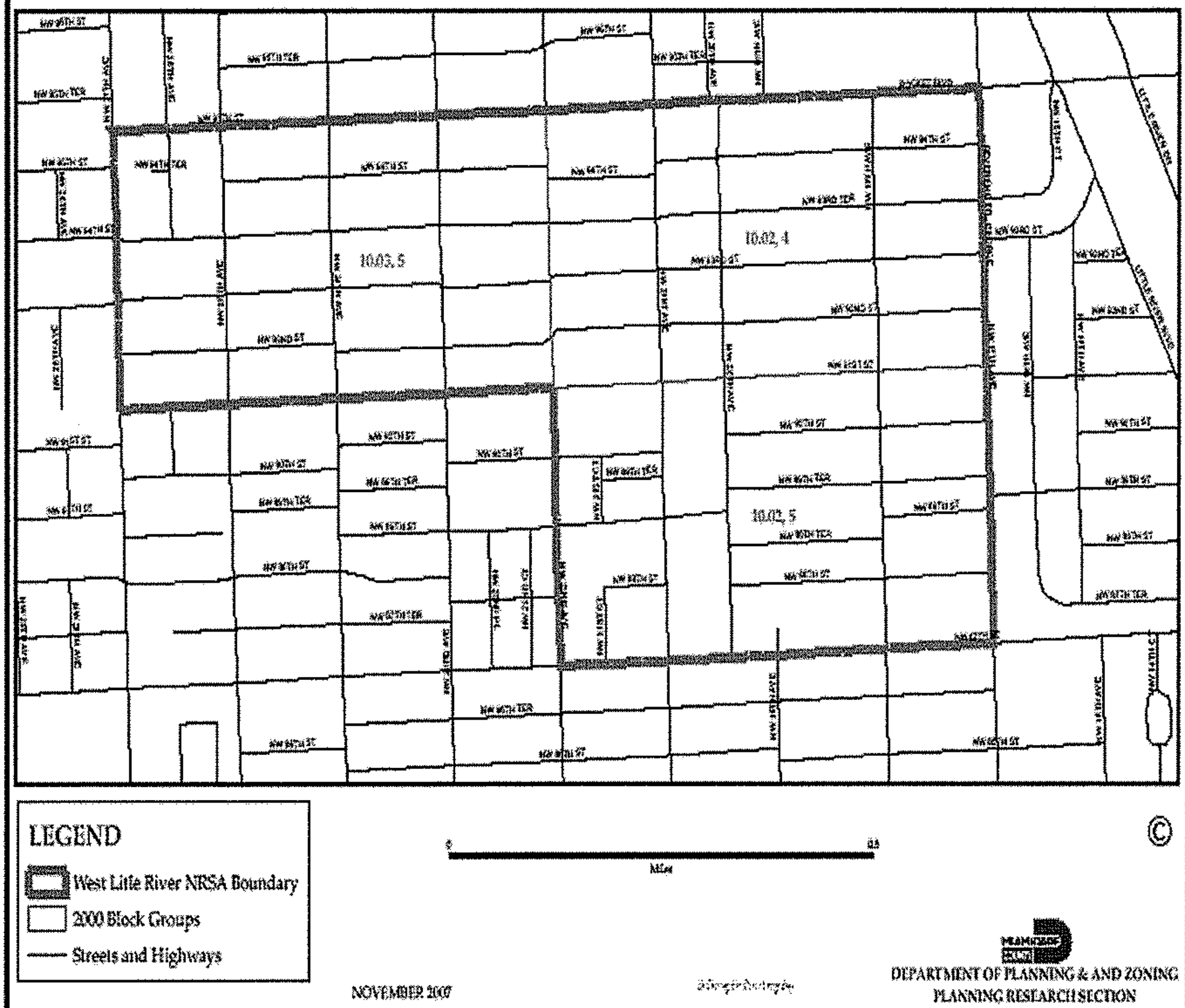
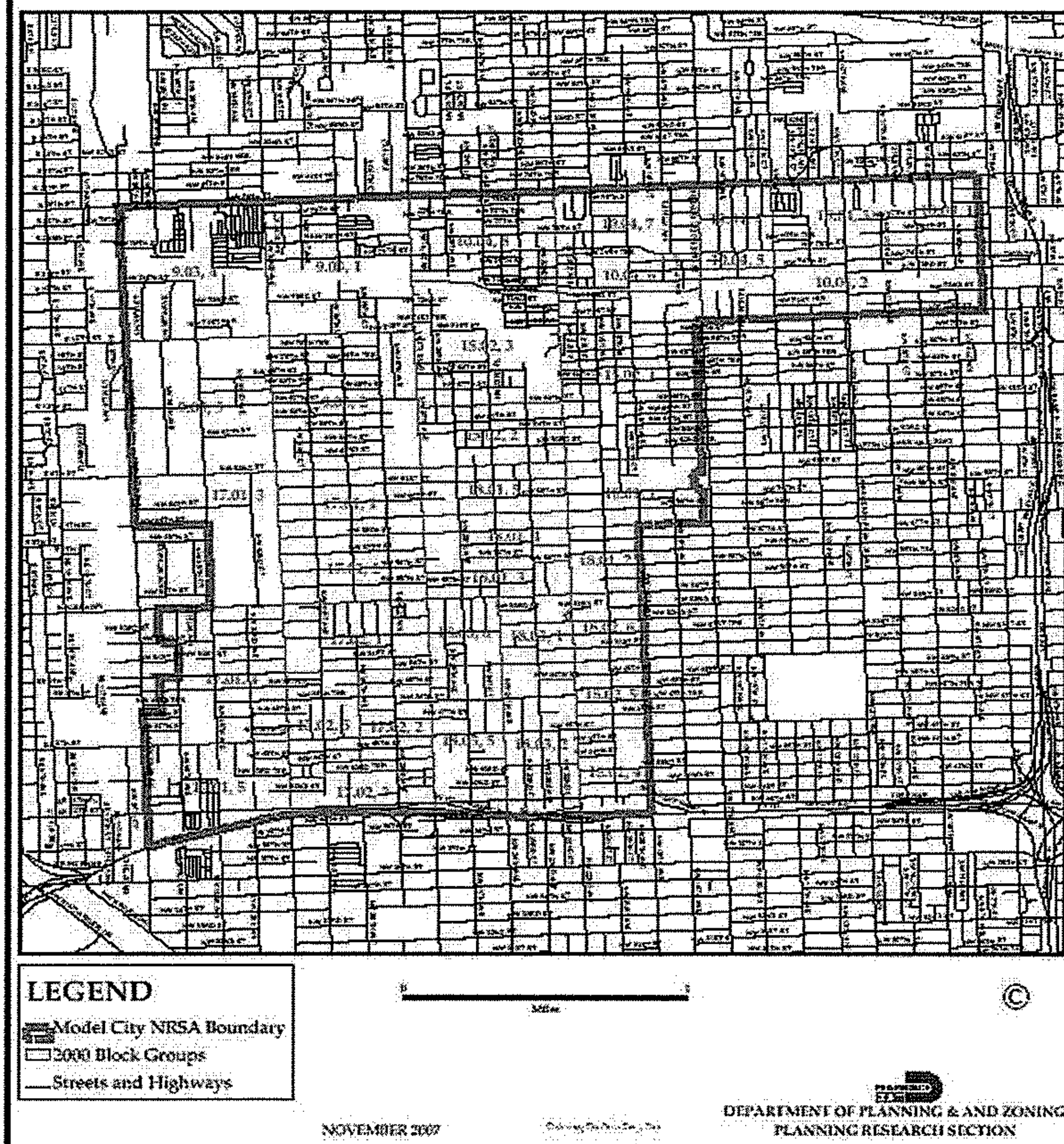
WEST LITLE RIVER NRSA

MIAMI - DADE COUNTY, FLORIDA



MODEL CITY NRSA

MIAMI - DADE COUNTY, FLORIDA



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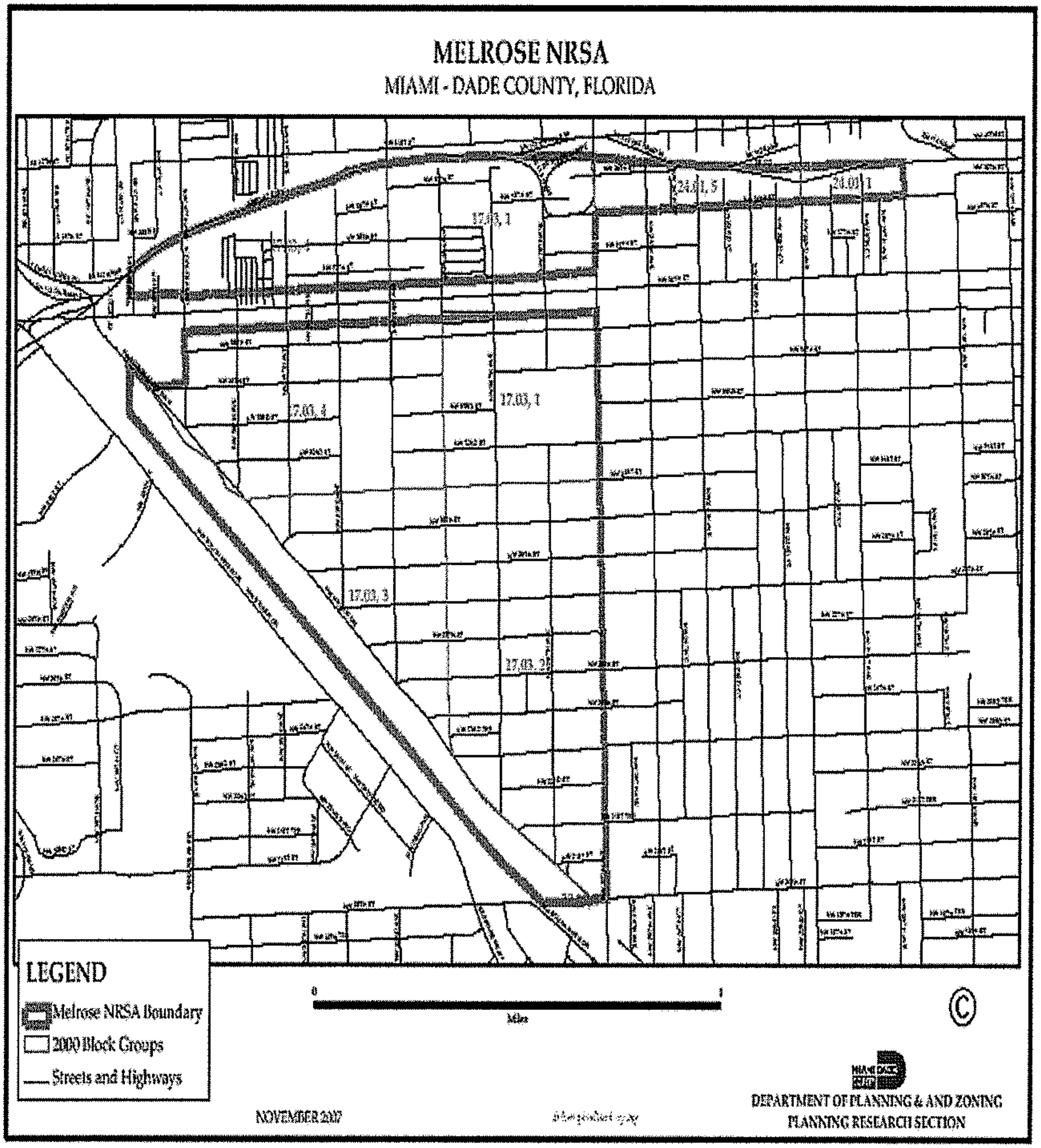
MELROSE NRSA
MIAMI - DADE COUNTY, FLORIDA
17.03, 1
24.01, 5
24.01, 1
17.03, 4
17.03, 3
17.03, 2
LEGEND
Melrose NRSA Boundary
2000 Block Groups
Streets and Highways
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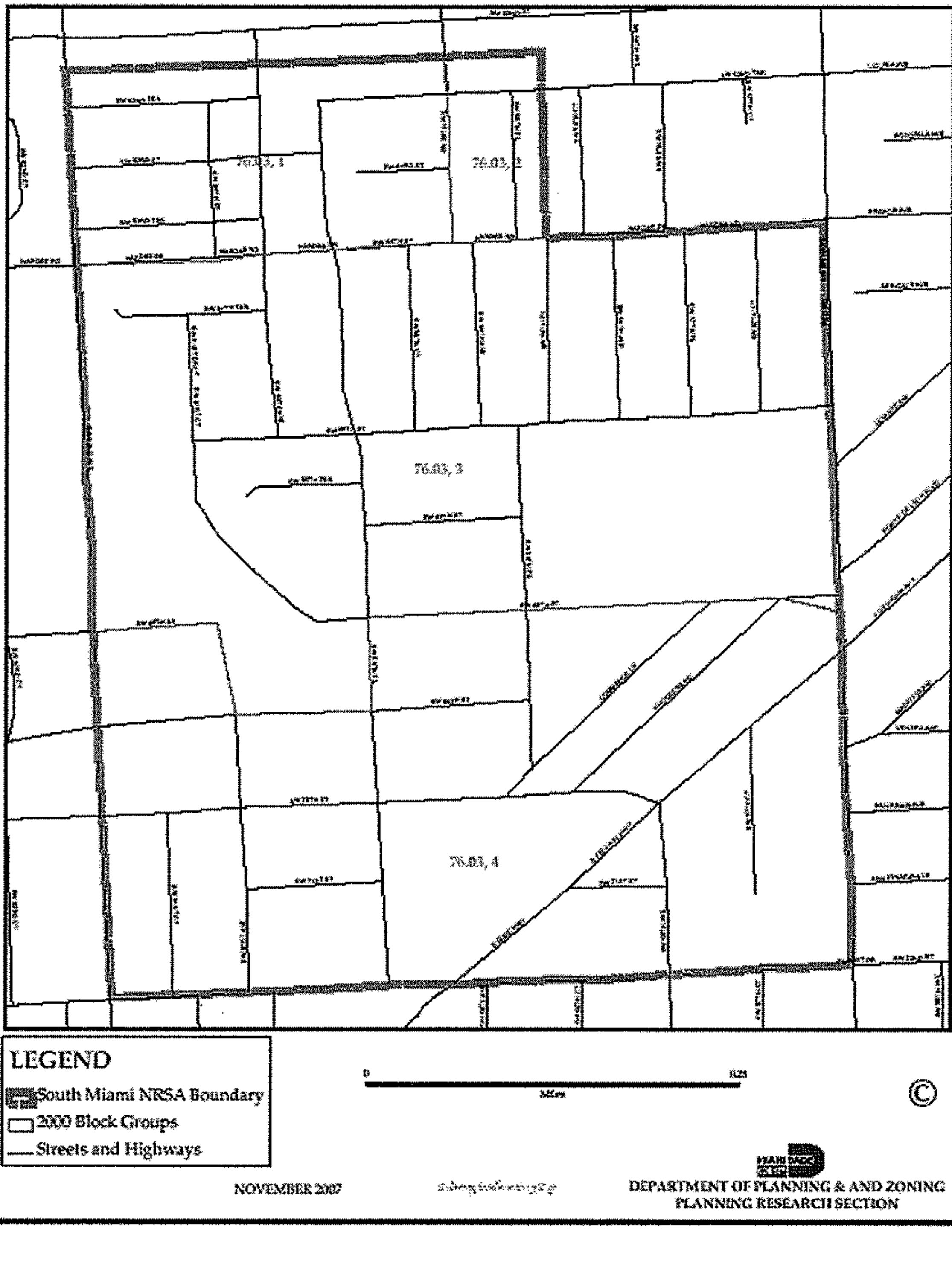
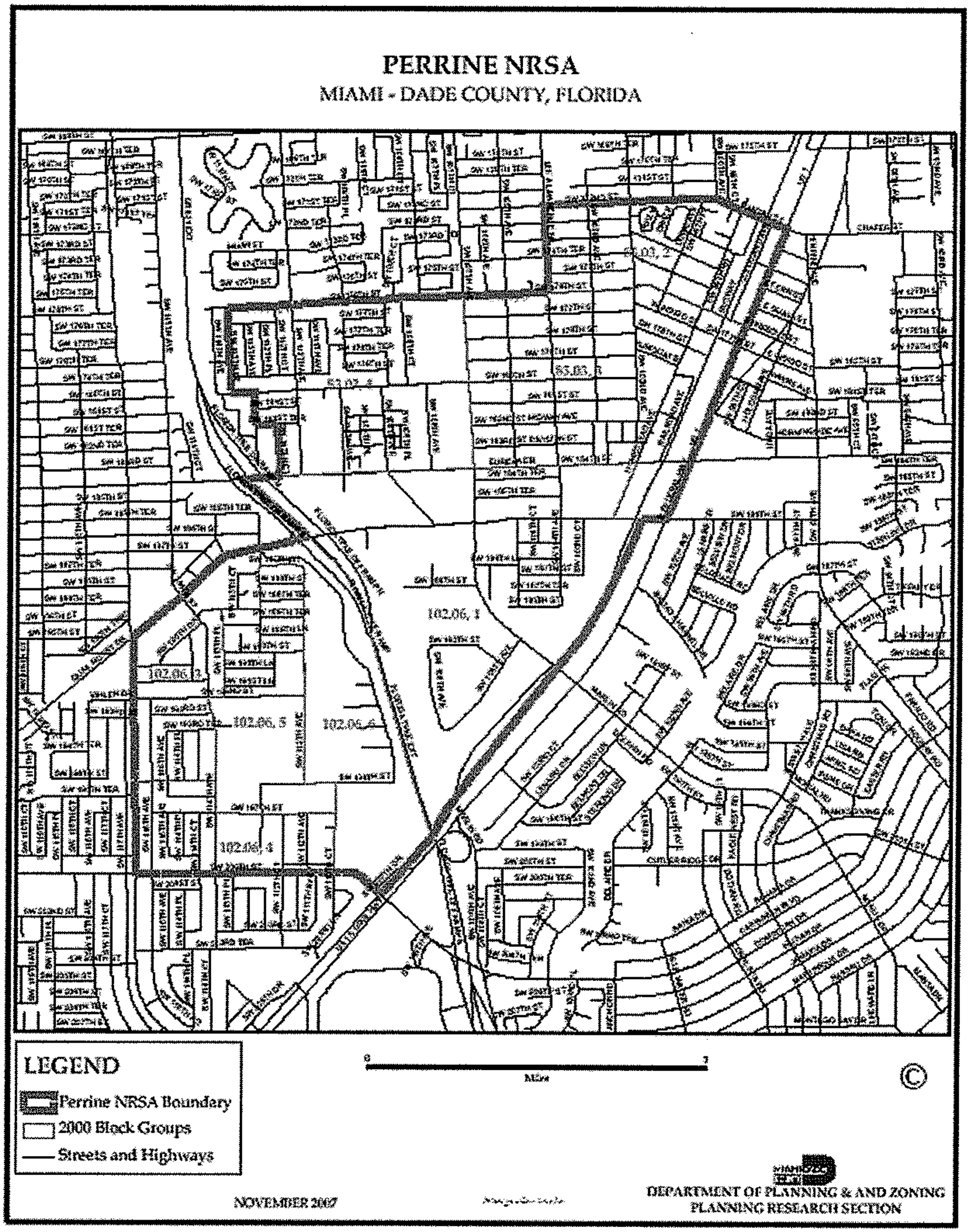
SOUTH MIAMI NRSA

MIAMI - DADE COUNTY, FLORIDA




PERRINE NRSA
MIAMI - DADE COUNTY, FLORIDA
102.06.1
102.06.3
102.06.5
102.06.6
102.06.4
83.03.2
83.03.3
83.03.4
Miles
LEGEND
Perrine NRSA Boundary
2000 Block Groups
Streets and Highways
NOVEMBER 2007
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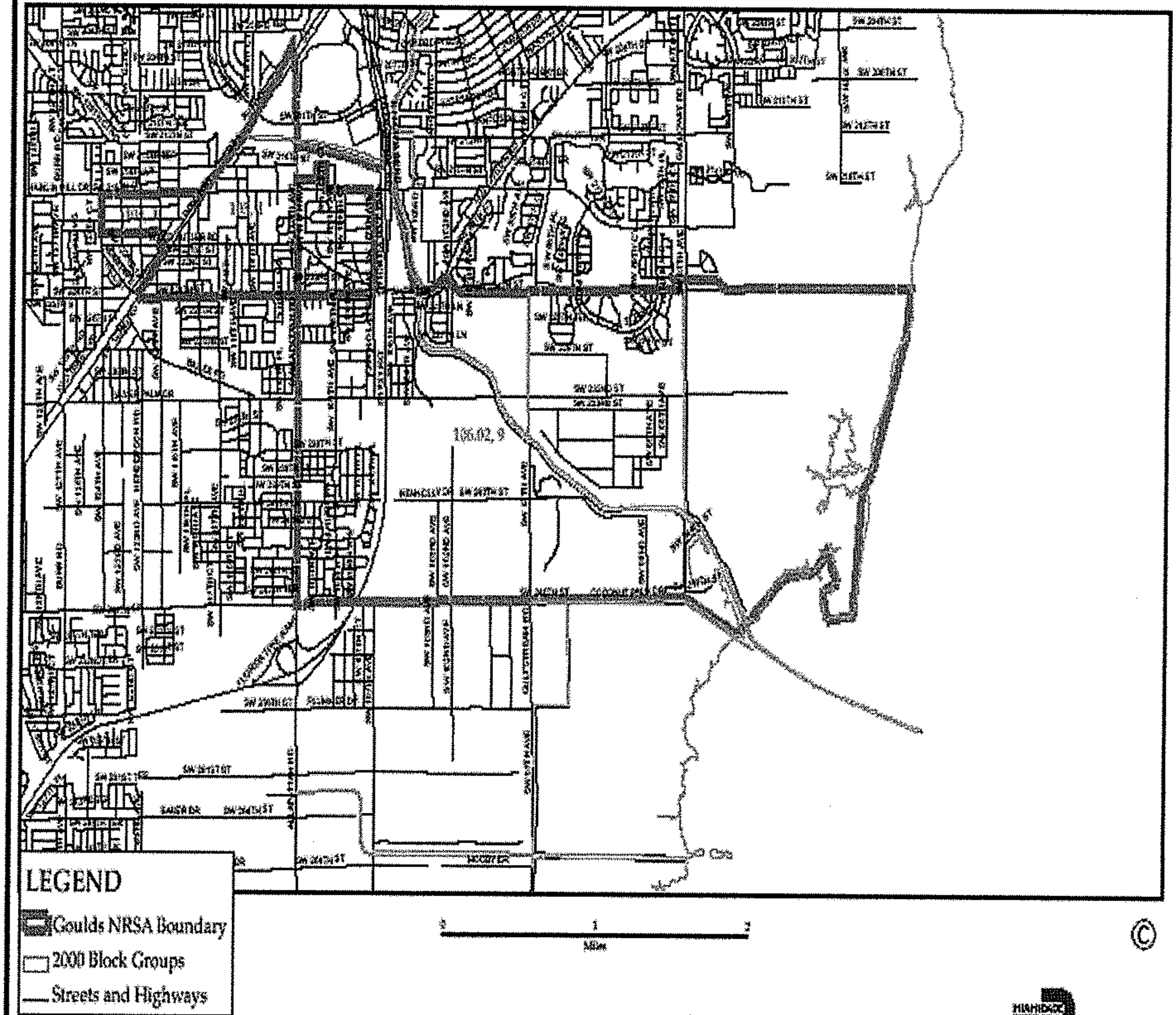
GOULDS NRSA

MIAMI - DADE COUNTY, FLORIDA



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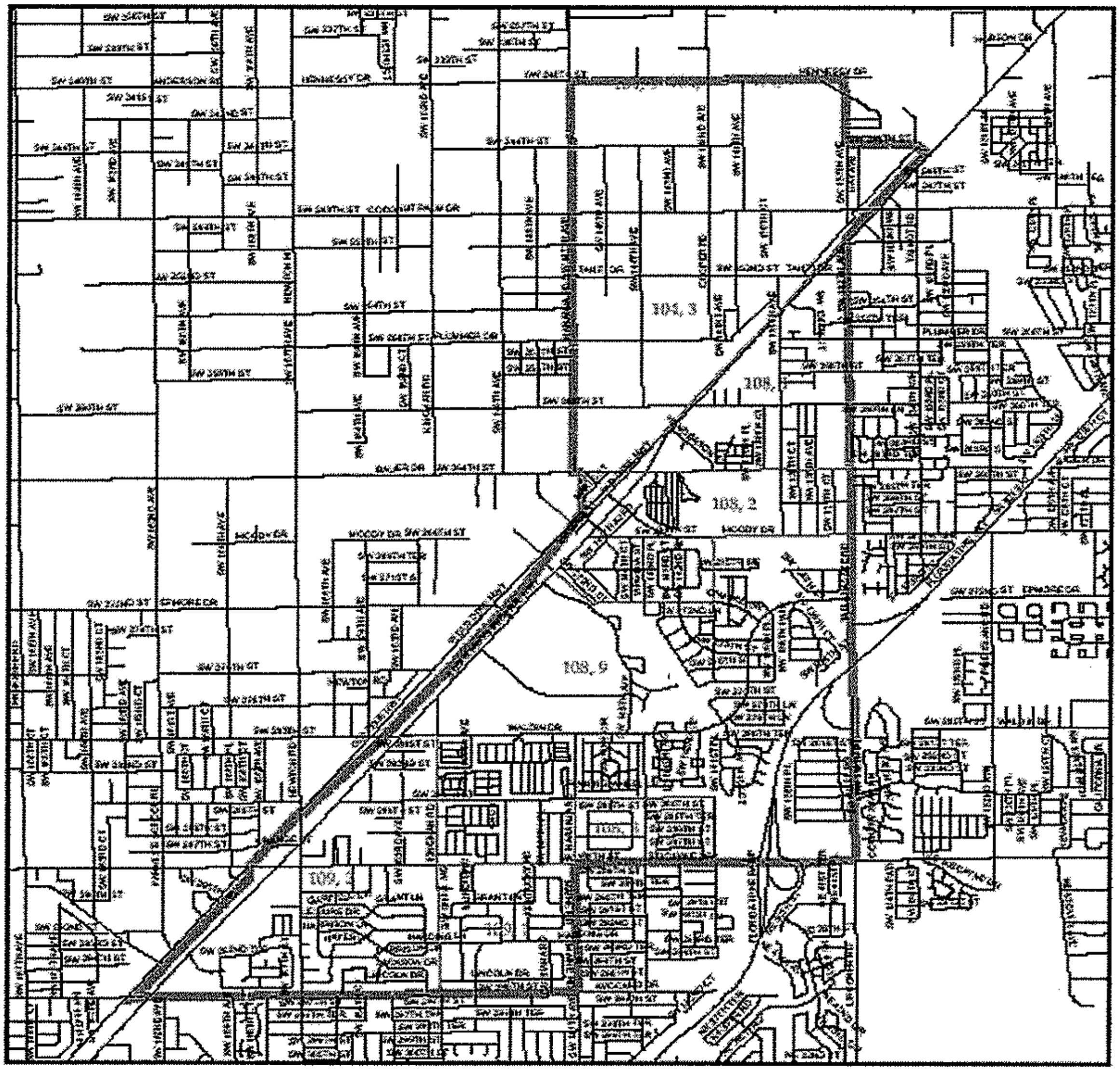
LEISURE CITY NRSA

MIAMI - DADE COUNTY, FLORIDA



LEGEND

Leisure City NRSA Boundary

2000 Block Groups

Streets and Highways

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MIAMI-DADE COUNTY

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ATTACHMENT E

PUBLIC COMMENTS, QUESTIONS AND RECOMMENDATIONS

DHCD held citizen participation meetings on April 25, 2011 and May 12, 2011 with the CAC Executive Committee members representing the eight NRSAs, to solicit their recommendations on the Policies which should govern the FY 2012 RFA and FY 2012 Action Plan.

The following chart addresses each of the issues and staff responses.

	PROPOSED FY 2012 POLICY RECOMMENDATIONS – NRSA Community Advisory Committees	Proposed Action Taken	Comments
1.	Utilize previously conducted NRSA charrettes and/or community plans (including Moss Plan) to establish neighborhood redevelopment priorities in the NRSAs.	Included in FY 2012 Proposed Policies as Policy #11.	Recommended for approval by DHCD. County to award bonus points to projects that respond to, or seek to implement, the development goals and objectives as identified and prioritized in such existing NRSA charrettes and/or community plans.
2.	Establish a system for county departments to inform/advise CACs of County projects that will impact/serve the respective NRSA.	Staff supports this request and will work closely with the Department of Small Business Administration for support and guidance in the implementation of this request.	With reference to CDBG funded projects which are carried out by County Departments, the Department is required to make semi-annual presentations to CACs on status of activities in the NRSAs.
3.	Require County Departments to submit applications for evaluation and funding under the established Request for Application (RFA) process, prioritizing funding for those departmental activities that will directly impact the NRSAs.	Not recommended.	
4.	Re-establish the funding set-asides for the NRSAs, allowing the respective CACs to directly fund desired projects in their respective target areas. Equally distribute the NRSA funding set-aside among the eight (8) NRSAs.	Not recommended.	The County will ensure that a minimum of 20 percent of CDBG funds is allocated to projects benefiting the NRSAs. Additionally, the CACs will continue to participate in the competitive selection process.
5.	Establish a referral network as a means of informing local community-based contractors, vendors, and/or businesses of procurement opportunities for County-funded projects and activities.	This request will be incorporated in item #2 above, as part of the proposed information network through which CAC members will advised of business reference and employment opportunities	
6.	Require County Departments to make a Presentation before the respective NRSA being impacted by the proposed County project/activity. Final funding recommendations for County department activities would be vested with the respective NRSA CAC, based on community needs and priorities.	Included as Policy recommendation #12 in the Policy Paper	Staff does not support the 2nd part of the request that "final funding recommendations for activities performed by County Departments to be vested with CACs.

PROPOSED FY 2012 POLICY RECOMMENDATIONS – NRSA Community Advisory Committees		Proposed Action Taken	Comments
7.	Increase the number of DHCD planning and community organizing staff designated to provide support to the eight (8) NRSAs.	Request #7, #8. #9 and #14 were all grouped together as they relate to issues of staff support to the CACs in such areas as, developing community plans, coordination of community projects/activities, additional meetings, etc.	Not increasing staff, but the intent of the NRSAs is to improve communications. DHCD will increase the number of NRSA meetings from quarterly (4 meetings per year), to bi-monthly (six meetings per year) which will better align with the Community Action Agency bi-monthly CAC meetings. DHCD staff proposes to utilize the expanded meeting schedule to provide the CACs with the additional technical support requested. This will be done with existing staff.
8.	Establish monthly NRSA meetings with each of the eight (8) CACs, increasing the quarterly frequency of existing meetings.	See response to #7 above	
9.	Permit the NRSA CACs to conduct Sub-committee meetings on an as-needed basis. The current Citizens Participation Plan currently limits the number of sub-committees and the frequency of meetings.	See response to #7 above	
10.	Establish mechanisms for enforcing Section 3 hiring goals and mandates, thereby creating a vehicle for ensuring that local residents receive hiring preferences.	This is federal requirement and is already enforced.	
11.	Eliminate the provision of County-owned land and funding to such groups as Habitat for Humanity, whose model does not facilitate fee-simple ownership or enable heirs to inherit the property.	The County will work with Habitat for Humanity to address the concerns of the CACs.	
12.	Create a process to engage the CACs in the monitoring of projects/activities to assure federal compliance.	Not recommended	County staff is responsible for the monitoring of all federally funded activities which are subject to audit by both the County's independent auditors and US HUD.
13.	Eliminate the existing requirement that respective RFA applicants demonstrate the availability of $25,000 in working capital.	Not recommended	Each awardee must demonstrate financial capacity to incur expenses of the awardee's operation, because the County pays all federal grants expenses on a reimbursement basis.
14.	Allocate funding to the NRSAs to hire a Development Coordinator to facilitate community planning, coordinate community projects/activities and to provide technical assistance to local agencies seeking funding under the RFA.	See response to #7 above.	

PROPOSED FY 2012 POLICY RECOMMENDATIONS – NRSA Community Advisory Committees		Proposed Action Taken	Comments
15.	Require that projects identified as "countywide" have measurable impact in the NRSAs.	This policy recommendation is included in the FY 2012 Proposed Policies as Policy #7.	Recommended for approval by DHCD.
16.	Designate *affordable housing* as an eligible activity for NRSA high priority funding under the FY 2012 RFA.	This Policy recommendation is included in FY 2012 Proposed Policies as Policy # 14.	Recommended for approval by DHCD and will allow the CACs to prioritize housing rehabilitation projects, but restricts new construction activities.
17.	Eliminate funding for business incubators, shifting such funding to the *Business Assistance Center* model.	Not recommended	County continues to support business incubators to promote job creation.
18.	Prioritize Economic Development projects, initiatives and activities for CDBG funding.	Ten percent of the CDBG funds will be earmarked to Economic Development activities.	Established as a priority in the prior year.
19.	Encourage outcome performance measures to be met in a more timely and efficient manner.	Already mandated by US HUD. DHCD will increase monitoring efforts to ensure compliance.	
20.	Allow funding of Public Service activities to be subject to the competitive RFA process.	Not recommended in the original proposal before the Economic Development and Social Services Committee (Committee) The item was amended by the Committee to allow Commissioners and each NRSA CAC to allocate $50,000 each to any eligible public services activity that participated in the RFA.	The ability to leverage the declining pool of funds available for Public Service activities with other funding sources, in concert with the larger population served by the County Departments providing these services, strongly favors the administration of these programs by County Departments which generally have additional resources to support public service programs. Additionally, to avoid duplication of services and ensure maximum utilization of the public service dollars, the provision of these services by County Departments which already provides the services from other resources than CDBG funds, supports the need for limiting the number of providers of the same service.