



MEMORANDUM

Agenda Item No. 8(L) (1)

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

DATE: March 6, 2012

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

SUBJECT: Resolution authorizing the County
Mayor to amend the FY 2012
Consolidated Planning Process
Policies governing the FY 2012
Action Plan

Resolution No. R-214-12

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



R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum



Date: March 6, 2012

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

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing an Amendment to the FY 2012 Consolidated Planning Process Policies

Recommendation

It is recommended that the Board of County Commissioners (BCC) authorize the County Mayor or County Mayor's designee to approve the attached resolution amending the FY 2012 Consolidated Planning Process Policies, governing the FY 2012 Action Plan for the allocation of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), State Housing Initiatives Partnership (SHIP) and Documentary Stamp Surtax funds, approved by Resolution No. R-532-11 on July 7, 2011 (Attachment A). This amendment proposes to: a) reduce the Commission District Fund (CDF) allocation for each Commission District from \$200,000 to \$140,000; b) amend the Policy Paper recommendation #15, relating to the allocation of Public Service funds among County Departments, Commission Districts and the Community Advisory Committees (CACs); and c) amend recommendation #3 in the FY 2010 Consolidated Planning Process Policies, which was approved by Resolution No. R-679-09 on June 2, 2009 (Attachment B).

Scope

The proposed percentage reduction in the CDF is consistent with the U.S. Department of Housing and Urban Development (HUD) reduction in the County's FY 2012 CDBG entitlement, which has decreased by 31.41 percent. The FY 2012 CDBG and HOME entitlement for Miami-Dade County is reflected in Table 1. Table 2 provides a breakdown in the revised CDBG allocations.

The proposed adjustments to the Public Service allocations as established in recommendation #15 of the FY 2012 Consolidated Planning Process Policy Paper are reflected in Table 3. The proposed amendment modifies recommendation #3 of the FY 2010 Consolidated Planning Process Policy Paper to allow each Commissioner and each CAC to allocate less than \$50,000 to an entity for Public Service activities only. The proposed changes will have a countywide impact.

Fiscal Impact/Funding Source

Approval of this resolution will create a fiscal impact to County Departments funded with CDBG funds. The proposed amendments represent a reduction of funding resulting from HUD's 31.41 percent reduction in FY 2012 CDBG funding from the County's FY 2012 budgeted entitlement of \$15.471 million.

Track Record/Monitor

All CDBG funded projects are administered by Public Housing and Community Development (PHCD).

Background

On July 7, 2011, the BCC approved the policies governing the planning process for amendments to the FY 2008-2012 Consolidated Plan, through the preparation of the FY 2012 Action Plan. Included in those policies was a FY 2004 policy established by Resolution No. R-361-03, which provided a \$200,000 CDF allocation for CDBG eligible activities. The CDBG funding amounts advertised in the FY 2012 Request for Applications (RFA), which funding is awarded to agencies on a competitive basis, was based on the County's projection of approximately \$15.471 million in CDBG funds. On January 17, 2012, the County received written notification from HUD advising that the County's FY 2012 CDBG entitlement will be \$10.611 million, \$4.860 million less than the \$15.471 million originally projected. For your reference, a copy of the award letter is attached (Attachment C). Table 1 summarizes the percentage reduction in the County's FY 2012 budgeted funding from HUD's entitlement.

Table 1
Summary of Annual HUD Entitlement Funding

Funding Source	FY 2012 County Budget	FY 2012 HUD Award	Percentage (Reduction) Addition
CDBG	\$ 15,471,000	\$10,611,175	(31.41%)
HOME	\$ 6,345,000	\$ 3,507,462	(44.72%)
ESG	\$ 750,000	\$ 1,410,257	88%

Reduction of the CDF

The reduction in the County's FY 2012 entitlement from HUD, as represented in Table 1 will have the following impact on the allocation of CDBG funds as reflected in Table 2. This table assumes a proportionate reduction in all of the categories which CDBG funds were proposed to be allocated in the FY 2012 RFA.

Table 2
Revised Allocation of CDBG Funds

Category	Proposed Allocation	Proposed Reductions	Revised Allocation
Administration (20%)	\$ 3,094,190	\$ 971,955	\$ 2,122,235
County Departments (40%)	\$ 6,188,380	\$ 1,943,910	\$ 4,244,470
Commission District Fund (17%)	\$ 2,600,000	\$ 796,100	\$ 1,803,900
RFA Funding (23%)	\$ 3,588,380	\$ 1,147,810	\$ 2,440,570
Total	\$15,470,950	\$ 4,859,775	\$10,611,175

As mentioned above, \$2.6 million was allocated to Commissioners for eligible activities in their districts in FY 2004. At that time, the County's CDBG entitlement was approximately \$22.9 million. HUD's FY 2012 CDBG entitlement of \$10.611 million represents a reduction of 54 percent from the FY 2004 CDBG entitlement of \$22.9 million. It should be noted, however, that the amount of the CDF has not been impacted by any reductions in the County's CDBG entitlement over the same eight-year period. The CDF has remained at

\$2.6 million and now represents approximately 25 percent of the County's annual entitlement, compared to 12 percent when the policy was initially adopted in FY 2004.

Reduction in Public Service Expenditures

Based on CDBG guidelines, Public Service allocation is capped at 15 percent of the County's total annual entitlement. Consistent with the federal guidelines and based on the reduced FY 2012 CDBG entitlement, the County's cap on expenditures for Public Service activities is reduced from the budgeted amount of \$2.321 million to \$1.592 million. Recommendation #15 of the FY 2012 Policy Paper required a reduction of the Public Service allocation to County departments by \$1.05 million and allowed each Commissioner to allocate \$50,000 from their respective CDF to fund activities, which competed in the Public Service category through the annual RFA process. Additionally, this recommendation provided for each of the eight (8) Neighborhood Revitalization Strategy Areas (NRSA) CACs to allocate \$50,000 to Public Service activities in the same manner. Table 3 reflects the impact on the funding of Public Service activities as a result of the 31.41 percent reduction in the County's FY 2012 CDBG entitlement.

Table 3
Revised Allocation of Public Service Funds

Funding Category	FY 2012 Budgeted Amount	Amount Reduction	Proposed New Allocation
County Departments	\$ 1,270,650	\$ (399,111)	\$ 871,539
Commission District	\$ 650,000	\$ (204,165)	\$ 445,835
NRSAs CAC	\$ 400,000	\$ (125,640)	\$ 274,360
Total Public Service Expenditures	\$ 2,320,650	\$ (728,916)	\$ 1,591,734

The proposed new allocation from both the CDF and the CAC, as reflected in Table 3, results in each Commissioner and each CAC having less than \$50,000 of Public Service funds to award to an activity. As a result, Policy #3 in the FY 2010 Consolidated Planning Process Policies, approved by Resolution No. R-679-09, which states that CDF and CAC allocations shall have a minimum award of \$50,000 per entity, must be amended. The proposed amended policy will allow each Commissioner and each CAC to allocate less than \$50,000 to an entity for Public Service activities in the FY 2012 Action Plan. The amount of the Public Service allocation by each Commissioner and each CAC will be \$34,295.

Attachments



Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: March 6, 2012

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

SUBJECT: Agenda Item No. 8(L) (1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(L)(1)
3-6-12

RESOLUTION NO. R-214-12

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR
THE COUNTY MAYOR'S DESIGNEE TO AMEND THE FY
2012 CONSOLIDATED PLANNING PROCESS POLICIES
GOVERNING THE FY 2012 ACTION PLAN

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:

Section 1. Amends the FY 2012 Consolidated Planning Process Policies governing the FY 2012 Action Plan, including amendments to Resolutions No. R-532-11 and R-679-09, as set forth in the accompanying memorandum. The amendments to the FY 2012 Consolidated Planning Process Policies include an overall reduction in funding to be awarded pursuant to the FY 2012 Action Plan, including a reduction in the Commission District Fund (CDF) allocation for each Commission District from \$200,000 to \$140,000; and amendments to FY 2012 Policy Paper recommendation #15 and recommendation #3 in the FY 2010 Consolidated Planning Process Policy Paper, relating to the allocation of Public Service funds among County Departments, Commission Districts and the Community Advisory Committees. These amendments are made in order to account for reductions in funding to the County from the United States Department of Housing and Urban Development.

Section 2. The County Mayor or County Mayor's designee is authorized to take any action necessary to fulfill the purposes set forth in this resolution.

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

	Joe A. Martinez, Chairman	nay	
	Audrey M. Edmonson, Vice Chairwoman	absent	
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of March, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

Brenda Kuhns Neuman



MEMORANDUM

Amended
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.

A handwritten signature in black ink, appearing to read "RAC", written over a horizontal line.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: July 7, 2011

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

From: Alina T. Hudak
County Manager *Alina T. Hudak*

Subject: Proposed FY 2012 Consolidated Planning Process Policies

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

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 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.

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.

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 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.

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 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.

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 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.

Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
Page 9

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  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.



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>

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 identified 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.

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.

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.

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.

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.

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

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
<ul style="list-style-type: none"> • Meeting with Community Advisory Committees (CACs) Executive Committees from 8 NRSAs to receive recommendations for the FY 2012 Policies
May 2011
<ul style="list-style-type: none"> • Policy Committee meets with County Executive Office to finalize 2012 Policies. • Policy Paper to ACM • Distribute Policy Paper to: <ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • Board of County Commissioners considers FY 2012 Policy Paper. • Release of RFA • Evaluation Committee Training.
August 2011
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • FY 2012 Action Plan to County Executive Office (for October 26, 2012 EDSS Committee)
October 2011
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • BCC Hearing on FY 2012 Action Plan • Submission of FY 2012 Action Plan to US HUD <ul style="list-style-type: none"> • Funding award letters to agencies • Contract Development Workshops • Project Managers begin contract development

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 NRSA's 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 NRSA's 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.

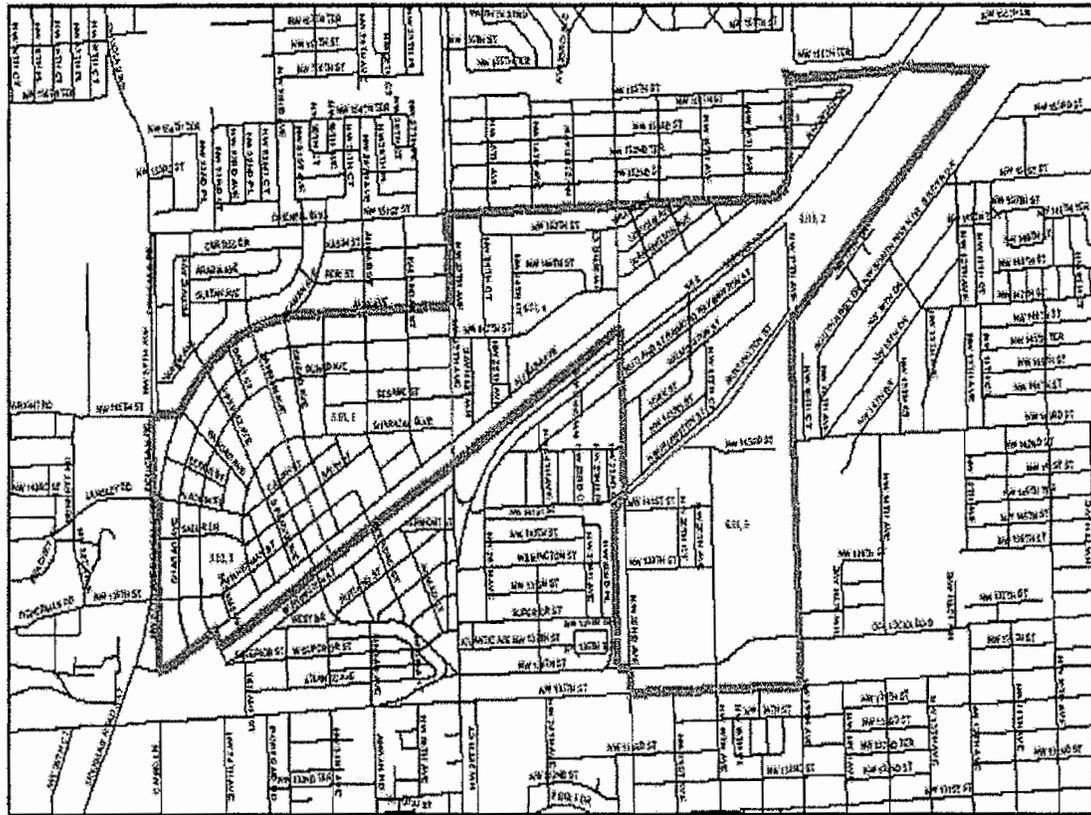
Procedures have been put in place to fulfill the requirements of the ordinances, and resolutions listed above. It is recommended that the Board of County Commissioners continue these policies accommodating potential conflicts with Federal policies as required.

ATTACHMENT D

**NEIGHBORHOOD REVITALIZATION STRATEGY AREAS
LIST AND MAPS**

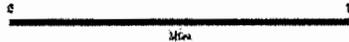
Opa-locka	Commission District 1
West Little River	Commission District 2
Model City	Commission Districts 2 & 3
Melrose	Commission District 2
South Miami	Commission District 7
Perrine	Commission District 9
Goulds	Commission District 9
Leisure City/Naranja	Commission Districts 8 & 9

OPA-LOCKA NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

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



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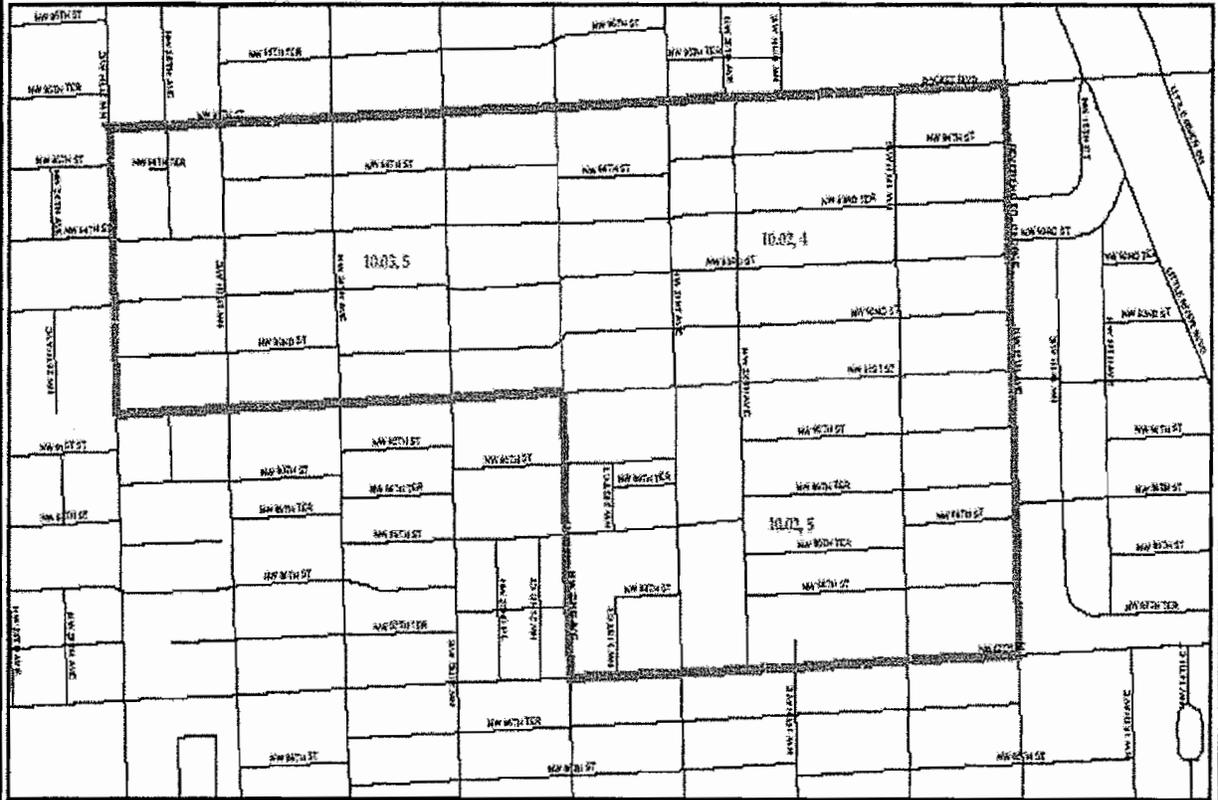
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Computer Mapping


DEPARTMENT OF PLANNING & ZONING
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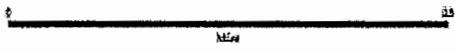
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WEST LITTLE RIVER NRSA
 MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  West Little River NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



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 PLANNING RESEARCH SECTION

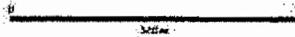
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MODEL CITY NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

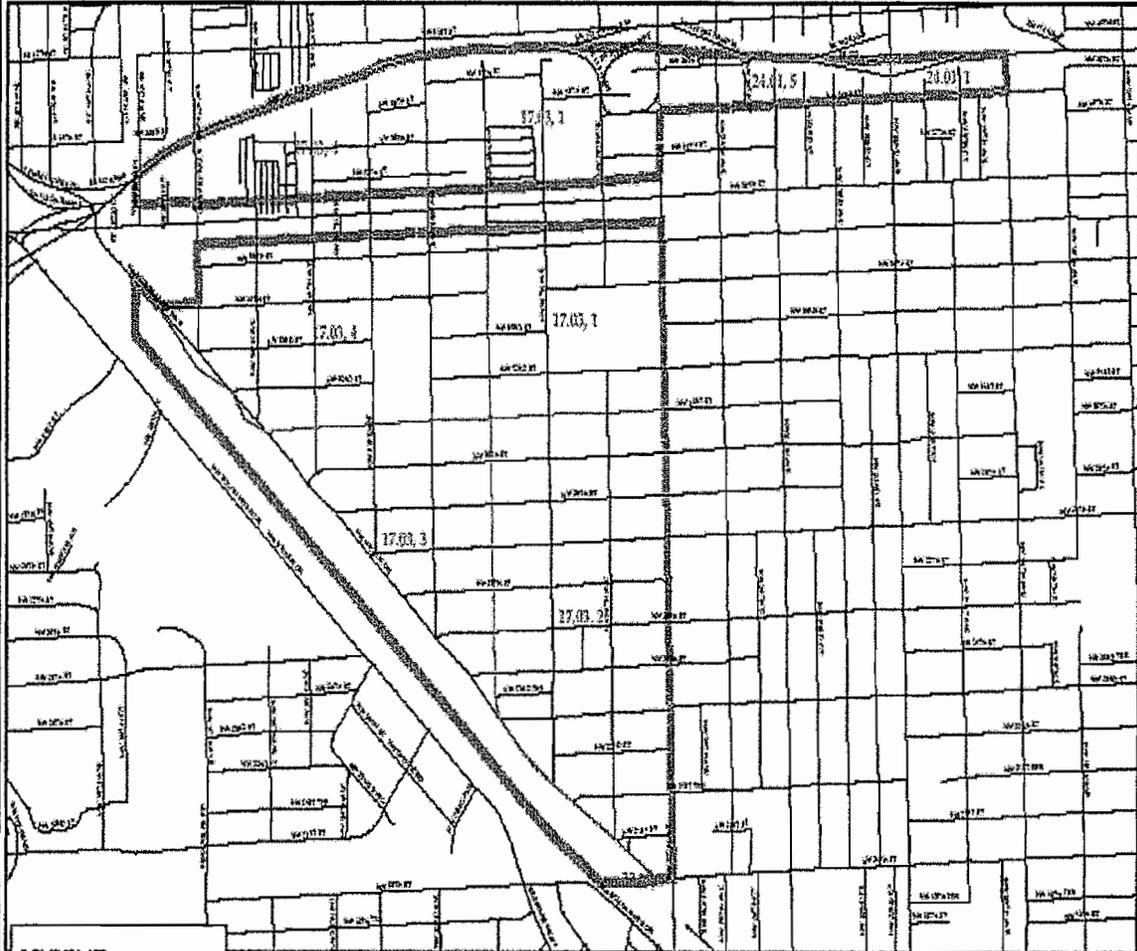
- Model City NRSA Boundary
- 2000 Block Groups
- Streets and Highways



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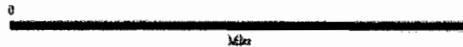
PLANNING
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PLANNING RESEARCH SECTION

MELROSE NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  Melrose NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



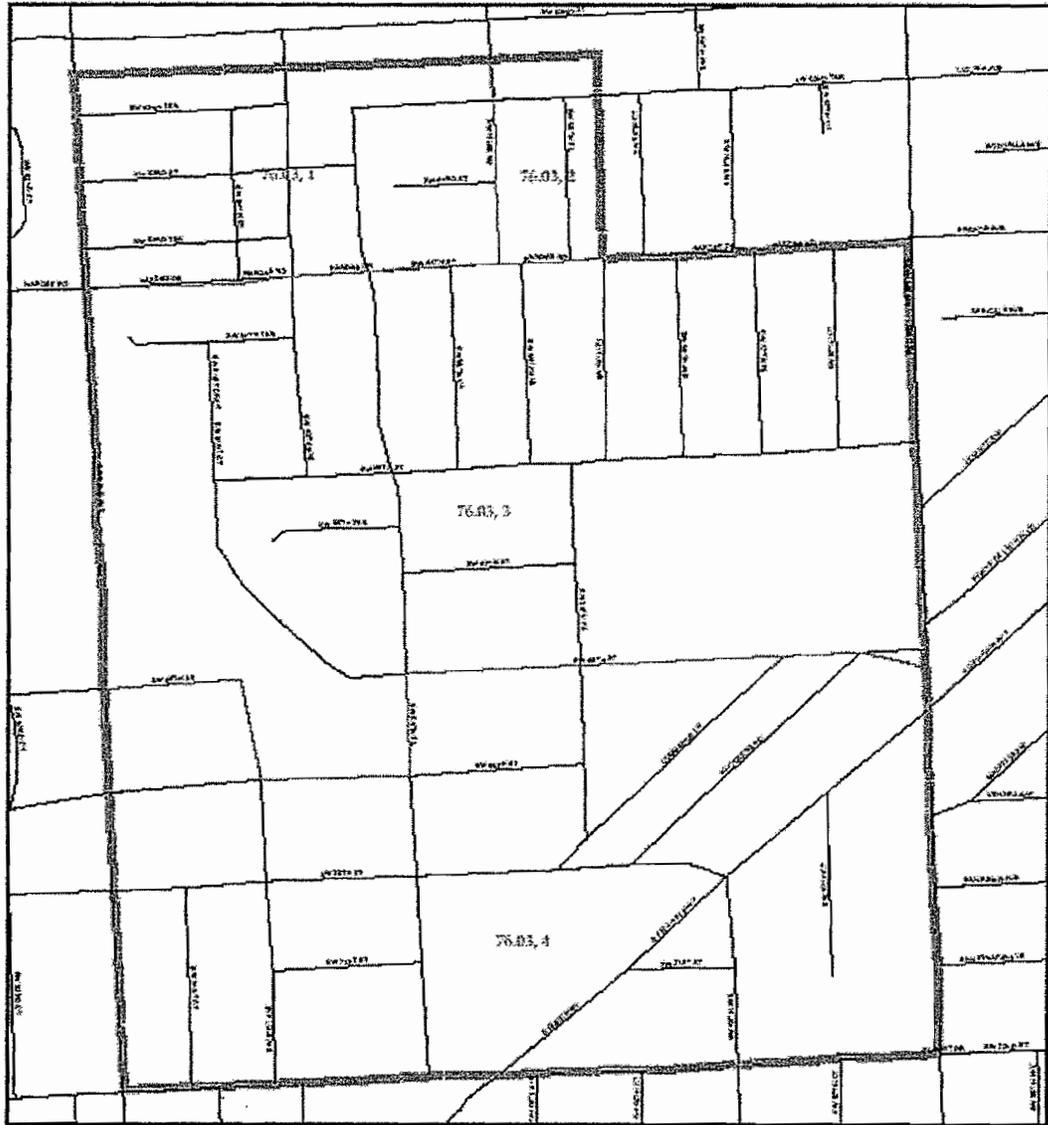
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Urban Planning & Zoning

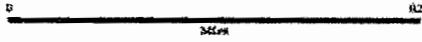

DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

**SOUTH MIAMI NRSA
MIAMI - DADE COUNTY, FLORIDA**



LEGEND

- South Miami NRSA Boundary
- 2000 Block Groups
- Streets and Highways



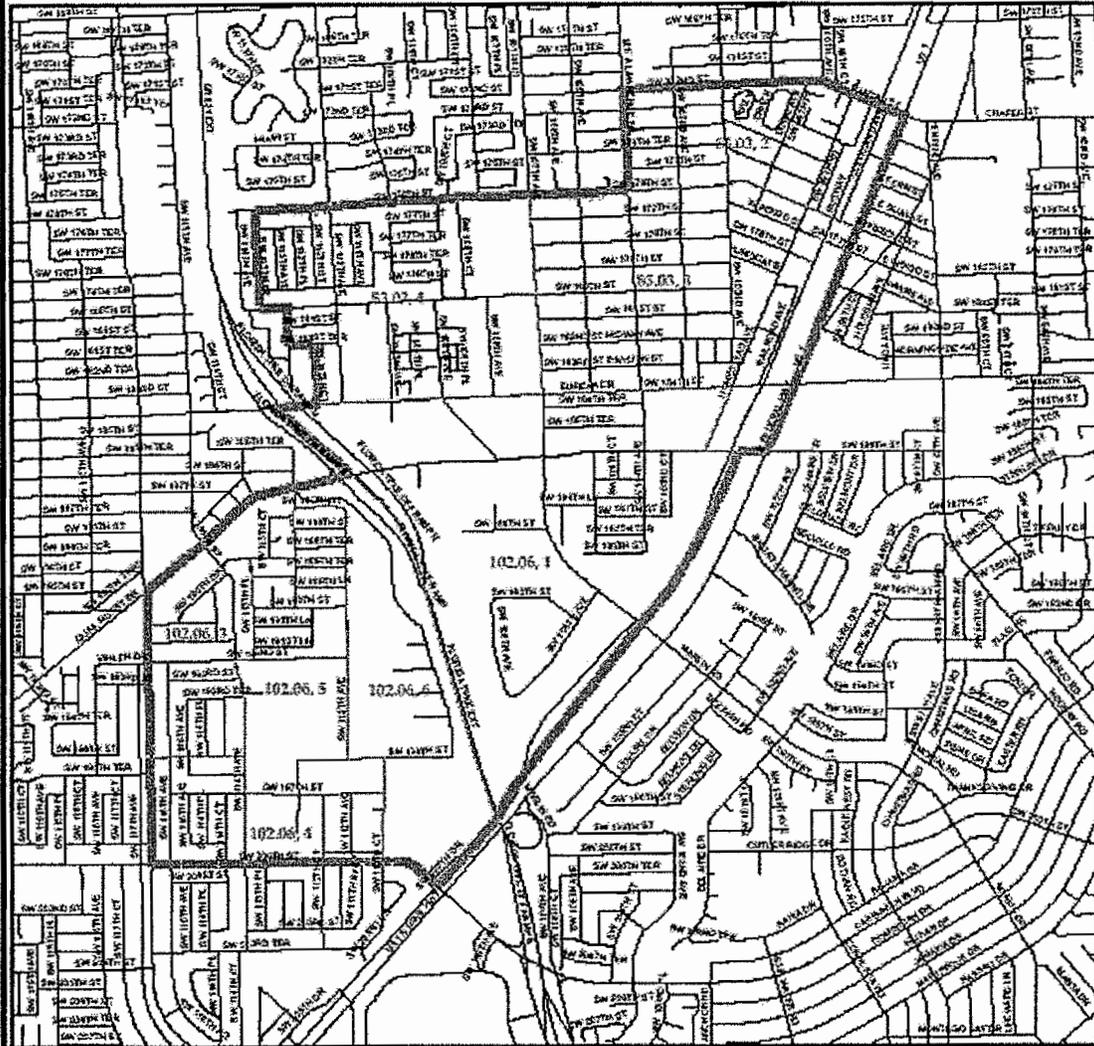
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MIAMI-DADE COUNTY


DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

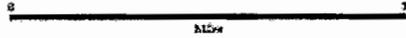
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PERRINE NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  Perrine NRSA Boundary
-  2000 Block Groups
-  Streets and Highways

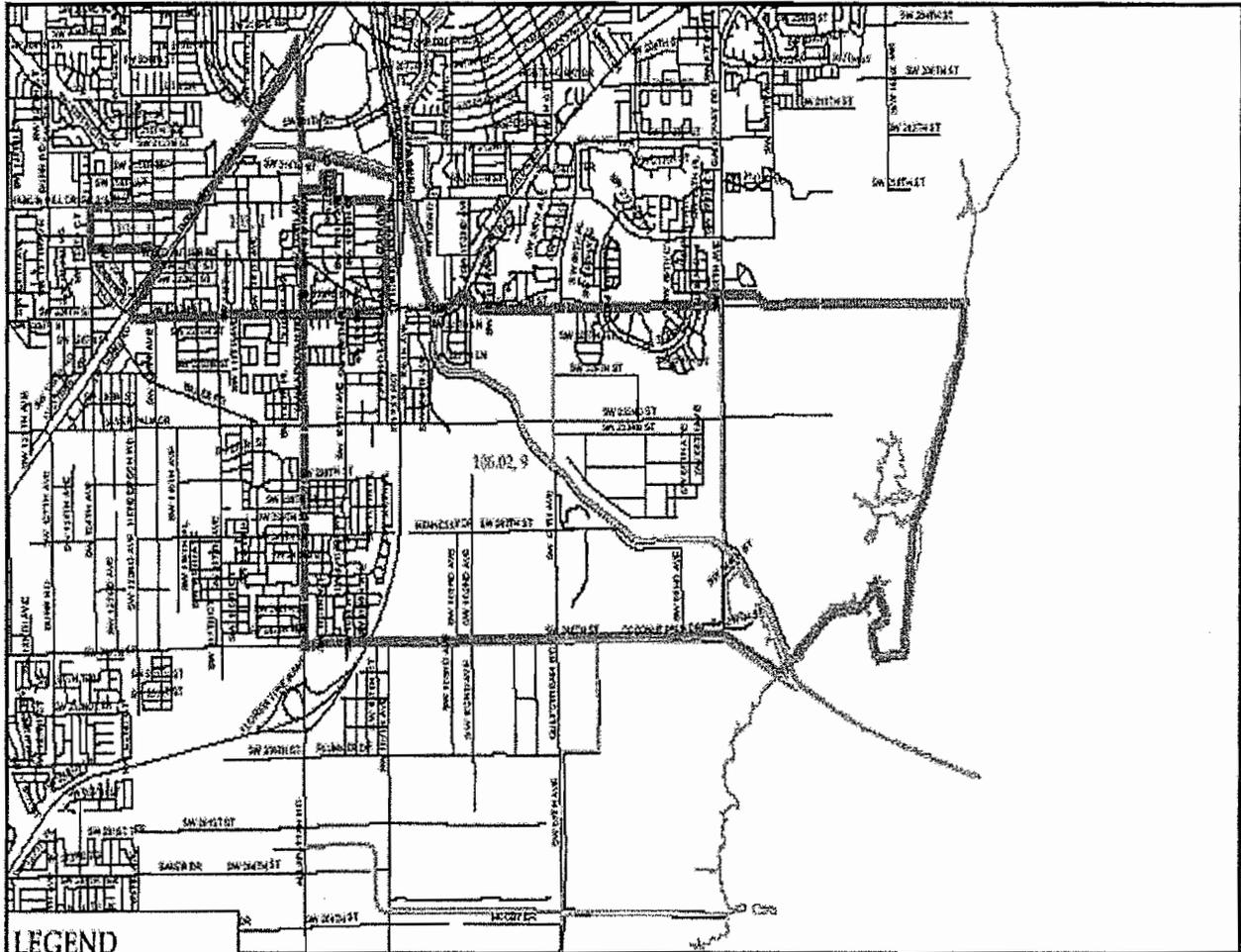


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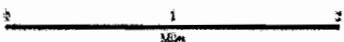

 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

GOULDS NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

- Goulds NRSA Boundary
- 2000 Block Groups
- Streets and Highways



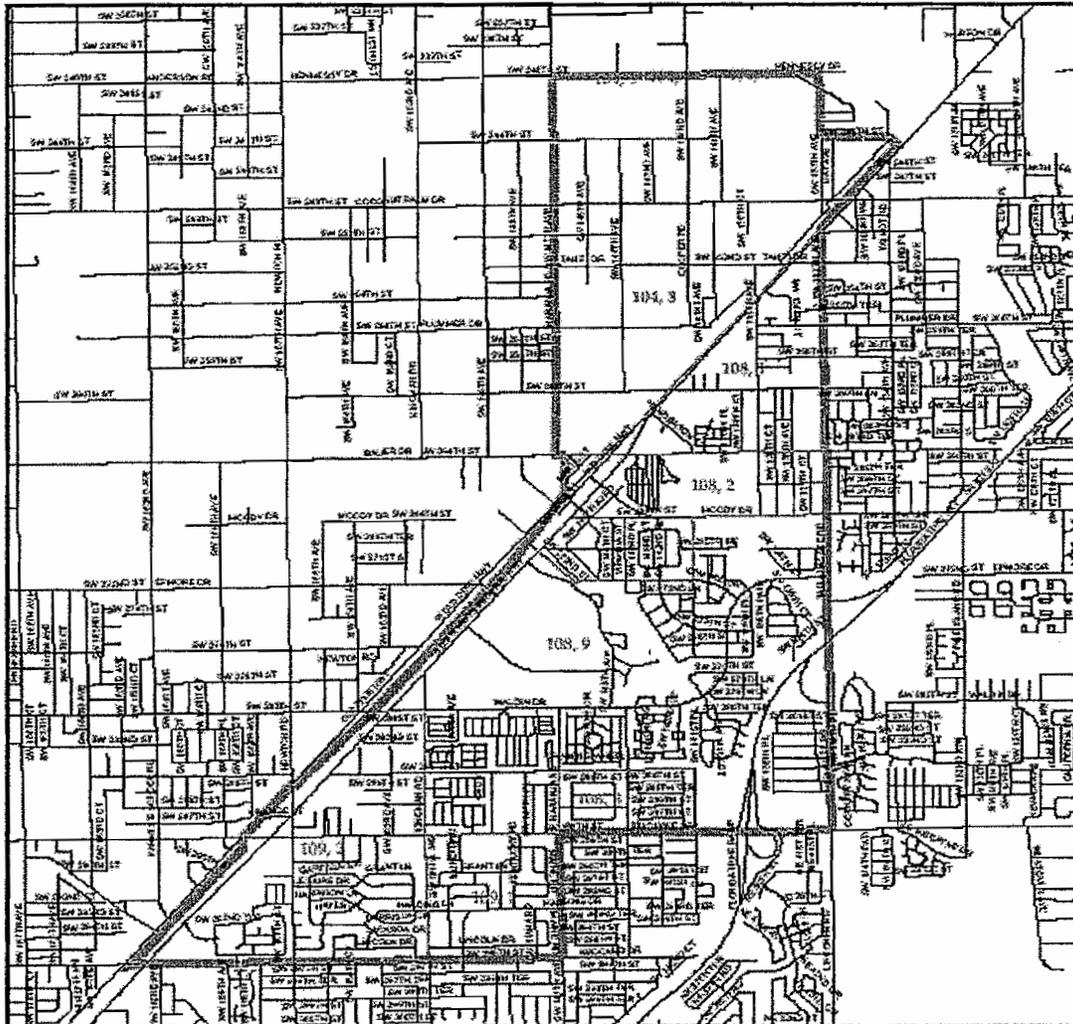
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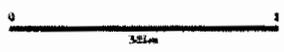
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

LEISURE CITY NRSA
 MIAMI - DADE COUNTY, FLORIDA



LEGEND

- Leisure City NRSA Boundary
- 2000 Block Groups
- Streets and Highways



©

NOVEMBER 2007

Planning Research Section

MIAMI DADE COUNTY
 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

51

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		Proposed Action Taken	Comments
NRSA Community Advisory Committees			
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 be 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 2 nd part of the request that "final funding recommendations for activities performed by County Departments to be vested with CACs.

PROPOSED FY 2012 POLICY RECOMMENDATIONS		Proposed Action Taken	Comments
NRSA Community Advisory Committees			
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 <i>affordable housing</i> 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 <i>Business Assistance Center</i> 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.

Memorandum



Date: July 7, 2011

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

From: Alina T. Hudak
County Manager

Subject: Supplement to the Proposed FY 2012 Consolidated Planning Process Policies (Policy Paper)

Supplement to
Agenda Item No.
8K1B

This supplemental report on the Proposed FY 2012 Consolidated Planning Process Policies (Policy Paper) was requested by the Economic Development and Social Services (EDSS) Committee at its June 15, 2011 meeting. The EDSS Committee requested: 1) the impact to County managed programs by amending the Policy Paper to allow Commissioners and Neighborhood Revitalization Strategy Area (NRSA) Community Advisory Councils (CACs) allocate \$50,000 each of the public service funding amount (totaling \$1.05 million) to community based organizations through the competitive request for application (RFA) process, and 2) clarification of the RFA's appeals procedures.

Amendment to Allow Commissioners and NRSA CACs to Allocate to Public Service Activities

As the Board of County Commissioners (BCC) is aware, since 2007 the County has maintained the policy of providing all Community Development Block Grant (CDBG) funded public service activities through programs administered by County departments. On the agenda for BCC consideration is the FY 2012 Consolidated Planning Process Policies (Policy Paper), which will guide the use of FY 2012 CDBG funds. 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.

If this recommendation is approved by the BCC, it would require that other funding sources, including non-County funds, be identified to support these various programs if the same level of services provided by County departments is to be maintained. The County-managed programs that would be impacted are as follows: The Treatment Alternative to Street Crimes (TASC) program (\$150,000) administered by the Department of Human Services; Diversion Programs (\$153,000) administered by the Juvenile Services Department; Community Action Agency Greater Miami Service Corps (GMSC) Employment and Training program (\$321,000), and the State Department of Health Rodent Control program (\$426,000).

The following describes the program specific impacts to the County-managed programs based on the assumption that the entire \$1.05 million is allocated through the RFA process to community based organizations (CBOs). If the entire allocation is not awarded to CBOs, the amounts not awarded will be available to increase services in the County-managed programs. Additionally, County Commissioners who do not wish to allocate any funds from their respective \$200,000 Commission District Fund to a CBO may still allocate those funds to a County-managed public service program or to other projects and programs.

The funding for the programs will generally result in some service reduction but service in these areas will continue. Only one program, Rodent Control will be discontinued. The \$150,000 for the TASC program is associated with the substance abuse treatment to 24 clients, two staff positions, as well as miscellaneous operating services. The \$153,000 in funding for Diversion Programs is tied to all 38 law enforcement agencies, the offsite referral process, processing and coordination of unsuccessful cases with the Florida Department of Juvenile Justice; the number of document mailing to youths and families as well as the ability of a case managers to conduct visits (home, schools, CBOs, and court); and two staff positions.

Funding in the amount of \$321,000 for the GMSC program is associated with three full-time employees and support for 18 Corps members in the areas of work experience, safety training, life skills and other related training services. The \$426,000 for the Rodent Control program supports the entire program which includes community activities such as sanitary nuisance investigations function, rodent abatement activities, reduction in the environmental quality block-by block rodent inspections, and ten full time positions.

Additionally, this recommendation may impact the funding allocated for economic development and capital improvement activities. The economic development category is recommended at ten percent of the CDBG allocations.

RFA Appeals Process

The County allocates federal CDBG, Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) through the RFA process to not-for-profit organizations and participating municipalities in the County's entitlement jurisdiction which carry out activities that benefit low to moderate income communities.

The FY 2012 Policy Paper before the BCC for approval recommended that applicants to the RFA shall be entitled to an appeal of the RFA regarding issues such as their scores, application rankings, etc. A protest may not challenge the relative weight of the evaluation criteria or the formula specified for assigning points in the RFA specifications. It is recommended that the BCC amend the Policy Paper to include this appeals process so that it can be included in the RFA as published. 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.


Assistant County Manager

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

Memorandum



Date: June 2, 2009
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
From: George M. Burgess
County Manager
Subject: Proposed FY 2010 Consolidated Planning Process Policies

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

Resolution No. R-679-09

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) adopt the attached FY 2010 Consolidated Planning Process Policies document, which outlines the utilization of federally funded grants allocated to Miami-Dade County. These policies will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan through the development of the FY 2010 Action Plan and the FY 2010 Consolidated Request for Applications (RFA) process.

SCOPE

The FY 2010 Consolidated Planning Process Policies document addresses high priority needs of low- and moderate-income communities within the Miami-Dade County entitlement jurisdiction. Within geographic Miami-Dade, six municipalities are designated with their own federal entitlements (Miami Gardens, Miami, Hialeah, Miami Beach, North Miami and Homestead) and receive federal funds directly from the US Department of Housing and Urban Development (US HUD). In addition, one municipality (Florida City) participates in the State's Small Cities Program for federal Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Program funds. If the above referenced municipalities demonstrate "Metropolitan Significance" Miami-Dade County may utilize Federal funds as appropriate to fund high priority needs within those jurisdictions.

Normally, as part of the policy paper, the Documentary Stamp Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) Program funds are included in the overall policy process paper as these funds fall under the administrative purview of the Office of Community and Economic Development (OCED). Currently, no Surtax funds are available and as such, will not be included. The County is awaiting information from the State as to the amount of SHIP funding. The amount set aside for Miami-Dade has not yet been determined. The most recent information from the State advises the availability of \$30 million in the trust fund State-wide.

FISCAL IMPACT

The FY 2010 Consolidated Planning Process Policies includes the projected revenues for FY 2010 federal, state, and local community, housing, and economic development programs. As part of the FY 2010 Action Plan, these revenues will be recommended for allocation to organizations, municipalities, developers, for profit and not-for-profit businesses and County departments to address high priority needs in low- and moderate-income communities.

BACKGROUND

US HUD requires the County to submit a Consolidated Plan every five years, with the most recent submitted in November 2007. As part of US HUD's requirements, an Action Plan on the implementation of the Consolidated Plan is required annually. The attached recommended FY 2010 Consolidated Planning Process Policies document serves as a blue print to facilitate the submission of the FY 2010 Action Plan which must be filed by November 15, 2009.

The FY 2010 Planning Process Policies document includes the guidelines for how the County will allocate federal CDBG, HOME, and Emergency Shelter Grant (ESG) funds.

OCED continues to consult with other County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen participation groups as part of its continuing effort to meet the goals of the FY 2008-2012 Consolidated Plan. Active participation of all stakeholders is critical for successful implementation of the Action Plan while ensuring that federal requirements are met.

The outcome of these consultations has yielded new policy recommendations and changes to existing policies for the FY 2010 Consolidated Planning Process Policies. These changes 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.

Changes are also being recommended to ensure that federal funding allocated to agencies is expended in a timely manner. US HUD requires that the County's CDBG balance does not exceed 1.5 times its annual allocation. In 2008, the County exceeded the expenditure ratio requirement with a 1.64 ratio, and as a result, received an audit finding from US HUD. For 2009, the County already received \$17.9 million; therefore, the County cannot have a balance of more than \$26.9 million on October 31, 2009. Any balance above \$26.9 million may be de-obligated and reduced from the County's entitlement. As such, the County will allocate funds to projects that have properly leveraged other funding, can be completed in a timely manner, and will achieve a national objective

For the HOME program, US HUD requires that the dollars be committed in two years and spent within five years since these funds are primarily used for the construction of affordable housing which typically takes longer than one year to complete. Because the County currently does not have issues with the expenditure of HOME funds, the priority under the current administration is a focus on the CDBG ratio issues described above. However, early projections for the next two years reveal that a portion of HOME funds may be at risk due to several uncompleted projects that have exceeded US HUD's five year dead line for completion. Accordingly, a separate plan of action in ensuring appropriate and timely use of HOME funds is required. In order to more fully inform the BCC as to the plan of action, a separate report will be forthcoming and will outline the necessary steps.

The changes recommended in the 2010 Policy Paper are designed to improve the efficiency and effectiveness of OCED and participating agencies, resulting in an increase in the quality of services provided and providing the most effective use of the funding awarded to Miami Dade County

The following policies are proposed for 2010:

1) Award bonus points to economic development projects that create and retain green jobs.

In an effort to further support the manufacturing and distribution of environmentally safe products, the County's evaluation of proposals for CDBG funds will award bonus points to those employers generating activities that result in significant gains in energy efficiency or the 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 or 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

2) Standardize procedures for funding Incubators in an effort to further support entrepreneurship in Miami-Dade County

The County currently funds business incubators but will now require they provide a minimum level of support to its businesses in an effort to ensure their success after they graduate from the incubator. Support such as assisting businesses with developing and implementing a strategic plan, assisting with the development of business plans and in applying for loans or grants in addition to providing financial support for membership in trade associations will all be prerequisites for an incubator to receive CDBG funds.

Studies have shown that incubators can be valuable tools for reducing the risk of failure for start-up and micro businesses. This support will increase entrepreneurial success by fostering a nurturing growth environment during the critical phases of a business' development. Graduates from these programs are more likely to create jobs, revitalize neighborhoods, and generate local tax revenue.

Incubators receiving CDBG funding will be required to meet performance benchmarks set forth as a condition of funding award, with established penalties for failure to meet performance benchmarks as may be considered reasonable by OCED and may include cancelation of award or ineligibility to receive future funding. Similar performance benchmarks and penalties for failure to meet performance measures will also be applied to non-governmental organizations providing CDBG funded business consulting services.

3) Ensure that all CDBG funds are allocated to projects that are adequately leveraged to ensure that they are completed in a timely manner.

All CDBG funds, including Community Advisory Committee (CAC) and Commission District Fund (CDF) monies, can only be allocated to Economic Development, Housing, Historic Preservation or Capital Improvement activities that have: 1) applied through the competitive RFA process, 2) have received a score in the top 45 percent of the viable applications for the funding category, and 3) have a funding gap. 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. Projects cannot be funded for greater (sum total of all allocations) than the original amount requested from the agency. This minimum score will not apply to County department allocations.

In addition to the above recommendation, CAC and CDF allocations shall have a minimum award of \$50,000 per entity. It is highly encouraged that CAC and the CDF funds be allocated towards "shovel ready" capital projects. Because "shovel ready" capital projects are ready to move forward, they are the best use of funding in the current climate to help ensure the CDBG ratio is met in time.

4) All CDBG funds, except those awarded to County Departments, will be awarded in the form of a loan that will be forgivable upon meeting the national objective.

In the past, some agencies have received federal dollars to develop housing, create jobs or develop other projects and have failed to do so even though all grants funds had been expended.

To ensure that the residents of Miami-Dade County receive the benefit of the federal CDBG dollars, all funding will now be awarded in the form of a loan. Upon meeting the national objective, the loan will be forgiven. The national objective is required by the contract documents and is a contingency of the award of funding. Failure to meet the requirement will result in a finding. The repayment terms will be specified in the award contract.

5) Future Funds will not be provided to an agency that has failed to meet the national objective and required performance benchmarks and also fails to repay the loan indicated in (4) above according to the terms agreed to in the award contracts.

The County funds public service and economic development activities, which do not involve construction, on an annual basis. If either a governmental agency or non-governmental organization (NGO) fails to achieve the national objective within the contract period, including the extension provided by OCED for the purpose of the achieving the objective, the agency or NGO will not be eligible to receive future CDBG dollars for the same or similar activity during the next RFA cycle.

6) Award bonus points to previously awarded municipal projects if the County recaptured project funds due to the slow expenditure resulting from cancelled institutional financing.

In an effort to ensure timely expenditure of CDBG funds, the County will move to recapture funds from projects that are slow moving. Many construction projects are currently being delayed due to the poor economy, and municipal projects are being delayed due to revenue shortfalls. Furthermore, many

banks are not extending credit or have tightened their underwriting criteria. Because funds in this RFA are meant to provide gap financing, a project must have other sources of funds in order for construction to commence. If construction or development progress does not commence within the first year of award, the County must recapture these funds and award to other projects that can expend so as not to negatively impact services to the community.

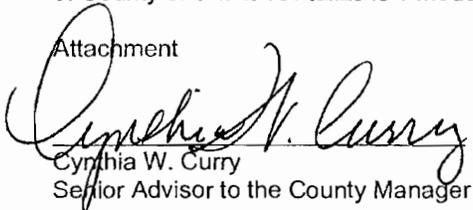
When the project (for which funds were recaptured) does obtain full financing, the agency may reapply through the RFA process and the project may be awarded bonus points if the recapture occurred as a result of cancelled/reduced financing from other sources. Municipalities will compete with an abbreviated application.

Any previously approved policies by the Board not amended herein, will continue to guide the FY 2010 Action Plan Process. Among those approved policies from previous years is that all CDBG funds not appropriated at the time of adoption of the Action Plan must be appropriated within 90 days of approval of the Action Plan, to ensure timely allocation and expenditure of funds. In addition, it is important to note that the CDBG contract period between the County and each entity is to end by December 31, 2009 because these funds are tied to the annual funding cycle that runs from January to December. Failure to appropriate funding within the 90 day period and any funds spent beyond the funding cycle period will significantly weaken the County's goal of timely meeting the spending ratio.

In addition, the County requires all sub-grantees to adhere to federal and local program compliance requirements. In the event that a sub grantee cannot meet the terms and conditions (such as the ones mentioned above) of its contract or agreement, OCED may recommend that the contract be terminated and the funds either be allocated to another entity to carry out the same activity, or allocated to a different priority.

The intent of the implementation of these policies is to streamline the FY 2010 Consolidated RFA Process and ensure the County enters into viable contracts. Moreover, the policies should facilitate the County's adherence to the CDBG 1.5 spending ratio. This will also have a direct impact on improving the effectiveness of County efforts to revitalize low moderate-income areas.

Attachment



Cynthia W. Curry
Senior Advisor to the County Manager



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** June 2, 2009
and Members, Board of County Commissioners

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

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

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Mayor's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(1)(B)
6-2-09

RESOLUTION NO. R-679-09

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR AMENDMENTS TO THE FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2010 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) AND 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 2010 Action Plan Planning Process for the Community Development Block Grant, HOME Investment Partnerships, State Housing Initiatives Partnership, and Emergency Shelter Grant programs; and approves the use of a Request for Application process to include the CDBG, HOME, SHIP, 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 **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK



By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset



Miami-Dade County

FY 2010 Consolidated Planning Process Policies

*"In celebration of providing 35 years of national support
for low-to-moderate income communities."*

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FY 2010 CONSOLIDATED PLANNING PROCESS POLICIES

EXECUTIVE SUMMARY

The Miami-Dade County Office of Community and Economic Development (OCED) recommends the following changes and amendments to the existing policies for the FY 2010 Consolidated Planning Process Policies. These changes 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. Ultimately, these changes are designed to improve the efficiency and effectiveness of OCED and participating agencies, resulting in an increase in the quality of services provided.

The paper also includes a discussion of the Documentary Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) programs and the projected expenditure of revenues from these programs. To meet the intent and spirit of federal requirements OCED will consult with relevant County Departments, Municipalities, Community Development Corporations (CDCs), Community-Based Organizations (CBOs), for profit developers and neighborhood-based citizen participation groups as part of its continuing effort to fulfill our mission. Active participation of all stakeholders facilitates successful implementation of the Action Plan.

Changes are also being recommended to ensure that federal funding allocated to agencies is expended in a timely manner. US HUD requires that the County's CDBG balance does not exceed 1.5 times its annual allocation. In 2008, the County exceeded the expenditure ratio requirement with a 1.64 ratio, and as a result, received an audit finding from US HUD. For 2009, the County already received \$17.9 million; therefore, the County cannot have a balance of more than \$26.9 million on October 31, 2009. Any balance above \$26.9 million may be de-obligated and reduced from the County's entitlement. As such, the County will allocate funds to projects that have properly leveraged other funding, can be completed in a timely manner, and will achieve a national objective.

Staff is recommending the proposed new policies for 2010:

1) Award bonus points to economic development projects that create and retain green jobs.

In an effort to further support the manufacturing and distribution of environmentally safe products, the County's evaluation of proposals for CDBG funds will award bonus points to those employment generating activities that result in significant gains in energy efficiency or the 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 or 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

2) Standardize procedures for funding incubators in an effort to further support entrepreneurship in Miami Dade County

The County currently funds business incubators but will now require that incubators provide a minimum level of support to its businesses in an effort to ensure their success after they graduate from the incubator. Support such as assisting businesses with developing and implementing a strategic plan, assisting with the development of business plans and in applying for loans or grants in addition to providing financial support for membership in trade associations will all be pre requisites for an incubator to receive CDBG funds.

Studies have shown that incubators can be valuable tools for reducing the risk of failure for start-up and micro businesses. This support will increase entrepreneurial success by fostering a nurturing growth environment during the critical phases of a business' development. Graduates from these programs are more likely to create jobs, revitalize neighborhoods, and generate local tax revenue.

Incubators receiving CDBG funding will be required to meet performance benchmarks set forth as a condition of funding award, with established penalties for failure to meet performance benchmarks as may be considered reasonable by OCED and may include cancelation of award or ineligibility to receive future funding. Similar performance benchmarks and penalties for failure to meet performance measures will also be applied to non-governmental organizations providing CDBG funded business consulting services.

3) Ensure that all CDBG funds are allocated to projects that are adequately leveraged to ensure that they are completed in a timely manner.

All CDBG funds, including Community Advisory Committees (CAC) allocations and Commission District Fund (CDF) allocations can only be allocated to Economic Development, Housing, Historic Preservation or Capital Improvement activities that have applied through the competitive RFA process, and have received a score in the top 45 percent of the applications for the funding category and have a funding gap. In order for a project to score in the top 45 percent the project must have received points for providing proof of leverage. These projects have a greater chance of being completed. Projects cannot be funded for greater (sum total of all allocations) than the original amount requested from the agency. This minimum score will not apply to County department allocations.

In addition to the above recommendation, CAC and CDF allocations shall have a minimum award of \$50,000 per entity. It is highly encouraged that CAC and the CDF funds be allocated towards "shovel ready" capital projects. Because "shovel ready" capital projects are ready to move forward, they are the best use of funding in the current climate to help ensure the CDBG ratio is met in time.

4) **All CDBG funds, except those awarded to County Departments, will be awarded in the form of a loan that is forgivable if the national objective is met.**

In the past, some agencies have received federal dollars to develop housing, create jobs or develop other projects and have failed to do so even though all grants funds had been expended. If upon an audit from US HUD or other auditing arm, it is discovered that neither jobs nor housing, or any other national objective was met, the County is required to re pay expended dollars to US HUD in general revenue dollars.

To ensure that the residents of Miami Dade County receive the benefit of the federal CDBG dollars, this policy is being implemented and is supported by the community. If a national objective is met, meaning that funds were used to accomplish the goal stipulated in the Request for Application (RFA) and minimum performance benchmarks as specified in the award contract are met, then the loan will be forgiven. The repayment terms in the event that the national objective and minimum performance benchmarks are not met will be specified in the award contract.

5) **Future Funds will not be provided to an agency that has failed to meet the national objective and required performance benchmarks and also fails to repay the loan indicated in (4) above according to the terms agreed to in the award contracts.**

The County funds some public service and economic development activities on an annual basis. These activities do not involve construction. However, if the government agency or non-government organization (NGO) fails to achieve the national objective within the contract period or any extension provided by OCED for the purpose of the achieving the objective, the agency or NGO will not be eligible to receive future CDBG dollars for the same activity.

6) **Award bonus points to previously awarded projects if the County re captured project funds due to the slow expenditure resulting from cancelled institutional financing.**

In an effort to address the CDBG 1.5 ratio, the County will move to recapture funds from projects that are slow moving. Many construction projects are currently being delayed due to the poor economy. In addition, municipal projects are being delayed due to less tax revenues received. Furthermore, many banks are not extending credit or have tightened their underwriting criteria making it close to impossible to obtain a bank loan or providing a much smaller loan amount than originally projected. Because funds in this RFA are meant to provide gap financing, a project must have other sources of funds in order for construction to commence. If construction or development progress does not commence within the first year of award, the County must recapture these funds and award to other projects that can expend them so as not to negatively impact services to the community.

When the same project does obtain full financing, the agency may re apply through the RFA process and the project may be awarded bonus points if the recapture

occurred as a result of cancelled/reduced financing or if municipal capital improvement projects had various funding sources and construction could commence without the CDBG funds. Municipalities will only be required to submit an abbreviated application.

PART I: PURPOSE AND BACKGROUND

PURPOSE

This paper contains the Miami-Dade County Office of Community and Economic Development's (OCED) proposed FY 2010 Consolidated planning policies. These policies will guide the implementation of the FY 2008-2012 Consolidated Plan and FY 2010 Action Plan and the FY 2010 Consolidated Request for Application (RFA) process. In our continued efforts to prepare the FY 2010 Action Plan, OCED is working closely with the community to meet the overall goals of the Consolidated Plan. Based on standards of the U.S. Department of Housing and Urban Development (U.S. 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
- Expand economic opportunities including job creation and retention.

BACKGROUND

U.S. HUD requires OCED to submit a Consolidated Plan every five years and an annual Action Plan every 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, U.S. HUD Certifications and Monitoring standards and procedures. This policy paper includes the FY 2010 Action Plan priorities and funding criteria for the following programs:

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

To meet the intent and spirit of federal requirements, OCED 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 its effort to fulfill its mission. Active participation of all stakeholders facilitates successful implementation of the Action Plan.

CDBG

The County's CDBG Program allocates block grant funds from U.S. HUD to private non-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 (areas in which at least 51 percent of residents make below 80 percent of the County's median income), or low and moderate income persons. For reference, below is a table reflecting area median income in Miami-Dade County by family size.

Miami-Dade County: HUD 2009 - 50%, 80% and 120% of AMI Income Thresholds by Household Size

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
50% of AMI	23,600	26,950	30,350	33,700	36,400	39,100	41,800	44,500
80% of AMI	37,800	43,150	48,600	53,950	58,250	62,600	66,900	71,200
120% of AMI	56,600	64,700	72,800	80,900	87,350	93,800	100,300	106,750

Source: <http://www.huduser.org/publications/commdev/nsp.html>

HOME

The HOME Program allocates housing funds in the form of permanent and construction first and second mortgage financing to assist very low and low income families in renting or purchasing affordable housing units. The HOME Program is designed to:

- Expand the supply of decent and affordable housing, particularly rental housing, for low- and very-low income Americans.
- Strengthen the abilities 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 non-profit organizations, in the production and operation of affordable housing.

ESG

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

SHIP

The legislative intent of the SHIP Program is "...to allow local government the greatest degree of flexibility in meeting its communities housing needs." As required, Miami-Dade County has adopted both an ordinance (Ordinance 95-70) and a resolution (R-517-95) that describe a housing program for utilizing SHIP funds. The legislation sets forth the

following minimum program requirements for the use of SHIP funds. 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).
- Funds may be used for both homeownership and rental housing activities. However, at least 65 percent must be used for homeownership activities.
- A minimum of 75 percent of the annual grant must be used for construction, rehabilitation, or emergency repair.

In 2009, the County created a Foreclosure Intervention Program funded with SHIP dollars. The County will provide an eligible homeowner up to \$5,000 loan as rescue funds to assist homeowners with restructuring their loan and making their loan current if payments are outstanding.

DOCUMENTARY SURTAX

The Documentary Surtax program requires that a minimum seventy five (75) percent of funds allocated to each successful developer are to benefit low-income families (those with income 80 percent or less of the area median income for Miami-Dade County). No more than 25 percent are to be made available to moderate-income families (those with income of up to 140 percent of the AMI for Miami-Dade County).

In 2007, the Development and Loan Administration Division (DLAD) of Miami Dade, Housing Agency merged with OCED. As a result, OCED is now responsible for the administration of the SHIP and Surtax programs. These programs are further administered through a separate loan servicing unit and a homeownership unit. No Surtax funds are being allocated as part of this Request for Application process.

Loan Servicing

~~OCED, through its Loan Servicing Unit, manages the County's affordable housing mortgage portfolio through a staff of mortgage service specialists and technical support staff.~~

The staff ensures payment on homeownership loans, primarily benefiting low and moderate income individuals. Most of these loans are for second mortgages. The Loan Servicing Unit acts much like a mortgage company wherein monthly mortgage payments are collected and processed. However, they are noticeably different in that they also serve to help homeowners with foreclosure prevention programs, forbearance agreements and payment plans. Information on payoff requests and satisfactions of debt are available through this unit.

~~In addition to managing individual accounts, the Unit also services loans for large multi-family developments funded to create affordable housing units within Miami-Dade County. They process the loan payments for the developers and monitor the payments to ensure that they are made in timely manner. Should a developer become delinquent in~~

their loan payment(s), the loan servicing unit works with the Finance Department and the Office of the County Attorney to remedy the problem.

Homeownership Unit

The Homeownership Unit manages the County's affordable housing second Mortgage Loan Program, Single Family Rehabilitation Program, and Hurricane Shutter program.

The unit processes low-interest second mortgages to very low, low and moderate income individuals and families as first time homebuyers of Miami Dade County. In addition, the unit provides mortgage loans to eligible individuals and families for the rehabilitation of their primary residence. This program primarily assists the homeowner in bringing their current home up to current building codes, which also includes disability access modifications. Additionally, up to \$5,000 in the form of a deferred low interest loan, payable at 10 years maturity is available for the installation of hurricane shutters. The loans are forgivable should the borrower maintain ownership and residence in the unit for the affordability period.

STRATEGIC PLANNING

The FY 2008-2012 Consolidated Plan has been developed in concert with the County's Strategic Plan. The strategic area mission statements, goals and performance measures are in the following areas: Housing, Economic Development, Health and Human Services, Neighborhood and Unincorporated Area Municipal Services, Public Safety, Recreation and Culture, and Transportation.

CITIZEN PARTICIPATION

In May 1990, the Board of County Commissioners (BCC) approved an amended Citizen Participation Plan (Attachment A) and guidelines for the Community Action Agency (CAA) and OCED Community Advisory Committees. One of the goals of this Plan is "the establishment of a formal structure through which residents may participate in the planning, implementation and evaluation of the program in an advisory role." The Citizen Participation element of the Consolidated Plan has been modified to fully comply with U.S. HUD's Consolidated Planning requirements. Attachment A includes the Citizen Participation plan approved by the BCC on June 4, 2002. The updated Citizen Participation Plan was approved by the BCC on September 8, 2005.

The County's citizen participation process for feedback on the Consolidated Plan is year round. The Plan includes a minimum of four meetings per year in each NRSA with residents within each commission district or combination of districts. This allows for citizen feedback on the FY 2008-2012 Consolidated Plan update, funding priorities, and the RFA process. The public hearing for this policy paper is scheduled for May 13, 2009, at the Housing and Community Development Committee (HCDC) meeting. The public hearing for the FY 2010 Action Plan is expected to be scheduled on October 14, 2009

with the comment period occurring from September 14, 2009 and ending on October 14, 2009. In addition, the proposed policy as it relates to new agencies responding to the Request for Application (RFA), must make presentations at District and NRSA meetings in the District/NRSA where the activity is located or will be carried out. Agencies with currently funded activities are required to give periodic updates of their activities to the neighborhood advisory committees. These presentations are designed to provide citizens with an opportunity to receive information on proposed and ongoing projects. Through this citizen participation process, OCED relies upon County citizens to:

- **Identify** both neighborhood and community needs;
- **Prioritize** those needs;
- **Recommend** activities that address priority needs based upon consultation with stakeholders; and
- **Support** conclusions and recommendations reached during the community-based Charrette process.

In an effort to directly meet the needs of low- and moderate-income communities, OCED will continue to appropriate \$100,000 to each of the eight Community Advisory Committees (CACs) to address high priority needs in their neighborhoods. CACs will be empowered to make funding recommendations regarding these non-public service priorities as part of the RFA process. Funding will be subject to the activity meeting one of the U.S. HUD mandated national objectives, consistency with Consolidated Plan priorities, and formal application through the RFA process. Any funds not allocated within ninety (90) days of the fiscal year will be recaptured and reprogrammed in order to meet HUD's timely expenditure requirements. OCED will be authorized to re-structure its community consultation with NRSAs to allow for a more efficient and effective process.

PART II: FY 2010 POLICIES

FY 2010 PLAN NEEDS AND OBJECTIVES

The strategic plan section of the current FY 2008-2012 Consolidated Plan contains numerous policy objectives. The FY 2010 Action Plan focuses upon policy objectives including, but not limited to, the following:

- Provision of new and rehabilitated multi-family housing with a particular emphasis on building strategies for low to moderate income persons and providing mortgage assistance to these families;
- The creation and retention of jobs;
- The creation and retention of businesses;
- Ensure the timely expenditures of HOME and CDBG dollars to ensure that services are provided to the neighborhoods;
- Installation of and/or improvements to infrastructure;
- Effective programs that support capacity building for not for profit Development Corporations with an emphasis in the NRSAs.

In fulfilling these objectives, it is recommended that OCED utilize a consolidated Request for Applications (RFA) process for the Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) programs. The RFA will serve to identify agencies that have the capacity to address the inventory of unmet needs identified during the FY 2008-2012 Plan update.

OCED will solicit, through public notices, an RFA for addressing individual NRSA and countywide priority needs in the following categories for CDBG and HOME funded projects:

- Housing
- Capital Improvements
- Economic Development and
- Historic Preservation.

Additionally, any allocation made to an agency within an entitlement municipality will require an inter-local agreement stating that the entitlement municipality is financially obligated to match or exceed the County allocation with their own CDBG allocation and/or through their own General Funds. Failure to secure a municipal match will immediately disqualify the applicant from receiving an allocation.

Currently, U.S. HUD guidelines allow Miami-Dade County to use twenty (20) percent of the annual entitlement for the administration of the program and allocate eighty (80) percent towards projects/agencies. On July 17, 2008, the BCC adopted a policy to increase the funding for County departments from thirty (30) percent of the eighty (80) percent to forty (40) percent. The BCC approved, as part of the FY 2007 Policy Paper, the policy of reimbursing County Departments for work performed based on pre-established performance measures.

On June 22, 2004, through Resolution R-805-04, the BCC approved a Commission District fund of \$200,000 and a \$100,000 reserve fund for Neighborhood Revitalization Strategy Area Advisory Committees from the CDBG entitlement. On June 2006, through R-670-06 the BCC amended this policy to allow the County Manager to substitute CDBG funds with HOME, HODAG and Rental Rehabilitation funding sources when necessary to address high priority housing needs.

The Board has approved several policies under 2009 policy paper which are recommended to be continued under the 2010 process. They are as follows:

1. Sustainable Development and Smart Growth

- OCED rewards Green Development with bonus points in the RFA evaluation process.
- OCED awards points to projects that promote infill development and Transit Oriented Developments (TOD) in conjunction with the Community Affordable Housing Strategies Alliance (CAHSA) Housing Strategic Plan.

- OCED implemented bonus points for building of ENERGY STAR Qualified New Homes. ENERGY STAR homes must meet guidelines for energy efficiency set by the US Environmental Protection Agency.

2. Homebuyer Assistance Program, Homebuyer Underwriting and Foreclosure Prevention and Intervention

OCED implemented the following initiatives to fend off foreclosures: 1) establishment of forbearance accounts, 2) one-time fresh start agreements that suspend payments from troubled borrowers in order to help improve their financial condition 3) counseling services and a 4) Foreclosure Intervention Prevention program. This program is limited to homeowners who currently have mortgages with Miami-Dade County. The program funds may be utilized to contract with Homebuyer Assistance Counseling agencies to include foreclosure intervention prevention in the FY 2009 Action Plan.

3. Other Affordable Housing Recommendations

Current market conditions have shown a saturation of the residential condominium market with one of the highest vacancy inventories in the County's history. Vacancy rates are exacerbated by the rate of foreclosures thereby driving the demand for affordable rentals upward. Hence, the County's has redirected its efforts to focus on delivering affordable rentals instead of converting existing rentals to condominiums. Going forward, the County intends to:

- Given the scarcity of affordable housing units in the region, the County will not provide support for projects that would result in the loss or conversion of affordable housing units without the replacement of the same number of units in or around the area. In other words, there should not be a net loss of affordable housing to the county or neighborhood. For HOME units, affordable housing is defined as households with incomes at or below 80 percent of area median income (AMI), adjusted for family size. The Documentary Surtax Program requires that a minimum of 75 percent of funds allocated to each successful developer are to benefit low-income families (those with income at 80 percent or less of AMI for Miami-Dade County). ~~No more than 25 percent are to be made available to moderate income families (those with income of up to 140 percent of the AMI for Miami-Dade County.)~~
- In 2009, OCED reduced the required minimum retainage from 10 percent to five percent when projects reach 75 percent completion. The five percent retainage and any and all remaining retainage is released after satisfactory final certification of completion or occupancy, final release of liens, and as-built drawings are received by OCED. This allows more flexible cash flow for the project.

4. Citizen Participation

It is recommending that the number of Community Advisory Committee (CAC) members remain at 13. Twelve will be elected by the community and one will be appointed by the Commissioner of the district in which the NRSA is located. Since CAC officers were elected in March 2008 for a period of two years, it is recommended that the new committee structure not be implemented until 2010.

5. Continued Policies from the FY 2008-2012 Consolidated Plan

- Providing assistance to rental households by increasing both the supply of affordable housing and the availability of rental assistance and support services, especially for those with incomes at or below 30 percent of the median income group.
- Promoting homeownership opportunities by providing assistance to homebuyers and by maintaining the supply of affordable units available for purchase.
- Reducing lead-based paint hazards.
- Provided support facilities and services as well as increasing the supply of units for non-homeless persons with special needs.
- Continuing to improve the living conditions of residents of public housing by physically upgrading existing units.
- Continuing to assist existing homeowners to maintain their properties by providing financial assistance to the rehabilitation of substandard units.

6. Recommended Economic Development Policy

Economic development is defined as all endeavors aimed at sustaining or increasing the level of business activity and creating/retaining jobs. All economic development activities funded through the Action Plan must create and or retain jobs. In order for a for profit business to meet the contractual job creation/retention requirement, full-time permanent jobs must be created or retained due to capital improvements to the business property, micro enterprise or a direct loan to the for profit business. A no for profit organization may count full time permanent jobs created or retained through the execution of a job placement agreement with a for profit business that agrees to hire the employee. The employee must be low to moderate income. The agreement must remain on file with the grantee and the hiring business must agree to keep or create a specific number of jobs and identify each such job by type and whether the job will be full or part time.

7. Increase funding for County Departments

Currently, U.S. HUD guidelines allow Miami-Dade County to use 20 percent of the annual entitlement for the administration of the program and allocate 80 percent towards projects, programs or agencies.

Separately, on May 25, 2001 the BCC adopted a policy to reflect that only 30 percent of the 80 percent (all funds for projects, programs or agencies) to be set aside for County Departments. This policy was amended in 2009 to raise the cap on County Department funding to 40 percent, and is recommended to remain at 40 percent for 2010.

FY 2010 PLAN PRIORITIES AND FUNDING CRITERIA

The following will serve as plan priorities and general funding criteria for FY 2010:

- Low- to moderate-income and extremely low-income households and neighborhoods;
- Affordable housing;
- Economic development;
- Financial viability, leveraging and partnerships; and
- Project's ability to be implemented within the contracted period.
- Priority to those activities located in, or serving US HUD approved Neighborhood Revitalization Strategy Areas.

These priorities and criteria demonstrate project funding priorities through several means, among them are funding set-asides, additional or "bonus points" added to the application ranking, or other special considerations that enhance the feasibility or implementation of the project. Adherence to past performance requirements and activity service area will be factored into consideration.

LOW INCOME AND EXTREMELY LOW INCOME HOUSEHOLDS AND NEIGHBORHOODS

Strong emphasis will be placed on projects, CBO capacity building programs, and activities that directly address priority needs of populations that contain the highest incidences of poverty identified in the FY 2008-2012 Consolidated Plan. The 2008-2012 Consolidated Plan will focus on updating priorities identified by the neighborhood revitalization strategies for an October 2009 submission to the BCC for approval by November 13, 2009.

PUBLIC SERVICE

- It is proposed that only County departments be funded with public service funds, subject to the 15 percent US HUD mandated cap and the 40 percent County Department cap.

GEOGRAPHIC AREAS OF SPECIAL EMPHASIS

- **Neighborhood Revitalization Strategy Areas (NRSAs)**. In 1996, U.S. HUD established criteria for approving locally determined strategies for revitalizing an area that is among the community's most distressed. In order to provide some incentive for grantees to undertake such revitalization, the CDBG regulations provide certain benefits for the use of CDBG funds in such an area. The incentives for NRSAs are as follows:
 - Job creation/retention activities undertaken pursuant to the strategy may be qualified as meeting area benefit requirements thus eliminating the need to track the income of persons;
 - Aggregation of Housing Units for the purposes of applying the low and moderate-income national objective criteria;

- Aggregate Public Benefit Standard Exemption: Economic Development activities carried out under the strategy may, at the grantee's option, be exempt from the aggregate public benefit standards, thus increasing a grantee's flexibility for program design as well as reducing its record-keeping requirements; and
 - Additional RFA points will be awarded to activities benefiting NRSAs.
- The designated NRSAs must meet the following criteria: 1) evaluation of boundaries; 2) an analysis of demographic criteria, consultation with residents, businesses and non-profits; and 3) an economic empowerment strategy and identification of performance measurements. Currently there are eight HUD approved NRSAs: Opa-locka, West Little River, Model City, Melrose, South Miami, Perrine, Goulds, and Leisure City/Naranja. The Federal Enterprise Community and Empowerment Zone, within the Miami Dade County Entitlement areas are also eligible.
 - **Eligible Block Groups (EBGs).** EBG's are census block groups where income is less than 80 percent of the County's median household income and there is a high concentration of poverty and unemployment. The boundaries of CDBG eligible block groups are determined by the results of the 2000 Census.
 - EBGs not formerly designated as Community Development NRSAs are grouped regionally by Commission District and are included in the District's Strategic Plan.
 - Non-housing projects are recommended for census tracts and EBGs where at least 51 percent of the households have low or moderate-incomes in unincorporated Miami-Dade County and participating jurisdictions. In municipalities that do not have their own CDBG entitlement program, proposed activities must address the needs of the priority needs populations listed above.
 - CDBG Entitlement jurisdictions and State Small Cities CDBG jurisdictions include the following cities: Miami, Hialeah, Miami Beach, North Miami, Homestead, Florida City, and Miami Gardens. However, funding in these areas is limited to activities that demonstrate Metropolitan Significance and are consistent with the high priority needs identified in that jurisdiction's Consolidated Plan. To be eligible for CDBG funding, they must pass an eligibility test that demonstrates the majority of its beneficiaries have benefited unincorporated Miami-Dade County and its participating jurisdictions in the past. HOME projects in entitlement jurisdictions require a 25 percent local match.
 - The Consolidated Planning process concentrates on a regional focus. All CDBG eligible areas are evaluated on a regional basis through a community planning and review process. The formula for allocating available funding for Plan activities in eligible areas considers: per capita expenditures, concentrations of poverty, overcrowding, and the low- and moderate-income population in the area. OCED will coordinate strategies and funding in all areas of special emphasis for maximum leveraging of public and private funds.

HOUSING AND CAPITAL IMPROVEMENTS

In compliance with BCC action on November 5, 1991, there shall be a minimum set-aside of 15 percent of CDBG housing funds for CDCs involved in housing activities, as well as a housing activity land acquisition set-aside of 5 percent for use by all CDCs.

Emphasis will be placed on housing, community and economic development funding for:

- Mixed-income single and multi-family affordable housing projects and the dispersal of these projects throughout the County to avoid an over-concentration of such projects in particular geographic areas;
 - Mixed-use projects that support both housing and economic development; and
 - Agencies requesting funds for land acquisition must submit a realistic and attainable development plan for all properties to be acquired with County funds.
 - Ongoing projects with previous funding approval by the BCC to encourage the "finish what is started" mandate providing there is project viability and financial feasibility.
- All projects involving acquisition of existing buildings must demonstrate that there will be no displaced individuals as a result of the acquisition. If the relocation of individuals is necessary, a plan must be submitted with the application.
 - Sub-recipients funded for capital improvements, or construction of housing, may be given multi-year funding commitments and/or contracts, provided they meet all U.S. HUD guidelines and OCED contractual requirements. SHIP and Surtax projects will not be considered for multi-year funding.
 - All costs associated with the United States Department of Housing and Urban Development (HUD) environmental reviews, conducted by OCED, will be charged to each construction project funded through the Request for Application (RFA).
 - Timelines of expenditures will be factored in the evaluation of proposals. As such, it is anticipated that:
 - Each project to be funded should have a schedule for the use of projected funds tied to key project milestones so performance can be measured against expectations and problems identified at an early stage.
 - An alternative plan to handle unexpended funds is to recapture dollars from projects that are no longer feasible and reallocation for the completion of ongoing projects.
 - Priority will be given to completing ongoing projects approved by the BCC. The capacity of all agencies will be enhanced with technical assistance from OCED staff.
 - Pursuant to approved policy in FY 2006, prior to the application submission, all Housing and Capital Improvement applicants are required to have a technical assistance pre-consultation meeting with their respective Community and Economic Development Division District teams. In FY 2007, it was recommended that only new Housing, Capital Improvement and Economic Development applicants be required to

have a technical assistance pre-consultation meeting with their respective Community and Economic Development Division District teams. As a mandatory prerequisite, no housing, capital improvement or economic development applications will be accepted without a pre-consultation meeting. Attendance at a pre-consultation meeting does not guarantee funding.

- OCED will provide increased project management and technical assistance through Community and Economic Development Division staff for activities funded through CDBG, HOME and HODAG. The cost of such assistance will be charged to the activities budget. All Capital and Housing project budgets will be charged costs associated with Environmental and Historic Preservation Reviews, if applicable.
- The BCC in 2006 created the Community Affordable Housing Strategies Alliance (CAHSA) Task Force and in 2007 issued a report from nine subcommittees to address the issues of housing including affordable and workforce homeownership and rental housing, public housing, maintenance of affordability issues, property taxes, insurance, and land use. All housing activities that meet the criteria set forth by the national objectives of US HUD's resources (i.e. CDBG, HOME, HOPWA) will be addressed utilizing these CAHSA recommendations and policy values as a guideline for implementation.
- Funding criteria for Housing and Capital Projects will be based on a risk assessment protocol comprising underwriting risk, fund leveraging analysis, review of program and project results, developer's ability to perform, staff and organization's capacity, affordability, feasibility, project contribution to public goals, past compliance and performance, and quality of reporting and documentation, when applicable.
- For-profit and non-profit entities applying for the same Housing or Capital Improvement Projects must apply as single entities such as joint ventures. Partnerships and or Joint Ventures must submit their partnership agreements. This includes sources and uses budget, capital budget, and scope of services for each project. County Departments will be exempt from this requirement.
- Site control is mandatory for housing and capital improvement projects. No substantial change of the initial BCC-approved projects such as site change or transfer of funds to other projects will be allowed. In such event(s), the application will be nullified for the current fiscal cycle. A change of entity for the same site, same use and same funding amount may be approved.
- To facilitate payment of pre-development and overhead costs, developers will be allowed the use, at a pro-rated percentage, their developers' fee. OCED shall pay the agency as maximum compensation or fee for the developer services required pursuant to the scope of work. The percentage of compensation shall be predetermined based on each applicant's scope of work. Each phase of development will have a corresponding percentage of the fee assigned. These are project related soft costs that are necessary and reasonable. This measure shall assist agencies including non-profit entities and CHDOs to have access to cash in the initial stage of the project to finance pre-development.
- CDBG, HOME and HOME/CHDO funds are to be used as gap financing and not as the sole funding source for a project or program. Applicants must provide written documentation, with the application, of the availability and status of all other current

sources of funding (towards the project or its administration) at the time the application is submitted.

- HOME funds will be viewed as loans, not grants. All HOME funds will be treated as loans requiring property or another form of collateral to be used as security for repayment for the duration of the affordability period. Loan repayment may be in the form of a purchase price buy-down in accordance with an appropriate restrictive covenant and shared equity provision. Forgiveness of the loan will be considered on a case-by-case basis, only for projects serving very-low income residents, homeless persons and families.
- For major capital improvement and housing projects, OCED will require that the CDBG funds awarded be in the form of a loan, which must be secured by a mortgage on all real property acquired or improved in whole or in part with CDBG funds. Contractors shall execute any mortgage required by OCED and pay any costs associated with recording and perfecting of said mortgage. However, the contractor will not be required to make any payments on the mortgage until the property is sold or fails to be used to meet a CDBG national objective.
- To ensure the preservation of the existing affordable housing stock, it is recommended that in the event of a transfer by homeowners of affordable housing units (through sale within the affordability period), OCED, shall be entitled to recapture an amount equal to the percentage subsidized, from the proceeds of the sale of the home. These funds will be utilized for provision of new affordable housing.
- Currently, OCED holds ten (10) percent of the grant award as a retainage until the completion of the construction work reaches the 90 percent rate. In accordance with industry and County standards, it is recommended that OCED holds the ten (10) percent retainage until the project reaches 75 percent completion, at which point the retainage will be reduced to 5 percent. The five percent retainage and any and all remaining retainage will be released after satisfactory final certification of completion or occupancy, final release of liens, and as-built drawings are received by OCED.
- Agencies funded under Housing and Capital Improvement activities must initiate loan closings within one year of the execution of their contract. A funded agency must provide proof that they have initiated a loan closing within the required one-year time period and within that time span has secured the balance of the funding from non-County outside funding sources. If these conditions are not met, the Mayor or designated representative County Manager shall have the authority to recommend to the BCC a recapture and reallocation of these funds to other eligible activities.
- The resale option: This option ensures that the HOME assisted unit remains affordable over the entire affordability period. If a unit is designated affordable and it is sold during the affordability period, the sale must be to a low-income family meeting the HOME program definition.
- The recapture option: This is a mechanism to recapture all or a portion of the direct HOME subsidy if the HOME recipient decides to sell the house within the affordability period at whatever price the market will bear.

The following language must be included in all affordable housing contracts:

Upon sale of an assisted Property within the affordability period, the homeowner will pay to Miami-Dade County the principal amount of the Loan, together with a share of the

appreciation in the value of the Property. Such share shall be determined by applying (I) the percentage which represents the ratio of the original principal amount of the Loan to the original unsubsidized sales price (i.e. the gross purchase price) in the connection with the purchase of the Property (The "Principal to Original Sales Price Ratio") to (II) the amount, if any, by which the sales price upon transfer of the Property exceeds such original sales price. If the Loan is not evidenced by funds but a benefit conferred by the Lender (Miami-Dade County) or other public agency on the seller of the Property, and the homeowner is not in default under the Note or the Subordinate Security Instrument, the share of appreciation due the Lender herein shall be reduced by sum of (a) the amount of any cash down payment for the purchase of the Property, (b) the homeowner's reasonable and customary costs of sale of the Property (including any broker's commission, and (c) the value of any documented, permanent improvements to the Property that are in compliance with any applicable requirements established by the Lender.

ECONOMIC DEVELOPMENT

As a minimum goal, at least 20 percent of the CDBG funding allocation will be allocated for economic development activities. Economic development activities are needed to address rising living costs and high housing prices that have placed strain on the County's unemployed and low income earners. CDBG programmatic responses to these needs must have at least one of the following outcomes and should accomplish the following:

- Assist the economy at all levels and be tied to affordable housing initiatives, strategies and programs.
- Create economic opportunities aimed at the County's low- and moderate-income residents and distressed communities that promote financial self-sufficiency and a greater share in the economic prosperity of the area.
- Address the interrelated needs of Miami Dade County's distressed communities through coordinated programmatic responses across a range of disciplines including workforce development, small business assistance, capital improvements and community economic development.
- Foster a local entrepreneurial environment that promotes capacity of small businesses and community economic development organizations.
- Promote access to private capital (equity and debt-financing) through effective public-private partnerships and leveraging of public resources.
- Encourage mixed-use projects that are needed in Miami-Dade County's distressed neighborhoods that are transit-friendly and fulfill both commercial and housing needs.

The County will continue the policy of requiring a pre-consultation meeting for any new economic development activity. Attendance at a pre-consultation meeting does not guarantee funding.

FINANCIAL VIABILITY, LEVERAGING AND PARTNERSHIPS

Funding criteria for Housing and Capital Projects will be based on a risk assessment protocol comprising underwriting risk, fund leveraging analysis, review of program and project results, the developer's ability to perform, the capacity of staff and organization, affordability, the feasibility, project contribution to public goals, past compliance and performance, and quality of reporting and documentation, when applicable.

Proposals will be evaluated for leverage and must indicate adequate financial resources to complete the project. Any financial gaps or contingencies must be noted prior to project commencement. Documentation of other funding sources through letters of commitment will be required for all projects.

Emphasis will be placed on applications that:

- Utilize partnerships among the private and non-profit sectors in the development, construction and operation of affordable housing;
- Package housing proposals using nine percent and four percent Federal Low Income Housing Tax Credits meeting subsidy layering review threshold requirements in order to enhance their competitive position in the State or County competition for credits; and
- Competitive costs per client or units;
- The concept of "zero-based" budgeting will be implemented in the review of requests for funding. Thus, there is no presumption of funding for any agency that is currently receiving funding. However, County Departments and agencies currently implementing projects may be recommended for subsequent funding for on-going projects started in a prior year.
- OCED will not consider for funding any activity that has not secured a minimum of \$25,000 in outside funding sources to support its operations. The implementing agency for the activity must submit with its Request for Application (RFA) documentation that confirms that the outside funding has been secured.

ENSURING PROJECT COMPLETION: MONITORING AND EVALUATION

All CDBG funds not appropriated at the time of adoption of the Action Plan must be appropriated within 90 days of approval of the Action Plan, to ensure timely allocation and expenditure of funds. The County requires all sub-grantees to adhere to all federal and local program compliance requirements. The County, on a regular basis, will monitor each sub-grantee through progress reports and site visits. A monitoring report must be on file by August 31, 2009 for FY 2009 activities. If a sub-grantee cannot meet the terms and conditions of its contract or agreement, OCED may recommend that the contract be terminated and the funds either be used by another entity to carry out the same activity, or address a different priority.

PART III: FUNDING AND PROJECTED ALLOCATIONS

ACTION PLAN FUNDING ALLOCATIONS

The following table lists the FY 2009 funding sources and types that were included in the FY 2009 Action Plan. Projected allocations for 2010 for each program are also provided. (These projected numbers are estimates based on current allocations and are subject to change.)

FY 2009-2010 TOTAL ESTIMATED FUNDING ALLOCATION BY FUNDING SOURCE

Funding Source	Type	FY 2009 Funding	Estimated FY 2010 Funding
Community Development Block Grant (CDBG)	Federal	17,620,605	16,740,000
CDBG Program Income	Federal	400,000	400,000
Emergency Shelter Grant (ESG)	Federal	788,348	748,000
Housing Development Assistance Grant – Program Income (HODAG)	Federal	3,691,000	0
Home Investment Partnerships (HOME)	Federal	6,255,897	5,943,102
HOME Program Income	Federal	900,000	3,000,000
American Dream Down payment Initiative (ADDI)	Federal	34,875	33,131
State Housing Initiative Partnership (SHIP)	State	2,750,000	TBD
Rental Rehabilitation Program Income (RR)	Federal	0	0
Documentary Surtax Program (Surtax)	County	0	0
TOTAL ALL SOURCES		32,440,725	29,614,233

FY 2009-2010 CDBG FUNDING ALLOCATION BY CATEGORY

Funding Category	FY 2009 Funding	Estimated FY 2010 Funding	FY 2010 Percentage
Administration	3,604,121	3,408,000	20%
Capital Improvement	5,045,769	4,260,000	25%
Economic Development	3,604,121	3,408,000	20%
Historic Preservation	180,206	170,400	1%
Housing	1,802,060	2,215,200	13%
Public Service	2,703,090	2,556,000	15%
Reserve	1,081,236	1,022,400	6%
TOTAL	18,020,603	17,040,000	100.00%

FY 2009-2010 HOME ESTIMATED FUNDING ALLOCATION

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Category	FY 2009 Funding	Estimated FY 2010 Funding	FY 2010 Percentage
Program Administration	722,564	666,310	10%
CHDOs Operating Support	361,282	333,155	5%
CHDO Set-Aside	1,083,847	999,465	15%
Rental Housing	1,922,364	2,031,041	33%
Homeless Housing	1,000,000	1,000,000	14%
Homeownership (CAA)	1,000,000	1,000,000	14%
American Dream (ADDI)	35,587	33,131	1%
Tenant Based Rental Assistance (TBRA)	600,000	600,000	8%
Foreclosure Intervention prevention	500,000	TBD	0
TOTAL	7,225,644	6,663,102	100%

OCED reserves the right to substitute all or part of the HOME Homeless housing set-aside with HODAG or Rental Rehabilitation Funds as appropriate for the funded activity. In order to receive HOME funds from US HUD a local funding match is required. This match is expected to be covered through the utilization of the SHIP funds.

PART IV: TIMELINE FOR FY 2010 CONSOLIDATED PLANNING ACTIVITIES

March, 2009
<ul style="list-style-type: none"> • OCED meets with NRSAs', Community Advisory Committees (CACs) and Commission District community meetings regarding performance of currently funded neighborhood activities and priority needs for FY 2010. • Distribute appropriate sections of RFA and attachments to OCED, and Homeless Trust for updating and revisions
April 2009
<ul style="list-style-type: none"> • Consultation with South Florida Community Development Coalition • Meeting with RFA Work Group • OCED meets with County Departments regarding performance of currently funded neighborhood activities and priority needs for FY 2010 • Consult with participating municipalities to update neighborhood priorities and needs • Consult with Office of Americans With Disability Act (ADA) Coordination and Commission on Disabilities • Monitoring of Action Plan activities begins and continues throughout the year
May-July 2009
<ul style="list-style-type: none"> • May 13, 2009, Housing and Community Development Committee public hearing to approve FY 2010 Policies • RFA technical assistance workshop for agencies, groups and individuals • Meeting with RFA County partners working groups. • June public meetings.
July/August/September 2009
<ul style="list-style-type: none"> • FY 2010 RFA available • OCED and the Office of Strategic Business Management discuss funding recommendations. • First draft of Action Plan, along with accompanying recommendations, is forwarded to Budget Office for review, upon approval by County Mayor's Office. • Funding recommendations are completed and forwarded to County Manager for approval and transmittal to Board for second public hearing. • Neighborhood agencies included in Plan are advised of funding recommendations. • BCC approves funding recommendations following a 30-day Public Comment period for affected citizens to review the proposed Action Plan. • Consultations with Applicants by OCED staff • Staff recommendations published in September and 30-day comment period begins. • Applicants give presentations to citizens at district public meetings
October-December 2009
<ul style="list-style-type: none"> • FY 2010 Action Plan submitted to U.S. HUD • FY 2010 Action Plan is presented to citizens at public meetings. • FY 2010 contracts are completed

ATTACHMENT A
CITIZEN PARTICIPATION PLAN

(The Citizen Participation Plan is attached)
Adopted by the Board of County Commissioners
Resolution #R-978-05 on September 8, 2005

PART I:

MIAMI-DADE COUNTY CITIZEN PARTICIPATION PLAN FOR THE CONSOLIDATED PLANNING PROCESS

OVERVIEW OF THE OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT

The Office of Community and Economic Development (OCED) administers Federal and State funding that supports the development of viable urban neighborhoods in Miami-Dade County. Such support is characterized as decent housing, expansion of economic opportunities, public service, capital improvements and the preservation of historic properties. The main sources of funding utilized to meet these needs are the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG). These programs are established to help low- and moderate-income persons, particularly those living in slum and blighted areas. The U.S. Department of Housing and Urban Development (HUD) regulates and governs the CDBG, HOME and ESG programs. The regulations specify that an entitlement area must adopt a citizen participation plan, which establishes policies and procedures for citizen participation.

APPLICABILITY AND ADOPTION OF THE CITIZEN PARTICIPATION PLAN

The US Department of Housing and Urban Development (US HUD) through Section 24 of the Category of Federal Register (CFR) Parts 91, et al, requires that Miami-Dade County's Office of Community and Economic Development (OCED) submit a Consolidated Plan in order to receive funding under various grant programs. Miami-Dade County's Consolidated Plan includes three US HUD Community Planning and Development (CPD) formula programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Shelter Grants (ESG)

Additionally, Miami-Dade County is required to adopt a Citizen Participation Plan that sets forth the jurisdiction's policies and procedures for citizen participation. Those citizen participation policies and procedures are listed as follows:

ENCOURAGEMENT OF CITIZEN PARTICIPATION

- Citizens will have the opportunity to participate in the development of the consolidated plan, any substantial amendments to the consolidated plan, and the consolidated annual performance evaluation report.
- The main focus of Miami-Dade Office of Community and Economic Development Citizen Participation Plan is to encourage all citizens to participate in each of the above-defined activities. The Citizen Participation Plan is designed especially to

- As a matter of policy, the County will take measures to avoid displacement of families and individuals while carrying out activities under the Consolidated Plan. This includes acquiring vacant buildings and land rather than occupied buildings and land. However, where there seems to be no alternative, the following steps will be taken to assist families and individuals who are displaced:
 - Tenants and homeowners will receive those benefits provided for under the Relocation and Real Property Acquisition Act of 1970, as amended.
 - Relocation referrals are provided to persons being displaced. Various methods are utilized by the relocation staff to identify relocation sources. Those include:
 - Referrals from Realtors or large rental agencies.
 - Response from owners/agents to advertisements, published in English and Spanish.
 - Signs displayed by owners/agents in various neighborhoods noted by relocation advisors and/or housing inspectors who report this information to the relocation office.
 - Word of mouth referrals from persons with whom the relocation office has dealt in the past.
 - Advertisements in English and Spanish and other non-English newspapers placed by owners/agents offering units for rent and/or sale.
 - When possible and if requested, provisions are made to allow displacees to locate in the neighborhood from which they were displaced.
 - Tenants and homeowners are advised of their rights and responsibilities.

Publishing the proposed Consolidated Plan

This information will be part of the public notice, which will be advertised, to announce the Public Hearing to adopt the Consolidated Plan. This information will also be part of the package of information provided to persons or groups applying for funding through grant programs supporting the Consolidated Plan.

Public Hearings

There will be two Public Hearings to obtain citizens views and to respond to proposals and questions. Both hearings will be held before the Miami-Dade Board of County Commissioners (BCC) or a committee of the Board. These hearing will address housing and community development needs, development of proposed activities and review of program performance. The hearings will be held in a public facility that is easily accessible to the public including persons with disabilities. The place, date and time of these hearings will be determined by the County Manager in consultation with the

Chairperson of the Board of County Commissioners or the Chairperson of the Board's committee on Community Empowerment and Economic Revitalization or applicable committee as determined by the BCC Chairperson.

The first public hearing will be held during the development of the Consolidated Plan. To guide the process of soliciting proposals for funding, a policy paper will be presented to the Board of County Commissioners or a committee of the Board. The views of citizens on housing and community development needs, including priority non-housing community development needs will be considered.

The second public hearing will be held to adopt the final Consolidated Plan. The Board of County Commissioners or a Committee of the Board will review program performance, including the performance of ongoing activities, in their consideration of adopting the annual action plan. During the public hearing, the board will consider the comments or views of citizens received orally, or in writing, in preparing to adopt the final consolidated plan.

A public notice summarizing the action to be taken at each public hearing will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons, at least 15-days prior to the hearing.

At the time of submission of the Consolidated Plan to the County Commission agenda coordinator, a public announcement summarizing the Consolidated Plan and the availability of copies will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the Consolidated Plan will be distributed to regional public libraries, the Office of American's with Disabilities Coordination, the Homeless Trust and through the Miami-Dade Community Action Agency neighborhood network. Copies of the Plan will be available at the Office of Community and Economic Development during regular business hours. This public notice will allow for a 15-day or 30-day comment period as per U.S. HUD regulations for citizens to respond to the proposed plan before it is adopted by the Board of County Commissioners. A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

CRITERIA FOR SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED PLAN

A substantial change in a planned or actual activity will require an amendment to the plan. A substantial change is any change in purpose, scope, funding amount, location and/or beneficiaries of an activity, which actually and/or materially affects one or more of the preceding in the manner stated below:

- An activity assumes a new purpose.
- The scope of activity is increased by 100% or more.
- The minimum change in the cost of an activity is \$250,000 or more, or

**The corresponding Board of County Commission Committee is now the Economic Development and Human Services Committee*

- An activity's services are redirected outside of the previously agreed upon strategy areas.

Amendments, which affect established target areas will be submitted to the respective Neighborhood Advisory Committees for their review and comment during their next regularly scheduled meeting in order to provide citizens with a reasonable opportunity to comment on any substantial amendments to the Plan.

At the time of submission of Substantial Amendments to the Consolidated Plan to the County Commission agenda coordinator, a public announcement summarizing the amendments will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the amendments will be available at the Office of Community and Economic Development during regular business hours.

This public notice will allow for a 15-day or 30-day comment period for citizens to respond to the proposed amendments as per U.S. HUD regulations before they are adopted by the Board of County Commissioners in a public hearing. A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

PERFORMANCE REPORTS

Before the annual grantee performance report is submitted to US HUD, a public notice announcing the availability of the report will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the report will be available at the Office of Community and Economic Development during regular business hours. The notice will allow for a 15-day period during which OCED will receive comments on the performance report before its submission. The Miami-Dade Office of Community and Economic Development will consider any comments or views of citizens received in writing or orally at public hearings in preparing the performance report. A summary of these comments or views will be attached to the performance report.

MEETINGS

Miami-Dade County has an adopted Community and Economic Development Citizen Participation Plan. That plan establishes a formal structure through which residents may participate in the planning, implementation and evaluation of the program in an advisory role. Residents are given the opportunity to help identify community conditions and determine community needs, help develop corrective strategies and monitor their progress and effectiveness. To foster the most effective citizen participation process possible, Miami-Dade will make reasonable efforts to ensure continuity of individuals' involvement by encouraging continuous participation throughout all stages of the program, from initial planning through assessment of performance.

Public meetings will be held in each of the NRSAs on a regular basis to provide residents the opportunity for continuous input into all phases of the process. The meetings will be for the general purpose of providing residents with information, soliciting their views and providing them with an opportunity to comment on Miami-Dade's community development needs and performance.

ACCESS TO RECORDS

All information and records relating to the development of the Consolidated Plan and Miami-Dade use of assistance under related programs will be on file at the Office of Community and Economic Development, 701 NW 1 Court, Suite 1400, Miami, FL. The office is open from 8:00 a.m. until 5:00 p.m., Monday through Friday. It is closed on holidays. The public has access to these records for the current year and four years after the performance report is submitted to US HUD.

TECHNICAL ASSISTANCE

Technical Assistance will be provided to groups representing low-and-moderate income persons. Upon request, individuals and groups, including persons with disabilities or other special needs will be assisted in the completion of applications or proposals for funding assistance under any of the programs covered by the Consolidated Plan, as well as the preparation of a budget for any proposed activity.

COMPLAINTS

Complaints from citizens received in writing or orally at public hearings, in the development of the final Consolidated Plan, amendments to the plan, or the performance report, will be summarized and attached to the final consolidated plan, amendment of the plan or performance report. A summary of comments or views not accepted and the reason thereof will also be attached. Citizens written complaints will receive a response in writing within 15-days of receipt of the complaint.

ATTACHMENT B

BOARD APPROVED ORDINANCES AND RESOLUTIONS

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BOARD APPROVED ORDINANCES AND RESOLUTIONS ORDINANCES

ORDINANCES

- **Ordinance 82-16** - Further restricts CDBG program allocations:
 - At minimum, 75% 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 are 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 OCED recommendations for CDBG economic development category funding and CBO funding relating to economic development for the purpose of ensuring that OCED'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. OCED 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 capital improvement or historic preservation project.
- **Resolution 1185-98** – The County requires compliance with 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 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 to submit an annual performance report relating to Community Development Block Grant (CDBG) funding to the Board of County Commissioners.

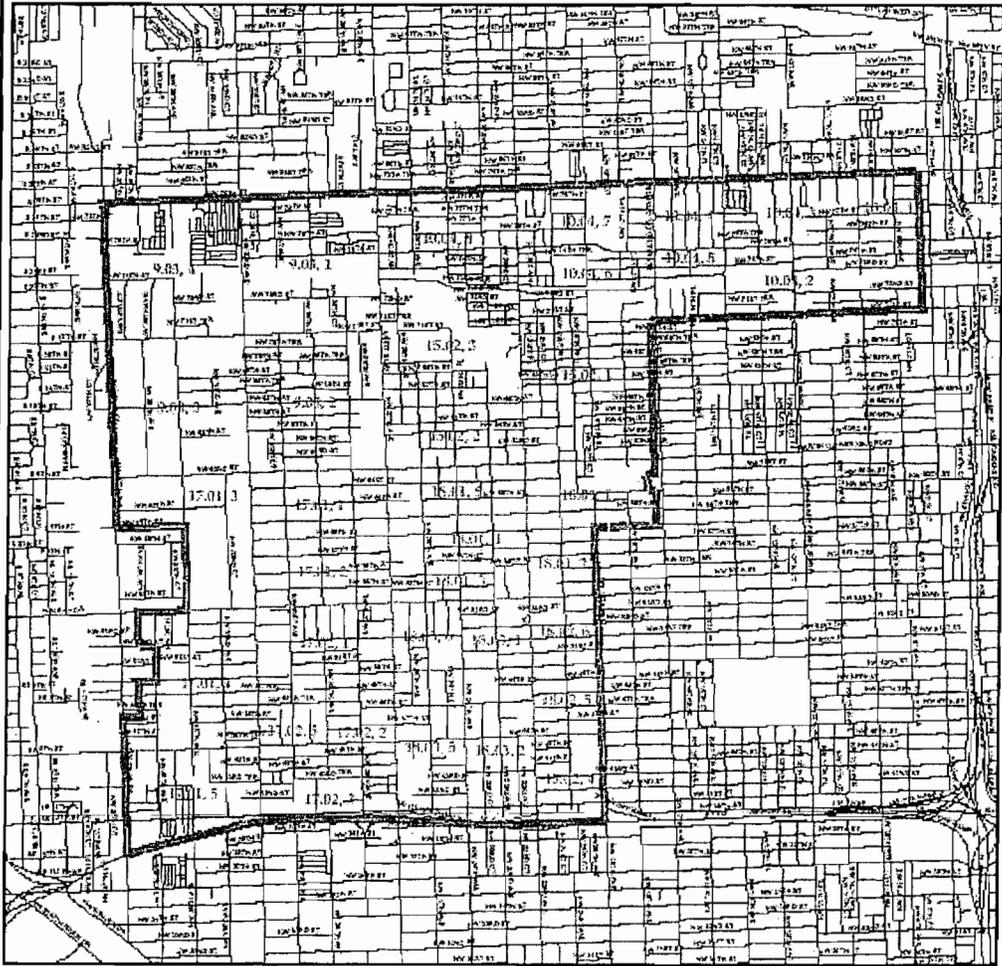
Procedures have been put in place to fulfill the requirements of these ordinances, and resolutions listed above. It is recommended that the Board continue these policies accommodating potential conflicts with Federal policies as required.

ATTACHMENT C

**NEIGHBORHOOD REVITALIZATION STRATEGY AREAS LIST
AND MAPS**

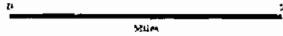
Opa-locka	Commission District 1
West Little River	Commission District 2
Melrose	Commission District 2
Model City	Commission District 3
South Miami	Commission District 7
Perrine	Commission District 9
Goulds	Commission District 9
Leisure City/Naranja	Commission Districts 8 & 9

MODEL CITY NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  Model City NRSA Boundary
-  2000 Block Groups
-  Streets and Highways

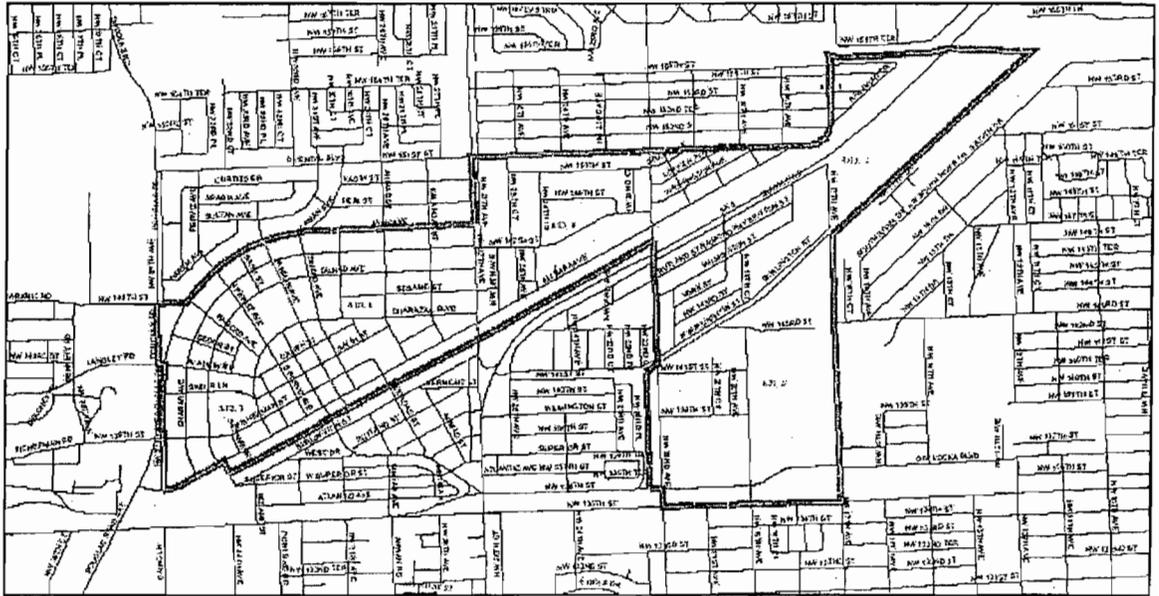


NOVEMBER 2007

City of Miami, Florida

 DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

OPA-LOCKA NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

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

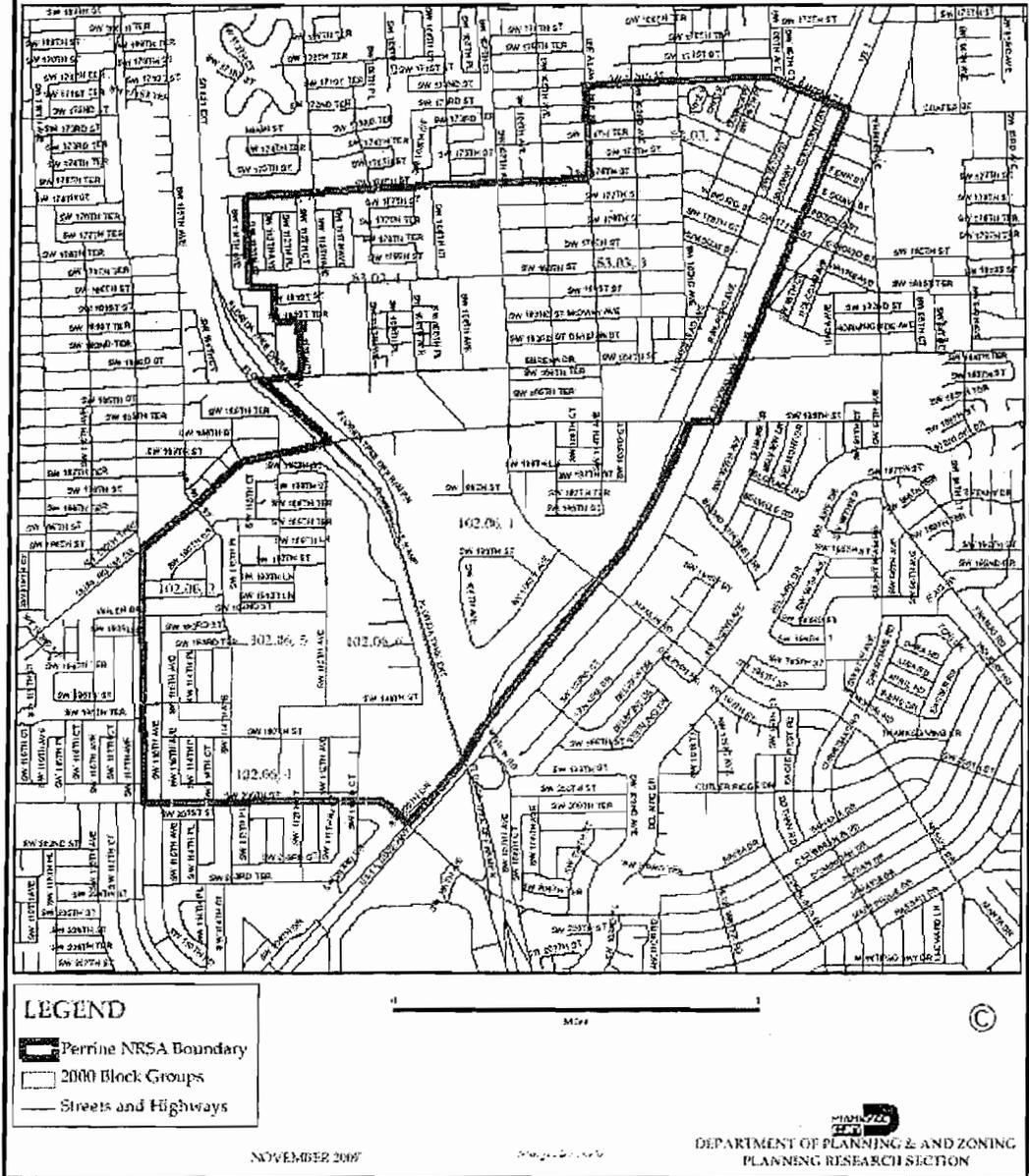


NOVEMBER 2007

Prepared by

MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

PERRINE NRSA
MIAMI - DADE COUNTY, FLORIDA



SOUTH MIAMI NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  South Miami NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



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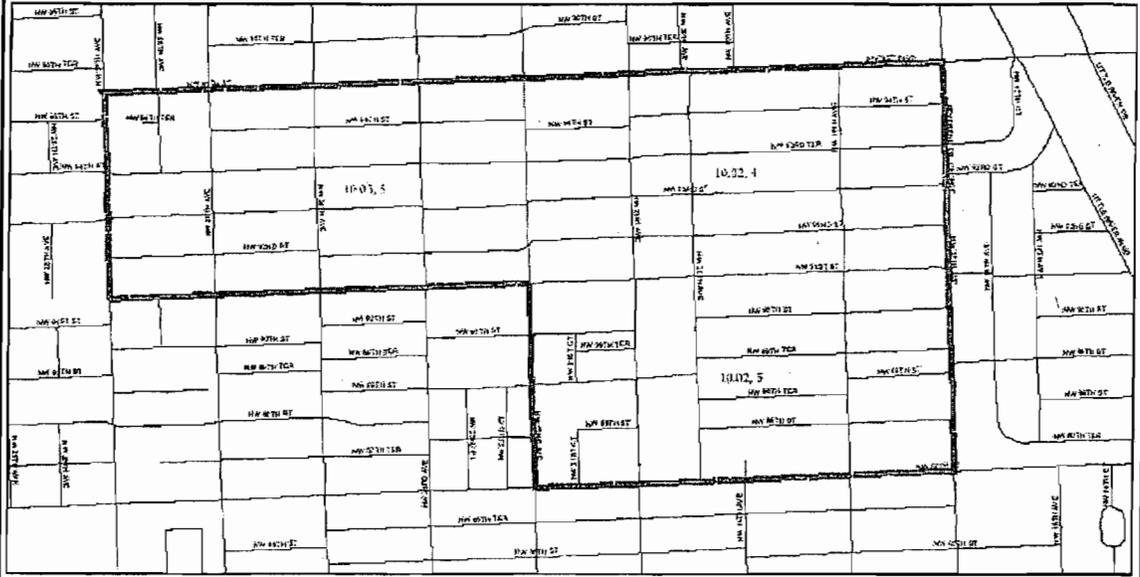
NOVEMBER 2002

DATE PUBLISHED


 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

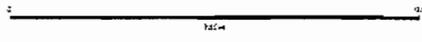
101

WEST LITTLE RIVER NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  West Little River NRSA Boundary
-  3000 Block Groups
-  Streets and Highways



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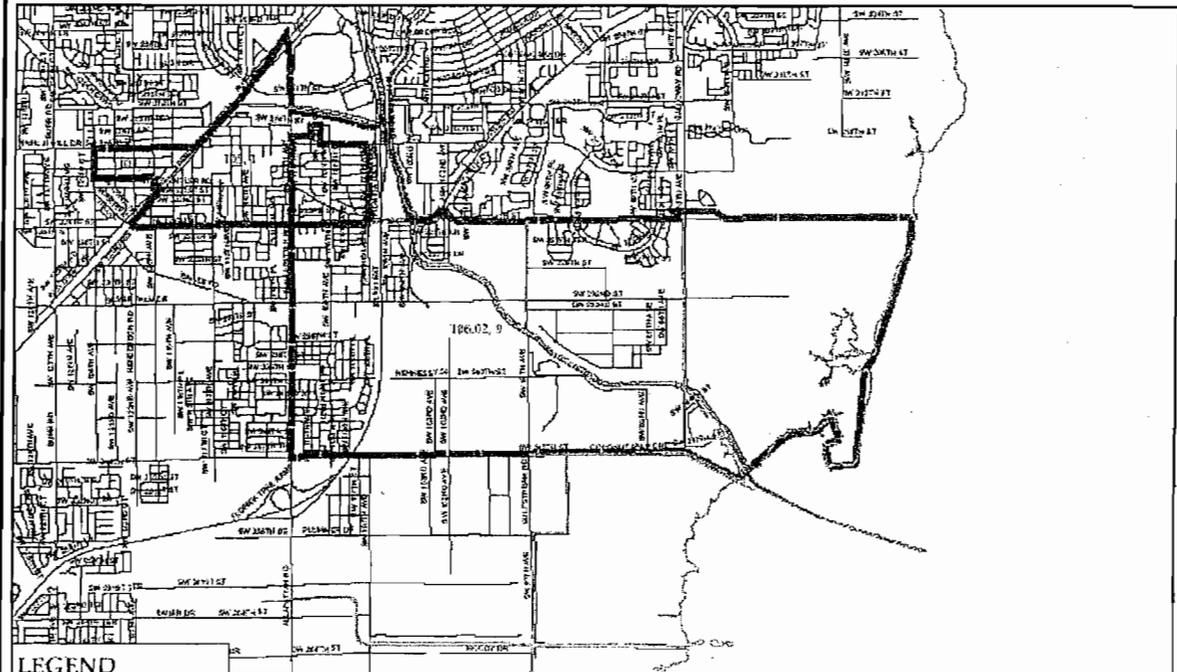
NOVEMBER 2007

Planning Research Section

 DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

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GOULDS NRSA
MIAMI - DADE COUNTY, FLORIDA

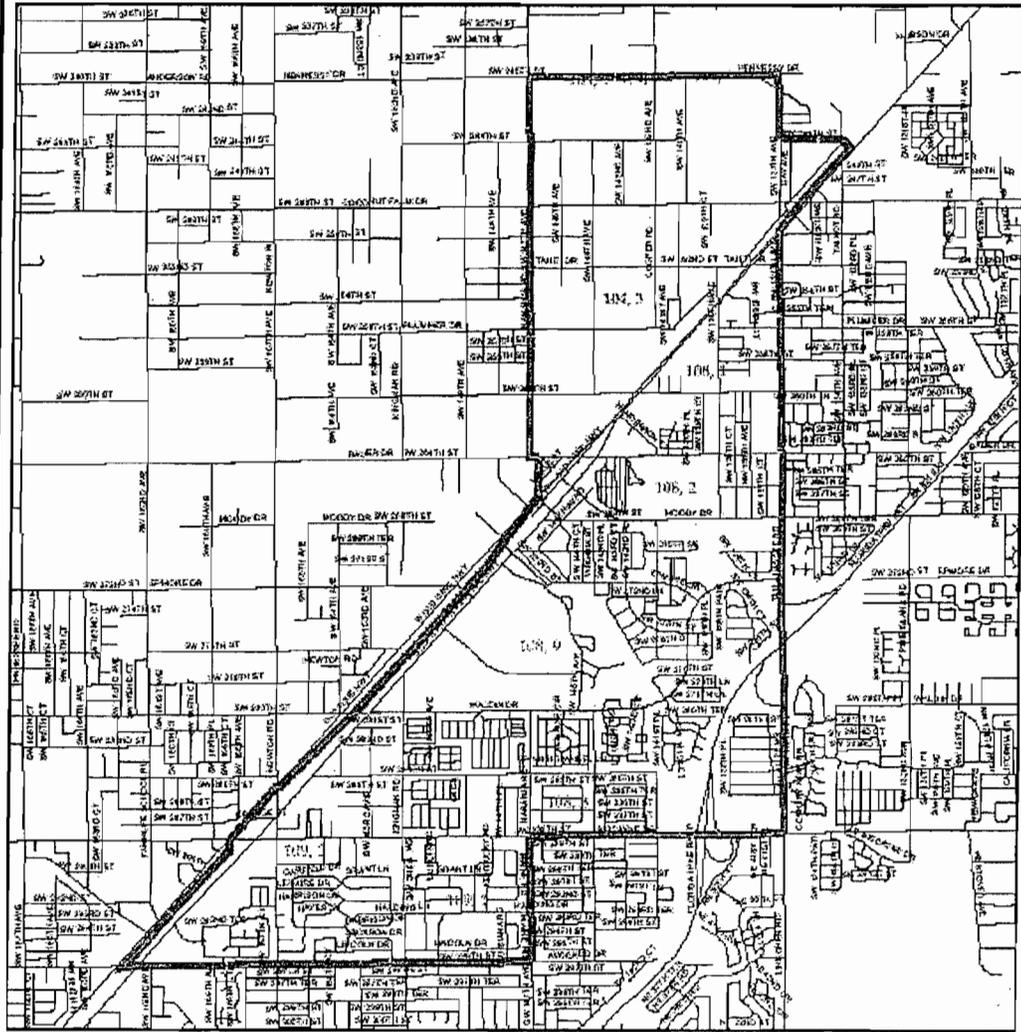


LEGEND
 Goulds NRSA Boundary
 2000 Block Groups
 Streets and Highways

NOVEMBER 2009

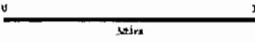
MIAMI-DADE COUNTY
 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

LEISURE CITY NRSA
 MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  Leisure City NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



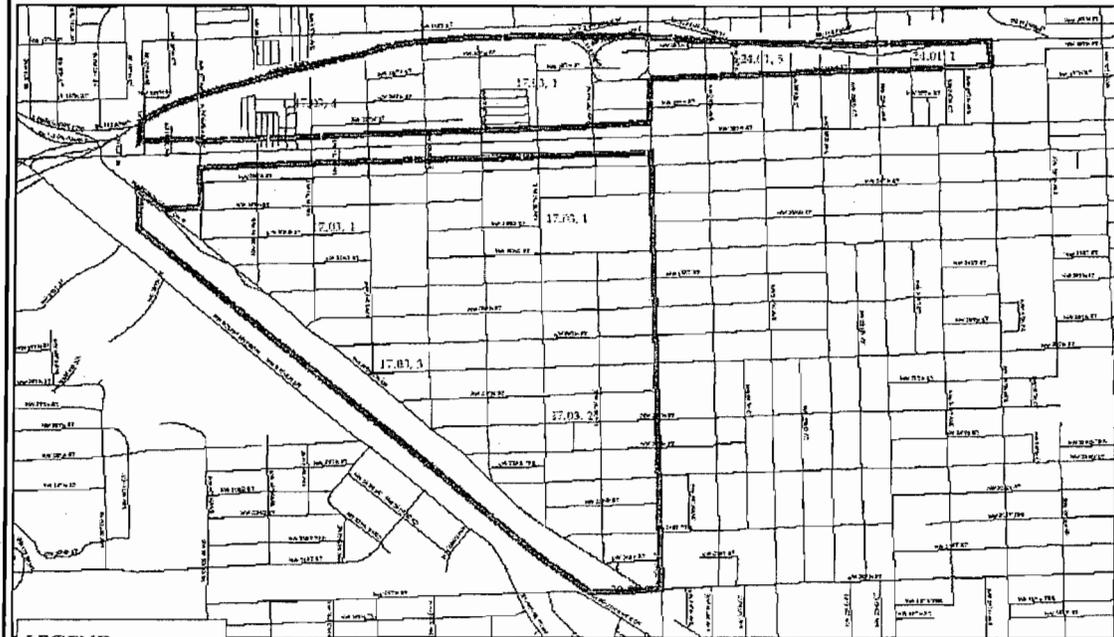
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NOVEMBER 2007

MIAMI DADE
 COUNTY
 DEPARTMENT OF PLANNING AND ZONING
 PLANNING RESEARCH SECTION

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MELROSE NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND
Melrose NRSA Boundary
2000 Block Groups
Streets and Highways

NOVEMBER 2007

DATE PLOTTED: 11/15/07

MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

105

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



Legislative Notes

Agenda Item: 8(K)1(B)

File Number: 091436

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: May 18, 2009

Type of Item: Resolution Approving Amendments to the FY 2008-2012 Consolidated Plan

Commission District: Countywide

Summary

This resolution approves the policies governing amendments to the FY 2008-2012 Consolidated Plan and the FY 2010 Action Plan Process for the Community Development Block Grant, HOME Investment Partnerships, State Housing Initiatives Partnership and Emergency Shelter Grant programs and approves the use of a Request for Application process to include the CDBG, HOME, SHIP and ESG Programs to solicit agencies to apply for funding.

Background and Relevant Legislation

The Action Plan document describes federal, non-federal and other resources expected to be available to fund priority activities. Annually, the Action Plan lists the activities to be undertaken, the geographic distribution of activities, homeless and special needs activities, and other actions taken to address the goals and objectives of the Consolidated Plan.

On July 9, 2008, through Resolution R-839-08, the Board of County Commissioners (Board) approved the FY 2009 Consolidated RFA process. The Board approved the allocation the FY 2009 CDBG, HOME, HODAG, SHIP and ESG funds through the Action Plan on October 21, 2008 through R-1127-08. The funding requests received totaled \$95.88 million and \$32,440,725 was allocated.

Policy Change and Implication

Once the Board approves the FY 2010 Consolidated Planning Policies, applications for funding will be solicited through a consolidated RFA process. On handwritten page 29 of the item, it states that the estimated FY 2010 funding totals \$29,614,233. This figure does not include the estimated amount of SHIP funding. The cover memorandum states that the SHIP amount for Miami-Dade County has not been determined and that the projected available amount from the trust fund State-wide is \$30 million.

The cover memorandum also states that Surtax funding will not be allocated during this RFA process. During the 2009 State Legislative Session, the State adopted Senate Bill 2430, which preserved the Miami-Dade County's collection of Documentary Surtax through 2031. The collection of surtax on these types of commercial transactions are still performing lower than previous years. The Department of Office of Community and Economic Development, has stated that they plan to pay off future commitments with the available Surtax before funding new projects.

Questions

On handwritten page 1, third paragraph, it states that if municipalities demonstrate "Metropolitan Significance" the County may use Federal funds as appropriate to fund high priority needs within those jurisdictions...what criteria must a municipality demonstrate in order to be defined as an area of "Metropolitan Significance"?

In order for a municipality to demonstrate metropolitan significance, at least 51 percent of the people who benefit from the activity must be residents of unincorporated Miami-Dade County. The municipality must demonstrate this in its application. Metropolitan significance will be determined and monitored by OCED for compliance.

On handwritten page 2, fourth paragraph, it states that early projections for the next two years reveal that a portion of home funds may be at risk due to several uncompleted projects that have exceeded US HUD's five year deadline for completion; the Office of the Commission Auditor has requested the number of projects that are at-risk, along with the project description, the Commission district and the cause for the delay of construction?

There are eight HOME projects that have exceeded the five year deadline. OCA is waiting for the responses of the remaining questions.

On handwritten page 4, first paragraph, it mentions that projects that are awarded financing do not commence construction or the development process within the first year of the award, the County must recapture these funds and award to other projects; is this a steadfast deadline or will the developer or applicant be given the opportunity to extend this timeline?

In order to be in compliance with US HUD's timeliness ratio, funds must be expended or they will be de-obligated by US HUD. As long as the pre-development phase has begun and funds are being expended, the County will not recapture the funds.

How many incubators are funded by the County and in what districts are they located?

OCED is currently funding two incubators with CDBG funds: a) The Business and Technology Development Corporation (Carrie P. Meek Center for Business Technical Assistance) and b) the Martin Luther King Development Center.

Budgetary Impact

N/A

Prepared By:
Tiandra D. Sullivan



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

January 17, 2012

Mr. Carlos Gimenez
Mayor of Miami-Dade County
111 NW. First Street
Suite 2910
Miami, FL 33128

Dear Mayor Gimenez:

I am pleased to inform you of your community's Fiscal Year (FY) 2012 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low- and moderate-income persons and special populations across the country. President Obama signed Public Law 112-55 on November 18, 2011, which includes FY 2012 funding for these programs. Your community's FY 2012 available amounts are:

Community Development Block Grant (CDBG)	\$10,611,175
HOME Investment Partnerships (HOME)	\$3,507,462
Housing Opportunities for Persons with AIDS (HOPWA)	\$0
Emergency Solutions Grants (ESG)	\$1,410,257

While our budget demonstrates an ongoing commitment to the critical CDBG and HOME programs to help states and localities continue to navigate these difficult economic times, it also represents a significant cut from last year's budget. The FY 2012 budget for the CDBG formula allocation that was included in the appropriations bill adopted by Congress is approximately \$2.948 billion, a reduction from approximately \$3.302 billion in FY 2011, representing a reduction of approximately 11 percent in total available funding. The FY 2012 budget for HOME is \$1 billion, a reduction of 38 percent from approximately \$1.6 billion in FY 2011. We understand that the combined effects of new Census and American Community Survey data and budget reductions will make FY 2012 a difficult period of adjustment for many of our grantees.

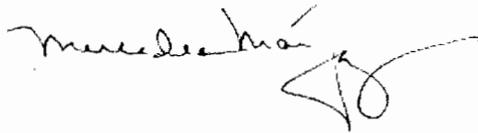
In this period of adjustment, we recognize that reduced funding levels may require program restructuring and further prioritization and targeting of these limited resources at a time when communities around the country continue to face significant need. We are committed to doing everything we can to support you as you face these challenges. If you would like assistance from CPD in redesigning, prioritizing or targeting your programs, either you or the head of the agency that administers your program may request technical assistance through your local CPD Director.

Please note that the "Emergency Shelter Grants" program has changed to the "Emergency Solutions Grants" program in accordance with the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). The change in the program's name reflects the change in the program's focus from addressing the needs of homeless people in emergency or

transitional shelters to assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. On December 5, 2011, HUD published an interim rule, which is effective as of January 4, 2012, and available in Volume 76, Page 75954 of the Federal Register.

CPD looks forward to working with you in a true partnership to successfully meet the challenges we face. Please contact your local CPD office director if you or your staff have any other questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Mercedes Márquez", with a stylized flourish extending to the right.

Mercedes Márquez
Assistant Secretary