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

MEMORANDUM

Agenda Item No. 8(K)(3)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	December 17, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving award and expenditure of up to $811,461.30 of FY 2013-14 State Housing Initiative Partnership (SHIP) funds to Miami-Dade County Community Action and Human Services Department (CAHSD) Resolution No. R-1055-13

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Health and Social Services Committee.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: December 17, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Request for Award and Expenditure of up to $811,461.30 of State Housing Initiative Partnership Funds FY 2013-14 to Miami-Dade Community Action and Human Services Department

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Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the County Mayor or County Mayor's designee to award and expend up to $811,461.30 of FY 2013-14 State Housing Initiative Partnership (SHIP) funds to Miami-Dade Community Action and Human Services Department (CAHSD) for the purpose of managing and implementing contracts resulting from state and federal allocations/grants to provide a variety of home rehabilitative services to low-moderate income residents throughout Miami-Dade County. It is also recommended that the Board authorize the County Mayor or County Mayor's designee to execute all contracts, agreements, and amendments necessary to carry out the project and authorize the County Mayor or County Mayor's designee to exercise the cancellation provisions contained therein.

Scope

This item will allow timely expenditure of FY 2013-14 SHIP funds in accordance with the Florida Housing Finance Corporation's approved strategy for Miami-Dade County which includes provision for owner occupied rehabilitation loans. First priority will be given to persons with developmental disabilities as defined by Section 393.063, Florida Statutes for home modifications that allow for independent living. Services will be provided to low-moderate income residents throughout Miami-Dade County and will have a countywide impact.

Fiscal Impact/Funding Source

FY 2013-14 SHIP funds must be encumbered by June 30, 2015 and expended by September 30, 2015. The funding source for this item is the State Housing Initiative Partnership program. Approval of this resolution will not create a fiscal impact to the Miami-Dade County General Fund.

Track Record/Monitoring

The project will be monitored by Gregg Fortner, Executive Director, Public Housing and Community Development (Department).

Background

The Florida Housing Finance Corporation administers the State Housing Initiative Partnership (SHIP) program which provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The County's FY 2013-14 Funding Certification was approved by the State on July 18, 2013 with a total allocation of $2,279,857.00 (Attachment A). The strategy for expenditure of funds includes owner-occupied rehabilitation, home ownership assistance and home ownership counseling. At least twenty percent (20%) of the allocation must be spent to serve persons with special needs as defined by s.420.0004, Florida Statutes; and of this population, the first priority for use of funds must be used to assist persons with developmental disabilities as defined by the s.393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain

independent in their own homes and maintain their homeownership. These funds may also be used to assist households that include a member(s) that is developmentally disabled.

The Department has a long standing relationship with CAHSD in managing/implementing contracts resulting from state and federal allocations/grants to provide a variety of home rehabilitative services to low-moderate income residents throughout Miami-Dade County. CAHSD has a long wait list of clients that may meet the eligibility criteria for these funds that can be easily identified. Additionally, the public will be notified via local newspapers, the County's website and 311 of the availability of these resources, activities that are eligible for funding, and the process for applying for funding. CAHSD has a pool of qualified contractors that can be accessed to complete the rehabilitative services that is allowable with these funds. CAHSD has the capacity to manage the level and scope of work required under this project within the specified timeframe. Additionally, CAHSD will be reimbursed for project delivery costs associated with work completed under the agreement with PHCD from these funds.

Expenditure Deadline:
All funds must be encumbered by June 30, 2015 and expended by September 30, 2015. Therefore, a contract must be approved and effectuated with CAHSD as soon as possible to enable the Department to meet the expenditure deadline. In addition, by awarding up to $811,461.30, the item gives the County Mayor or County Mayor's designee the flexibility to award and expend funds, allowing the projects to move forward without any further delays.

Attachment

Russell Benford, Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 17, 2013

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

SUBJECT: Agenda Item No. 8(K)(3)

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 Mayor'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(K)(3)
12-17-13

RESOLUTION NO. R-1055-13

RESOLUTION APPROVING AWARD AND EXPENDITURE OF UP TO $811,461.30 OF FY 2013-14 STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) FUNDS TO MIAMI-DADE COUNTY COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT (CAHSD); AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL CONTRACTS, ANY NECESSARY AGREEMENTS AND AMENDMENTS AND CANCELLATION PROVISIONS CONTAINED THEREIN

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

WHEREAS, the County annually receives an allocation of State Housing Initiative Partnership (SHIP) funds from the Florida Housing Finance Corporation to create partnerships that produce and preserve affordable homeownership and multifamily housing; and

WHEREAS, the County's FY2013-14 Funding Certification was approved by the State on July 18, 2013 (Attachment A) with a total allocation of $2,279,857.00, and the County is required to expend at least 20% of the County's allocation to serve persons with special needs as defined by s.420.0004, Florida Statutes with first priority for use of funds to assist persons with developmental disabilities as defined by s.393.063, Florida Statutes with an emphasis on home modifications, including technological enhancements and devices which allow homeowners to remain independent in their homes and maintain homeownership. Funds may also be used to assist households that include a member(s) that is developmentally disabled; and

WHEREAS, the Board authorizes the award and expenditure of up to $811,461.30 to Miami-Dade Community Action and Human Services (CAHSD) for the purpose of managing and implementing contracts, resulting from state and federal allocations/grants to provide a variety of home rehabilitative services to low-moderate income residents throughout Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The Board of County Commissioners (Board) authorizes the County Mayor or County Mayor's designee to award and expend up to $811,461.30 of FY 2013-14 State Housing Initiative Partnership (SHIP) funds to Miami-Dade Community Action and Human Services Department (CAHSD) for the purpose of managing and implementing contracts, resulting from state and federal allocations/grants to provide a variety of home rehabilitative services to low-moderate income residents throughout Miami-Dade County.

Section 2. The Board also authorizes the County Mayor or County Mayor's designee to execute all contracts, agreements, and amendments necessary to carry out the project and authorizes the County Mayor or County Mayor's designee to exercise the cancellation provisions contained therein.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of December, 2013. 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.

Shannon D. Summerset-Williams

State Housing Initiative Partnership (SHIP) Program
Fiscal Year 2013-2014 Funding Certification

Name of Local Government Miami-Dade County

Projected Allocation* $2,279,857.00

***see allocation chart attached to this document**

Strategies	Category (HO or Rental)	Existing or New Strategy	Special Needs Eligible*	Total Units to be Served	Total $ Amount to be Expended
Home Ownership Assistance	HO	Existing	Yes	10	$ 900,000.00
Owner-occupied Rehabilitation Loan	HO	Existing	Yes	18	$ 811,461.30
Home Ownership Counseling	HO	Existing	Yes	500	$ 500,000.00
Total must equal total allocation for 2013-2014 minus administrative costs					$2,211,461.30

*For strategies targeting the Special Needs requirement, describe the process that will be utilized to ensure this goal is met:

*Miami-Dade County government will advertise the availability and disbursement of SHIP funds pursuant to Florida Statutes, and on-going monitoring will be conducted to ensure compliance and achievement of objectives.

Instructions for Completing Chart:

1. For **Strategies:**
   a. Only list strategies that you plan to fund with the 2013-2014 FY SHIP allocation.
   b. List the strategies by the name as it appears in your approved, current LHAP. If it is a new strategy, which can be noted in the third column, list the strategy name that will be proposed in your LHAP amendment.
   c. All strategies must conform to the restrictions as described in the legislative language below as well as all existing SHIP requirements.

d. If you choose to add a new strategy to address the new program requirements, that requires a formal amendment. Funds expended on a non-approved strategy will be subject to recapture.

2. For **Category**: select homeownership (HO) or rental.
3. For **Special Needs**: Answer yes or no as to whether or not the strategy will address special needs households as required in the legislative language as part of meeting the 20% minimum requirement. This does not mean that the strategy has to specifically mention special needs households, but rather special needs households will be targeted and tracked with the strategy.
4. For **Units**: state number of households to be addressed in the strategy. This does not need to be broken down by income category for this chart.
5. For **Total**:
   a. State the total funding amount dedicated for each strategy.
   b. Total all strategies. This total should equal the allocation minus up to 3% for administration costs.

Proposed Administration Costs*: $68,395.71

*Local governments may not use more than 3 percent of their allocations under this section for administrative costs.

Legislative Language

Except as otherwise specified in this section, local governments must use this funding according to the SHIP statute and rules and within the parameters of their adopted local housing assistance plan.

(2) All funding appropriated under this section must be targeted for one or more of the following strategies:

(a) Rehabilitating or modifying owner-occupied houses, including blighted homes or neighborhoods.

(b) Assisting with purchases of existing housing, with or without rehabilitation.
(c) Providing housing counseling services.
(d) Providing lease-purchase assistance.
(e) Implementing strategies approved by FHFC which are related to assisting households and communities impacted by foreclosures, using existing housing stock.

(3) Of the funding provided in this section, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in s. 420.0004, Florida Statutes. Before this portion of the allocation is released by FHFC, a local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or submit a new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications. The first priority of these special

needs funds must be to use them for persons with developmental disabilities as defined in s. 393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.

(4) Local governments may not use more than 3 percent of their allocations under this section for administrative costs.

Expenditure Deadlines

Except as otherwise provided in section 7 of this act, notwithstanding s. 216.301, Florida Statutes, and pursuant to s. 216.351, Florida Statutes, entities to which funds are appropriated pursuant to this act may expend such funds through the 2014-2015 fiscal year. Any funds that are **encumbered by June 30, 2015, must be disbursed (expended) by September 30, 2015**. On September 30, 2015, any funds that remain undisbursed must be transferred to the State Housing Trust Fund within the Department of Economic Opportunity. There is no provision for an expenditure extension.

Certifications for SHIP Fiscal Year 2013-2014 Funding

_____Miami-Dade County_____agrees that:
Local Government Name

1. The city/county has read and understands the legislative language as outlined in this document and as found in its entirety at: http://www.flsenate.gov/Session/Bill/2013/1852/BillText/er/HTML
2. The city/county understands that we are required to meet the goals as described in the language for the allocation of SHIP funds for fiscal year 2013-2014 in addition to meeting all other SHIP program requirements in section 420.9071-9079, Florida Statutes and chapter 67-37, Florida Administrative Code.
3. The city/county will use at least 20% of the allocation of SHIP funds for fiscal year 2013-2014 for special needs households as defined in 420.0004 (13)** through approved strategies or by incorporating new strategies, prioritizing funding for persons with developmental disabilities as defined in s. 393.063 (9), Florida Statutes***, with an emphasis on home modifications, including technological enhancements and devices.
4. The city/county agrees to tracking each household for special needs and will report such data as part of the annual report or as requested by FHFC.
5. The city/county agrees to expend no more than 3% of fiscal year 2013-2014 SHIP allocation for our administrative costs to run the SHIP program.
6. The city/county understands that the expenditure deadline for this funding is September 30, 2015, and that there is no provision for expenditure extensions.

** *420.0004 (13), F.S. "Person with special needs" means an adult person requiring independent living services in order to maintain housing or develop independent living skills and who has a disabling condition; a young adult formerly in foster care who is eligible for services under s. 409.1451(5); a survivor of domestic violence as defined in s. 741.28; or a person receiving benefits under the Social Security Disability Insurance (SSDI) program or the Supplemental Security Income (SSI) program or from veterans' disability benefits.*

***393.063 (9), F.S. *"Developmental disability" means a disorder or syndrome that is attributable to retardation, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.*

Authorized Signature:

Carlos A. Gimenez, Mayor, Miami-Dade County

Name

Signature

Date: 7/15/13

Please return this completed form as a PDF document to robert.dearduff@floridahousing.org

Exhibit D

Title: LHAP Template 2009
No. 001
67-37.005(1), F.A.C.
Effective Date: 11/09

CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION

Name of Local Government: Miami- Dade County, FL

(1) The local government will advertise the availability of SHIP funds pursuant to Florida Statutes.

(2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.

(3) A process for selection of recipients for funds has been developed.

(4) The eligible municipality or county has developed a qualification system for applications for awards.

(5) Recipients of funds will be required to contractually commit to program guidelines.

(6) The Florida Housing Finance Corporation will be notified promptly if the local government (or interlocal entity) will be unable to comply with the provisions the plan.

(7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.

(8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.

(9) Amendments to the approved Local Housing Assistance Plan shall be provided to the Corporation with in 21 days after adoption.

(10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities such as interest earned on loans.

(11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.

(12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation as soon as available.

13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation as soon as possible.

(14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.

(15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.

(16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.

(17) Rental Units constructed or rehabilitated with SHIP funds shall be monitored at least annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)

(18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.

(19) The provisions of Chapter 83-220, Laws of Florida _X_ ***has or*** ____ ***has not*** been implemented.
(note: Miami-Dade County will check "has")

Witness

Chief Elected Official or designee

Witness

Carlos A. Gimenez, Mayor, Miami-Dade County

7/15/13
Date

OR

Attest:
(Seal)