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

MEMORANDUM

Agenda Item No. 5(D)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: March 3, 2015

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

SUBJECT: Resolution approving deletion of Building Better Communities General Obligation Bond Program Project Nos. 242.1 - "New Family Units at Victory Homes," 244.1 - "New Elderly Units at Elizabeth Virrick II," and 247 - "New Family Units at Lincoln Gardens" and addition of Project No. 352 - "New Family Units at Liberty Square and Lincoln Gardens" with an allocation of $32,243,000.00 of surplus funds from Project Nos. 242.1, 244.1 and 247; and waiving Implementing Order 3-47

Resolution No. R-197-15

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 Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Approving Deletion of BBC GOB Bond Program Projects and Addition of New BBC GOB Bond Program Project for the Public Housing and Community Development Department

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution which approves the following actions: (1) deletion of the Building Better Communities General Obligation Bond (BBC GOB) Program Project Nos. 242.1 – "New Family Units at Victory Homes," 244.1 – "New Elderly Units at Elizabeth Virrick II," and 247 – "New Family Units at Lincoln Gardens;" (2) the declaration of $32,243,000 from the deleted projects as surplus funds in accordance with Implementing Order (IO) 3-47; (3) the waiver of the provisions of IO 3-47 regarding the addition of new projects to the Bond Program; and (4) the reallocation of such surplus funds from the aforementioned projects for the addition of a new Bond Program Project 352 - "New Family Units at Liberty Square and Lincoln Gardens."

Scope

Lincoln Gardens, Elizabeth Virrick II, Victory Homes, and Liberty Square public housing developments are located in Commission District 3, represented by Commissioner Audrey M. Edmonson. However, the new Bond Program Project No. 352 – "New Family Units at Liberty Square and Lincoln Gardens" will serve residents countywide.

Fiscal Impact/Funding Source

There is no negative fiscal impact to the County from the passage of this item. This item simply reallocates $32.24 million of existing BBC GOB funds as indicated herein.

Track Record/Monitor

Jorge R. Cibran, AIA, Director of Facilities and Development Division for the Public Housing and Community Development Department will monitor the development of the projects. The Office of Management and Budget (OMB) will monitor the projects for BBC GOB funding and expenditures.

Delegation of Authority

There is no additional delegation of authority related to this item.

Background

On July 20, 2004, the Board approved Resolution No. R-918-04 providing for a special election for the issuance of BBC GOB funds in a principal amount not to exceed $194,997,000 to fund the construction and improvement of affordable housing for the elderly and families to encourage home ownership through the acquisition, construction, and renovation of residential units. The Bond Program was approved by the voters on November 2, 2004, inclusive of the ballot question addressing the construction and improvement of affordable housing for the elderly and families. The original list of the Public Housing and Community Development Department's (Department) housing projects eligible for funding from the BBC GOB Program along with their original allocations is as follows:

- Project No. 242 New Elderly Units at Joe Moretti - $9.4 million
- Project No. 244 New Elderly Units at Dante Fascell - $3 million
- Project No. 245 New Elderly Units at Three Round Towers - $9.4 million
- Project No. 246 New Family Units at Annie Coleman - $2.5 million
- Project No. 247 New Family Units at Lincoln Gardens - $3.4 million
- Project No. 248 New Elderly Units at Elizabeth Virrick I - $4.6 million

On January 21, 2010, pursuant to Resolution No. R-05-10, this Board approved the deletion of Bond Program Project Nos. 242, 244, 245, 246 and 248, along with a significant modification to increase the allocation of Bond Program Project No. 247 and the addition of the following two (2) new projects as follows:

- Project No. 242.1 New Family Units at Victory Homes - $10 million
- Project No. 244.1 New Elderly Units at Elizabeth Virrick II - $10 million
- Project No. 247 New Family Units at Lincoln Gardens - $12.3 million

Also on January 21, 2010, Resolution No. R-26-10 amended or rescinded three (3) prior resolutions as follows: (1) amended Resolution No. R-998-05 related to Elizabeth Virrick I and II to remove references regarding the disposition of both developments, remove the requirement that the site be leased to Miami-Dade Housing Agency (MDHA) Development Corporation as well as any other requirements authorizing MDHA Development Corporation to engage in any activities related to this project, and amended the development approach for Elizabeth Virrick II only to use a design-build approach for the construction of public housing units; (2) amended Resolution No. R-1017-08 related to Lincoln Gardens to remove reference to the disposition of that site and change the development approach to design-build for the construction of public housing units; (3) rescinded Resolution No. R-1016-08 related to Victory Homes, which authorized the disposition application and requested Board approval to use a design-build approach for the construction of public housing units on site. The design-build approach did not require disposition application since the County intended to retain ownership of the property and utilize its own funds for development. Design-Build was recommended due to low tax credit pricing, which made it difficult to finance the projects at the time. Additionally, construction prices were at record lows making it advantageous for the County to procure construction services directly. Subsequent to the United States Department of Housing and Urban Development (HUD) approval, the units at both Elizabeth Virrick II and Lincoln Gardens were demolished.

By 2010, the tax credit pricing started to increase, providing better opportunities for mixed-finance developments with leveraged funding. The Department sought alternative approaches to redevelop over 100 public housing sites and faced substantial capital improvement needs (nearly $350 million in identified capital needs) and diminishing capital funding. The Department developed a public/private partnership approach for redevelopment, which allowed its development partners to pursue funding not available to public housing agencies for redevelopment.

On July 14, 2011, RFP 794 was issued to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites and vacant land sites administered by the Department and sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove, and replace obsolete public housing units; increase the number of units on underutilized sites; develop vacant land owned by the County; and also incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs and incorporate creative and sustainable design solutions. All three (3) BBC GOB projects; Lincoln Gardens, Victory Homes, and Elizabeth Virrick II were included in RFP 794.

On November 15, 2011, Resolution R-1026-11 awarded the Lincoln Gardens and Victory Homes sites to Carlisle Development Group, LLC (Carlisle). The Board did not award the Elizabeth Virrick II site. However, pursuant to a Federal Grand Jury investigation of Carlisle, the agency informed the County that Atlantic Pacific Community Housing Development, LLC (Atlantic Pacific) had agreed to an Asset Purchase Agreement involving the Lincoln Gardens site. The Miami HUD Office of Public Housing issued a letter on January 29, 2014 stating that it could not approve or allow Carlisle to assign rights and responsibilities for Lincoln Gardens to Atlantic Pacific, or any other developer. Subsequently, ground leases, master development agreements, and other necessary agreements for the development of Lincoln Gardens and Victory Homes were not negotiated with Atlantic Pacific or Carlisle.

Using the Department's current public/private partnership process initiated with RFP 794, the Department has been able to redevelop six (6) projects with 685 units and $100 million in development costs. Four (4) additional projects with approximately 500 units and $95 million in development costs are scheduled for redevelopment in 2015. Using this successful model, the Department intends to redevelop Liberty Square.

Liberty Square is the largest public housing site in Miami-Dade County with 709 existing units and one of the first public housing developments built in the U.S. The barracks style design is outdated and the buildings are in need of substantial repair or replacement. Liberty Square and Lincoln Gardens are in an area of low-income and high crime. The area and its residents would greatly benefit from a comprehensive neighborhood revitalization, which would serve as a catalyst for investment in business and services, spur the workforce, and economic development and jobs not only at Liberty Square but throughout the Liberty City area. To complete a project of the size and scope contemplated for Liberty Square and Lincoln Gardens, all of the current BBC GOB funding allocated to the three (3) referenced projects will be required in order to leverage additional funding to redevelop Liberty Square.

The Department therefore recommends the deletion of Bond Program Project Nos. 242.1 - New Family Units at Victory Homes with an allocation of $10 million; 244.1 – New Elderly Units at Elizabeth Virrick II with an allocation of $10 million; and No. 247 - New Family Units at Lincoln Gardens with an allocation of $12.3 million and declares those funds, totaling $32,243,000, as surplus funds under IO 3-47. The Department further recommends the waiver of those provisions of IO 3-47 that require that no new projects be added until all other Bond Program projects are completed.

Finally, the Department recommends the addition of a new Bond Program Project No. 352, to be titled "New Family Units at Liberty Square and Lincoln Gardens," with a municipal project location listed as "Miami," a Commission District listed as "CW" or "Countywide." The project description provides for the demolition and new construction of public housing and affordable units at Liberty Square located at 1415 NW 63 Street, Miami, FL 33147 and Lincoln Gardens located at 1200 NW 62 Lane, Miami, FL 33147 and an allocation equal to $32,243,000 (see Appendix A to Resolution R-918-04). The new Project No. 352 would include the Lincoln Gardens vacant site and the Liberty Square public housing site approximately two (2) miles away. This will allow construction to begin at the vacant site and phasing of demolition and new construction to follow to replace all existing units with new units and amenities. A mixed-income/mixed use approach will be required. Reallocating of the Bond Program funding is the first step in a comprehensive redevelopment plan, which will not only address Liberty Square and Lincoln Gardens, but also the Liberty City area and include funding sources other than Bond Program funds for homeownership and affordable rental opportunities to further promote transformation and positive change.

At its January 30, 2015 meeting, the Bond Program Citizens' Advisory Committee voted to recommend this item.

Russell Benford
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: March 3, 2015

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

SUBJECT: Agenda Item No. 5(D)

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. 5(D)
3-3-15

RESOLUTION NO. R-197-15

RESOLUTION APPROVING DELETION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NOS. 242.1 – "NEW FAMILY UNITS AT VICTORY HOMES," 244.1 – "NEW ELDERLY UNITS AT ELIZABETH VIRRICK II," AND 247 – "NEW FAMILY UNITS AT LINCOLN GARDENS" AND ADDITION OF PROJECT NO. 352 - "NEW FAMILY UNITS AT LIBERTY SQUARE AND LINCOLN GARDENS" WITH AN ALLOCATION OF $32,243,000.00 OF SURPLUS FUNDS FROM PROJECT NOS. 242.1, 244.1 AND 247, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-918-04, AFTER A PUBLIC HEARING; AND WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BOND PROGRAM USING SURPLUS FUNDS

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

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

Section 1. This Board, after a public hearing, hereby approves the deletion of Building Better Communities General Obligation Bond Program ("Bond Program") Project Nos. 242.1- "New Family Units at Victory Homes," 244.1- "New Elderly Units at Elizabeth Virrick II," and 247- "New Family Units at Lincoln Gardens" from Appendix A of Resolution No. R-918-04.

Section 2. This Board hereby declares $32,243,000.00 as surplus funds and waives the requirements of Implementing Order 3-47 regarding the addition of a new project to the Bond Program using surplus funds, including the requirement that surplus funds may fund new

projects only after all projects have been completed or necessary funding for completion of all projects has been identified to the satisfaction of the Board.

Section 3. This Board, after a public hearing, approves the addition of Bond Program Project No. 352 titled "New Family Units at Liberty Square and Lincoln Gardens" to Appendix A to Resolution No. R-918-04. Appendix A to Resolution No. R-918-04 is hereby amended to include Project No. 352, with a municipal project location listed as "Miami", a Commission District listed as "CW" or "Countywide," a project description that provides for the demolition and new construction of public housing and affordable units at Liberty Square and Lincoln Gardens, street address listed as "1415 NW 63 Street, Miami, FL 33147 and 1200 NW 62 Lane, Miami, FL 33147," and an allocation equal to $32,243,000.00

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

Monica Rizo