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

MEMORANDUM

Amended
Agenda Item No. 11(A)(21)

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

DATE: April 21, 2015

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

SUBJECT: Resolution setting policy for Miami-Dade County; establishing the Maximum Development Cost per Unit of $225,000.00 for Affordable Housing constructed, rehabilitated or acquired with County funds, except for High-Rise new construction which shall have a Maximum Development Cost per Unit of $250,000.00; and directing the County Mayor to amend all Affordable Housing guidelines and incorporate policy in future competitive processes
Resolution No. R-346-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM
(Revised)

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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 _____

Amended
Agenda Item No. 11(A)(21)
4-21-15

RESOLUTION NO. R-346-15

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY; ESTABLISHING THE MAXIMUM DEVELOPMENT COST PER UNIT OF $225,000.00 FOR AFFORDABLE HOUSING CONSTRUCTED, REHABILITATED OR ACQUIRED WITH COUNTY FUNDS, EXCEPT FOR HIGH-RISE NEW CONSTRUCTION WHICH SHALL HAVE A MAXIMUM DEVELOPMENT COST PER UNIT OF $250,000.00; AND DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO AMEND ALL AFFORDABLE HOUSING GUIDELINES AND INCORPORATE POLICY IN FUTURE COMPETITIVE PROCESSES

WHEREAS, Miami-Dade County has a shortage of affordable housing for its residents; and

WHEREAS, in order to address that shortage, the County subsidizes the development of housing that is reserved for lease or sale to households with incomes not greater than 140 percent of area median income (as established annually by the United States Department of Housing and Urban Development) ("Affordable Housing"), although individual funding sources may require that residents' income be even lower; and

WHEREAS, the County's subsidies include grants and loans to be used for the construction, rehabilitation and acquisition of Affordable Housing; and

WHEREAS, the County's funding for Affordable Housing is limited while need for Affordable Housing in the County is great; and

WHEREAS, construction, rehabilitation or acquisition costs of Affordable Housing units are at times excessively high, thus reducing the number of units per dollar of County funding; and

WHEREAS, the Board desires to keep those construction, rehabilitation or acquisition costs low in order to maximize every dollar the County spends on Affordable Housing,

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

Section 1. The Board sets as policy for Miami-Dade County that the Maximum Development Cost per Unit (as defined below) to construct, rehabilitate or acquire Affordable Housing with County funds shall be $225,000.00, except for construction of High-Rise projects for which the Maximum Development Cost per Unit shall be $250,000.00. "High-Rise" shall mean Affordable Housing structures which are seven or more stories in height. This Maximum Development Cost per Unit shall apply to projects constructed, rehabilitated or acquired by the County or by private or public entities using County funds, including, but not limited to, Community Development Block Grant, Home Investment Partnership, State Housing Initiative Program, Documentary Surtax, Building Better Communities General Obligation Bond, or general revenue funds. The "Maximum Development Cost per Unit" means the Total Development Cost, as defined herein, looking at all funding sources and not just County funds, divided by the total number of units. For the purposes of determining the Maximum Development Cost per Unit on construction or rehabilitation projects, the "Total Development Cost" shall mean the total cost of completing the entire project, from acquisition to the issuance of Certificate of Occupancy, including, but not limited to, the costs for design, planning, zoning, variances, financing costs, legal costs, construction, and permitting. For construction and rehabilitation projects, the cost of land acquisition shall be deducted from the Total Development Cost. In addition, construction costs associated with non-housing features included in a project or those not deemed to be amenities expected of, typically provided with or appurtenant to

affordable housing units, may be deducted from the Total Development Cost by the Mayor or Mayor's designee. A determination of such a deduction shall be made at the time the project's application is scored by the County. The Maximum Development Cost per Unit shall be reviewed annually by the County Mayor or Mayor's designee, who shall return to the Board annually with a recommendation as to whether the Maximum Development Cost per Unit should be revised.

Section 2. The County Mayor or Mayor's designee is directed to amend all Affordable Housing guidelines and to implement future Affordable Housing competitive processes in a manner which incorporates and complies with this policy.

Section 3. This policy shall apply prospectively only and shall not apply to Affordable Housing projects which: (a) have express written contracts with the County, (b) have already been allocated County funds by the Board of County Commissioners, (c) have already applied for funding based upon current Affordable Housing guidelines or competitive process as of the time of this resolution's passage, or (d) have received nine-percent low-income housing tax credits from Florida Housing Finance Corporation resulting from tax credit applications that were awarded in 2014 and 2015 up to the Maximum Total Development Cost per unit limits approved by the Florida Housing Finance Corporation. Under no circumstances shall this resolution be construed in a manner which causes the County to violate any existing contracts between the County and other parties related to Affordable Housing projects.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 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.

Brenda Kuhns Neuman