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

MEMORANDUM

Agenda Item No. 8(K)(4)

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

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing the County Mayor to file with United States Department of Housing and Urban Development substantial amendments to the FY 2009-2015 Action Plans and corresponding FY 2008-12 and FY 2013-17 Consolidated Plans in order to recapture and reallocate $297,151.22 of Community Development Block Grant (CDBG) funds and $250,000.00 of Home Investment Partnerships Program (HOME) funds and to allocate $1,326,854.05 of FY 2015 CDBG Program Income funds; waiving Resolution No. R-596-12 requiring that 20 percent of CDBG funds be allocated to economic development activities; and authorizing the County Mayor to execute shell contracts, amendments, loan documents and other transactional documents necessary to accomplish the purposes set forth in this resolution and to exercise termination, waiver, acceleration and other provisions set forth therein

Resolution No. R-390-16

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

Abigail Price-Williams
County Attorney

APW/smm

Memorandum

MIAMI-DADE COUNTY

Date: May 17, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Substantial Amendments to the FY 2009-15 Action Plans and Corresponding FY 2008-12 and FY 2013-17 Consolidated Plans for the Recapture and Reallocation of Community Development Block Grant and Home Investment Partnerships Program Funds and allocation of Community Development Block Grant Program Income Funds

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Recommendations

It is recommended that the Board of County Commissioners (Board) authorize the County Mayor or the County Mayor's designee to substantially amend the FY 2009-15 Action Plans and the corresponding FY 2008-12 and FY 2013-17 Consolidated Plans to:

- Recapture and reallocate $297,151.22 of current and prior years' Community Development Block Grant (CDBG) Program funds;
- Recapture and reallocate $250,000.00 of Home Investment Partnerships (HOME) Program funds;
- Allocate $1,326,854.05 of CDBG Program Income Funds;
- Waive the provisions of Resolution No. R-596-12 requiring that 20 percent of CDBG funds be allocated to economic development activities; and
- Authorize the County Mayor or County Mayor's designee to execute all standard shell contracts, amendments, standard shell loan documents and other agreements necessary to accomplish the purposes of this resolution, and to exercise the cancellation and other provisions contained therein.

Scope

This item amends the FY 2009-15 Action Plans, and the corresponding FY 2008-12 and FY 2013-17 Consolidated Plans in order to recapture and reallocate CDBG and HOME Program funds and allocate CDBG Program Income funds. Exhibits 1 and 2 include the proposed recaptures and reallocations of funding. This item impacts the Commission District 2, represented by Commissioner Jean Monestime; District 3, represented by Commissioner Audrey M. Edmonson; District 7, represented by Commissioner Xavier L. Suarez; District 8, represented by Commissioner Daniella Levine Cava; District 9, represented by Commissioner Dennis C. Moss; District 11, represented by Commissioner Juan C. Zapata; and District 12, represented by Commissioner Jose "Pepe" Diaz.

Fiscal Impact/Funding Source

The recapture and reallocation of CDBG and HOME funds and CDBG program income funds will not have a negative fiscal impact on the County's General Fund. This item recaptures CDBG and HOME funds from various previously funded projects and reallocates those funds to other feasible projects. This item also allocates CDBG Program Income funds.

Track Record/Monitor

Michael Liu, Director of the Public Housing and Community Development Department (Department), will monitor all CDBG and HOME activities. Through the review of quarterly progress reports and site visits, the Department will continue to monitor these projects to ensure compliance with federal guidelines and County policies.

The entities recommended for funding have successful track records for the delivery of products and/or services, as specified in their contractual agreements with the County. The allocation of funds will enable the implementing entities to complete their projects in a timely manner.

Background

Funded activities as part of the FY 2015 and prior years' Action Plans are monitored throughout the year to ensure that entities are in compliance with federal regulations, such as the progress of each activity towards accomplishing the national objectives set forth by the U.S. HUD. The Department recommends the recapture of CDBG and HOME funding from: (1) activities that have been completed and have met a national objective with funds remaining unspent; (2) activities that are not feasible or were unable to meet a national objective; (3) entities that were unable to expend funds; (4) entities with an unresolved conflict of interest relative to a staff member participating on the entity's board; or (5) CDF allocations requested to be recaptured by the allocating commission district. All entities listed for recaptured funds have been informed via phone and written correspondence. The proposed recapture activities are listed in Exhibit 1.

This item requests a waiver of the provisions of Resolution No. R-596-12, requiring that 20 percent of CDBG funds be allocated to economic development activities. Only 4 percent of the total funds are recommended to economic development activities. The activities proposed for funding with CDBG Program Income funds as opposed to recaptured funds are public facilities and capital improvements projects at County-owned facilities that need repair and improvement for continued use by County residents.

Due Diligence

A Due Diligence review is required pursuant to Resolution R-630-13 to ensure efficient and transparent use of Housing and Community Development funds for much needed services to the County's residents. The Board requires a report of findings to accompany all recommendations for commitment of County funds. There were no due diligence findings to report for the recommended entities.

CDBG Reallocation and Program Income Allocation Recommendations

The Department recommends the reallocation of $297,151.22 in CDBG Program funds and $1,326,854.05 of CDBG Program Income funds to: (1) Commission District Fund (CDF) allocations; (2) County Department activities; (3) projects that received prior funding but have a funding gap; and (4) CDBG program administration and County-owned public facilities in need of repair and capital improvements (CDBG Program Income). Recaptured CDBG funds are recommended for projects which are eligible under the economic development, public facilities and capital improvements, public service, and housing categories. The proposed CDBG reallocated and CDBG Program Income allocated activities are listed in Exhibit 2.

HOME Reallocation Recommendations

A total combined funding of $250,000.00 in HOME funds is recommended for projects that are eligible for housing activities. The proposed HOME reallocated activities are listed in Exhibit 2.

Attachments

Russell Benford, Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(K)(4)

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**

_____ **Statement of social equity 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)(4)
5-17-16

RESOLUTION NO. R-390-16

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE WITH UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUBSTANTIAL AMENDMENTS TO THE FY 2009-2015 ACTION PLANS AND CORRESPONDING FY 2008-12 AND FY 2013-17 CONSOLIDATED PLANS IN ORDER TO RECAPTURE AND REALLOCATE $297,151.22 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND $250,000.00 OF HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS AND TO ALLOCATE $1,326,854.05 OF FY 2015 CDBG PROGRAM INCOME FUNDS; WAIVING RESOLUTION NO. R-596-12 REQUIRING THAT 20 PERCENT OF CDBG FUNDS BE ALLOCATED TO ECONOMIC DEVELOPMENT ACTIVITIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SHELL CONTRACTS, AMENDMENTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN

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:

Section 1. The Board ratifies and adopts the matters set forth in the accompanying justification memorandum as fully set forth herein.

Section 2. The Board authorizes the County Mayor or the County Mayor's designee to file with the United States Department of Housing and Urban Development substantial amendments to the FY 2009-2015 Action Plans and corresponding FY 2008-12 and FY 2013-17

Consolidated Plans to reflect the recapture and reallocation of $297,151.22 in FY 2009-2015 Community Development Block Grant (CDBG) funds, the recapture and reallocation of $250,000.00 of Home Investment Partnerships (HOME) funds, and the allocation of $1,326,854.05 of CDBG Program Income Funds. The recaptures, reallocations, and allocations are more fully described in the justification memorandum and Exhibits 1 and 2, attached hereto.

Section 3. The Board hereby waives the provisions of Resolution R-596-12 requiring that 20 percent of CDBG funds be allocated toward economic development activities. The activities proposed for funding with CDBG Program Income funds are not economic development activities, but rather are program administration and public facilities and capital improvements activities at County-owned facilities that need repair and improvement for continued use by County residents.

Section 4. The County Mayor or County Mayor's designee is authorized to execute all standard shell contracts, amendments, standard shell loan documents and other agreements necessary to accomplish the purposes of this resolution and to exercise the cancellation and other provisions contained therein. All funding awards set forth herein are contingent upon availability of funding from the funding source or program and the recipient agency complying with the conditions set forth in this resolution and the justification memorandum. The Board further authorizes the County Mayor or County Mayor's designee, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, agreements, amendments and loan documents so long as such modifications are approved by the County Attorney's Office and are not substantially inconsistent with this resolution and to exercise the termination, waiver, acceleration, or other provisions set forth therein.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, 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:

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	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of May, 2016. 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

Exhibit 1
Miami-Dade County Public Housing and Community Development
February 2016 Recapture Recommendations

Program Year/ IDIS No.	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner Name	Reason for Recapture	Amount to be Recaptured
CDBG FUNDS								
CDBG - Public Service								
2014/ IDIS 5359	Ascension Community Development Corporation	Ascension Health, Education Leadership Program - 2014	Public Service	Empowerment program for seniors and youth to live healthier through exercise, nutritional, preventive and educational disciplines ***District 9 CDF Allocation***	11201 SW 160 Street Miami, FL 33157	9 (Moss)	4	$ 16,415.00
							CDBG-Public Service Subtotal:	**$ 16,415.00**
CDBG - Public Facilities and Capital Improvements								
	Miami-Dade Park Recreation and Open Spaces (PROS)	Gwen Cherry Park	Public Facilities and Capital Improvements	Gwen Cherry Park Track Improvements **District 2 CDF allocation from prior year**	7090 NW 22 Avenue, Miami, FL 33147	2 (Monestime)	1	$ 20,000.00
							CDBG-Public Facilities and Capital Improvements Subtotal:	**$ 20,000.00**
CDBG - Economic Development								
2014/ IDIS 5324	Economic Development Council South Miami-Dade	Creating Jobs in Miami-Dade - 2014	Economic Development	Provide technical assistance and microenterprise loans countywide. Will be working with Miami Dade College, they will provide the TA ***-District 8 CDF allocation***	18001 Old Cutler Road, Ste 647, Miami, FL 33157	8 (Levine Cava)	2	$ 175,000.00
2014/ IDIS 5335	EcoTech Visions Foundation, Inc.	Greentech Entrepreneurial Fellows - 2014	Economic Development	Training program for 25 men who have been incarcerated	667 NW 90 Street, El Portal, FL 33150	3 (Edmonson)	1	$ 555.51
2013/ IDIS 5256	Economic Development Council South Miami-Dade	Creating Jobs in South Miami-Dade: Providing Technical Assistance	Economic Development	Provide technical assistance to small businesses in Goulds and Perrine NRSAs. Create 2 Jobs	18001 Old Cutler Road, Ste 647, Miami, FL 33157	8 (Levine Cava)	2	$ 21,791.01
2014/ IDIS 5376	South Florida Puerto Rican Chamber of Commerce	Microloan/Technical Assistance Program - 2014	Economic Development	Microloan/ Technical Assistance Program	3550 Biscayne Blvd., Ste 306 Miami, FL 33137	3 (Edmonson)	1	$ 23.76
2014/ IDIS 5372	Dynamic Community Development Corporation	Economic Development/ Technical Assistance - 2014	Economic Development	Economic Development/ Technical Assistance	3550 Biscayne Blvd., Ste 304 Miami, FL 33137	3 (Edmonson)	1	$ 2.76

Legend:1-Project completed; met national objective funds remaining 2-Project not feasible; unable to meet national objective 3-Unable to expend funds 4-Unresolved conflict of interest 5-CDF requested for recapture by the allocating district

Exhibit 1
Miami-Dade County Public Housing and Community Development
February 2016 Recapture Recommendations

Program Year/ IDIS No.	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner Name	Reason for Recapture	Amount to be Recaptured
2009 and 2012	Neighbors and Neighbors Association, Inc.	Economic Development/ Technical Assistance to Businesses and Micro Lending	Economic Development (TA/Micro)	Technical assistance and Micro lending to Mom and Pop Grant program recipients, small business entrepreneurs, and other types of small businesses. ***District 9 prior years CDF Allocation***	180 NW 62 Street Miami, FL 33150	3 (Edmonson)	5	$ 63,363.18
							CDBG - Economic Development Subtotal:	$ 260,736.22
							CDBG TOTAL:	$ 297,151.22
				HOME FUNDS				
HOME Housing Rehabilitation								
2013	Miami-Dade Homeless Trust	Permanent Housing for Homeless Persons	Housing	Rehabilitation of a 12 unit multi-family building in the City of Miami for formerly homeless persons	777 NW 30 Street, Miami, FL 33127	3 (Edmonson)	2	$ 250,000.00
							HOME Housing Rehabilitation Total:	$ 250,000.00
							HOME TOTAL:	$ 250,000.00
				CDBG PROGRAM INCOME				
2015	CDBG Program Income Received	N/A	N/A	N/A	N/A	N/A	N/A	$ 1,326,854.05
							CDBG PROGRAM INCOME TOTAL:	$ 1,326,854.05

Legend:1-Project completed; met national objective funds remaining 2-Project not feasible; unable to meet national objective 3-Unable to expend funds 4-Unresolved conflict of interest 5-CDF requested for recapture by the allocating district

Exhibit 2
Miami-Dade Public Housing and Community Development
February 2016 Reallocation Recommendations

#	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner	Reason for Reallocation	Total Amount to be Reallocated
CDBG								
1	Miami-Dade Park Recreation and Open Spaces (PROS)	District 9 Legacy Park Improvements	Public Facilities and Capital Improvements	Installation of improvements at Ben Shavis Legacy Park, Lincoln Estates Legacy Park and Naranja Lakes Legacy Park to include monument signage, benches and trees. ***District 9 CDF Allocation***	10395 SW 179 Street Miami, FL 33157; 22210 SW 108 Ave Miami, FL 33170; 14410 SW 272 Street Miami, FL 33032	9 (Moss)	1	$ 16,415.00
2	Miami-Dade Community Action and Human Services Department (CAHSD)	Allapattah Community Resource Center	Public Facilities and Capital Improvements	To provide facility improvements to include replacement of HVAC system, installation of security cameras, signage, exterior painting and electrical upgrades at Allapattah Community Resource Center	1897 NW 20 Street, Miami, FL 33142	3 (Edmonson)	2	$ 582.03
3	Neighbors and Neighbors Association, Inc.	Goulds Business Resource Center	Economic Development (TA)	Provide financial and technical assistance to businesses located within the NRSAs. ***District 9 CDF Allocation***	22121 S. Dixie Hwy, Miami, FL 33170	9 (Moss)	1	$ 54,000.00
4	Neighbors and Neighbors Association, Inc.	Technical Assistance/Economic Development 2013	Economic Development (TA)	Funds will be used to cover the FY 2013 Annual Audit for the Technical Assistance activity ***District 9 CDF Allocation***	180 NW 62 Street, Miami, FL 33127	3 (Edmonson)	3	$ 9,363.18
5	Miami-Dade Community Action and Human Services Department (CAHSD)	Beautification Program	Housing	Beautification Program: Project will provide homeowners with exterior painting and landscaping assistance. ***District 8 CDF Allocation***	Various Locations	8 (Levine Cava)	1	$ 196,791.01
6	Neighbors and Neighbors Association, Inc.	Technical Assistance to Businesses-2015	Public Service	Expanded services for micro-entrepreneurs and job seekers in under-served areas throughout Miami-Dade County. This will include workshops, one-on one counseling and microloan services and resume building ***District 2 prior years CDF Allocation***	180 NW 62 Street, Miami, FL 33127	3 (Edmonson)	1	$ 20,000.00
							CDBG TOTAL:	**$ 297,151.22**
HOME - Housing Rehabilitation								

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Legend:1-CDF Allocation 2-County Dept 3-Projects that received prior funding; current funding gap 4-Projects receiving program income funds

Exhibit 2
Miami-Dade Public Housing and Community Development
February 2016 Reallocation Recommendations

#	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner	Reason for Reallocation	Total Amount to be Reallocated
1	Miami-Dade Regulatory and Environmental Resources Department (RER)	MacFarlane Homes	Housing	Historic preservation and rehabilitation of three homes located within the MacFarlane Homestead Historic District located in Coral Gables, FL (between Grand Avenue and U.S. 1)	110 Oak Avenue, 121 Florida Avenue, 134 Florida Avenue, City of Coral Gables, FL 33133	7 (Suarez)	2	$ 100,000.00
2	City of Hialeah Gardens	Housing Rehabilitation	Housing	Rehabilitation of Samari Lakes East Condominiums	10000-10090 NW 80 Court, Hialeah Gardens, FL 33016	12 (Diaz)	3	$ 150,000.00
							HOME TOTAL:	$ 250,000.00
								$ 250,000.00
CDBG PROGRAM INCOME								
1	PHCD Administration	Program Income Administration	Administration	Program Administration Activities	701 NW 1 Court Miami, FL 33136	Countywide	N/A	$ 265,370.81
2	Miami-Dade Public Housing and Community Development	Historic Hampton House Environmental Testing	Public Facilities and Capital Improvements	Environmental Testing at Historic Hampton House Museum site	4240 NW 27 Avenue Miami, FL 33142	3 (Edmonson)	N/A	$ 56,250.00
3	Miami-Dade Community Action and Human Services Department (CAHSD)	Allapattah Community Resource Center	Public Facilities and Capital Improvements	To provide facility improvements to include replacement of HVAC system, installation of security cameras, signage, exterior painting and electrical upgrades at Allapattah Community Resource Center	1897 NW 20 Street, Miami, FL 33142	3 (Edmonson)	2	$ 299,418.24

Legend:1-CDF Allocation 2-County Dept 3-Projects that received prior funding; current funding gap 4-Projects receiving program income funds

Exhibit 2
Miami-Dade Public Housing and Community Development
February 2016 Reallocation Recommendations

#	Agency Name	Activity Title	Activity Category	Activity Description	Activity Address	District & Commissioner	Reason for Reallocation	Total Amount to be Reallocated
4	Miami-Dade Public Housing and Community Development	Gran Via Parking	Public Facilities and Capital Improvements	Adding additional parking at Gran Via apartments site	12700 SW 8 Street Miami, FL 33184	11 (Zapata)	2	$ 705,815.00
							CDBG PROGRAM INCOME TOTAL:	$ 1,326,854.05

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Legend:1-CDF Allocation 2-County Dept 3-Projects that received prior funding; current funding gap 4-Projects receiving program income funds