MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Economic Development and Housing Committee (EDHSC)

Board of County Commissioners
Stephen P. Clark Government Center
Commission Chambers
111 N.W. First Street
Miami, Florida 33128

September 10, 2008
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Jovel Shaw, Commission Reporter
(305) 375-1289

Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

FINAL OFFICIAL

Meeting Minutes

Economic Development and Human Services Committee

Audrey M. Edmonson (3) Chair; Katy Sorenson (8) Vice Chair; Commissioners Barbara J. Jordan (1), Dennis C. Moss (9), and Javier D. Souto (10)

Wednesday, September 10, 2008 **9:30 AM** **COMMISSION CHAMBERS**

Members Present: Audrey M. Edmonson, Barbara J. Jordan, Dennis C. Moss, Katy Sorenson, Javier D. Souto.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jovel Shaw, Commission Reporter, (305) 375-1289*

1B PLEDGE OF ALLEGIANCE

Report: *The Committee convened in a moment of silence, followed by the Pledge of Allegiance.*

1C ROLL CALL

Report: *The following staff members were present: Senior Advisor to the County Manager Cynthia Curry, Assistant County Attorney Cynthia Johnson-Stacks, and Deputy Clerk Jovel Shaw.*

Chairwoman Edmonson called the meeting to order at 9:53 a.m. and welcomed everyone present to today's (9/10) meeting.

In addition to the changes noted in the September 10, 2008, County Manager's memorandum entitled, "Changes to the Economic Development and Human Services Committee Agenda," Assistant County Attorney Johnson-Stacks advised the Committee of the requested deferral of Agenda Item 1G1 until after the Board's Second Budget Hearing, and Agenda Items 1G4 and 3E to no date certain.

Hearing no objection, Commissioner Sorenson moved that the Committee approve the County Manager's memorandum of changes and the additional changes noted by Assistant County Attorney Johnson-Stacks. This motion was seconded by Commissioner Moss, and upon being put to a vote, passed by a vote of 5-0.

In connection with Agenda Item 3E, Commissioner Jordan reminded the County Administration of her request for staff to brief her on agenda items that impacted Commission District 1 prior to the Committee's consideration of those items.

1D OPENING REMARKS FROM CHAIRPERSON EDMONSON

1E CITIZEN'S PRESENTATION(S)

1F DISCUSSION ITEM(S)

1F1

082383 **Discussion Item** **Dennis C. Moss**

DISCUSSION ITEM RE: AFFORDABLE HOUSING FUNDING FROM TALLAHASSEE ***Presented***

Report: *Commissioner Moss presented the foregoing discussion item regarding affordable housing funding from Tallahassee. He noted a concern was raised pertaining to the current process for applying for funding from Tallahassee and that some organizations in Florida were applying for funding with no intent to develop affordable housing. Commissioner Moss stated this turn of events hurt projects for affordable housing in Miami-Dade County. He indicated staff was aware of the concern and could provide comments on the impact of this issue on the County in the affordable housing funding process.*

Ms. Hana Eskra, Interim Deputy Director, Office of Community and Economic Development, noted the issue referenced by Commissioner Moss related to the Universal Application Cycle, which allocated State Apartment Incentive Loan (SAIL) funds through the State of Florida with a nine percent (9%) tax credit. She stated an issue was raised this year about a project that may have blocked other projects in the County from receiving funds. Ms. Eskra noted she had spoken with the Florida Housing Finance Corporation Executive Director regarding the 2009 Universal Application Cycle Proposed Rule Time Line. She reiterated that staff was well aware of the issue raised by Commissioner Moss.

Commissioner Moss asked Assistant County Attorney Cynthia Johnson-Stacks to work with the Office of Community and Economic Development Director, and other appropriate staff to draft a proposed resolution urging the Florida Legislature to provide funding for affordable housing.

Discussion ensued among the Committee members and Ms. Eskra regarding the strategies and the intent of accessing affordable housing funding from Tallahassee.

Commissioners Jordan, Sorenson and Chairwoman Edmonson asked to be listed as co-sponsors on the proposed resolution coming forth under Commissioner Moss' sponsorship.

Commissioner Jordan noted she suggested to OCED staff if this continues to be an issue of concern the community development located in Miami-Dade County needed to do reciprocity into other communities as well.

1F2

082384 **Discussion Item** **Dennis C. Moss**

DISCUSSION ITEM RE: CASH FLOW PROBLEM FOR COMMUNITY BASED ORGANIZATIONS — ***Presented***

Report: *Commissioner Moss presented the foregoing discussion item regarding cash flow problems for Community-based Organizations (CBOs). He noted that many grass root organizations were experiencing cash flow problems to pay their staff and to keep their program operational. Commissioner Moss stated this problem was also an issue with many of the funding sources in this community. He pointed out the County held ten percent (10%) of the funding for CBOs until the end of the contract. Commissioner Moss noted providing services to this community was hindered when the CBOs were experiencing cash flow problems. He indicated that through a movement toward privatization of services more profit-oriented groups across the country were offering and providing services.*

Commissioner Moss indicated he would bring forth legislation for the Board to consider in setting priorities to ensure that CBOs had an opportunity to remain financially solvent. Therefore, the CBOs could continue to provide services and employment in this community.

Ms. Irene Taylor-Wooten, Special Assistant to the County Manager for Social Services, concurred with Commissioner Moss' comments regarding the ten percent (10%) held until the CBO filed all of the appropriate paperwork with the County. She noted the Community-Based Organizations (CBOs) Advisory Board was reviewing the current policies and procedures for the CBO funding process. She noted the CBOs Advisory Board has agreed to address streamlining the contractual and payment processes. In addition, she pointed out agencies struggled with the reimbursement process and with filing the proper paperwork to obtain reimbursement. Ms. Taylor-Wooten stated the CBOs Advisory Board would present a recommendation to the Committee in the near future regarding the overhaul of the CBO funding process.

Responding to Chairwoman Edmonson's question regarding how long that process would take, Ms. Taylor-Wooten noted a Request for Proposal was scheduled to be issued in January 2009 for the

CBO funding process.

Commissioner Jordan stated she would schedule a meeting to discuss this same issue and she encouraged Commissioner Moss to move forward with an item to provide clear instruction on how to assist CBOs with their cash flow. She expressed that the CBOs Advisory Board should identify areas where the CBO should improve. In addition, the Advisory Board should provide a timeframe for the CBO to comply, and if the CBO failed to comply, then it would be subject to penalties determined by the Advisory Board.

Ms. Taylor-Wooten noted the grading system for the CBOs done during the interim process until the new policies and procedures for the CBOs Funding process was approved by Advisory Board. She noted recently the Advisory Board reviewed and proposed to move forward with recommendations to this Committee to allow CBOs with failing grades to have the opportunity to comply with a corrective action plan. Therefore, the CBOs could receive their entire funding. Ms. Taylor-Wooten informed the Committee members the Advisory Board was meeting today (9/10) to discuss those CBOs that have appealed their grade.

Commissioner Jordan stated that any CBOs who received an F grade should not have received any funding consideration at all. Therefore, in the future, the CBOs reviewed may receive funding in a new CBO Funding process and have a corrective action plan.

Commissioner Sorenson noted the County needed to work with the most effective CBOs. She spoke in support of Commissioner Jordan's comments regarding the County offering support to CBOs that were doing well in the community but failing to submit the appropriate paperwork during the application process. Commissioner Sorenson stressed the County needed to review the outcomes and results of CBOs in order to be sensitive to those organizations.

Ms. Taylor-Wooten noted the performance outcome was one of many components reviewed by the Advisory Board along with the impact of the funding from the CBO funding process.

Commissioner Moss noted large non-profit organizations had grant writers and noted his emphasis was on grass root organizations that

were in the community making a difference.

Chairwoman Edmonson supported Commissioner Moss' comments for other areas and/or departments outside of human services who facilitated a CBO funding process.

1G PUBLIC HEARING(S)

1G1

081946 **Ordinance** **Barbara J. Jordan**

ORDINANCE AMENDING ORDINANCE NO. 07-129 RELATING TO THE TRANSFER OF EIGHT PERCENT LOCAL BUSINESS TAX REVENUES FROM OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT TO METRO-MIAMI ACTION PLAN TRUST; PROVIDING SUCH PERCENTAGE SHALL BE ALLOCATED BY THE BEACON COUNCIL TO METRO-MIAMI ACTION PLAN TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Deferred to no date certain
Mover: Sorenson
Seconder: Moss
Vote: 5-0

Report: *During consideration of changes to today's agenda, the Committee deferred the foregoing proposed ordinance to no date certain.*

1G2

081954 **Ordinance** **Carlos A. Gimenez, Rebeca Sosa**

ORDINANCE AMENDING ORDINANCE NO. 07-129 TO TRANSFER EIGHT PERCENT LOCAL BUSINESS TAX REVENUES TO THE BEACON COUNCIL FROM THE OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT; AMENDING SECTION 8A-171.2 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA RELATING TO LOCAL BUSINESS TAX, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *See Agenda Item 1G2 Amended, Legislative File No. 082637 for the amended version.*

1G2 AMENDED

082637 **Ordinance** **Carlos A. Gimenez**

ORDINANCE AMENDING ORDINANCE NO. 07-129 TO TRANSFER EIGHT PERCENT LOCAL BUSINESS TAX REVENUES TO THE BEACON COUNCIL FROM THE OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT; AMENDING SECTION 8A-171.2 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA RELATING TO LOCAL BUSINESS TAX, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 081954]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Jordan
Seconder: Moss
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed ordinance into the record.*

Chairwoman Edmonson opened the public hearing. There being no one wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.

Commissioner Gimenez, the sponsor of this proposed ordinance, explained its intent.

Chairwoman Edmonson noted Assistant County Attorney Terrence Smith informed her that the amendment she would like to offer was not appropriate to amend this proposed resolution ordinance.

Following Chairwoman Edmonson's comments regarding an amendment she would like to offer to this proposed ordinance, Assistant County Attorney Terrence Smith noted the proposed changed that Chairwoman Edmonson would like to offer may be more appropriate for the Grant Agreement between the County and the Beacon Council as opposed to this proposed ordinance.

Chairwoman Edmonson suggested deferral of this proposed ordinance to the next Committee meeting pending the scheduling a Sunshine Meeting between Commissioner Gimenez and herself during the interim to discuss her proposed amendment.

Commissioner Gimenez stated the proposed amendment to be offered by Chairwoman Edmonson would be made to the Grant Agreement and not this proposed ordinance.

Chairwoman Edmonson read her amendments as

follows:

(1) to add to the fifth whereas clause language to read that the Beacon Council shall utilize these revenues to address the socioeconomic disparity of Miami-Dade County black community by advocating and coordinating initiatives and programs for the benefit of the community; and (2) to add a new Section 3(c) to read that the Beacon Council shall utilize eight percent (8%) of the local business tax revenues to address the socioeconomic disparity of the Miami-Dade County black community by advocating and coordinating initiatives and programs for the benefit of the community.

Chairwoman Edmonson stated the intent was to ensure that the proposed Metro-Miami Action Plan (MMAP) efforts would continue with the 8% of the local business tax revenues.

Commissioner Gimenez supported Chairwoman Edmonson's intent of the proposed amendments and asked if this was the right vehicle to impose this requirement, or if the Grant Agreement was the right vehicle.

Assistant County Attorney Smith noted the County Attorney's Office was proposing that the County meet with the Beacon Council to renegotiate the contract to amend it to reflect the changes being proposed by Chairwoman Edmonson.

Commissioner Gimenez reiterated his support of the changes to the Grant Agreement as offered by Chairwoman Edmonson.

Commissioner Jordan noted this proposed ordinance urged the Beacon Council and indicated the Beacon Council utilized the resources for the same purposes as MMAP. She suggested that the Beacon Council provide reports showing the continued investment and participation of the 8% of the local business tax revenues in the black community.

Chairwoman Edmonson clarified her amendment would replace the existing language in Section 3(c) and to take the existing language as presented in Section 3(c) to create Section 3(d) as proposed by Commissioner Gimenez.

Assistant County Attorney Smith clarified that Section 3(c) of this proposed ordinance would be removed in its entirety and be renegotiated as part

of the Grant Agreement.

Assistant County Attorney Terrence Smith recommended that the foregoing proposed resolution be forwarded with Committee amendments with the following additional amendments:

(1) to correct on handwritten page 3, a scrivener's error in the first whereas clause to delete the word "in" after the word "within";
(2) to delete on handwritten page 4, the word "requiring" and replace it with the words "establishing a policy" in the second whereas clause;
(3) to correct on handwritten page 4, the language in the fourth whereas clause, to read as follows: "WHEREAS, on September 20, 2007, the Board adopted Ordinance No. 07-129, which withheld 8% ($30,000) of the local business tax revenues received from the Beacon Council for MMAP and holding same in the Office of Community and Economic Development (OCED) pending MMAP addressing concerns raised by the Board";
(4) to correct on handwritten page 4, a scrivener's error in the seventh whereas clause, to delete the letter "s" on the word "jobs" to read "job";
(5) to correct on handwritten page 5, the language in the third whereas clause, to read as follows: "WHEREAS, the Board further desires that the Beacon Council receive the 8% of the local business tax revenue that is allocated to MMAP";
(6) to correct on handwritten page 5, the language in the fourth whereas clause, to read as follows: "WHEREAS, this Board desires to rescind its prior policy that the Beacon Council allocate 8% of the local business tax revenues to MMAP"; and
(7) to correct on handwritten page 5, the last sentence in Section 2, to read as follows: "Upon the effective date of this ordinance, the Board would rescind its policy that the Beacon Council shall no longer be required to allocate 8% of the local business tax revenues to Metro-Miami Action Plan Trust or any other entity".

The Committee proceeded to vote on this proposed ordinance as amended.

Chairwoman Edmonson noted she would follow-up in ensuring that the Grant Agreement provided language that incorporated her proposed amendment regarding the 8% going to the black community as proposed by MMAP.

Following Chairwoman Edmonson's comments, Assistant County Attorney Johnson-Stacks noted the County Attorney's Office, in consultation with the Beacon Council, would address the Grant Agreement amendment offered by Chairwoman Edmonson, and if County Commission approval was needed the agreement would comeback for approval.

Commissioner Gimenez noted he would work with Chairwoman Edmonson and with other concerned parties to ensure that the Grant Agreement was amended to include the language proposed by Chairwoman Edmonson.

Commissioner Jordan noted the deferral of Agenda Item 1G1, Legislative File No. 081946, under her sponsorship until after the Second Budget hearing. She indicated if the Board followed through and provided the 8% to MMAP through the General Fund then she would withdraw her item.

Hearing no objection, the Committee forwarded this proposed ordinance as amended.

1G2 SUPPLEMENT

082601 **Supplement**

FISCAL STATEMENT TO ORDINANCE AMENDING ORDINANCE 07-129 TO TRANSFER EIGHT PERCENT LOCAL BUSINESS TAX REVENUES TO THE BEACON COUNCIL FROM THE OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT; AMENDING SECTION 8A-171.2 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA RELATING TO LOCAL BUSINESS TAX, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation
Mover: Jordan
Seconder: Moss
Vote: 5-0

1G3

082109 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE AMENDING ARTICLE XCIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Withdrawn

Report: *(See Agenda Item 1G3 Substitute; Legislative File No. 082444.)*

1G3 SUBSTITUTE

082444 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE AMENDING ARTICLE XCIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 082109] ***Amended***

Report: *See Agenda Item 1G3 , Legislative File No. 082614 for the amended version.*

1G3 SUBSTITUTE AMENDED

082614 **Ordinance** **Sen. Javier D. Souto, Bruno A. Barreiro, Jose "Pepe" Diaz**

ORDINANCE AMENDING ARTICLE XCIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 082109 AND 082444]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Souto
Seconder: Jordan
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed ordinance into the record.*

Chairwoman Edmonson opened the public hearing. There being no one wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.

The Committee proceeded to vote on this proposed ordinance.

Commissioner Moss suggested the Social and Economic Development Council (SEDC) provide more feedback to this Committee.

Commissioner Sorenson expressed concern with the lack of a succession plan, in the event Dr. Antonio Jorge could not serve as the Chairperson of the SEDC.

Commissioner Souto supported Commissioner Sorenson's comment regarding a succession plan in the event a SEDC member could not serve.

Commissioner Sorenson asked Assistant County Attorney Johnson-Stacks if she could, in consultation with Commissioner Souto, provide the appropriate language to provide criteria for a succession plan. In addition, she asked that the proposed language be presented to the full County Commission for consideration.

Ms. Cynthia Curry, Senior Advisor to the County Manager, noted Commissioner Moss' request regarding the SEDC appearing before this Committee. She pointed out Dr. Robert Cruz, Economic Policy Coordinator, Office of Strategic Business Management, was a former SEDC member and currently served as a County staff liaison to the SEDC. Ms. Curry stated Dr. Cruz presented a report to this Committee and continued to provide economic forecast summaries

to the County Commission.

Responding to Commissioner Jordan's question whether any other County advisory boards determined their own membership, Assistant County Attorney Johnson-Stacks asked Commissioner Jordan to allow the County Attorney's Office to research this issue to provide a response.

Commissioner Jordan expressed concern that some County Commission members may not accept the SEDC members selected by the Council without prior consideration by the County Commission. She spoke in support of the County Commission ratifying SEDC members selected by SEDC. Commissioner Jordan offered an amendment to the foregoing proposed ordinance to require that the SEDC submit their membership to the County Commission for ratification.

Responding to comments made regarding a reporting mechanism, Assistant County Attorney Johnson-Stacks noted currently no specific time was established for the SEDC to report to this Committee, even though the Code provided for the SEDC to report to this Committee.

Commissioner Souto offered an amendment to the foregoing proposed ordinance to require that the Social and Economic Development Council submit bi-annual reports to the Economic Development and Human Services Committee.

Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended to require that the SEDC submit their membership to the County Commission for ratification and to require that the Social and Economic Development Council submit bi-annual reports to the Economic Development and Human Services Committee.

1G4

082129 **Ordinance** **Dorrin D. Rolle, Barbara J. Jordan**

ORDINANCE AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY; PERTAINING TO THE COMMUNITY SMALL BUSINESS ENTERPRISE (CSBE) PROGRAM FOR THE PURCHASE OF CONSTRUCTION SERVICES; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR FAILURE TO SATISFY AN APPROVED CSBE MAKE-UP PLAN; AMENDING SECTION 8CC OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to no date certain
Mover: Sorenson
Seconder: Moss
Vote: 5-0

Report: *During consideration of changes to today's agenda, the Committee deferred the foregoing proposed ordinance to no date certain.*

1G5

082288 **Resolution**

RESOLUTION APPROVING APPLICATION OF EXCEL TRANSPORTATION, INC. TO MODIFY CERTIFICATE OF TRANSPORTATION NO. 123 TO PROVIDE JITNEY SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Moss
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

Chairwoman Edmonson opened the public hearing. There being no one wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.

Hearing no questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

2 COUNTY COMMISSION

2A

082342 **Resolution** **Barbara J. Jordan, Audrey M. Edmonson, Sally A. Heyman, Dennis C. Moss, Katy Sorenson, Sen. Javier D. Souto, Carlos A. Gimenez, Dorrin D. Rolle**

RESOLUTION ENCOURAGING THE LOCAL BAR ASSOCIATIONS TO REQUEST OF THEIR MEMBERS THAT THEY PROVIDE PRO BONO LEGAL ASSISTANCE TO PERSONS FACING FORECLOSURE OR WHO ARE IN FORECLOSURE

Forwarded to BCC with a favorable recommendation
Mover: Jordan
Seconder: Sorenson
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

The Committee proceeded to vote on this proposed resolution as presented.

Commissioners Moss, Sorenson, Souto and Chairwoman Edmonson asked to be listed as co-sponsors on this proposed resolution.

Responding to Commissioner Jordan's question regarding how County staff was inviting local bar associations to provide legal assistance to persons facing foreclosure, Ms. Hana Eskra, Interim Deputy Director, Office of Community and Economic Development (OCED), noted currently OCED was utilizing the department's website as a media to notify and invite local bar associations to provide pro bono legal representation.

Commissioner Jordan suggested a meeting be scheduled with local bar associations for County staff to make a presentation to encourage bar associations to participate in providing pro bono representation of persons facing foreclosure actions.

Following Commissioner Jordan's comments, Ms. Cathy Peel, Director, Miami-Dade County Consumer Services Department (CSD), stated CSD through its Consumer Advocate Program met last week with a committee of Miami-Dade County bar associations that were meeting today (9/10) to address the efforts suggested by Commissioner Jordan.

Hearing no further questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

3 DEPARTMENT

3A

082303 **Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF $930,000, BETWEEN DAVID BROMLEY, TRUSTEE AND AUSAR IMOVEIS LIMITADA, LC, A NEVADA DOMESTIC LIMITED-LIABILITY COMPANY, AS SELLERS, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 31,900 SQUARE FEET OF IMPROVED PROPERTY LOCATED AT 102 N.W. 62 STREET AND 114 N. W. 62 STREET, FOR THE PURPOSE OF CONSTRUCTING PERMANENT SUPPORTIVE HOUSING FOR FORMERLY HOMELESS PERSONS AND FAMILIES, AND AFFORDABLE HOUSING FOR LOW INCOME PERSONS AND FAMILIES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

(General Services Administration Department)

Forwarded to BCC with a favorable recommendation
Mover: Edmonson
Seconder: Moss
Vote: 5-0

Report: *Chairwoman Edmonson relinquished the chair to Vice Chairwoman Sorenson.*

The Committee proceeded to vote on the foregoing proposed resolution as presented.

Commissioner Jordan questioned whether the project outlined in this proposed resolution was a transitional project for homeless individuals because the project called for mixed development.

Responding to Commissioner Jordan's question, Mr. David Raymond, Executive Director, Office of the Homeless Trust, stated the design for the program was to collaborate with the Office of Community and Economic Development in terms of a broader development. He indicated the way in which the tax credits projects worked, the funds set-aside would be divided 50% for homeless and 50% for affordable low-income persons and families.

Responding to Commissioner Jordan's question regarding the County no longer being required to honor long-term leases for County-owned properties, Ms. Wendi Norris, Director, General Services Administration, concurred with Commissioner Jordan regarding the County no longer honoring long-term leases for County-owned properties.

3B

082415 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A RETROACTIVE LEASE AGREEMENT AT 1550 NORTH MIAMI AVENUE, MIAMI AND 28205 S.W. 125 AVENUE, HOMESTEAD, WITH THE COMMUNITY PARTNERSHIP FOR HOMELESS, INC. A NOT-FOR-PROFIT CORPORATION OF THE STATE OF FLORIDA, FOR PREMISES TO BE UTILIZED BY THE COMMUNITY ACTION AGENCY, FOR THE HEAD START PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Deferred to next committee meeting
Mover: Edmonson
Seconder: Moss
Vote: 5-0

Report: *Chairwoman Edmonson relinquished the chair to Vice Chairwoman Sorenson.*

It was moved by Commissioner Edmonson that the Committee forward the foregoing proposed resolution as presented. Commissioner Moss seconded this motion.

Assistant County Attorney Cynthia Johnson-Stacks noted the General Services Administration (GSA) requested deferral of this proposed resolution.

Commissioner Edmonson presented a motion to reconsider this proposed resolution. Commissioner Moss seconded this motion.

Hearing no objection, the Committee proceeded to vote for the deferral of the foregoing proposed resolution as requested by GSA.

Responding to Commissioner Moss' question regarding the reason for the deferral, Assistant County Attorney Johnson-Stacks noted staff advised her some changes needed to be made to the proposed resolution and the attached lease agreement.

3C

082441 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, AND EXPEND FEDERAL OLDER AMERICANS ACT TITLE III FUNDS FROM THE ALLIANCE FOR AGING, INC., IN THE APPROXIMATE AMOUNT OF $600,000 FOR MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE, AMEND AND EXTEND SUCH CONTRACTS AND AGREEMENTS AS REQUIRED; AND TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUTURE FUNDS SHOULD THEY BECOME AVAILABLE UNDER THIS PROGRAM FOR THIS PURPOSE (Human Services Department)

Forwarded to BCC with a favorable recommendation
Mover: Moss
Seconder: Sorenson
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

3D

082289 **Resolution**

RESOLUTION RATIFYING AMENDMENTS TWO AND THREE TO THE CONTRACT WITH VICTIM RESPONSE, INC. FOR THE OPERATION OF THE COUNTY'S NORTHWEST DOMESTIC VIOLENCE CENTER; WAIVING THE COMPETITIVE BID PROCESS; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE AND EXERCISE THE PROVISIONS OF A CONTRACT WITH VICTIM RESPONSE, INC. FOR FISCAL YEAR 2008-2009 IN SUBSTANTIALLY THE SAME FORM AS ATTACHED (Office of Community Advocacy)

Forwarded to BCC with a favorable recommendation
Mover: Moss
Seconder: Sorenson
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

3E

082505 **Resolution**

RESOLUTION AUTHORIZING THE SALE AND REHABILITATION OF WALDEN POND APARTMENTS BY WALDEN POND PRESERVATION, LP, AND THE ASSUMPTION OF AND AN AMENDMENT TO THE EXISTING LOAN TERMS OF THE THREE HOME LOANS TOTALING $3,300,000, AND APPROVING AN INCREASE IN THE AREA MEDIAN INCOME AND AN INCREASE IN THE NUMBER OF LOW-INCOME SET-ASIDE UNITS, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE ANY NECESSARY AGREEMENTS

Deferred to no date certain
Mover: Sorenson
Seconder: Moss
Vote: 5-0

(Office of Community and Economic Development)

Report: *During consideration of changes to today's agenda, the Committee deferred the foregoing proposed resolution to no date certain.*

3F

082507 **Resolution**

RESOLUTION RECOMMENDING CONFIDENTIAL PROJECT NO. 08-00268 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT NO. 08-00268 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO $112,000 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2012 THROUGH 2017, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT NO. 08-00268 APPLICATION WITH THE PROVISION THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 08-00268 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT NO. 08-00268 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9; AND PROVIDING FOR AN EFFECTIVE DATE (Office of Community and Economic Development)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Edmonson
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

The Committee proceeded to vote on this proposed resolution as presented.

Commissioner Sorenson asked for clarification on how the tax increments were done for the project outlined in this proposed resolution.

Mr. Stephen Beatus, Associate Executive Vice President, Expansion/Retention/Recruitment and Urban Initiative, Beacon Council, provided an explanation of the tax increments for the project outlined in this proposed resolution.

Commissioner Sorenson questioned whether this was best way to use the estimated incremental County tax revenue for the Qualified Target Industry (QTI) program as recommended in this proposed resolution.

Mr. Beatus noted this proposed resolution would provide a good return on its investment.

3G

082544 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR ALL AVAILABLE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR EMERGENCY ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE REDEVELOPMENT OF ABANDONED AND FORECLOSED HOMES; RECEIVE AND EXECUTE SUCH CONTRACTS, AGREEMENTS, AND MEMORANDA OF UNDERSTANDING, AND AMENDMENTS AFTER APPROVAL BY THE COUNTY ATTORNEY; AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR AND RECEIVE ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (Office of Community and Economic Development)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Jordan
Seconder: Sorenson
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution and its supplement Legislative File No. 082511, supplemental information regarding the Emergency Assistant for the Redevelopment of Abandoned and Foreclosed Homes (Title III) of the Housing and Economic Recovery Act of 2008 into the record.*

Commissioner Jordan questioned how this proposed resolution was different from Resolution No. R-773-08, adopted on July 1, 2008, which was a resolution directing the County Mayor or his designee to develop a plan that utilized federal grants and other funding sources to buy and refurbish foreclosed homes in Miami-Dade County.

Ms. Cynthia Curry, Senior Advisor to the County Manager, explained this proposed resolution was an attempt to respond to Commissioner Jordan's request made in R-773-08. She indicated the supplement provided for a status report on the Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes (Title III) of the Housing and Economic Recovery Act of 2008 (the "Act"). Ms. Curry stated the Act would identify eligible uses of these funds. She proceeded to provide an overview of the activities undertaken by the County Administration in order to prepare a resolution for the County Commission's consideration that would include input from the County Commission on policy and program recommendations. Ms. Curry informed the

Committee members that the United States Department of Housing and Urban Development (USHUD) would provide notification by September 28, 2008, to local governments of their funding allocation and provide additional guidelines for the use of these Title III funds. Therefore, upon receipt of the notification the Administration would like to be able to receive the Title III funds. She indicated the resolution coming forth would be to receive the funds and not to expend the Title III funds; and thereafter, the administration would be seeking the County Commission's direction on how to expend those funds programmatically. Ms. Curry noted the final plan would be presented to this Committee, and subsequently to the County Commission for approval and authorization to expend the funds.

Responding to Commissioner Jordan's comments, Assistant County Attorney Shannon Summerset noted the intent of Commissioner Jordan's proposal (R-773-08), which authorized the County Administration to apply for funds and comeback with a plan. She pointed out this proposed resolution came about after the passage of the Act. Therefore, currently staff was seeking the authority to apply for the Title III funds and guidance by the Board on how to expend funds through a plan that was consistent with the Act.

Commissioner Jordan expressed her resolution was broad enough to encompass the intent of this proposed resolution.

Following Commissioner Jordan's comments, Ms. Curry stated if this proposed resolution was not necessary. She noted OCED worked with the County Attorney's Office and if this resolution were not required, staff would move forward with R-773-08. Ms. Curry stated County staff worked with the County's legislative staff in Washington, D.C. to ensure the County understood the Act before it was adopted.

Commissioner Sorenson noted this proposed resolution was needed because it was much broader than R-773-08, which addressed only buying and refurbishing foreclosed homes.

Assistant County Attorney Johnson-Stacks asked the Committee members to allow the County Attorney's Office to obtain a copy of R-773-08 in order to review the specifics of the resolution.

Chairwoman Edmonson concurred with

Commissioner Sorenson's comments regarding the need for this proposed resolution. She asked if the Committee could forward this resolution, and the County Attorney's Office would meet with Commissioner Jordan to determine how to proceed with this proposed resolution prior to the Board meeting.

Assistant County Attorney Johnson-Stacks stated nothing would prohibit this proposed resolution, if the Committee forwarded it to the County Commission for consideration. She indicated the question from Commissioner Jordan was whether it was necessary, and the County Attorney's Office was requesting time to research the issue.

The Committee proceeded to vote on this proposed resolution as presented pending the determination by the County Attorney's Office.

A discussion ensued among the Committee members, Ms. Curry and Assistant County Attorney Summerset on the process outlined in R-773-08, the passage of the Act legislation, and this proposed resolution.

Commissioner Jordan asked Assistant County Attorney Shannon Summerset to provide a legal opinion before the September 16, 2008, Board Regular Meeting, indicating the difference in this proposed resolution from Resolution No. R-773-08, adopted on July 1, 2008, under her sponsorship.

Commissioner Moss requested an explanation on the allowable uses for the Title III funds.

Responding to Commissioner Moss' request, Ms. Hana Eskra, Interim Deputy Director, Office of Community and Economic Development, provided an overview of the Status Report on Emergency Assistant for the Redevelopment of Abandoned and Foreclosed Homes (Title III) of the Housing and Economic Recovery Act of 2008 attached to Agenda Item 3G Supplement. She noted this report provided the preliminary funding uses for consideration. The preliminary funding uses addressed strategies that appeared to be consistent with Title III.

Commissioner Moss noted demolition and blighted structures seemed to go beyond the definition of foreclosure. In addition, he noted that the definition for redevelopment of demolition or vacant properties went beyond the foreclosure

definition as well. He provided an example of areas located within a targeted Community Development Block Grant revitalization area that was a blighted area with sub-standard structures, and a haven for negative activities. Commissioner Moss noted he was committed to gaining control over that particular property to provide affordable housing in the subject area; and questioned if this subject area could potentially be eligible for Title III funds.

Ms. Eskra stated she could not provide a definitive answer until after the issuance of the USHUD Final Notice. She indicated that following the issuance of the USHUD Notice, staff could submit further questions regarding eligible uses of Title III funds.

A discussion ensued among Commissioner Moss, Ms. Curry, Ms. Eskra, and Chairwoman Edmonson regarding the USHUD Notice, the availability of providing funds to those persons currently going through foreclosure proceedings, the agencies are providing intervention for persons from losing their homes, and approximately $180 million set-aside for allocations to agencies to perform foreclosure intervention funding.

Ms. Eskra noted she has been in contact with Centro Campesino Farmworker Center, Inc. and Neighborhood Housing Services to provide foreclosure intervention who intended to apply for those funds. She indicated also as part of this Act, the USHUD Florida Housing Administration would assist persons prior to foreclosure to refinance their homes. Ms. Eskra stated the Request for Applications (RFA) issued by OCED made Rescue Funding available for organizations to apply for that provided foreclosure intervention programs. She noted Rescue Funds assisted person's catch-up on their mortgages in a way to negotiate with the banks.

Commissioner Moss questioned how receptive the banks and the lending institutions were to engage the Miami-Dade County financial community in addressing the issue of foreclosure.

Responding to Commissioner Moss' question, Ms. Curry noted Ms. Patricia Braynon, Executive Director, Miami-Dade County Housing Finance Authority, held a number of meetings with the banking community along with other parties of the County Administration to provide the County with

as much input as possible on foreclosure.

Commissioner Sorenson informed the Committee members of her third foreclosure workshop held in Commission District 8 and the overwhelming response from the community.

Ms. Curry provided an overview of the number of foreclosures in Miami-Dade County and the map prepared by the Department of Planning and Zoning Research Section entitled, "Foreclosed Real Estate Owned Properties by Commission District May to July 2008."

The Committee voted to forward this proposed resolution and its supplement Agenda Item 3G supplement as presented.

In response to the request by Ms. Curry for a waiver, Chairwoman Edmonson requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Bruno A. Barreiro requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the September 16, 2008, Board meeting.

3G SUPPLEMENT

082511 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING THE EMERGENCY ASSISTANCE FOR THE REDEVELOPMENT OF ABANDONED AND FORECLOSED HOMES (TITLE III) OF THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Jordan
Seconder: Sorenson
Vote: 5-0

Report: *In response to the request by Ms. Cynthia Curry, Senior Advisor to the County Manager for a waiver, Chairwoman Edmonson requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Bruno A. Barreiro requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the September 16, 2008, Board meeting.*

3H

082503 **Resolution**

RESOLUTION APPROVING AMENDMENTS TO THE COMMUNITY REDEVELOPMENT PLAN FOR THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY (Office of Strategic Business Management)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Edmonson
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

3I

082556 **Resolution**

RESOLUTION AUTHORIZING THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) OVERSIGHT ADMINISTRATOR IN CHARGE OF MIAMI-DADE HOUSING AGENCY (MDHA) TO SUBMIT A DISPOSITION APPLICATION TO US HUD ON BEHALF OF MIAMI-DADE COUNTY THROUGH MDHA, FOR THE DISPOSITION OF 1.8 ACRES OF UNDEVELOPED LAND LOCATED WITHIN THE PUBLIC HOUSING DEVELOPMENT KNOWN AS VICTORY HOMES

(Miami-Dade Housing Agency)

Forwarded to BCC with a favorable recommendation
Mover: Edmonson
Seconder: Moss
Vote: 5-0

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

Chairwoman Edmonson relinquished the chair to Vice Chairwoman Sorenson.

Hearing no questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

3J

082557 **Resolution**

RESOLUTION AUTHORIZING THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) OVERSIGHT ADMINISTRATOR IN CHARGE OF MIAMI-DADE HOUSING AGENCY (MDHA) TO SUBMIT A DEMOLITION/DISPOSITION APPLICATION TO US HUD ON BEHALF OF MIAMI-DADE COUNTY THROUGH MDHA, FOR THE DEMOLITION AND DISPOSITION OF LINCOLN GARDENS, A FORTY-SEVEN (47) UNIT PUBLIC HOUSING FAMILY DEVELOPMENT WITHIN UNINCORPORATED MIAMI-DADE COUNTY, (USHUD ID # FL. 5-19A), LOCATED AT 4771 NW 24 COURT, MIAMI, FLORIDA

Forwarded to BCC with a favorable recommendation
Mover: Edmonson
Seconder: Moss
Vote: 5-0

(Miami-Dade Housing Agency)

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record.*

Chairwoman Edmonson relinquished the chair to Vice Chairwoman Sorenson.

Hearing no questions or comments, the Committee proceeded to vote on this proposed resolution as presented.

3K

082555 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN MDHA SECTION 8 OVERSIGHT AND MANAGEMENT SERVICES FOR PART A – SECTION 8 HOUSING CHOICE VOUCHER PROGRAM, AND THE ASSOCIATED FAMILY SELF SUFFICIENCY, HOMEOWNERSHIP, AND PROJECT BASED VOUCHER PROGRAM, AND PART B - SECTION 8 MODERATE REHABILITATION AND SINGLE ROOM OCCUPANCY PROGRAMS, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN REQUISITION NO. RQHD0800009 (Procurement Management Department)

Amended

Report: *See Agenda Item 3K Amended, Legislative File No. 082623 for the amended version.*

3K AMENDED

082623 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN CERTAIN MDHA SECTION 8 OVERSIGHT AND MANAGEMENT SERVICES, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN REQUISITION NO. RQHD0800009 [SEE ORIGINAL ITEM UNDER FILE NO. 082555] (Procurement Management Department)

Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments
Mover: Jordan
Seconder: Moss
Vote: 4-1
No: Sorenson

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution into the record. In addition, she informed the Committee members that recommended changes to this proposed resolution would be read into the record at the appropriate time.*

Commissioner Sorenson moved it and Chairwoman Edmonson seconded the motion for discussion on this proposed resolution.

Commissioner Jordan stated this proposed resolution returned the Miami-Dade Housing Agency (MDHA) to the County and privatized MDHA Section 8 programs. She questioned if any safeguards could be put into place in the Request for Proposals (RFP) to transfer the Ann Marie Adker Consent Decree (Adker Decree) stipulation even though it expired August 2009.

Ms. Lindsey Reames, United States Department of Housing and Urban Development (USHUD) Oversight Administrator, noted the RFP attached to this proposed resolution specifically addressed using the waiting list under Adker until the County gave direction to the contractor that would be awarded the contract for oversight and management of the MDHA Section 8 Programs. She noted Section 2.4.17 entitled, "Waiting List" of the RFP addressed the process to follow the expiration of the Adker Decree.

Responding to Commissioner Jordan's question whether the County would play a role into the process to follow the expiration of the Adker Decree, Ms. Reames stated the contractor would have to seek the County's approval of their recommendation on procedures. She pointed out those procedures and processes were a part of the

County's Administrative Plan and Annual/Five-Year Public Housing Agency Plan ("Plan").

Commissioner Jordan stressed the importance of ensuring the County would be able to maintain the Adker Decree, even though, it would expire, and that the County should receive reports from the contractor on how they were filling the vacancies for the MDHA Section 8 Programs.

A discussion ensued among Commissioners Sorenson, Moss, Ms. Reames, Ms. Curry and Assistant County Attorney Terrence Smith regarding monitoring mechanisms, customer services, the County's role as the recipient for the Federal funds, and the overall timeline for return of MDHA to the County.

Assistant County Attorney Smith clarified that the County Commission approved an amendment to the Settlement Agreement that conditioned the return of MDHA by requiring the County to outsource the Section 8 Housing Choice Voucher Program, and the current RFP proposed Section 8 Moderate Rehabilitation and the Single Room Occupancy programs be outsourced. In addition, he noted the County would further discuss with USHUD on the possibility of outsourcing the Shelter plus Care Program. He indicated if the County Commission decided not to outsource the three programs mentioned, then USHUD would not use that as a basis to not return MDHA to the County. Mr. Smith pointed out the only requirement in the Settlement Agreement was to outsource the Section 8 Housing Choice Voucher program.

The different programs did not separate following Commissioner Moss' comments regarding why the other housing programs were included for outsourcing in the attached RFP, Ms. Curry pointed out the MDHA staff and the staff handled all the voucher programs. Therefore, she stated USHUD thought it was in the County's best interest to view it as an umbrella of voucher programs. Subsequently, the County Administration recommended privatizing all of the MDHA Section 8 programs as opposed to a portion of them.

Ms. Reames concurred with Ms. Curry comments' and provided an overview of the requirements for the voucher programs.

Commissioner Moss stated he would like to review

other housing agencies that were in the same situation as the MDHA. He reiterated his concern with privatization of the Section 8 housing programs.

A discussion ensued among Commissioner Moss, Ms. Reames, and Assistant County Attorney Smith regarding any new MDHA policies and procedures that must be part of the Plan and approved by the County Commission, and if Commissioner Moss desired that the RFP be strengthened to ensure a similar Adker Decree or program existed.

Commissioner Moss offered an amendment to the foregoing proposed resolution to add language to Request for Proposals (RFP) No. RQHD0800009 for Miami-Dade Housing Agency (MDHA) Section 8 Oversight and Management Services to indicate, and to put the contractors on notice, that the successful proposer may need to have a plan to implement that would carry forth the Ann Marie Adker Consent Decree protocol.

It was moved by Commissioner Moss that the Committee accept the amendment he offered. Commissioner Jordan seconded this motion.

Chairwoman Edmonson stated, for the record, that the MDHA would have the authority to approve the contract as well as terminate the contract. Therefore, MDHA would remain in control of Section 8 housing programs.

Ms. Reames noted as part of this contract award through the RFP the County's procurement process would be adhered too.

Following Chairwoman Edmonson's comments whether MDHA would ensure the contractor remained in compliance with the USHUD requirements, Ms. Reames stated staff would be assigned to specifically administer the contract. Therefore, staff would ensure performance under the contract that would include development of specific criteria to be monitored on a monthly basis. She indicated the RFP and the contract required monthly meetings between MDHA and the contractor. Ms. Reames stated USHUD would review all of the performance measures and outcomes each month. She indicated that monthly status reports on the contractor's performance would be provided.

Discussion ensued among Commissioners

Sorenson, Jordan and Ms. Reames regarding the following issues:

(1) the effective work to facilitate the MDHA housing programs;
(2) the RFP that would obtain qualified firms to assume all management and oversight operations for the MDHA Section 8 Program;
(3) the current MDHA staff;
(4) the increased competition among small and large companies;
(5) the managed competition between the County and the private entity if the County retained the smaller MDHA voucher programs.

Commissioner Jordan expressed whether the private entity would absorb the current MDHA employees.

Ms. Reames provided an overview of managed competition between the County and other companies for the small MDHA voucher programs. She noted USHUD's recommendation from an oversight perspective was for the County to contract all of the Section 8 programs. In addition, she noted the current MDHA employees may be retained at MDHA, fill vacant positions within other County departments, and/or leave the County and work with the successful contractor(s) that was allowed under this RFP to consider current MDHA program employees.

Commissioner Jordan expressed reservation that the County did not gain any experience in taking corrective action in managing the MDHA Section 8 Program if the County had to step in if the contractor(s) failed at managing the Section 8 Program.

Commissioner Jordan offered an amendment to the foregoing proposed resolution to move forward with only Part A that included 14,609 Housing Choice vouchers, 75 Mainstream vouchers, 50 Project Based Voucher units, and one Disaster Housing Assistance Program voucher of the RFP outlined in the attached RFP to this proposed resolution.

It was moved by Commissioner Jordan that the Committee forward this proposed resolution as amended. Commissioner Moss seconded this motion.

Commissioner Sorenson spoke in opposition to the amendment to move forward with only Part A of

the RFP.

Responding to Chairwoman Edmonson's question regarding how the County would move forward with Part A, Ms. Reames noted during the negotiations of the amendment to the Settlement Agreement USHUD intended to include all public housing funded for Section 8 programs.

Chairwoman Edmonson noted the pros and cons of delaying the return of MDHA to the County if the County moved forward with only Part A.

Ms. Miriam Singer, Director, Department of Procurement Management, noted one of the options that the Committee may consider in terms of the concern with Part B of the RFP was to move forward with both Parts A and B. She indicated this Committee and the County Commission would award the contract in this proposed RFP, and if the Committee or the County Commission were not satisfied with the results of Part B then staff would move forward with only Part A.

Commissioners Jordan, Moss and Assistant County Attorney Smith discussed the County Commission approval of the original Settlement Agreement, which allowed the County to have the ability to transfer the Section 8 Moderate Rehabilitation Program out of MDHA; therefore, the Section 8 programs included in Part B were never intended to be part of the RFP attached to this proposed resolution.

Responding to Ms. Singer's comments, Commissioner Jordan expressed reservation with the County not demonstrating to USHUD that the County could take corrective action and measures to manage the smaller MDHA housing voucher programs. Commissioner Jordan noted the Committee's role to discuss agenda items prior to forwarding items to the County Commission for consideration.

Commissioner Moss spoke in support of Commissioner Jordan's comments regarding MDHA being in the position and having the infrastructure in place in the event the County had to intervene. He reminded the Committee members of other County projects such as the Performing Arts Center and the North Terminal at Miami International Airport in which the County awarded the contracts to a private entity and later had to resume the oversight, management, and completion of those projects.

Assistant County Attorney Terrence Smith recommended that the foregoing proposed resolution be amended to incorporate language in the attached RFP clarifying that before the transition period the existing cases would continue to be handled by the County Attorney's Office. After the transition period, the contractor would be solely responsible for any violation of Federal laws pertaining to Section 8 and other housing programs; and at this point, the contractor must obtain legal counsel and indemnify the County. Additionally, Mr. Smith recommended the following sections of the attached RFP would be changed to reflect this amendment:

(1) Sections 2.3.19, 2.5.20, 2.8.16 and 2.10.17 entitled, "Litigation" on handwritten pages 15, 23, 29 and 34; and
(2) Sections 2.4.23 and 2.9.15 entitled, "Litigation and Program Counsel" on handwritten pages 19 and 32.

Assistant County Attorney Smith also recommended that sections of the RFP be amended to add language providing that about the Section 8 Program there would be made available by the County up to 100 desktop computers that would be configured to make them compatible with current Emphasys Elite software utilized by the department (MDHA). The following sections would be changed to reflect this amendment:

(1) Sections 2.3.7 and 2.8.7 entitled, "Equipment and Software" on handwritten pages 14 and 28; and
(2) Sections 2.3.8 and 2.8.8 entitled, "Systems Access" on handwritten pages 14 and 28.

Assistant County Attorney Smith advised the Committee of additional language to Section 2.3.7 that would read as follows, "Within 30 calendar days of Notice to Proceed, the Contractor shall submit a request to MDHA for the desktop computers and paper files and records. MDHA will make them available to the contractor in less than 15 days prior to the Transition Date. The Contractor shall arrange for the transport and the installation of the computer equipment, paper files, and records on the date mutually agreed upon with MDHA. MDHA will not provide internet service; email service, computer software not listed above, laptop computers, technical support, servers, switches, routers, or related network conductivity equipment."

Furthermore, Assistant County Attorney Smith advised the Committee of additional language to Section 2.3.8 that would read as follows, "The Contractor shall make necessary actions to coordinate with MDHA to gain access through a web browser to access and utilize MDHA's Emphasys Elite software program, which the Contractor shall use. The Contractor shall also take necessary actions to gain access to Program systems, including but not limited to the Voucher Management System (VMS), Enterprise Income Verification (EIV) system, and the PHI Information Center (PIC)." Assistant County Attorney Smith indicated this same language would be reflected in Sections 2.8.7 and 2.8.8.

Assistant County Attorney Smith indicated the last change was based upon whether the Committee approved of the transfer of the entire MDHA housing programs as proposed by the administration. In addition, the Moderate Rehabilitation and Single Room Occupancy Programs for Part B that included 2,127 Moderate Rehabilitation units and 290 Single Room Occupancy (SRO) units of the RFP would include the Shelter plus Care Program, which was a separate housing program for the homeless and persons with disabilities.

Commissioner Jordan recommended this proposed resolution be amended on the retained portion to require the contractor to provide quarterly progress reports and any recommendations that would require major changes and to include a strong training component be provided for staff that would identify any issues.

Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution, as amended by Assistant County Attorney Smith, Commissioners Jordan and Moss.

In response to the request by Ms. Curry for a waiver, Chairwoman Edmonson requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Bruno A. Barreiro requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the September 16, 2008, Board meeting.

Ms. Curry informed the Committee members that Mr. Jose Cintron would serve as a Special Assistant in working with Ms. Reames to address

the transition for the return of MDHA to the County. She noted the transition would begin in October 2008 and end by December 2008 for the return of MDHA to the County.

Commissioner Moss publicly expressed appreciation to and recognized Ms. Kris Warren, the former MDHA Director for her great work and efforts under her leadership.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

082540 **Report**

CLERK'S SUMMARY OF MINUTES FOR JULY 9, 2008 FROM THE ECONOMIC DEVELOPMENT AND HUMAN SERVICES COMMITTEE (Clerk of the Board)

Approved
Mover: Sorenson
Seconder: Edmonson
Vote: 4-0
Absent: Souto

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the report as presented.

7 REPORTS

7A

082264 **Resolution**

REPORT ON FEASIBILITY OF COUNTY ASSISTANCE TOWARDS DEVELOPMENT AND ESTABLISHMENT OF A CO-OP AS FINANCING MECHANISM FOR HOMEOWNERSHIP

(County Manager)

Report Received
Mover: Jordan
Seconder: Moss
Vote: 4-0
Absent: Souto

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing report into the record.*

Ms. Cynthia Curry, Senior Advisor to the County Manager, advised, pursuant to Commissioner Souto's request, this report was provided for the County Administration to explore the feasibility of the County assisting residents of this community to develop and establish a Financial Cooperating (Co-Op) as a mechanism to expand homeownership opportunities.

Hearing no objection, the Committee proceeded to vote on this report as presented.

7B

082509 **Report**

STATUS REPORT ON MIAMI-DADE COUNTY MASTER HOUSING PLAN (SEPT 2008 EDHS)

(County Manager)

Report Received
Mover: Jordan
Seconder: Moss
Vote: 4-0
Absent: Souto

Report: *Hearing no objection, the Committee proceeded to vote on the foregoing report as presented.*

7C

082512 **Report**

ORAL REPORT RE: THE USE OF AFFORDABLE HOUSING GOB FUNDS

Report Received
Mover: Jordan
Seconder: Moss
Vote: 4-0
Absent: Souto

Report: *Hearing no objection, the Committee proceeded to vote on the foregoing report as presented.*

8 ADJOURNMENT

Report: *Hearing no further business to come before the Committee, the meeting adjourned at 12:36 p.m.*

Audrey M. Edmonson, Chair