

Date:

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

From: Carlos A. Gimenez
Mayor

Subject: Substantial Amendment to the FY 2013-2017 Consolidated Plan and FY 2015 Action Plan to Allocate \$241,969.49 of Home Investment Partnerships program income funds and \$2,100,239.39 of Documentary Stamp Surtax program income funds; Authorize a loan in the amount of \$2,342,208.88 of combined HOME program income and Surtax program income funds to Superior Manor Apartments, Ltd., or related entity, for the Superior Manor Apartments affordable housing project; and authorize an extension of the FY2014 award of \$4,170,000.00 Surtax Funds Conditional Loan Commitment

RECOMMENDATION

It is recommended that the Board of County Commissioners (the "Board"):

1. Approve, pursuant to the provisions of Section 17-02 of the Code of Miami Dade County, a loan in the amount of \$241,969.49 of Home Investment Partnerships Program ("HOME") program income funds to Superior Manor Apartments, Ltd., or other related entity of The Urban League of Greater Miami, Inc., for development of the Superior Manor Apartments affordable housing project, to be located at 5155 NW 24 Avenue, Miami, Florida, 33142 (Folio No. 30-3122-000-0111).
2. Approve the filing of a substantial amendment to the FY 2013-2017 Consolidated Plan and the FY 2015 Annual Action Plan filed with the United States Department of Housing and Urban Development ("U.S. HUD") to allocate \$241,969.49 of HOME program income funds to Superior Manor Apartments, Ltd., or other related entity of The Urban League of Greater Miami, Inc., for development of the Superior Manor Apartments affordable housing project; and
3. Approve, pursuant to the provisions of Section 17-02 of the Code of Miami Dade County, a loan in the amount of \$2,100,239.39 of local Documentary Stamp Surtax ("Surtax") program income funds, to Superior Manor Apartments, Ltd., or other related entity of The Urban League of Greater Miami, Inc., for development of the Superior Manor Apartments; and
4. Authorize the County Mayor or County Mayor's designee to issue an extension of the FY 2014 award of \$4,170,000.00 Surtax Funds Conditional Loan Commitment for the Superior Manor Apartments project for an additional six-month period.
5. Authorize the County Mayor or the County Mayor's designee to execute all conditional loan commitments, standard contract shells, standard loan document shells, amendments, and other agreements necessary to accomplish the purposes of this resolution. It is further recommended that the Board authorize 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.

SCOPE

Superior Manor Apartments is new construction of a 139-unit affordable housing development for seniors with incomes not greater than 33 percent (33%) of area median income to be located at 5155 NW 24 Avenue, Miami, Florida, 33142, in Commission District 3, represented by Commissioner Audrey M. Edmonson.

FISCAL IMPACT/FUNDING SOURCE

This item allocates HOME program income and Surtax program income funds and will not have a negative fiscal impact on the County's General Fund. The details of the pre-paid loans and pre-payment commitment are listed in Table One.

TRACK RECORD/MONITORING

The project will be monitored by Michael Liu, Director, Public Housing and Community Development.

BACKGROUND

In May 2015, Central City Apartments, Ltd. pre-paid a HOME loan in the amount of \$241,969.49 and a Surtax loan in the amount of \$521,093.08, both of which had been used for the development of the Central City Apartments affordable housing project. The Village Miami Phase I, Ltd., received a County loan of Surtax funds in the amount of \$1,579,146.31 for the development of The Villages Apartments and has agreed to pre-pay its County loan in full, including any accrued interest prior to closing on the County loan to Superior Manor Apartments, Ltd., or related entity, for the Superior Manor Apartments affordable housing project. Both Central City Apartments, Ltd. and Village Miami Phase I, Ltd. are entities related to The Urban League of Greater Miami, Inc. The details of the pre-paid loans and pre-payment commitment are listed in Table One.

These pre-paid loan funds, which upon pre-payment of \$1,579,146.31 from The Village Miami Phase I, Ltd. will total \$2,342,208.88, consist of a HOME loan in the amount of \$241,969.49 and a Surtax loan in the amount of \$2,100,239.39 which will be re-loaned to Superior Manor Apartments, Ltd., or other related entity of The Urban League of Greater Miami, Inc., for the development of the Superior Manor Apartments affordable housing project. The pre-payment and re-loan transaction is permitted by Section 17-02 of the Miami-Dade County Code of Ordinances, which provides that any developer which repays its County loan in full before the date on which the loan is due in full may, upon approval of the Board, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects, without the need to compete again for those funds.

Should the Board approve this item, the County Mayor or County Mayor's designee will execute Conditional Loan Commitments in substantially the form attached hereto as Exhibit 2 and Exhibit 3. The loans for Superior Manor Apartments will be subject to a full credit underwriting analysis, including subsidy layering review, a favorable recommendation from the underwriter, and written financing commitments for the total development costs, all of which shall be completed prior to the financial closing of the loan approved herein or the release of loaned funds. The loan shall be subject to those loan terms prescribed in the Surtax and HOME FY 2015 Request for Applications and is subject to change at the discretion of the County Mayor or County Mayor's designee based upon the credit underwriting analysis.

Table One

Superior Manor – Loans Pre-Paid in Full							
Loan #	Project Name	Funding Source	Original Loan Amount	Loan Balance at time of Pre-Payment	Maturity Date	Amount Pre-Paid	Pay-Off Date
7609	Central City Apts.	HOME	\$263,000.00	\$241,969.49	12/31/16	\$241,969.49	5/28/15
15955	Central City Apts.	Surtax	\$997,500.00	\$521,093.08	12/31/27	\$521,093.08	5/28/15
Total			\$1,260,500.00	\$763,062.57		\$763,062.57	
Superior Manor – Loan Pre-Payment Committed							
Loan #	Project Name	Funding Source	Original Loan Amount	Loan Balance at time of Pre-Payment	Maturity Date	Amount Committed for Pre-Payment	Proj. Pay-Off Date
336229	The Villages Apts.	Surtax	\$1,579,146.31	\$1,579,146.31	12/03/49	\$1,579,146.31	1/15/16
Total Pre-Paid and Committed Pre-Payment Funds				<u>\$2,342,208.88</u>			

Superior Manor Apartments, LLC was awarded \$4,170,000.00 of FY 2014 Surtax funds for the Superior Manor Apartments project. Superior Manor Apartments LLC was merged into Superior Manor Apartments, Ltd., which will be the borrowing entity for \$4,170,000.00 existing loan and the new loan approved in this resolution. In accordance with the provisions of Resolutions No R-165-13 and/or R-232-14, the Department seeks Board approval for a third extension of the Conditional Loan Commitment for \$4,170,000.00 of FY 2014 Surtax funds for six additional months to allow finalization of the underwriting process and closing on the Superior Manor Apartments project with the use of pre-paid loan funds. The developer has already received two Conditional Loan Commitment extensions for the project.

Following approval of this item, the County Mayor or County Mayor's designee will file with U.S. HUD a substantial amendment to the FY 2013-2017 Consolidated Plan and FY 2015 Annual Action Plan to authorize the allocation of HOME program income funds.

Russell Benford, Deputy Mayor