



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Housing and Social Services Committee (HSSC) Meeting

July 17, 2018
12:00 P.M.
Commission Chambers

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**HSSC Meeting: July 17, 2018
Research Notes**

Item No. 2A

File No. 181613

Researcher: PGE Reviewer: TD

RESOLUTION DECLARING SURPLUS COUNTY-OWNED LAND AND IMPROVEMENTS LOCATED AT 1394 NW 62ND STREET, MIAMI, FLORIDA, WAIVING THE REQUIREMENTS OF ADMINISTRATIVE ORDER 8-4 AS THEY RELATE TO REVIEW BY PLANNING ADVISORY BOARD, AND APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY (LANDLORD) AND FLORIDA SICKLE, INC., (TENANT), A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR A 30-YEAR TERM PLUS TWO TEN YEAR OPTIONS TO RENEW, FOR THE PURPOSE OF PROVIDING FAMILY AND CHILD CARE SERVICES AND RELATED PROGRAMS AT AN ANNUAL RENT OF \$2,033.68 FOR THE INITIAL YEAR, AND ADJUSTED ANNUALLY BY THREE PERCENT FOR THE REMAINDER OF THE TERM, AND INCLUDING THE GRANT OF A FIVE YEAR OPTION TO PURCHASE SUCH PROPERTY AT THE MARKET VALUE OF THE LAND OF \$96,000.00 AS SET FORTH IN THE PROPERTY APPRAISER'S WEBSITE; APPROVING BY TWO-THIRDS VOTE THE CONVEYANCE BY DEED IN THE EVENT OF THE EXERCISE OF SUCH OPTION IN ACCORDANCE WITH SECTION 2-8.6.5 OF THE CODE OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE LEASE AGREEMENT, TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE FOREGOING

ISSUE/REQUESTED ACTION

Whether the Board should: (1) declare surplus County-owned property located at 1394 NW 62 Street, Miami, Florida; (2) waive review by the Planning Advisory Board as required by Administrative Order No. 8-4; and (3) enter a Ground Lease with Florida Sickle, Inc. for a 30-year term plus two, 10-year options to renew for delivery of family and childcare services at an annual rent of \$2,033.68 for the initial year and adjusted annually by three percent for the remainder of the term, including the grant of an option to purchase such property within five years of the lease agreement's effective date for \$96,000.

APPLICABLE LEGISLATION/POLICY

Section 125.38 of the Florida Statutes provides that if the United States, or any department or agency thereof, the state or any political subdivision or agency thereof, or any municipality of this state, or corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any county of this state or by its board of county commissioners, for public or community interest and welfare, then the United States, or any department or agency thereof, state or such political subdivision, agency, municipality, corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that such property is required for such use and is not needed for county purposes, may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in such resolution.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.38.html

HSSC Meeting: July 17, 2018 Research Notes

Section 2-8.6.5 of the County Code sets forth the County's policy relating to the purchase, sale and lease of real property.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

Resolution No. R-333-15, adopted by the Board on April 21, 2015, establishes the County policy requiring disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Resolution No. R-974-09, adopted by the Board on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Administrative Order No. 8-4 sets forth the County policy relating to the authority to sell, lease or otherwise dispose of County-owned property. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable. Should a recommendation not be received from the Planning Advisory Board within the time period provided within this administrative order, the Planning Department Director will provide a recommendation on the proposal.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdf/AO8-4.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Requester/Department: N/A

FISCAL IMPACT

The Tenant shall pay rent to the County in the amount of \$2,033.64 for the first year either in one lump sum or at the monthly installment rate of \$169.47. That first year rate of \$2,033.64 seen in the lease differs from the \$2,033.68 rate seen in the resolution. On the anniversary of the lease, the rent shall increase annually by three percent for each year thereafter throughout the term of the lease.

In the event the Tenant exercises its option to purchase the premises, the purchase price shall be \$96,000, the market value of the land at the time the lease was executed.

ANALYSIS

This item declares surplus County-owned property located at 1394 NW 62 Street, Miami, Florida, and authorizes a lease agreement with Florida Sickie, Inc. (Tenant) for an annual payment of \$2,033.68 for a term of 30 years plus two, 10-year options to renew. The rent increases annually at a rate of three percent for the term of the agreement. The item also provides, within the first five years of the lease, the right of the Tenant to exercise a one-time option to purchase the premises for \$96,000, the market value as seen on the County Property Appraiser's website at the time of lease execution.

**HSSC Meeting: July 17, 2018
Research Notes**

The property to be leased is 12,000 square feet and is located in District 3, represented by Commissioner Edmonson. Florida Sickle, Inc., is a nonprofit corporation, engaged in the clinical research of sickle cell disease and the delivery of medical care to those in need. The leased premises will be used for the delivery of treatment for sickle cell disease.

The property is currently unused and occasionally occupied by homeless individuals. The Tenant proposes to construct a Sickle Cell Disease Research Center with 20 to 30 beds for overnight stays, state-of-the-art operating rooms, an infusion center and supportive wrap around social services to assist individuals with sickle cell disease, their families and the surrounding neighborhood. Per the lease agreement, the Tenant shall complete the construction, as evidenced by a certificate of occupancy, no later than three years from the commencement date.

Florida Sickle, Incorporated is an active Florida non-profit corporation, with a principal address of 3858 Sheridan Street, Suite S, Hollywood, Florida. Per Exhibit A, Florida Sickle is also a 501(c)(3) non-profit charitable foundation.

**HSSC Meeting: July 17, 2018
Research Notes**

Item No. 2B

File No. 181651

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF ONE COUNTY-OWNED PROPERTY, WHICH IS LOCATED AT 2721 NW 44 STREET, MIAMI, FLORIDA, TO SIMCAR DEV, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AT A PRICE OF \$10.00, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTY WITH AFFORDABLE HOUSING TO BE SOLD TO A VERY LOW- LOW- OR MODERATE INCOME HOUSEHOLD IN ACCORDANCE WITH MIAMI-DADE COUNTY'S INFILL HOUSING INITIATIVE PROGRAM; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

ISSUE/REQUESTED ACTION

Whether the Board should approve conveyance of County property to SIMCAR DEV, LCC for \$10 for the purpose of developing such property with affordable housing to be sold to a very low-, low- or moderate income household in accord with the Infill Housing Program.

APPLICABLE LEGISLATION/POLICY

Section 125.379 of the Florida Statutes governs the disposition of county property for affordable housing and requires each county to prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing; properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.379&URL=0100-0199/0125/Sections/0125.379.html

Section 125.411 Florida Statutes provides the form to be used for deeds of conveyance of land.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.411&URL=0100-0199/0125/Sections/0125.411.html

Section 17-121 of the Miami-Dade County Code relates to the Infill Housing Initiative Program, whose purpose is to increase the availability of affordable homes for very low, low and moderate income persons, maintain a stock of affordable housing, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, to equitably distribute homeownership opportunities within the Infill Target Areas, and generate payment of ad valorem taxes.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH17HO_ARTVIINHGIN_S17-121TIPU

Miami-Dade County Code, Section 2-8.6.5, governs the purchase, sale and lease of real property.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

HSSC Meeting: July 17, 2018 Research Notes

Implementing Order No. 3-44 establishes the process for the implementation and management of the Infill Housing Initiative Program (Infill Program) for Miami-Dade County, whereby the procedures are established to carry out the goals of the Infill Program. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-44.pdf>

Miami-Dade County Administrative Order No. 8-4 states that the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification, if applicable.

”<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Resolution No. R-376-11, adopted on May 3, 2011, directs that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County’s investment and future control.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2011/R-376-11.pdf>

Resolution No. R-333-15, adopted April 21, 2015, establishes County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

Resolution No. R-979-17, adopted on November 7, 2017, declared the County properties at issue in the proposed resolution surplus and added such properties to the County’s inventory list of affordable housing sites.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-979-17.pdf>

Resolution No. R-974-09, adopted on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

Resolution No. R-380-17, adopted by the Board on April 4, 2017, established the policy requiring the County Mayor to provide written notification to the District Commissioner in which the County-owned property lies no less than four weeks prior to placing any item on the agenda requesting approval of the sale, lease or surplus of County-owned property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

**HSSC Meeting: July 17, 2018
Research Notes**

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Requester/Department: N/A

FISCAL IMPACT

Per the County Deed, for and in consideration of the sum of \$10 paid by SIMCAR, the County grants SIMCAR the property located at 2721 NW 44 ST, Miami, Florida. The Property Appraiser's Detailed Report shows an assessed value of \$22,491 for the property for calendar year 2018. The annual maintenance cost is \$304.

ANALYSIS

The resolution authorizes conveyance of County-owned property to SIMCAR DEV, LLC for \$10 for participation in the County's Infill Housing Program. SIMCAR DEV, LLC is an active, Florida limited liability company, with a principal address of 5432 NW 193 Lane, Miami, Florida. The property, which is located at 2721 NW 44 ST, Miami, Florida, in District 3, represented by Commissioner Edmonson, is 6,960 square feet. The SIMCAR project will offer up to 5,000 square feet of retail with two housing units for sale.

Under the County Deed, SIMCAR is required to sell the redeveloped units to a qualified homebuyer whose income range is established up to 140 percent of the most recent median family income for the County as reported by the United States Department of Housing and Urban Development. The property must be developed with two years of the recording of the deed as evidenced by the issuance of a final Certificate of Occupancy. The Deed further stipulates that under no circumstances shall the sales price of the home exceed \$205,000. If no waiver is recorded and a Certificate of Occupancy is not issued within two years from the date of the Deed, any party may rely upon the fact that the reverter has occurred and that title has reverted to the County.

ADDITIONAL INFORMATION

The Public Housing and Community Development Department oversees the Infill Housing Initiative Program and has developed guidelines for the administration of the program. The guidelines summarize the infill development process and requirements to be followed by developers.

<http://www.miamidade.gov/housing/library/guidelines/infill/infill-housing.pdf>

Infill Housing Homebuyer Requirements can be found at the below link:

<http://www.miamidade.gov/housing/infill-housing-homebuyers.asp>

**HSSC Meeting: July 17, 2018
Research Notes**

Item No. 3A

File No. 181524

Researcher: MF Reviewer: TD

RESOLUTION RETROACTIVELY AUTHORIZING THE COUNTY MAYOR'S OR COUNTY MAYOR'S DESIGNEE'S APPLICATION FOR YOUTH DEVELOPMENT GRANT FUNDING FROM THE CHILDREN'S TRUST IN THE AMOUNT OF \$179,823.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ACCEPT AND EXPEND \$179,823.00 IN FUNDING FROM THE CHILDREN'S TRUST FOR MIAMI-DADE COUNTY COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT'S FAMILY AND COMMUNITY SERVICES DIVISION'S YOUTH SUCCESS PROGRAM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS, OTHER REQUIRED AGREEMENTS AND DOCUMENTS, AS WELL AS AMENDMENTS, EXTENSIONS, AND RENEWALS OF SUCH AGREEMENTS AND DOCUMENTS TO IMPLEMENT THE PROGRAM AND TO EXERCISE TERMINATION, WAIVER, AND OTHER PROVISIONS SET FORTH THEREIN; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR, ACCEPT AND EXPEND FUTURE GRANT FUNDING TO SUPPORT THE YOUTH SUCCESS PROGRAM

ISSUE/REQUESTED ACTION

Whether the Board should retroactively authorize the County Mayor's application for funding in the amount of \$179,823.00 from the Children's Trust; authorize the County Mayor to accept and expend grant funding in the amount of \$179,823.00 from the Children's Trust for Miami-Dade County Community Action and Human Services (CAHSD) Department's Family and Community Services Division's Youth Success Program; and authorize the County Mayor to apply for, accept and expend additional future grant funding should it become available to support the Youth Success Program.

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Community Action and Human Services

This item has no procedural history.

FISCAL IMPACT

According to the Fiscal Impact Statement, there is no fiscal impact to Miami-Dade County for the provision of these services, which will be supported by the Children's Trust's grant funding in the amount of \$179,823.00 during Fiscal Year 2018-19. This grant funding may become available for four annual one-year renewals after the initial grant award, and does not require matching funds.

ANALYSIS

The proposed resolution seeks the Board's retroactive authorization for the County Mayor's application for funding in the amount of \$179,823.00 from the Children's Trust. It also seeks the Board's authorization for the County Mayor to accept and expend grant funding in the amount of \$179,823.00 from the Children's Trust for Miami-Dade County Community Action and Human Services (CAHSD) Department's Family and Community Services Division's Youth Success Program. In addition, it seeks the Board's authorization for the County Mayor to apply

HSSC Meeting: July 17, 2018

Research Notes

for, accept and expend additional future grant funding should it become available to support the Youth Success Program.

CAHSD's Youth Success Program will address the social, financial, emotional and educational barriers to high school graduation and entering into post-secondary education and/or the workforce faced by at-risk youth in the South Dade community. Youth Success will offer a variety of services, activities and support to bolster engagement and enhance outcomes by blending service-based learning, academics, hands-on experience, nutritious snacks, wrap-around social services for the entire family and social skills building.

Youth Success is rooted in positive youth development principles. The operating philosophy of the program is to create positive experiences and build positive relationships in a positive environment. Youth Success will focus on empowering youth to achieve optimal success by engaging them in meaningful activities that will build upon their leadership strengths and develop their skills and social capital. Positive reinforcements, motivational interviewing and stakeholders' case conferencing are some of the approaches that will be used to serve and monitor youth progress.

Youth Success' core service areas will include: academic support, social emotional learning, family engagement and civic engagement. The program will target youth/young adults ages 15-22 enrolled in high school who are interested in:

- Assessing and addressing the needs of their community;
- Achieving academic aspirations;
- Exploring opportunities for the future;
- Accessing social service resources for themselves, family members and their community;
- Serving as a peer mentor and a support system for other youth; and
- Becoming a community role model.

The program will welcome and encourage participation from youth who are economically disadvantaged, basic skills deficient, involved in the juvenile justice system, migrants, in foster care and/or have a disability. All Youth Success services will be offered at the South Dade Skills Center located at 28300 SW 152nd Avenue in Homestead, home of the South Dade Technical College, a Miami-Dade County Public School alternative high school.

At the end of the program, all Youth Success graduates will have established a portfolio that includes a resume, cover letter and references, participated in at least one college tour, completed a six-week financial literacy course on smart money management, planned and executed a team-led civic engagement project, participated in fun and educational outings, strengthened their social skills and received access to life-long supportive services for themselves, their family members and their community.

ADDITIONAL INFORMATION

An article dated September 6, 2016, entitled "Miami-Dade County identifies at-risk youth in attempt to intervene" states that "[o]fficials in Miami-Dade County said they have identified 2,000 at-risk youth in the County, and they are seeking to intervene before they become statistics. 'We are here because we have been able to finally understand who are the children at greatest risk,' said Miami-Dade Superintendent Alberto Carvalho. Carvalho made the announcement Tuesday. 'This group of children who have not yet broken the law, who have not yet had interaction with law enforcement, but if we do not intervene aggressively, more than likely, they shall,' he said. Officials said they used data from several factors to pinpoint the names. The factors included poverty, family issues, bad childhood experiences, poor self and impulse control, access to guns and gang involvement."

HSSC Meeting: July 17, 2018
Research Notes

<https://wsvn.com/news/local/miami-dade-county-identifies-at-risk-youth-in-attempt-to-intervene/>

**HSSC Meeting: July 17, 2018
Research Notes**

Item No. 3B

File No. 181513

Researcher: MF Reviewer: TD

RESOLUTION ACCEPTING THE FUNDING RECOMMENDATIONS OF THE MIAMI-DADE COUNTY HOMELESS TRUST, AS SET FORTH IN THE ATTACHED EXHIBIT 1, FOR THE AWARD OF CONTRACTS AND GRANTS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$8,252,694.03 AND A TOTAL AMOUNT NOT TO EXCEED \$25,192,082.09 MADE PURSUANT TO A REQUEST FOR APPLICATION PROCESS TO SELECT NOT-FOR-PROFIT PROVIDERS OF HOMELESS HOUSING AND SERVICES FOR FISCAL YEARS 2018-2021, AND FOR-PROFIT SERVICE PROVIDERS FOR FISCAL YEARS 2018-2023 IN ACCORDANCE WITH THE MIAMI-DADE COUNTY COMMUNITY HOMELESS PLAN: PRIORITY HOME; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND DIVERSION FIRST MENTAL HEALTH PROGRAM FUNDS FROM THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, THROUGH SOUTH FLORIDA BEHAVIORAL HEALTH NETWORK, IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR FISCAL YEAR 2018-2019; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AGREEMENTS, SOME OF WHICH MAY EXCEED ONE MILLION DOLLARS IF RENEWED, WITH COMMUNITY BASED ORGANIZATIONS AND GOVERNMENT AGENCIES THAT ARE APPROVED FOR FUNDING BY THE HOMELESS TRUST, AFTER APPROVAL BY THE COUNTY ATTORNEY'S OFFICE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE AMENDMENT, RENEWAL, TERMINATION, CANCELLATION, AND MODIFICATION CLAUSES OF ANY AGREEMENT ENTERED INTO PURSUANT TO THIS RESOLUTION

ISSUE/REQUESTED ACTION

Whether the Board should accept the funding recommendations for the Miami-Dade County Homeless Trust, for the award of contracts and grants, in an annual amount not to exceed \$8,252,694.03 and a total amount not to exceed \$25,192,082.09 made pursuant to a Request for Application process to select not-for-profit providers of homeless housing and services for Fiscal Years 2018-21, and for-profit service providers for Fiscal Years 2018-23.

Whether the Board should authorize the county Mayor to receive and expend Diversion First Mental Health Program funds in an amount not to exceed \$250,000.00 for Fiscal Year 2018-19.

Whether the Board should authorize the County Mayor to execute agreements, some of which may exceed one million dollars if renewed, with the selected not-for-profit and for-profit service providers, after approval by the County Attorney's Office.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Section 212.0306, governs the local option food and beverage tax. It states that (1) Any county, as defined in Section 125.011, may impose the following additional taxes, by ordinance, adopted by a majority vote of the governing body:

- (a) At the rate of 2 percent on the sale of food, beverages, or alcoholic beverages in hotels and motels only;
- (b) At the rate of 1 percent on the sale of food, beverages for consumption on the premises, except for hotels and motels; however, the tax shall not apply to any alcoholic beverage sold by the package for off-premises consumption.

HSSC Meeting: July 17, 2018

Research Notes

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0212/Sections/0212.0306.html

Ordinance No. 94-66, adopted by the Board on May 3, 1994, created the Dade County Homeless Trust.
<http://www.homelesstrust.org/library/ordinance-94-66.pdf>

Resolution No. 708-17, adopted by the Board on July 6, 2017, urges the Florida Legislature to support funding for the Diversion First Mental Health Program.
<http://intra/gia/matter.asp?matter=171652&file=true&yearFolder=Y2017>

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Miami-Dade County Homeless Trust

This item has no procedural history.

FISCAL IMPACT

According to the Fiscal Impact Statement, funding for housing and services is largely generated from Food and Beverage Tax revenue, which is designated for the provision of homeless housing and services. The total amount of Food and Beverage funding allocated for FY 2018-19 shall not exceed \$8,252,694.03 and renewal amounts will be no greater than \$8,252,694.03 annually (for each of the two one-year renewal periods). The total amount for the three-year period will not exceed \$24,758,082.09.

Further, the Fiscal Impact Statement indicates that renewal amounts for Fiscal Years 2021-2022 and FY 2022-23 for housing development and planning technical assistance and public relations, marketing and media relations will not exceed \$217,000.00 annually, for a five-year total of \$25,192,082.09. Separately, the Diversion First Mental Health Program, which provides Transitional Housing, will be funded by the Florida Department of Children and Families through South Florida Behavioral Health Network for FY 2018-19 and will be no greater than \$250,000.00.

ANALYSIS

In the early 1990s, more than 8,000 people were camping on the streets and sidewalks of Miami-Dade County. Health standards were compromised and street safety was dubious. Independent non-profit organizations were overwhelmed. In 1992, Governor Lawton Chiles appointed leaders to a Governor's Commission on Homelessness to create a plan to tackle the problem of homelessness. This led to the creation of the Miami-Dade Homeless Trust. In 1993, the Board of County Commissioners approved a Plan to End Homelessness and outlined the functions of the Trust.

The Trust is not a direct service provider. Rather, it is responsible for the implementation of policy initiatives developed by the Miami-Dade County Homeless Trust Board, and the monitoring of contract compliance by agencies contracted by the County, through the Trust, for the provision of housing and services for homeless persons. Through its policies and procedures, the Trust also oversees the utilization of the food and beverage tax proceeds dedicated for homes purposes, as well as other funding sources to ensure the implementation of the goals. Additionally, the Trust serves as the lead applicant on behalf of the County for federal and State funding opportunities, tracks homelessness data and develops and implements the annual process to identify gaps and needs of the homeless population.

HSSC Meeting: July 17, 2018 Research Notes

The proposed resolution seeks the Board's approval of the funding recommendations for the Miami-Dade County Homeless Trust, for the award of contracts and grants, in an annual amount not to exceed \$8,252,694.03 and a total amount not to exceed \$25,192,082.09 made pursuant to a Request for Application (RFA) process to select not-for-profit providers of homeless housing and services for Fiscal Years 2018-21, and for-profit service providers for Fiscal Years 2018-23.

Miami-Dade County is home to the nation's largest percentage of people living with serious mental illness in an urban community. The Diversion First Mental Health Program, formerly known as the Gap Funding Project, provides housing and wrap-around behavioral health treatment to homeless individuals referred by the Eleventh Judicial Circuit, who have experienced psychiatric hospitalizations and/or criminal justice involvement, and are willing to participate in jail diversion programming. The Diversion First Mental Health Program will serve homeless persons with Severe Mental Illness referred as part of the Eleventh Judicial Circuit's Criminal Mental Health Project. This special appropriation from the Florida Legislature was a Legislative Priority of the Board per Resolution No. 708-17.

The proposed resolution also seeks the Board's authorization for the county Mayor to receive and expend Diversion First Mental Health Program funds in an amount not to exceed \$250,000.00 for Fiscal Year 2018-19.

In addition, the proposed resolution seeks the Board's authorization for the County Mayor to execute agreements, some of which may exceed one million dollars if renewed, with the selected not-for-profit and for-profit service providers, after approval by the County Attorney's Office.

The contracts awarded to not-for-profit and for-profit service providers and government agencies pursuant to the 2013 and 2015 RFA processes will expire on September 30, 2018. The Food and Beverage funded RFA was duly noticed and advertised and became available on February 7, 2018. Accepting the funding recommendations made pursuant to the RFA at this time will allow the County sufficient time to enter into contracts and commence Food and Beverage Tax funded services on October 1, 2018, and the state funded Diversion First Mental Health on July 1, 2018, the start of the state's fiscal year.

ADDITIONAL INFORMATION

An article dated February 5, 2015, entitled "Fighting the war on homelessness in Miami-Dade," states that "[a]n overnight 'point in time' count, led by the Miami-Dade County Homeless Trust on January 22, shows the overall number of homeless people in Miami-Dade County has remained steady since last year – but more are living on the streets."

<https://www.miamiherald.com/news/local/community/miami-dade/article9363425.html>

DEPARTMENT INPUT

The Office of the Commission Auditor posed the following questions to the Homeless Trust, and is awaiting its responses:

- How much money has the Homeless Trust awarded to not-for-profit, and for-profit organizations over the years through the Food and Beverage fund?
- What organizations have been traditionally funded and what do they do?
- How many homeless people have been positively affected by this assistance?

**HSSC Meeting: July 17, 2018
Research Notes**

Item No. 3C

File No. 181664

Researcher: MF Reviewer: TD

RESOLUTION APPROVING PROPOSED FUNDING RECOMMENDATIONS FOR UP TO \$2,500,000.00 FOR THE FISCAL YEAR 2017 OPA-LOCKA MAGNOLIA NORTH DOCUMENTARY STAMP SURTAX (SURTAX FUNDS) REQUEST FOR APPLICATIONS (RFA); APPROVING THE SURTAX FUNDS FOR CONTINUED USE IN THE MAGNOLIA NORTH AREA AS THOSE FUNDS ARE REPAID; WAIVING CERTAIN REQUIREMENTS OF THE RFA; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO NEGOTIATE WITH CAZO CONSTRUCTION CORP. AND PALMETTO HOMES OF MIAMI, INC. (APPLICANTS) FOR THE AWARD OF THE SURTAX FUNDS TO ONE OR BOTH OF THE APPLICANTS, TO EXECUTE ALL LETTERS OF COMMITMENT, SHELL LOAN DOCUMENTS AND OTHER AGREEMENTS AND TO EXERCISE THE CANCELLATION AND OTHER PROVISIONS CONTAINED THEREIN, TO SUBORDINATE AND/OR MODIFY THE TERMS OF CONTRACTS, AGREEMENTS, AMENDMENTS AND LOAN DOCUMENTS AND TO EXERCISE THE TERMINATION, WAIVER, ACCELERATION, OR OTHER PROVISIONS SET FORTH THEREIN, AND TO RESCIND THE AWARD OF THE SURTAX FUNDS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH HEREIN

ISSUE/REQUESTED ACTION

The proposed resolution recommends that the Board

- Approve the proposed funding recommendations for up to \$2,500,000 for the FY 2017 Opa Locka Magnolia North Documentary Stamp Surtax Request for Applications;
- Approve the funds for continued use in the Magnolia North area as those funds are repaid;
- Waive the requirements in the RFA, including the scoring of the applicants, and authorize the County Mayor to negotiate with two of the four respondents to the RFA, Cazo Construction Corp, and Palmetto Homes of Miami, Inc.;
- Authorize the County Mayor to award up to \$2,500,000 in FY 2017 Surtax funding to be divided between the applicants in the event the County Mayor's negotiations with such entities are successful; or alternatively, in the event the County Mayor is only able to successfully negotiate with one of the applicants, then authorize the County Mayor to award up to \$2,500,000 in FY 2017 Surtax funds to such applicant;
- Authorize the County Mayor to rescind the award of the Surtax funds in the event all of the conditions set forth in the attached resolution are not met.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Section 125.379(2), prescribes the County's authority as to the County properties identified as affordable housing.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.379&URL=0100-0199/0125/Sections/0125.379.html

Florida Statutes, Section 125.411, relates to deeds of conveyance of lands.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.411&URL=0100-0199/0125/Sections/0125.411.html

HSSC Meeting: July 17, 2018 Research Notes

Florida Statutes, Section 125.379(1), requires each County to prepare an inventory list at least every three years of all real County properties that are appropriate for use as affordable housing and further allows the governing body of the County to revise the inventory list upon conclusion of a public hearing held before the governing body.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.379&URL=0100-0199/0125/Sections/0125.379.html

Miami-Dade County Code, Section 17-121, relates to the Infill Housing Initiative Program, whose purpose is to increase the availability of affordable homes for very low, low and moderate income persons, maintain a stock of affordable housing, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, to equitably distribute homeownership opportunities within the Infill Target Areas, and generate payment of ad valorem taxes.

https://library.municode.com/fl/miami_miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH17HO_ARTVIIIINHAIN_S17-121TIPU

Implementing Order No. 3-44 establishes the process for the implementation and management of the Infill Housing Initiative Program (Infill Program) for Miami-Dade County, whereby the procedures are established to carry out the goals of the Infill Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-44.pdf>

Resolution No. R-376-11, adopted on May 3, 2011, directs that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County's investment and future control.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2011/R-376-11.pdf>

Resolution No. R-64-14, adopted by the Board on January 22, 2014, authorized the County Mayor and Miami-Dade Housing Finance Authority to negotiate a ground lease with developers competitively selected by Miami-Dade Housing Finance Authority for the purpose of developing certain properties in the City of Opa-Locka for veterans or other special needs persons, subject to the United States Department of Housing and Urban Development's and the Board's final approval.

<http://intra/gia/matter.asp?matter=140026&file=true&yearFolder=Y2014>

The Public Housing and Community Development Department oversees the Infill Housing Initiative Program and has developed guidelines for the administration of the program. The guidelines summarize the infill development process and requirements to be followed by developers.

<http://www.miamidade.gov/housing/library/guidelines/infill/infill-housing.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Barbara J. Jordan, District

Department/Requester: Public Housing and Community Development

This item has no procedural history.

FISCAL IMPACT

According to the Fiscal Impact Statement, the award of Surtax funds will not have a negative fiscal impact on the County's General Fund.

HSSC Meeting: July 17, 2018

Research Notes

ANALYSIS

Located north of State Road 9, south of NW 151st Street, and east of NW 22nd Avenue, the Magnolia North area is within the Opa Locka Neighborhood Revitalization Strategy (NRSA). Over the years, the County has attempted a number of times, unsuccessfully, to revitalize this area.

On September 29, 2017, the Public Housing and Community Development Department (PHCR) issued a Request for Applications (RFA) to provide Surtax funds and County-owned land to successful applicants who were in a position to develop multi-family rental housing and homeownership units within the area. Four applications were submitted in response to this RFA from Cazo Construction Corporation; Hala Fashions Properties, LLC; Magnolia North Community Garden, LLC; and Palmetto Homes of Miami, Inc. The department reviewed the applications and determined that none of the four applicants met the threshold requirements. Nevertheless, staff believes that the applicants have demonstrated that they would be capable to develop the properties.

Therefore, the proposed resolution seeks the Board's approval of the proposed funding recommendations for up to \$2,500,000 for the FY 2017 Opa Locka Magnolia North Documentary Stamp Surtax Request for the development of multi-family rental housing and Homeownership Units on 18 parcels of County-owned land totaling 2.19 acres. The parcels include eleven former public housing sites and seven parcels designated for Infill Housing development.

The proposed resolution also seeks the Board's approval of the funds for continued use in the Magnolia North area as those funds are repaid.

Further, the proposed resolution seeks the Board's approval to waive the requirements in the RFA, including the scoring of the applicants, and authorize the County Mayor to negotiate with two of the four respondents to the RFA, Cazo Construction Corp, and Palmetto Homes of Miami, Inc. These two applicants have a recent history with PHCD and have demonstrated the ability and experience to successfully develop the properties with a minimum of 12 new affordable housing units consisting of single-family homes and/or duplexes, with the potential for multi-family housing development.

In addition, the proposed resolution seeks the Board's authorization for the County Mayor to award up to \$2,500,000 in FY 2017 Surtax funding to be divided between the applicants in the event the County Mayor's negotiations are successful; or alternatively, in the event that the negotiations are successful only with one of the applicants, then authorize the County Mayor to award up to \$2,500,000 in FY 2017 Surtax funds to such applicant.

Finally, the proposed resolution seeks the Board's authorization for the County Mayor to rescind the award of the Surtax funds in the event all of the conditions set forth in the attached resolution are not met.

ADDITIONAL INFORMATION

Under Sections 201.02 and 201.031 of the Florida Statutes, certain counties are authorized to levy a surtax on documents that transfer interest in Florida real property. In 1984, the County exercised this authority to establish a Housing Assistance Loan Trust Fund and implemented the Documentary Surtax Program. This program benefits very low to moderate-income families. Very low-income families have incomes of 50 percent or less than the median area income. Low-income families are those households with incomes of 80 percent or less of median area income. Moderate-income families have incomes greater than 80 percent, but less than 140 percent of median area income.

<http://www.miamidade.gov/housing/surtax.asp>

HSSC Meeting: July 17, 2018
Research Notes

Infill Housing Homebuyer Requirements can be found at the below link:

<http://www.miamidade.gov/housing/infill-housing-homebuyers.asp>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Cazo Construction Corp, has an active status as a Florida Profit Corporation and first filed and registered on June 6, 1979. The principal address is registered as 3461 SW 8th Street, Miami, FL 33135. Its registered agent is Armando Cazo, 3461 SW 8th Street, Miami, FL 33135.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Palmetto Homes of Miami, Inc., has an active status as a Florida Profit Corporation and first filed and registered on March 5, 1996. The principal address is registered as 4952 NW 7th Ave., Miami, FL 33127. Its registered agent is Lundy, Ariovistus, 4952 NW 7th Ave., Miami, FL 33127.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>