



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

**Housing and Social Services Committee (HSSC) Meeting**

October 16, 2018  
9:30 A.M.  
Commission Chambers

Thomas B. Davis, Esq.  
Director, Policy and Legislation  
Office of the Commission Auditor (OCA)  
111 N.W. First Street, Suite 1030  
Miami, FL 33128  
(305) 375-2524

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Research Notes**

**Item No. 2D**

**File No. 182290**

**Researcher: IL Reviewer: TD**

RESOLUTION AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF FOUR COUNTY-OWNED PROPERTIES TO LHP INVESTMENT AND DEVELOPMENT LLC, A FLORIDA FOR PROFIT CORPORATION, AT A PRICE OF \$10.00, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTIES WITH AFFORDABLE HOUSING TO BE SOLD TO VERY LOW- LOW- OR MODERATE- INCOME HOUSEHOLDS 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 authorize the conveyance of three County-owned properties to Ecotech Visions Foundation, Inc. for the purpose of being sold to low and moderate income households as part of the Miami-Dade Infill Housing Initiative Program.

**APPLICABLE LEGISLATION/POLICY**

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\\_ARTVIIIINHAIN\\_S17-121TIPU](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH17HO_ARTVIIIINHAIN_S17-121TIPU)

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>

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>

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

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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](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](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)

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-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>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Barbara J. Jordan, District 1**

**Department/Requester: None**

There is no procedural history at this time.

**ANALYSIS**

This item seeks to convey three County-owned properties to provide housing for low to moderate income families. As per Administrative Order No. 8-4, Miami-Dade Internal Services Department has announced the availability of the County properties to all County departments, and none showed interest in the County properties. The organization will have to follow the Infill Housing Initiative program guidelines for the conveyance, rehabilitation, and use of the properties. Ecotech Visions Foundation, Inc. (Ecotech) will have to complete the development within two years of the effective date of the conveyance, unless extended at the discretion of the Board.

Ecotech Visions, Inc. is located at 670 NW 112th St, Miami, FL 33168 (Primary Address). It is a co-working space located in Miami-Dade County, which encourages innovation in businesses that are eco-friendly and "green."

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According to the Florida Department of State website, "[Ecotech Visions Foundation, Inc.](#)" is registered as a "not-for-profit" and its partner organization, [Ecotech Visions, Inc.](#) is listed as a "profit corporation." An earlier version of this item referred to the organization requesting the County properties as "Ecotech Visions, Inc." but this was listed as a scrivener's error during the HSSC meeting.

The County will receive \$10.00 USD. No other fiscal impact is associated with this item. The organization will take on the rehabilitation of the properties. Infill home sales prices range up to \$205,000 (private lots may be priced up to \$215,000). If someone decides to purchase a Habitat for Humanity of Greater Miami (Habitat) home, they are required to complete 'sweat equity' hours. Sweat equity hours consist of an average of 250 hours which are completed by helping build the home. The price range for a Habitat home is generally up to \$175,000 (subject to change).

Property (Legal Description)	Address	Lot Size (Square ft.)	Market Value (2017)	Annual Tax Revenue Generated
1) "Magnolia Sub"	2090 NW Ali Baba Ave Opa-Locka, FL 33054	15,625	\$121,074	\$3,036.28
2) "Venetian Gardens"	15800 NW 37 <sup>th</sup> Ave Miami Gardens, FL 33054	8,500	\$50,836	\$1,227.92
3) "Biscayne River"	2481 NW 152 St Miami Gardens, FL 33054	6,000*	\$17,765	\$691.97

\*The table under attachment A in the item lists the third property as 6,500 sq. ft., while the report from the Property Appraiser's office lists the property as having a lot size of 6,000 sq. ft.

According to the Ecotech Website, Ecotech Visions is Miami's first green incubator and makerspace. They assist entrepreneurs in creating, planning, and launching innovative and "green" manufacturing businesses in South Florida. They offer high-quality business resources, maker space, office space and event space to support the development of products made with recycled materials. Ecotech provides an intense incubation experience for entrepreneurs that enhances the potential for success upon launching into the market. Ecotech hopes to launch innovative and environmentally-conscious ideas that would otherwise remain dormant and inactive due to limited resource availability.

Currently, the organization is undertaking the creation of the first "green city" in America with goals of spreading the development framework globally. Their flagship location is within the Green Corridor in Miami, Florida. The Green Corridor helps focus economic development in order to encourage companies and entrepreneurs dealing with renewable energy, energy efficiency, and environmentally beneficial technologies to locate within Miami-Dade County. Ecotech Visions, Inc. Website: <http://ecotechvisions.com/about/>

**ADDITIONAL INFORMATION**

Miami-Dade County Infill Housing Initiative Program is located at 701 NW 1<sup>st</sup> CT, 16<sup>th</sup> Floor Miami, FL 33136. The purpose of the Infill Housing Program (Infill Program) is to increase the availability of affordable homes for very low-low- and moderate-income persons and households, maintain a stock of affordable housing; redevelop urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; equitably distribute homeownership opportunities within the Infill Target Areas, and generate payment of ad valorem taxes. The Infill Program shall encourage the sale or transfer of County-owned properties to Infill Developers. The Infill Developers shall be required to build affordable homes to be sold to very low-low- and moderate-income persons. Although the Infill Program is primarily designed to create affordable homeownership of single family homes, the County, under limited circumstances, at its sole discretion, may allow Infill Developers to rent these homes to qualified very low-, low-, or moderate-income families.

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Developers experience, qualifications and other evaluation criteria are reviewed as part of the RFP solicitation process or as otherwise required for participation in the Infill Program. Minimum requirements include, but not be limited to the following:

- 1) Relevant experience, qualifications, past performance and length of time in business;
- 2) Relevant experience and qualifications of key personnel, including key personnel of subcontractors, which will be assigned to the project, number of employees, and experience and qualifications of subcontractors;
- 3) Past performance on similar housing projects;
- 4) Financial strength and ability to provide start-up operations;
- 5) Financial capacity to build the homes;
- 6) Sample Marketing plan and skills to reach out to Eligible Households;
- 7) Provide project budgets, architectural plans, project schedules, operation of property and meeting time schedules; proposed sales price consistent with program sales cap;
- 8) Specific key tasks necessary to concurrently develop multiple lots to complete on time and within budget;
- 9) Contracts (past and current) with the County and describe if developer met project goals, timelines, and within budget;
- 10) Payment of County real estate taxes, code compliance liens and other County fees when due.

The Developer submits the completed application, required documents, and fee(s) 60 days prior to the sale of an eligible home to a qualified first-time homebuyer. After the sale of the Infill home to a qualified first-time homebuyer, and after the Warrantee Deed and buyer's Restrictive Covenant is recorded, the Department will record the Release of County liens and citations. Only qualified County liens and citations may be released.

Link to Miami-Dade County Infill Housing Developer Requirements: <http://www.miamidade.gov/housing/infill-housing-developers.asp>

Guidelines for the Miami-Dade County Infill Housing Initiative Program:  
<http://www.miamidade.gov/housing/library/guidelines/infill-housing.pdf>

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**Item No. 2F  
File No. 182333**

**Researcher: IL Reviewer: TD**

RESOLUTION REVISING THE INVENTORY LIST OF REAL PROPERTY, AFTER A PUBLIC HEARING, TO INCLUDE ONE COUNTY-OWNED PROPERTY LOCATED AT 6180 S.W. 63RD TERRACE, MIAMI, FLORIDA (FOLIO NO. 09-4025-009-0010), ON SUCH LIST IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF SUCH PROPERTY TO MIAMI ASSOCIATION OF REALTORS, INC., A 501(C)(6) NOT-FOR-PROFIT ORGANIZATION, AT A PRICE OF \$10.00, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTY WITH AN AFFORDABLE SHIPPING CONTAINER HOME TO BE SOLD TO A LOW-INCOME HOUSEHOLD; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; 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 THAT ASPECTS OF THE MIAMI-DADE INFILL HOUSING INITIATIVE PROGRAM ARE APPLIED DURING THE DEVELOPMENT PHASE OF THE COUNTY PROPERTY AND THE SALE OF THE AFFORDABLE SHIPPING CONTAINER HOME TO A LOW-INCOME HOUSEHOLD; AND WAIVING THE REQUIREMENTS OF RESOLUTION NOS. R-525-10, R-61-12 AND R-145-17 AND IMPLEMENTING ORDER NO. 3-44 RELATED TO PLACEMENT OF APPROPRIATE COUNTY SIGNAGE THAT INCLUDES THE COUNTY LOGO, THE NAME OF THE DISTRICT COMMISSIONER AND THE TYPE OF HOUSING TO BE CONSTRUCTED ON THE COUNTY PROPERTY

**ISSUE/REQUESTED ACTION**

Whether the Board should 1.) authorize the conveyance of one County-owned property to the Miami Association of Realtors, Inc., a 501(C)(6) Not-For-Profit organization at a price of \$10.00, for the purpose of developing such properties with affordable shipping container home to be sold to a low-income household, 2.) authorizing the County Mayor or County Mayor's designee to take all action necessary to enforce the provisions set forth in such County deed and to ensure that aspects of the Miami-Dade Infill Housing Initiative (Infill Program) are applied during the development phase of the County Property and the sale of the affordable shipping container home to a low-income household, and 3.) waiving the requirements of Resolution Nos. R-525-10, R-61-12 and R-145-17 and Implementing Order No. 3-44 related to placement of appropriate County signage that includes the County logo, the name of the district commissioner and the type of housing to be constructed on the County property.

**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](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 125.379(2) of the Florida Statutes governs the County's authority as to the County properties identified as affordable housing.



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[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](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](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)

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

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[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH17HO\\_ARTVIIIINHAIN\\_S17-121TIPU](https://library.municode.com/fl/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>

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.

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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.

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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-525-10, adopted on May 4, 2010, establishes a policy that persons or entities receiving County funding display the County logo or otherwise appropriately recognize the County in materials and signs related to the project and directing the County Mayor or his designee to include a provision so requiring in grant contracts.

<http://intra/gia/matter.asp?matter=100750&file=true&yearFolder=Y2010>

Resolution No. R-450-15, adopted on May 19, 2015, declares surplus of 53 County-owned properties, authorizing the public sale of same to the highest bidder for each respective property, for no less than 75 percent of assessed market value as determined by the office of the Property Appraiser at the time of sale or 75 percent of appraised value as determined by an independent state certified appraiser for those properties with assessed market value greater than \$50,000.

<http://intra/gia/matter.asp?matter=151377&file=false&yearFolder=Y2015>

Resolution No. R-145-17, adopted on February 2, 2017, amending Implementing Order No. 3-44 related to the administration of the Miami-Dade County infill housing initiative; program; revising definitions, establishing procedures, program fees and reporting requirements for the administration of the program; approving Infill Program guidelines.

<http://intra/gia/matter.asp?matter=170776&file=false&yearFolder=Y2017>

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>

### **PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Xavier L. Suarez, District 7**

There is no procedural history at this time.

### **ANALYSIS**

On August 10, 2018, the Miami Association of Realtors (MAR) submitted an application to Commissioner Suarez requesting that the County convey one (1) County-owned vacant property located in District 7, in order to build affordable housing for sale to low income households. According to Section 17-121 of the Miami-Dade County Code, "... any County owned parcel or parcels of property identified as appropriate for infill housing may be transferred, sold or otherwise conveyed to a qualified developer through a competitive solicitation established by the County or in accordance with Section 125.379 (2), Florida Statutes, for the development of infill housing". Section 125.379, Florida Statutes, provides that "the properties identified as appropriate for use as affordable housing on the inventory list adopted by the County may be offered for sale ... or may be donated to a non-profit housing organization for the construction of permanent affordable housing".

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The proposed resolution to authorize conveyance of said properties to MAR, at a price of \$10.00, would further the purpose of making affordable housing available to needy households in accordance with the Infill Program.

The proposed resolution's Fiscal Impact will save the County the cost of monitoring the properties and maintaining the lawn at a cost of \$140.00. In addition, the new homes will generate real estate taxes for the County.

The purpose of the Infill Housing Program is to increase the availability of affordable homes for very low, low, and moderate income persons and households; maintain a stock of affordable housing; redevelop urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; equitably distribute homeownership opportunities within the Infill Target Areas, and generate payment of ad valorem taxes. Between January 1, 2017 and December 12, 2017, 27 homes were sold under the Infill Housing Program.

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

According to the letter sent by MAR to Commissioner Suarez, the company is requesting to be conveyed the one property to develop container construction homes. The one lot will be developed into one living unit. The homes will include 1 bedroom with 1 bath a living room, a dining room and a kitchen. The 1 bedroom unit will be around 480 Square feet and the price range for the 1 bedroom will be \$180,000.00 to meet the program guideline. The parcels will be developed within the next 12 to 18 months from the date of the conveyance.

Lot No.	Address	Land Value	Square Footage
09-4025-009-0010	6180 S.W. 63 <sup>rd</sup> Terrace	\$70,400.00	3,200

Pursuant to Administrative Order No. 8-4, Miami-Dade Internal Services Department previously announced availability of the one County property to all County departments and determined that there was no interest in the said properties.

The County property will be conveyed to MAR, subject to a reverter, on the condition that MAR develops the County property with affordable housing to be sold to a low income household within two years of the effective date of the conveyance of the property, unless such time is extended at the discretion of the Board. If MAR does not develop the one home within 24 months, the Board may extend the time limit or exercise its reversionary interest. The main restrictions on the conveyance, as specified in the Deed, are as follows:

- That the Property shall be developed by MAR with affordable shipping container home ("Dwelling Unit") and maintained as permanent affordable housing in accordance with Section 125.379, Florida Statutes. Miami Realtors shall sell such dwelling unit to a qualified homebuyer whose income range is established at 80% of the most recent median family income for the County as reported by the United States Department of Housing and Urban Development; Prior to such conveyance, a restrictive covenant, in a form approved by the County, in its sole discretion, shall be executed by such qualified homebuyer, and such restrictive covenant shall be recorded in the public records of Miami-Dade County.
- That the Property shall be developed within two (2) years of the recording of this Deed, as evidenced by the issuance of a final Certificate of Occupancy;
- That the Dwelling unit developed on the properties shall be sold to qualified households, but under no circumstances shall the sales price of the home exceed \$180,000; In the event Miami Realtors fails to sell the home to a qualified household or sell the Dwelling Unit above One Hundred Eighty Thousand and 00/100 (180,000).

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- That if the property located within the HOPE IV Target Area, MAR shall comply with the requirements set forth in Resolution No. R-1416-08, including but not limited to providing former Scott/Carver residents the right of first refusal on all units to be sold within the Target Area;
- That MAR shall not assign or transfer its interest in the property or in this Deed absent consent of the Miami-Dade County Board of County Commissioners, with the exception of any conveyance to qualified homebuyers;
- MAR shall require that the qualified household purchasing the Dwelling Unit execute and record simultaneously with the deed of conveyance from MAR to the qualified household the County's "Affordable Housing Restrictive Covenant";
- MAR shall pay real estate taxes and assessments on the properties or any part thereof when due;

**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>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Miami Association of Realtors, Inc., has an active status as a Florida Profit Corporation and first filed and registered on 05/20/1994. The principal address registered is 700 S. Royal Poinciana Blvd, Suite 400 Miami, FL 33166. Its registered agent is King Kinney, Teresa, 700 S Royal Poinciana Blvd, Miami, FL 33166.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=MIAMIASSOCIATIONREALTORS%20N940000026952&aggregateId=domnp-n94000002695-345b8a15-61a3-4677-8751-ba438ace7b5e&searchTerm=Miami%20Association%20of%20Realtors&listNameOrder=MIAMIASSOCIATIONREALTORS%20N940000026952>

A newspaper article dated May 24, 2016, entitled "How poor is Miami? The rich earn \$40 for every \$1 earned by the poor," states that "Miami-Dade County has one of the least affordable housing markets in the nation. People are considered 'cost-burdened' by housing when more than 30 percent of income goes toward a place to live. By that measure, Miami-Dade has the third most cost-burdened housing market in the country, behind two counties in the New York area. In Miami-Dade, 51 percent of households are considered cost-burdened".

<http://www.miamiherald.com/news/local/community/miami-dade/article79670752.html>

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**Item No. 3A**

**File No. 182157**

**Researcher: LE Reviewer: PGE**

RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MEXICAN AMERICAN COUNCIL, INC., A FLORIDA NOT-FOR-PROFIT ORGANIZATION, FOR THE PREMISES LOCATED AT 49 WEST MOWRY DRIVE, HOMESTEAD, FLORIDA, TO BE UTILIZED AS ITS HEADQUARTERS TO PROVIDE FAMILY EMPOWERMENT PROGRAMS FOR RESIDENTS OF MIAMI-DADE COUNTY, THROUGH PARENTAL AND STUDENT COUNSELING, COLLEGE CAREER READINESS PROGRAMS, ACADEMIC ADVISING, AND SUPPORT SERVICES, WITH A TOTAL RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE \$102,101.80, FOR THE INITIAL FIVE-YEAR TERM OF THE LEASE AND THE ONE, FIVE-YEAR OPTION TO RENEW TERM; DECLARING SUCH PROPERTY SURPLUS; WAIVING THE REQUIREMENTS OF ADMINISTRATIVE ORDER 8-4 AS THEY RELATE TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

**ISSUE/REQUESTED ACTION**

Whether the Board should execute a lease agreement between Miami-Dade County and the Mexican American Council, Inc. for the premises located at 49 West Mowry Drive, Homestead, Florida, for an initial five year term and one, five year option to renew term and declare the property as surplus.

**APPLICABLE LEGISLATION/POLICY**

**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>

**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](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR)

**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>

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**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>

**Florida Statutes, Section 125.38** states that any department, agency, state, political subdivision, municipality of the state, corporation, or not for profit organization desires real or personal property that may be owned by any county of the state or its board of county commissioners, for the purposes of promoting community interest and welfare, must apply to the board of county commissioners for a conveyance or lease of such property.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=125.38&URL=0100-0199/0125/Sections/0125.38.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html)

**Resolution No. R-1054-16**, adopted on November 1, 2016, delineates that gender neutral/gender inclusive signage on or near single occupancy restrooms in buildings and facilities owned, operated, or leased by the County and the Public Health trust should be identified and that future leases and agreements require tenants to comply with this resolution based on availability.

<http://intra/gia/matter.asp?matter=162300&file=true&yearFolder=Y2016>

**Ordinance No. 12-53**, adopted on July 3, 2012, requires criminal background checks of certain proposed tenants of County property and disclosure of adverse results to the Board.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120899min.pdf>

### **PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: Internal Services**

The proposed resolution has no procedural history.

### **ANALYSIS**

This item is requesting Board authorization to execute a lease agreement between Miami-Dade County and the Mexican American Council, Inc. for a County-owned property located at 49 West Mowry Drive, Homestead, Florida for an initial five year term and one, five year option to renew term, declare the property as surplus, and waive the requirements of Administrative Order No. 8-4. The Mexican American Council, Inc. intends to utilize the property as its headquarters to provide family empowerment programs.

The item has a positive fiscal impact towards the County. For the initial five years of the lease, the rental revenue will be \$42,047, which includes the annual increase of three percent after the second year of the lease. The total revenue will be \$102,101.80, which includes the annual increase of three percent and a four percent lease management fee, with the one, five year option to renew term. The annual increase in the amount of three percent begins the third year. The rent for the initial year is \$1 and for the second year of the lease, the rent will be \$10,050 annually (\$837.50 per month, \$5.00 per square foot). The current market rent is estimated at approximately \$18.67 per square foot with a comparative range from \$17.00 to \$20.00 per square foot. Since the tenant is providing services intended to promote community interest and welfare, the rental rate is discounted from the market rate.

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The Mexican American Council, Inc. intends to use the property as its headquarters to provide family empowerment programs such as parental and student counseling, college career readiness programs, academic advising, and support services including life skills, employability skill training, and summer internships.

The tenant is responsible for all costs and expenses associated with the property including, but not limited to, security guard and security monitoring services, utilities, janitorial, maintenance, improvements, repairs, and replacement of furniture, fixtures, equipment, and all utility services including the costs and expenses associated with it.

It is recommended to waive Administrative Order No. 8-4 because the premises are not needed for County purposes and should be declared surplus property.

**ADDITIONAL INFORMATION**

The Mexican American Council, Inc. is a non-profit that is dedicated to advancing the living standards of farmworker youth by breaking the cycle of poverty through education, the arts, and civic engagement and has a record of 30 years of service to the community.

<https://www.mexamcouncil.org/>

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**Item No. 3B**

**File No. 182304**

**Researcher: JFP Reviewer: PGE**

RESOLUTION AUTHORIZING LEGACY CONTRACT NO. L9166-1/21, GALILEO ON-LINE REGISTRATION SYSTEM, FOR THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE ONE, THREE-YEAR OPTION TO RENEW TERM FOR LEGACY CONTRACT NO. L9166-1/21, GALILEO ON-LINE REGISTRATION SYSTEM, FOR THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT, IN A TOTAL AMOUNT NOT TO EXCEED \$250,000.00; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize award of a legacy contract to Assessment Technology, Inc. for the Community Action and Human Services Department's utilization of the Galileo On-Line Registration System and approve the exercise of the contract's one, three-year option to renew term in a total amount not to exceed \$250,000, giving the contract a cumulative value of \$500,000.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami -  
dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 2-8.1(b)(2) of the County Code provides for legacy purchases upon a majority vote of the Board members present. A legacy purchase is defined as a purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. In any legacy purchase award recommendation, the County Mayor shall include a statement as to the need for such purchase and the provisions taken to reduce or eliminate the future need for legacy purchases for the particular good or service.

[https://library.municode.com/fl/miami -  
dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-1433-06, adopted by the Board on December 19, 2006, directs the Mayor to develop an administrative process for review of all contracts for procurement of goods and services for opportunities for Small Business Enterprise participation prior to exercising the options-to-renew.

<http://intra/gia/matter.asp?matter=063176&file=true&yearFolder=Y2006>

Resolution No. R-98-12, adopted by the Board on January 26, 2012, directs the Mayor or his designee to negotiate better prices on all awarded contracts for the purchase of goods and services and prior to the exercise of any options-to-renew and delegating authority to County Mayor or designee to amend contracts to provide better prices for the County.

<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>



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Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, directs the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ in memoranda to the Board pertaining to vendors being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

### **PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Requester/Department: Internal Services Department**

This item has no procedural history.

### **ANALYSIS**

The proposed resolution authorizes award of a legacy contract to Assessment Technology, Inc. (ATI) for the Community Action and Human Services Department's utilization of the Galileo On-Line Registration System (Galileo) to import and export data to the Social Services Information System (SSIS), ChildPlus, and the Electronic Devereux Early Childhood Assessment System (eDECA) in furtherance of meeting local and federal reporting and funding mandates related to the operation of Head Start centers throughout the County.

The item also approves the exercise of the contract's one, three-year option to renew term in a total amount not to exceed \$250,000, giving the contract a cumulative value of \$500,000. During the option to renew term, ATI will continue to provide hosting, maintenance and support services for the system. The table below details the current allocation by department, the allocation requested for the option to renew term, and the cumulative allocation.

<b>Department</b>	<b>Current Allocation</b>	<b>Allocation Requested for Option to Renew</b>	<b>Cumulative Allocation</b>
Community Action and Human Services	\$248,133	\$250,000	\$498,133
Unallocated	\$1,867	\$0	\$1867
<b>Total:</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$500,000</b>

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It is unclear from the item why \$1,867 in funds went unallocated, particularly since all the allocated funds have already been released.

Galileo, owned by ATI, is proprietary, with system-related services being performed solely by ATI. The system was chosen in 1998 by the Florida Head Start Association Research Committee, and CAHSD has been utilizing the system for the past sixteen years to provide and evaluate cognitive, physical development, linguistic development and socio-emotional assessments to children participating in the Head Start program.

The current agreement was approved under delegated authority in December 2015 and expires on December 31, 2018. The agreement's scope of services includes service support and data import/export services. A July 24, 2018 Request for Information was issued to identify vendors who could provide the services for the System; the department did not receive any responses. However, Market Research identified other software providers, albeit not with the services required by CAHSD.

The County has made a significant investment in Galileo, with over 16 years and more than \$1,274,000 already spent on the System's implementation and utilization throughout the County. This, along with the costs that would result from replacing the current System, and the department's lack of budgeted funds for such a transition, make a solicitation for a new system impracticable and cost prohibitive for the department.

Award of this legacy contract and exercising the option to renew term—requiring Board approval since the cumulative value of the current term and the requested renewal term exceeds the Mayor's delegated authority—will extend the contract until December 31, 2021, whereas the initial contract term would otherwise expire on December 31, 2018.

ATI contracts with approximately a dozen counties throughout the State of Florida for the use of Galileo in over two-thirds of all Florida Head Start agencies. Broward and Palm Beach Counties do not currently contract with ATI for this purpose.

The department's due diligence search conducted pursuant to Resolution No. R-187-12 produced no adverse findings related to contractor responsibility.

**ADDITIONAL INFORMATION**

***Assessment Technology, Inc.***

ATI was founded in 1986 by educators with expertise in child development, the psychology of learning, and in educational measurement. Those founders are part of today's ATI team which is nationally known as an energized and dedicated group of professionals focused on carrying forth the long-standing mission of creating technology to promote learning. Partnering with clients, ATI ensures that educators receive cutting-edge technology and guidance offered promptly and through clear communications so that they and those they teach can benefit from all that Galileo has to offer.

<http://ati-online.com/Index.html>

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**Item No. 3C  
File No. 182300**

**Researcher: MF Reviewer: PGE**

RESOLUTION APPROVING A LOAN TO WOODLAND GROVE APARTMENTS, LLC OR RELATED ENTITY IN AN AMOUNT NOT TO EXCEED \$1,739,985.57 OF DOCUMENTARY STAMP SURTAX PROGRAM FUNDS, ALL BASED UPON PREPAYMENT BY ST. MARTIN AFFORDABLE HOUSING, LTD. OF PREVIOUS LOANS, FOR DEVELOPMENT OF THE WOODLAND GROVE AFFORDABLE MULTIFAMILY HOUSING PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONDITIONAL LOAN COMMITMENTS AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the redeployment of \$1,739,985.57 in repaid Documentary Surtax Program funds from St. Martin Affordable Housing, Ltd. to Woodland Grove Apartments, LLC or a related entity, for development of the Woodland Grove Affordable Multi-Family Housing project in Commission District 9.

**APPLICABLE LEGISLATION/POLICY**

**Miami-Dade County Code, Section 17-02** relates to refinancing of affordable housing loans made to developers. It states that "(a) [a]ny developer or other entity that has received a loan from Miami-Dade County for the provision of affordable housing and repays such loan in full before the date on which the loan is due in full, may upon approval of the Board of County Commissioners, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects ... (b) Notwithstanding any other provision of the Code of Miami-Dade County or of any ordinance, no competitive process shall be required for the loan of funds made pursuant to subsection (a) above."

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH17HO\\_ARTIINGE\\_S17-02REAFHOLOMADE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH17HO_ARTIINGE_S17-02REAFHOLOMADE)

**Resolution No R-1287-98**, adopted by the Board on November 24, 1998, approved the funding recommendations for the State Housing Initiative Partnership and Surtax programs; and authorized the filing with the U.S. HUD of Miami-Dade County's Fiscal Year 1999 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=990099&file=false&yearFolder=Y1999>

**Resolution No R-789-99**, adopted by the Board on July 13, 1999, authorized the allocation of additional 1999 Surtax funds from the Incentive Pool to developers for multi-family developments.

<http://intra/gia/matter.asp?matter=991746&file=false&yearFolder=Y1999>

**Resolution No R-1331-99**, adopted by the Board on December 9, 1999, approved the Fiscal Year 2000 finding recommendations for the State Housing Initiative Partnership and Surtax programs; and authorized the filing with U.S. HUD of Miami-Dade County's FY 2000 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=000095&file=false&yearFolder=Y2000>

**Resolution No R-1349-00**, adopted by the Board on December 14, 2000, approved the Fiscal Year 2001 funding recommendations for the State Housing Initiative Partnership and Surtax Programs; and authorized the filing with

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U.S. HUD of Miami-Dade County's FY 2001 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=003258&file=false&yearFolder=Y2000>

**Resolution No. R-346-15**, adopted by the Board on April 21, 2015, established the maximum development cost per unit of \$225,000.00 for affordable housing constructed, rehabilitated or acquired with County funds, except for high-rise new construction which shall have a maximum development cost per unit of \$250,000.00.

<http://intra/gia/matter.asp?matter=151090&file=false&yearFolder=Y2015>

**Resolution No. R-343-15**, adopted by the Board on April 21, 2015, limited the amount that any affordable housing development may receive in Documentary Surtax funds for gap funding to a percentage of the total development cost for that development.

<http://intra/gia/matter.asp?matter=151100&file=false&yearFolder=Y2015>

### **PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: Public Housing and community Development**

The proposed resolution has no procedural history.

### **ANALYSIS**

Resolution Nos. R-1287-98, R-789-99, R-1331-99 and R-1349-00 allocated a total of \$1,941,485 to St. Martin Affordable Housing, Ltd. for the Miami Stadium Apartments project through Documentary Stamp Surtax Program funds for Fiscal Years 1999-2001. These funds were repaid well in advance of the loans' maturity date of August 1, 2021. This item is requesting that the funds, pursuant to County Code, be redeployed to a related entity, Woodland Grove Apartments, LLC, for the development of affordable housing in Commission District 9.

Miami-Dade County Code, Section 17-02 provides that "(a) [a]ny developer or other entity that has received a loan from Miami-Dade County for the provision of affordable housing and repays such loan in full before the date on which the loan is due in full, may upon approval of the Board of County Commissioners, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects ... (b) Notwithstanding any other provision of the Code of Miami-Dade County or of any ordinance, no competitive process shall be required for the loan of funds made pursuant to subsection (a) above."

St. Martin Affordable Housing Ltd. and Woodland Grove Apartments, LLC, are special purpose entities that were created as affiliates of Centennial Management Corporation. They are all registered under the same address in Sunbiz. The proposed resolution seeks the Board's approval of a loan to Woodland Grove Apartments, LLC or a related entity, in an amount not to exceed \$1,739,985.57 of Documentary Surtax Program funds, all based upon prepayment by St. Martin Affordable Housing, Ltd. of previous loans, for development of the Woodland Grove Affordable Multi-Family Housing project. The difference between the amounts of the original loans totaling \$1,941,485 and the amount of the proposed loan of \$1,739,985.57 includes accrued interest. The loan will be used for payment of hard construction costs.

The loan, if approved, will be used to develop the Woodland Grove Apartments, an affordable multi-family rental housing project, which will be comprised of 190 units arranged in three-story apartment buildings on approximately 5.61 acres located at the northeast corner of SW 268<sup>th</sup> Street and 142<sup>nd</sup> Avenue, in Naranja. The applicant has committed to set aside 31 units for tenants with incomes at or below 28 percent of Area Median Income (AMI) and

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159 units for tenants with incomes at or below 60 percent of AMI. Additionally, 12 of the 190 units will be set aside for persons living with disabilities.

According to the Fiscal Impact Statement, the total amount to be awarded will be \$1,739,985.57 for the Woodland Grove affordable housing project. This amount will be taken from loans previously issued to St. Martin Affordable Housing Ltd., which along with Woodland Grove Apartments, LLC, are affiliates of Centennial Management Corporation.

Upon approval of the new loan, the County Mayor will execute conditional loan commitments. The Woodland Grove Development will be subject to a full credit underwriting analysis, and must receive a favorable recommendation from the underwriter and show financing commitments for the full development costs prior to financial closing of the loan.

**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. Transfers of interest in single-family residences are exempt from this documentary surtax. In 1984, Miami-Dade County exercised this authority, and established a Housing Assistance Loan Trust Fund, and implemented the Documentary Surtax Program to benefit very low, low and moderate income families.

<http://www.miamidade.gov/housing/documentary-stamp-surtax-program.asp>

Area Median Income (AMI): Each year, the Department of Housing and Urban Development (HUD) calculates the median income for every metropolitan region in the country. HUD uses the five-year estimates of the American Community Survey – a national survey similar to the United States Census – to measure household income. HUD distinguishes between three types of households: households earning less than 80 percent of the AMI are considered low-income; very low-income households earn less than 50 percent of the AMI; and extremely low-income households earn less than 30 percent of the AMI.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), St. Martin Affordable Housing Ltd., has an active status as a Florida Limited Partnership and first filed and registered on 04/10/1996. The principal address is registered as 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016. Its registered agent is Lewis Swezy, 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016.

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

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Woodland Grove Apartments, LLC, has an active status as a Florida Limited Liability Company and first filed and registered on 10/02/2017. The principal address is registered as 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016. Its registered agent is Lewis Swezy, 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016.

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

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Centennial Management Corporation, has an active status as a Florida Profit Corporation and first filed and registered on 01/18/2001. The principal address is registered as 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016. Its registered agent is Lewis Swezy, 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016.

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

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**Item No. 3D  
File No. 182302**

**Researcher: MF Reviewer: PGE**

RESOLUTION APPROVING A LOAN TO VERBENA, LLC OR RELATED ENTITY IN AN AMOUNT NOT TO EXCEED \$2,750,000.00 OF DOCUMENTARY STAMP SURTAX PROGRAM FUNDS, ALL BASED UPON PREPAYMENT BY PINNACLE LAKES, LTD. OF PREVIOUS LOANS IN THE SAME AMOUNT, FOR DEVELOPMENT OF THE VERBENA MULTI-FAMILY AFFORDABLE HOUSING PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONDITIONAL LOAN COMMITMENTS AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the redeployment of \$2,750,000.00 in repaid Documentary Surtax Program funds from Pinnacle Lakes, Ltd. to Verbena, LLC or a related entity for development of the Verbena Multi-Family Affordable Multi-Family Housing project in Commission District 9.

**APPLICABLE LEGISLATION/POLICY**

**Miami-Dade County code, Section 17-02** relates to refinancing of affordable housing loans made to developers. It states that "(a) [a]ny developer or other entity that has received a loan from Miami-Dade County for the provision of affordable housing and repays such loan in full before the date on which the loan is due in full, may upon approval of the Board of County Commissioners, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects ... (b) Notwithstanding any other provision of the Code of Miami-Dade County or of any ordinance, no competitive process shall be required for the loan of funds made pursuant to subsection (a) above."

[https://library.municode.com/fl/miami\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH17HO\\_ARTIINGE\\_S17-02REAFHOLOMADE](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH17HO_ARTIINGE_S17-02REAFHOLOMADE)

**Resolution No. R-869-01**, adopted by the Board on July 24, 2002, authorized the County Manager to allocate \$2,947,105 of Documentary Surtax Incentive Pool funds to developers to execute agreements.

<http://intra/gia/matter.asp?matter=012154&file=false&yearFolder=Y2001>

**Resolution No. R-1355-01**, adopted by the Board on December 4, 2001, approved the Fiscal Year 2002 funding recommendations for the State Housing Initiative Partnership and Surtax programs; and authorized the filing with U.S. HUD of Miami-Dade County's FY 2002 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=020126&file=false&yearFolder=Y2002>

**Resolution No. R-210-03**, adopted by the Board on March 11, 2003, authorized the County Manager to allocate \$750,000 from the Documentary Surtax Incentive Pool funds to Rayos Del Sol, Ltd. for the Rayos Del Sol project and \$1,000,000 to Pinnacle Lakes, Ltd. for the Pinnacle Lakes project.

<http://intra/gia/matter.asp?matter=030392&file=false&yearFolder=Y2003>

**Resolution No. R-1423-04**, adopted by the Board on November 30, 2004, authorized the allocation of \$750,000 from Surtax Incentive Pool funds to Pinnacle Lakes, Ltd. for the Pinnacle Lakes Apartments.

<http://intra/gia/matter.asp?matter=042789&file=true&yearFolder=Y2004>



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Research Notes**

**Resolution No. R-346-15**, adopted by the Board on April 21, 2015, established the maximum development cost per unit of \$225,000.00 for affordable housing constructed, rehabilitated or acquired with County funds, except for high-rise new construction which shall have a maximum development cost per unit of \$250,000.00.

<http://intra/gia/matter.asp?matter=151090&file=false&yearFolder=Y2015>

**Resolution No. R-343-15**, adopted by the Board on April 21, 2015, limited the amount that any affordable housing development may receive in Documentary Surtax funds for gap funding to a percentage of the total development cost for that development.

<http://intra/gia/matter.asp?matter=151100&file=false&yearFolder=Y2015>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: Public Housing and Community Development**

The proposed resolution has no procedural history.

**ANALYSIS**

Resolution Nos. R-869-01, R-1355-01, R-210-03 and R-1423-04 allocated a total of \$2,750,000 to Pinnacle Lakes, Ltd. for its Pinnacle Lakes Apartments through Documentary Stamp Surtax Program funds for Fiscal Years 2002-2004. These funds were paid in full on September 13, 2018, well in advance of the loans' maturity dates of December 31, 2033 and December 31, 2034. This item is requesting that the funds, pursuant to County Code, be redeployed to a related entity, Verbena, LLC, for the development of affordable housing in Commission District 9.

Miami-Dade County Code, Section 17-02 provides that "(a) [a]ny developer or other entity that has received a loan from Miami-Dade County for the provision of affordable housing and repays such loan in full before the date on which the loan is due in full, may upon approval of the Board of County Commissioners, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects ... (b) Notwithstanding any other provision of the Code of Miami-Dade County or of any ordinance, no competitive process shall be required for the loan of funds made pursuant to subsection (a) above."

Pinnacle Lakes Ltd. and Verbena, LLC, are special purpose entities that were created as affiliates of Pinnacle Housing Group. They are all registered under the same address in Sunbiz. The proposed resolution seeks the Board's approval of a loan to Verbena, LLC or a related entity, in an amount not to exceed \$2,750,000.00 of Documentary Surtax Program funds, all based upon pre-payment by Pinnacle Lakes, Ltd. of previous loans, for development of the Verbena Multi-Family Affordable Multi-Family Housing project. The loan will be used for payment of hard construction costs as a portion of the development costs to construct the affordable housing units.

The loan, if approved, will be used to develop the Verbena affordable multi-family rental housing project, a 110-unit two-building mid-rise apartment complex located on South Dixie Highway, southwest of the intersection of SW 282<sup>nd</sup> Street and S. Dixie Highway. The applicant has committed to set aside 11 units for tenants with incomes at or below 30 percent of the Area Median Income (AMI) and 99 units for tenants with incomes at or below 60 percent of AMI.

According to the Fiscal Impact Statement, the total amount to be awarded will be \$2,750,000 for the Verbena affordable housing project. This amount will be taken from loans previously issued to Pinnacle Lakes Ltd., which along with Verbena, LLC, are affiliates of Pinnacle Housing Group.



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Upon approval of the new loan, the County Mayor will execute conditional loan commitments. The Verbena Development will be subject to a full credit underwriting analysis, and must receive a favorable recommendation from the underwriter and show financing commitments for the full development costs prior to financial closing of the loan.

**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. Transfers of interest in single-family residences are exempt from this documentary surtax. In 1984, Miami-Dade County exercised this authority, and established a Housing Assistance Loan Trust Fund, and implemented the Documentary Surtax Program to benefit very low, low and moderate income families.

<http://www.miamidade.gov/housing/documentary-stamp-surtax-program.asp>

Area Median Income (AMI): Each year, the Department of Housing and Urban Development (HUD) calculates the median income for every metropolitan region in the country. HUD uses the five-year estimates of the American Community Survey – a national survey similar to the United States Census – to measure household income. HUD distinguishes between three types of households: households earning less than 80 percent of the AMI are considered low-income; very low-income households earn less than 50 percent of the AMI; and extremely low-income households earn less than 30 percent of the AMI.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Pinnacle Lakes Ltd., has an active status as a Florida Limited Partnership and first filed and registered on 09/08/2000. The principal address is registered as 9400 South Dadeland Blvd., Suite 100, Miami, FL 33156. Its registered agent is Corporation Company of Miami, 200 S. Biscayne Blvd., Suite 4100, Miami, FL 33131.

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

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Verbena, LLC, has an active status as a Florida Limited Liability Company and first filed and registered on 09/18/2013. The principal address is registered as 9400 South Dadeland Blvd., Suite 100, Miami, FL 33156. Its registered agent is Corporation Company of Miami, 200 S. Biscayne Blvd., Suite 4100, Miami, FL 33131.

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

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Pinnacle Housing Group, has an active status as a Florida Limited Liability Company and first filed and registered on 10/17/2001. The principal address is registered as 9400 South Dadeland Blvd., Suite 100, Miami, FL 33156. Its registered agent is Corporation Company of Miami, 200 S. Biscayne Blvd., Suite 4100, Miami, FL 33131.

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

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Research Notes**

**Item No. 3E  
File No. 182298**

**Researcher: JFP Reviewer: PGE**

RESOLUTION APPROVING PROPOSED FISCAL YEAR 2016 DOCUMENTARY STAMP SURTAX AND STATE HOUSING INITIATIVES PARTNERSHIP FUNDING RECOMMENDATION IN AN AMOUNT UP TO \$765,000.00 TO THE SPINAL CORD LIVING ASSISTANCE DEVELOPMENT, INC. FOR THE CONSTRUCTION OF LE JEUNE GARDENS, AN 18 UNIT GARDEN STYLE APARTMENT DEVELOPMENT FOR PERSONS LIVING WITH DISABILITIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SUCH FUNDS, TO EXECUTE AMENDMENTS, SHELL CONTRACTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the proposed Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership funding recommendation in an amount of up to \$765,000 to the Spinal Cord Living Assistance Development, Inc. for the construction of housing in District 6 for persons living with disabilities.

**APPLICABLE LEGISLATION/POLICY**

The Documentary Stamp Surtax Program provides affordable housing assistance to thousands of low- and moderate-income Miami-Dade residents. 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. 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. Transfers of interest in single-family residences are exempt from this documentary surtax. In 1984, the County exercised this authority, established a Housing Assistance Loan Trust Fund and implemented the Documentary Surtax Program.

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

The State Housing Initiatives Partnership Program (SHIP) is administered by Florida Housing and provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multi-family housing. The program was designed to serve very low, low and moderate income families. SHIP funds are distributed on an entitlement basis to all 67 counties and 52 Community Development Block Grant entitlement cities in Florida.

<https://www.floridahousing.org/programs/special-programs/ship---state-housing-initiatives-partnership-program>

Resolution No. R-630-13, adopted by the Board on July 16, 2013, requires a detailed project budget, sources and uses statement, certifications as to past defaults on agreements with non-County funding sources and due diligence check prior to the County Mayor recommending a commitment of County funds to social services, economic development, community development and affordable housing agencies and providers.

<http://intra/gia/matter.asp?matter=131512&file=false&yearFolder=Y2013>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Rebeca Sosa**

**Department/Requester: Public Housing and Community Development**

This item has no procedural history.

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**Research Notes**

**ANALYSIS**

The proposed resolution approves the proposed Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership funding recommendation in an amount of up to \$765,000 to the Spinal Cord Living Assistance Development, Inc. for the construction of housing in District 6 for persons living with disabilities. The Le Jeune Gardens Apartments project, located at 1190 SE 8<sup>th</sup> Avenue, Hialeah, FL 33018 (District 6, represented by Commissioner Rebeca Sosa), is new construction that will have 18 garden style, fully accessible apartments within one three-story building.

The funding recommendation totaling \$765,000 is the result of a Fiscal Year 2016 Request for Applications in a fiscal year where the total available funding was \$36,877,339, including \$32,477,339 in available Surtax funding and \$4,400,000 in SHIP funding. Public Housing and Community Development solicited applications for the following categories:

- rental activities,
- homeownership activities,
- small housing developments,
- homebuyer counseling, and
- public housing developments.

At 97 points, the Le Jeune Gardens Apartments project was the highest scoring of the three applicants in the small housing development category, and is thus being recommended for funding. According to the department, the other two applicants in this category, besides Le Jeune Gardens, were Magnolia North 2145, LLC, who received a score of 87, and Jagrepa Group, LLC, who did not meet minimum threshold requirements related to demonstrable firm commitment of other funding sources. While Jagrepa was not recommended for funding, Magnolia North was but the project is stalled because they have not submitted all required documentation to the credit underwriter.

OCA asked the department the question of why this item is just now coming before the Board if the RFA was issued in 2016. The department responded that PHCD policy in 2016 was such that an item would not go before the Board until the developer received a favorable recommendation form the credit underwriter, which could be a lengthy process. This policy has since changed.

**ADDITIONAL INFORMATION**

***Spinal Cord Living Assistance Development, Inc. (SCLAD)***

SCLAD (Spinal Cord Living-Assistance Development, Inc.), a non-profit 501(c)3 Florida corporation, was formed in 1985 by a group of spinal cord injured friends. They had experienced first-hand the hardships and perils of rejoining the world without a support network that included an appropriate place to live and personal assistance for those who needed it. The founders' goal was to build and manage accessible, affordable housing, and coordinate individualized services for persons who, like them, had physical disabilities. They felt that proper accommodations and reliable personal care would make them free to become more engaged in their communities, and have a better chance of achieving independence and becoming self-sufficient.

Among SCLAD's other housing projects for individuals living with disabilities are:

- Villa de Este - a six-unit rental apartment project located at 465 E. 7 Street, Hialeah, Florida;
- SCLAD PLAZA - a mixed-use four story building located at 201 E. 2nd Street, Hialeah, Florida comprised of the new SCLAD Resource Center and 18 units of affordable, barrier-free rental housing;
- East Side Condominiums - a substantial rehabilitation affordable multi-family project located in Hialeah's Central Business District at 55 E 4th Street;

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- Park Place Apartments - a 34 unit barrier-free affordable rental project developed and owned by SCLAD, located in the heart of Hialeah's Central Business District.

These four projects are all located in District 6, represented by Commissioner Rebeca Sosa.

<http://www.sclad.org/>