

# Miami-Dade Board of County Commissioners

## Office of the Commission Auditor

### <u>Housing, Social Services & Economic Development</u> <u>Committee (HSSED) Meeting</u>

February 11, 2019 2:00 P.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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#### Item No. 1G1 File No. 190028

**Researcher: IL Reviewer: TD** 

ORDINANCE RELATING TO CONTRACTING PREFERENCES; CREATING SECTION 2-8.5.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING PROVISIONS OF THE PREFERENCES GIVEN TO SMALL BUSINESS ENTERPRISES TO BE CONSISTENT WITH LOCAL, LOCALLY HEADQUARTERED, AND LOCAL CERTIFIED VETERAN BUSINESS PREFERENCES; ESTABLISHING ORDER AND METHOD OF APPLICATION OF CERTAIN PREFERENCES; PROVIDING AN EXCEPTION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR IMPLEMENTATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

#### **ISSUE/REQUESTED ACTION**

Whether the Board should create section 2-8.5.2 of the Code of Miami-Dade County, revising the provisions of the preferences given to small business enterprises to be consistent with local, locally headquartered, and local certified veteran business preferences and establishing order and method of application of certain preferences as well as providing exceptions under certain circumstances.

#### APPLICABLE LEGISLATION/POLICY

**Chapter 295.187 of the Florida Statutes**, Provides definitions and eligibility for participation in the provisions through the Florida Veteran Business Enterprise Opportunity Act.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode=Display\_Statute &Search\_String=Chapter+295.187&URL=0200-0299/0295/Sections/0295.187.html

Section 2-8.1.1.1.1 of the Code of Miami-Dade County, Provides definitions and eligibility for participation in SBE Services program, establishes criteria for contract measures (set-asides, subcontractor goals, bid preference, selection factor); provides for sanctions and penalties for vendor non-compliance.

https://library.municode.com/fl/miami -

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Section 2-8.1.1.1.2 of the Code of Miami-Dade County, Provides definitions and eligibility for participation in SBE Goods program, establishes criteria for contract measures (set-asides, subcontract goals, bid preference, selection factor); provides for sanctions and penalties for vendor non-compliance.

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#### PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1 Department/Requester: None

The proposed ordinance was adopted on first reading at the January 23, 2019 BCC meeting and set for public hearing before the Housing, Social Services and Economic Development Committee on Monday, February 11, 2019.

#### ANALYSIS

This item proposes that the Board create section 2-8.5.2 of the Code of Miami-Dade County, revising the provisions of the preferences given to small business enterprises to be consistent with local, locally headquartered, and local certified veteran business preferences and establishing order and method of application of certain preferences as well as providing exceptions under certain circumstances

Currently, local, locally headquartered, and local certified veteran business preferences are defined by Section 2-8.5.1 and explanations are provided as to how the procurement should proceed if a Local Certified Veteran Business Enterprise is part of a response to a Request for Proposal (RFP), Request for Qualifications (RFQ), Request for Information (RFI) or a Notice to Professional Consultants (NTPC) an additional five percent. Article 4 of Section 2-8.5.1 "In procurements where SBE (Small Business Enterprises) measures are being applied, a Local Certified Veteran Business Enterprise who is also an SBE shall not receive the veteran preferences provided in this section and shall be limited to any applicable SBE preferences". However, this article is silent as to what exceptions take priority when a business is local or locally headquartered. This ordinance section is being created to mitigate this obscurity in the procurement process.

The table below shows the proposed Section of the Code of Miami-Dade County.

Creation of Section 2-8.5.2 Procedure to Provide Preference to Local Business in County Contracts,

Sec. 2-8.5 Procedures

The Procedure to provide preference to local business in county contracts, provides preferences for local and locally headquartered businesses when competing for Miami-Dade County contracts against businesses not located or not locally headquartered within Miami-Dade County

Sec. 2-8.5.1 Procedure to Provide Preference to Local Certified Veteran Business Enterprises in County Contracts.

Provides a bid preference for the firms certified as Veteran Business enterprise as recognized pursuant to Chapter 295.187 of the Florida Statutes.

#### Sec. 2-8.5.2. Application of Contracting Preferences.

In any competitive process conducted by the County where the County is required to apply one or more of the preferences provided in the Code, the preferences will be applied in the following manner:

(1) The County will apply first the preferences available to Small Business Enterprises under sections 2-8.1.1.1(3)(c)(3), 2-8.1.1.1(3)(c)(4), and 2-8.1.1.1(3)(c)(3) without reference to preferences which may be available to local or locally headquartered businesses under other provisions of the Code.

(2) The County will apply the local and locally headquartered business preferences only after applying the preferences provided in subsection 1 above.

(3) In determining whether a Small Business Enterprise is entitled to the opportunity to submit a best and final bid equal to or lower than the low bid under section 2-8.5 (2)(a)(1), the bid of the Small Business Enterprise shall be reduced by the amount of any preference to which the Small Business Enterprise is entitled under section 2-8.1.1.1(3)(c)(3) and section 2-8.1.1.1.2(3)(c)(3), which shall be referred to as the SBE evaluation price. The SBE evaluation price shall be used for evaluating the Small Business Enterprise's opportunity to participate in the best and final bid.

(4) In determining whether a Small Business Enterprise is entitled to proceed to negotiations or advance to the next step in the solicitation process under section 2-8.5(2)(b), the SBE Proposer shall be entitled to the application of the Selection Factor available to the SBE under section 2-8.1.1.1.1(3)(c)(4) by the addition of 10 percent of the total evaluation points to the technical portion of the SBE's proposal, which shall be referred to as the SBE evaluation score. The SBE evaluation score shall be added to the price score, if applicable, to determine the final rankings.

(5) The preference to Local Certified Veteran Business Enterprises provided for under section 2-8.5.1 shall be applied without reference to any bid preference or selection factor available to a Small Business Enterprise.

Section 2. The provisions of this ordinance shall be implemented by including its requirements in competitive solicitations issued after its effective date. The Mayor is hereby directed to implement the provisions of this section through appropriate specifications not later than 30 days following its effective date. Where the Mayor determines that the method of solicitation utilized by the County prevents the application of the ordinance in the manner set forth in section 1 above, the solicitation documents shall provide for the method of application of the preferences consistent with the intent of this ordinance. Such alternate application shall be disclosed to the Board in any related award recommendation.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board

#### **ADDITIONAL INFORMATION:**

A review of Section 1-75 of the Broward County Code (Local Preference; Procedure) revealed that Broward County's code is silent on priority designations as well.

https://library.municode.com/fl/broward\_county/codes/code\_of\_ordinances?nodeId=PTIICOOR\_ CH1AD\_ARTIVFIAF\_DIV5BIPRLOVE\_S1-75LOPRPR

A review of Section 102-377 and 102-378 of the Fulton County Georgia Code Local Preference (LP) in Contract and Service disabled veterans business enterprise preference (SDVBE) revealed that Fulton County's code is silent on priority designations as to which one of the aforementioned designations takes priority. <u>https://library.municode.com/ga/fulton\_county/codes/code\_of\_ordinances?nodeId=</u> <u>SPBCORE\_CH102AD\_ARTVPUCO\_DIV3SOSECOFO\_S102-377LOPRCO</u>

#### Item No. 2A File No. 190210

#### **Researcher: LE Reviewer: TD**

RESOLUTION DECLARING SURPLUS FOUR COUNTY-OWNED PROPERTIES LOCATED IN HOMESTEAD, FLORIDA AND REVISING THE INVENTORY LIST OF REAL PROPERTIES, AFTER A PUBLIC HEARING, TO INCLUDE SUCH PROPERTIES IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF SUCH COUNTY-OWNED PROPERTIES TO SMD HOME BUILDERS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, 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 ACTIONS NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED, TO PROVIDE COPIES OF SUCH COUNTY DEED AND RESTRICTIVE COVENANTS REQUIRED THEREIN TO THE PROPERTY APPRAISER'S OFFICE AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

#### **ISSUE/REQUESTED ACTION**

Whether the Board should declare surplus four County-owned properties located in Homestead, Florida and revise the inventory list of real properties; authorize conveyance of such properties to SMD Home Builders, LLC at a price of \$10 to develop affordable housing to be sold to very low, low, or moderate income households in accordance with Miami-Dade County's Infill Housing Initiative Program.

#### APPLICABLE LEGISLATION/POLICY

Section 125.379 of the Florida Statutes requires that each county 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, and adopt a resolution that includes an inventory list of such property following a public hearing. The properties identified may be offered for sale and the proceeds used to purchase land for the development of affordable housing may be sold with restrictions or donated to a nonprofit housing organizing.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode= Display\_Statute&Search\_String=Section+125.379&URL=0100-0199/0125/Sections/0125.379.html

Administrative Order 8-4 provides 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 in the policy, 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 May 3, 2011, authorizes the rehabilitation, improvement, or conveyance of County-owned real property appropriate for or to be used as affordable housing. http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011

**Resolution No. R-333-15**, adopted April 21, 2015, entitled "Resolution establishing County policy to require disclosure of market value of market rental in legislative items authorizing the conveyance or lease of County-owned property to promote disclosure and fiscal responsibility". http://intra/gia/matter.asp?matter=150446&file=true&vearFolder=Y2015

**Resolution No. R-974-09**, adopted July 21, 2009, directs that any resolution authorizing 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 to the authorizing resolution. http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009

#### PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8 Department/Requester: None

The proposed resolution has no procedural history.

#### ANALYSIS

This item is requesting Board authorization to declare surplus four County-owned properties located in Homestead Florida and to revise the Inventory List of real properties to include such properties; authorization to convey them to SMD Home Builders, LLC at a price of \$10.00 to develop the properties into affordable housing for sale to very low, low, or moderate income households in accordance with the Miami-Dade County's Infill Housing Initiative Program.

The proposed item has a positive impact of \$10.00 towards the County for the conveyance of four properties to SMD Home Builders, LLC. The County will save approximately \$1,163.00 annually in property monitoring and lawn maintenance and the new homes will generate real estate taxes. The maximum sales price for infill homes cannot exceed \$205,000.00. Properties available to low-income families are subject to an affordable housing restrictive covenant for twenty (20) years.

The Miami-Dade County Infill Housing Initiative Program was created to provide more housing opportunities for low-income and working families. Commissioner Daniella Levine Cava advertised an application process where developers could apply for County-owned properties in District 8 to construct affordable single-family homes through the Miami-Dade County's Infill Housing Initiative Program. Applicants were evaluated based on the following criteria: 1) Experience and past performance in developing homes pursuant to the Infill Housing Program; 2) development team, key personnel and functions; 3) approach to providing services to each homeowner; 4) building plans for single family home models; 5) financial capability and demonstrated ability to obtain financing; 6) approach to meeting time schedule and budgets; and 7) marketing skills and ability to reach eligible households.

Renegade Investments, Inc., was one of the developers that applied and is recommended because of their record of community projects in the County, Florida, and Georgia, and hosts a qualified team members who have been involved in affordable housing production for more than 50 years. SMD Home Builders, LLC is a subsidiary of Renegade Investments, Inc. in which the Board is being recommended to approve the four conveyances to. The subsidiary is to be exclusively used for the development of Infill Housing through the County.

SMD Home Builders, LLC has proposed to develop the four County properties (Folio Numbers #10-7812-008-0330, #10-7813-011-0090, #10-7917-009-0510, #10-7917-009-0540) into affordable housing and sold to very low, low,

and moderate income households. The properties will be conveyed to SMD Home Builders, LLC at the price of \$10.00 if they follow through with their proposal. Furthermore, Renegade has disclosed in their application that they will develop the homes using internal equity rather than obtaining a construction loan through a local lender because it will significantly expedite the closing time without having to go through a lengthy loan closing process and waiting for the lender to fund loan draws.

Renegade represented in their application that they will be partnering with Haitian American Community Development Corporation to provide homebuyer assistance programs to the purchasers of their single family homes. They will also work with the Miami-Dade County Housing Finance Authority's homeownership program which provides interest free second mortgages to eligible homeowners, allow adequate time for homebuyers to receive homebuyer counseling and training courses, and Career Source South Florida to obtain employees for the development of the homes.

It is recommended the Board revise the Affordable Housing Inventory List to include the aforementioned properties as they are considered appropriate for affordable housing use. If Renegade fails to comply with the deed restrictions, then the Properties will be subject to reverter, such as if the properties are not developed within two years of the signing of the deed and effective date of the conveyance of the Properties, unless time is extended by the discretion of the Board. Renegade Investments, Inc. is expected to begin construction on each lot within six (6) months of final approval by the BCC and the construction of each home should not take more than nine (9) months to complete.

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Year Built	0	

#### **ADDITIONAL INFORMATION**

The Miami-Dade County's Infill Housing Initiative Program's main goal is to increase the availability of affordable homes for very low, low, and moderate income families. Their additional goals include maintaining a stock of affordable housing, redeveloping urban neighborhoods by eliminating blight on properties, generate payment of ad valorem taxes, and equitable distributing homeownership opportunities. http://www.miamidade.gov/housing/infill-housing-developers.asp

#### Item No. 2B File No. 190219

#### **Researcher: LE Reviewer: TD**

RESOLUTION AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF A TOTAL OF EIGHT COUNTY-OWNED PROPERTIES TO MOUNT SINAI COMMUNITY DEVELOPMENT CORPORATION, A FLORIDA NOT-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, TO PROVIDE COPIES OF THE COUNTY DEED AND RESTRICTIVE COVENANTS REQUIRED THEREIN TO THE PROPERTY APPRAISER'S OFFICE, AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

#### **ISSUE/REQUESTED ACTION**

Whether the Board should authorize conveyance of eight County-owned properties to Mount Sinai Community Development 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; authorize execution of a County Deed; and ensure placement of appropriate signage.

#### APPLICABLE LEGISLATION/POLICY

Section 125.379 of the Florida Statutes requires that each county 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, and adopt a resolution that includes an inventory list of such property following a public hearing. The properties identified may be offered for sale and the proceeds used to purchase land for the development of affordable housing may be sold with restrictions or donated to a nonprofit housing organizing.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode= Display\_Statute&Search\_String=Section+125.379&URL=0100-0199/0125/Sections/0125.379.html

Administrative Order 8-4 provides 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 in the policy, 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 May 3, 2011, authorizes the rehabilitation, improvement, or conveyance of County-owned real property appropriate for or to be used as affordable housing. http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011

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

http://intra/gia/matter.asp?matter=150446&file=true&vearFolder=Y2015

**Resolution No. R-974-09**, adopted July 21, 2009, directs that any resolution authorizing 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 to the authorizing resolution. http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009

**Resolution No. R-979-17**, adopted November 7, 2017, declares various County-owned properties surplus and revises the inventory list of real property and authorizes inclusion of said properties in the Miami-Dade Infill Housing Initiative program.

http://intra/gia/matter.asp?matter=171574&file=true&yearFolder=Y2017

#### PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3 Department/Requester: None

The proposed resolution has no procedural history.

#### ANALYSIS

This item is requesting Board authorization to convey eight County-owned properties to Mount Sinai Community Development 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; authorize execution of a County Deed; and ensure placement of appropriate signage.

The proposed item has a positive impact of \$10.00 towards the County for the conveyance of eight properties to Mount Sinai Community Development Corporation. The County will save approximately \$1,884.00 annually in property monitoring and lawn maintenance and the new homes will generate real estate taxes to the County. The maximum sales price for infill homes cannot exceed \$205,000.00. Properties available to low-income families are subject to an affordable housing restrictive covenant for twenty (20) years.

Mount Sinai's Housing and Development Initiative seeks to provide attainable housing options to those who would not normally qualify to purchase a home. On December 18, 2018, Mount Sinai submitted an application to the District 3 County Commissioner requesting that the County convey eight County-owned vacant properties located in the district to Mount Sinai. Mount Sinai proposed utilizing the conveyances to develop affordable housing to be sold to very low, low, or moderate income households in accordance with the Miami-Dade County Infill Housing Initiative Program.

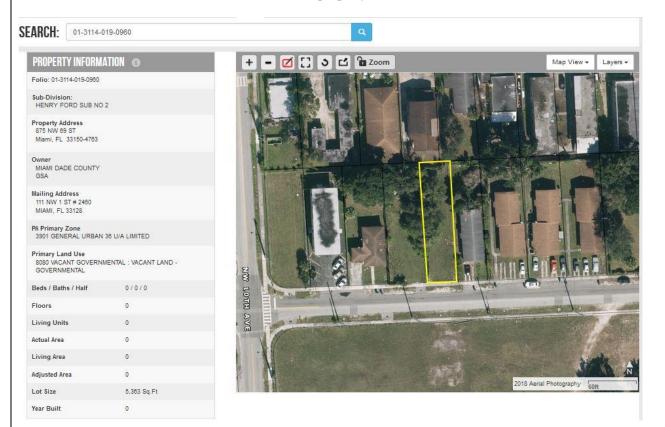
The Miami-Dade County Infill Housing Initiative Program was created to provide more housing opportunities for low-income and working families. Applicants were evaluated based on the following criteria: 1) Experience and past performance in developing homes pursuant to the Infill Housing Program; 2) development team, key personnel and functions; 3) approach to providing services to each homeowner; 4) building plans for single family home models; 5) financial capability and demonstrated ability to obtain financing; 6) approach to meeting time schedule and budgets; and 7) marketing skills and ability to reach eligible households.

Mount Sinai Community Development Corporation is recommended because of their record of their mission to provide attainable services to those who economically and socially are not able to acquire them and to improve the quality of life for the residents in the County.

Mount Sinai Community Development Corporation has proposed to develop the eight properties. The properties will be conveyed to Mount Sinai at the price of \$10.00 if they follow through with their proposal. Furthermore, Mount Sinai disclosed in their application that they will develop the homes using their 501(c)3 entity not-for-profit status to raise capital and service. The status will allow them to receive properties from municipalities and banks at little or no cost, receive tax considerations, obtain growth potential, and the opportunity to exact positive change in the community.

This item recommends the Board to revise the Affordable Housing Inventory List to include the aforementioned properties as they are considered appropriate for affordable housing use. If Mount Sinai fails to comply with the deed restrictions, then the Properties will be subject to reverter, such as if the properties are not developed within two years of the signing of the deed and effective date of the conveyance of the Properties, unless time is extended by the discretion of the Board.

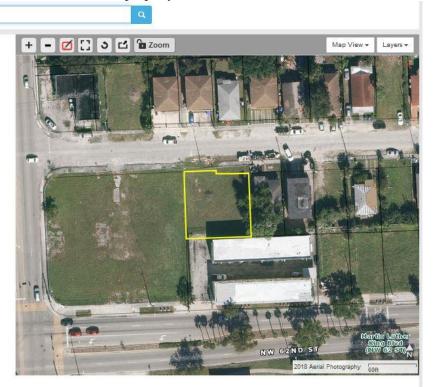
The image below showcases the property located at 875 NW 69 Street, Miami, FL 33150-4763 (Folio Number #01-3114-019-0960). The current market value for this property is \$32,178.



The image below showcases the property located at 1610 NW 62 Terrace, Miami, FL 33147-7932 (Folio Number #01-3114-027-1370). The current market value for this property is \$37,315.

SEARCH: 01-3114-027-1370

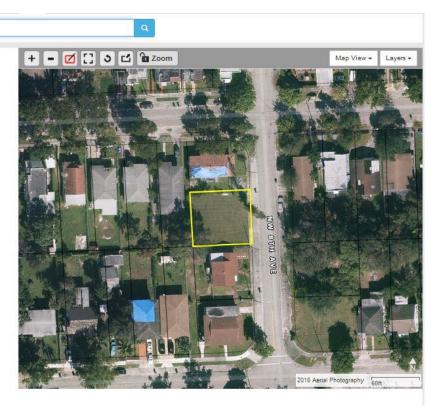
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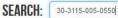
The image below showcases the property located at 5028 NW 8 Avenue, Miami, FL 33127-2045 (Folio Number #01-3123-006-0710). The current market value for this property is \$45,900.

SEARCH:	01-3123-006-0710
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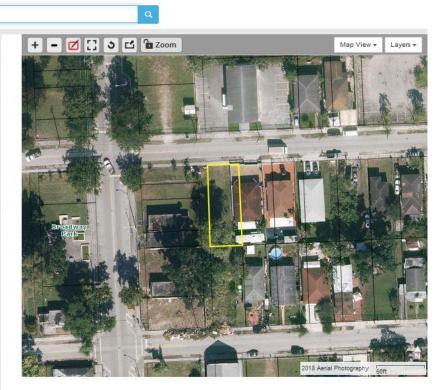
<b>PROPERTY INFORM</b>	ATION 💿
Folio: 01-3123-006-0710	
Sub-Division: BOWLING GREEN	
Property Address 5028 NW 8 AVE Miami, FL 33127-2045	
Owner MIAMI DADE COUNTY GSA R/E MGMT	
Mailing Address 111 NW 1 ST STREET ST MIAMI, FL 33128	E 2460
PA Primary Zone 0104 SINGLE FAM - ANC	ILIARY UNIT
Primary Land Use 8080 VACANT GOVERNM GOVERNMENTAL	MENTAL : VACANT LAND -
Beds / Baths / Half	0/0/0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Adjusted Area Lot Size	0 5,400 Sq.Ft



The image below showcases the property located at 1780 NW 69 Terrace, Miami, FL 33147-6920 (Folio Number #30-3115-005-0550). The current market value for this property is \$18,062.



	2201
PROPERTY INFORMATIO	0
Folio: 30-3115-005-0550	
Sub-Division: LIBERTY CITY	
Property Address 1780 NW 69 TER Miami, FL 33147-6920	
Owner MIAMI DADE COUNTY GSA R/E MGMT	
Mailing Address 111 NW 1 ST STE 2460 MIAMI, FL 33128-1929	
PA Primary Zone 5700 DUPLEXES - GENERAL	
Primary Land Use 8047 VACANT GOVERNMENT	
Beds / Baths / Half	0/0/0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	4,000 Sq.Ft
Year Built	0



#### **HSSED Meeting: February 11, 2019 Research Notes** The image below showcases the property located at 1958 NW 60 Street, Miami, FL 33147-7838 (Folio Number #30-3115-027-1390). The current market value for this property is \$29,021. SEARCH: 30-3115-027-1390 PROPERTY INFORMATION 💋 门 🕉 🖆 ն Zoom + Map View + Layers --Folio: 30-3115-027-1390 Sub-Division: RIDGEWAY Property Address 1958 NW 80 ST Miami, FL 33142-7838 Owner MIAMI DADE COUNTY ISD R/E MGMT Mailing Address 111 NW 1ST STE 2460 MIAMI, FL 33128 PA Primary Zone 5700 DUPLEXES - GENERAL Primary Land Use 0088 VACANT RESIDENTIAL : EXTRA FEA OTHER THAN PARKING Beds / Baths / Half 0/0/0 Floors 0 Living Units 0 Actual Area 0 Living Area 0 Adjusted Area 0 2018 Aerial Photography 60ft Lot Size 6,345 Sq.Ft Year Built 0

The image below showcases the property (Folio Number #30-3116-009-5350). The current market value for this property is \$27,865.

SEARCH:	30-3116-009-5350
JLAHUH.	00 0110 000 0000

PROP	ERTYIN	FORM.	ATION (	1

Folio: 30-3116-009-5350

Sub-Division: HIALEAH HGTS AMD

Property Address

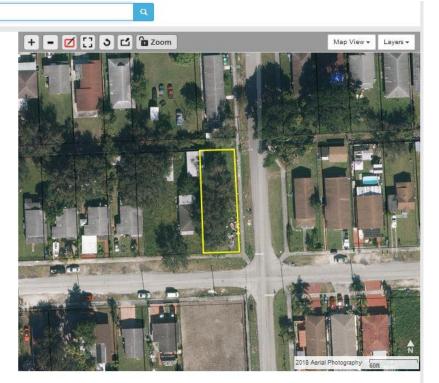
Owner MIAMI DADE COUNTY ISD R/E MGMT

Mailing Address 111 NW 1 ST STE 2460 MIAMI, FL 33128

PA Primary Zone 5700 DUPLEXES - GENERAL

8047 VACANT GOVERNN	IENTAL : DADE COUNTY
Beds / Baths / Half	0/0/0
Floors	0
Living Units	0

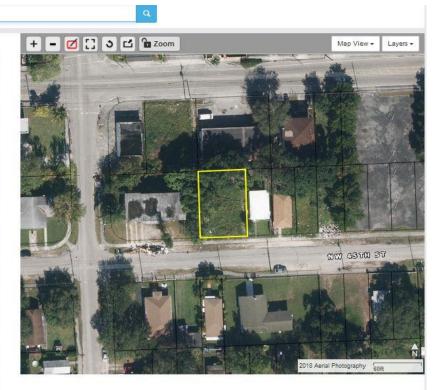
Actual Area	0	
Living Area	0	
Adjusted Area	0	
Lot Size	5,160 Sq.Ft	
Year Built	0	



The image below showcases the property (Folio Number #30-3121-026-0162). The current market value for this property is \$36,698.

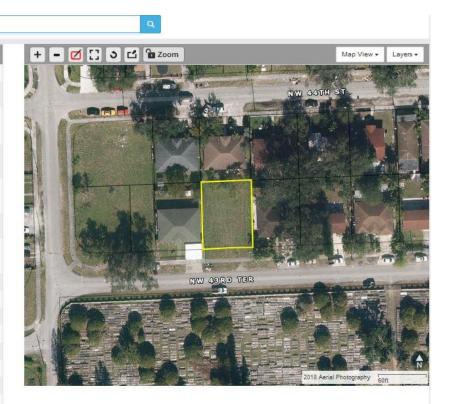
SEARCH: 30-3121-026-0162

Folio: 30-3121-026-0162	
Sub-Division: ROOSEVELT PARK	
ROOSEVELI MAR	
Property Address	
Owner	
MIAMI DADE COUNTY ISD RE MGMT	
Mailing Address	
111 NW 1 ST STE 2460	
MIAMI, FL 33128	
PA Primary Zone	
5700 DUPLEXES - GENE	RAL
	MENTAL : DADE COUNTY
8047 VACANT GOVERNM	MENTAL : DADE COUNTY
Primary Land Use 8047 VACANT GOVERNM Beds / Baths / Half Floors	
8047 VACANT GOVERNM Beds / Baths / Half	0/0/0
8047 VACANT GOVERNN Beds / Baths / Half Floors Living Units	0/0/0 0
8047 VACANT GOVERNI Beds / Baths / Half Floors Living Units Actual Area	0/0/0
8047 VACANT GOVERNI Beds / Baths / Half Floors Living Units Actual Area	0/0/0 0
8047 VACANT GOVERNI Beds / Baths / Half Floors Living Units Actual Area Living Area	0/0/0 0 0
8047 VACANT GOVERNI Beds / Baths / Half Floors Living Units Actual Area Living Area Adjusted Area	0/0/0 0 0 0
8047 VACANT GOVERNM Beds / Baths / Half Floors	0/0/0 0 0 0 0



The image below showcases the property located at 3053 NW 43 Terrace, Miami, FL 33142-4415 (Folio Number #30-3121-028-0890). The current market value for this property is \$13,572.

PROPERTY INFORMA	TION ©
Folio: 30-3121-028-0890	
Sub-Division: ROOSEVELT PARK ADDN	( NO 1
Property Address 3053 NW 43 TER Miami, FL 33142-4415	
Owner MIAMI DADE COUNTY GSA - R/E MMGT	
Mailing Address 111 NW 1 ST STE 2460 MIAMI, FL 33128-1929	
PA Primary Zone 5000 HOTELS & MOTELS	- GENERAL
Primary Land Use 8080 VACANT GOVERNM GOVERNMENTAL	ental : Vacant land -
Beds / Baths / Half	0/0/0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	5,220 Sq.Ft
Year Built	0



#### ADDITIONAL INFORMATION

The Miami-Dade County's Infill Housing Initiative Program's main goal is to increase the availability of affordable homes for very low, low, and moderate income families. Their additional goals include maintaining a stock of affordable housing, redeveloping urban neighborhoods by eliminating blight on properties, generate payment of ad valorem taxes, and equitable distributing homeownership opportunities. http://www.miamidade.gov/housing/infill-housing-developers.asp

#### **DEPARTMENTAL INPUT**

The Office of the Commission Auditor posed the following questions to the Public Housing and Community Development Department on February 8, 2019. If the answers are received after the HSSED Committee meeting, the notes will updated before the March 5, 2019 BCC meeting.

• What is the total estimated tax revenue expected to be generated from the development of homes on these lots over the next 20 years?

#### Item No. 2C File No. 190227

**Researcher: JFP Reviewer: TD** 

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE WITH THE MIAMI-DADE COUNTY SCHOOL BOARD TO REVISE THE INTERLOCAL AGREEMENT ADOPTED BY RESOLUTION NO. R-1114-04 RELATED TO THE APPROVAL OF CHARTER SCHOOL SITING TO INCLUDE THE ROLE OF THE SCHOOL BOARD IN THE ZONING REVIEW PROCESS AND TO PROVIDE UPDATED ZONING STANDARDS UNDER CHAPTER 33 FOR PUBLIC HEARING REVIEW OF CHARTER SCHOOLS

#### **ISSUE/REQUESTED ACTION**

The proposed resolution directs the County Mayor to negotiate with the Miami-Dade County School Board to revise the Interlocal Agreement related to approval of charter school siting to include the role of the School Board in the zoning review process and provide updated zoning standards for public review of charter schools.

#### APPLICABLE LEGISLATION/POLICY

Section 163.3177, Florida Statutes specifies the required and optional elements of a local government's comprehensive plan. The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode= Display\_Statute&Search\_String=163.3177&URL=0100-0199/0163/Sections/0163.3177.html

Section 1013.33, Florida Statutes governs coordination of planning with local governing bodies. The section does not prohibit a local governing body and district school board from agreeing and establishing an alternative process for reviewing a proposed educational facility and site plan, and offsite impacts, pursuant to an interlocal agreement adopted in accordance with s. 163.31777.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode= Display\_Statute&Search\_String=1013.33&URL=1000-1099/1013/Sections/1013.33.html

**Chapter 33, Article XI of the Miami-Dade County Code** governs zoning for public charter school facilities and codifies the charter school approval process, requiring a public hearing in all districts for a public charter school use. <u>https://library.municode.com/fl/miami\_-</u>

\_dade\_county/codes/code\_of\_ordinances?nodeId=PTIIICOOR\_CH33ZO\_ARTXIPUCHSCFA

**Ordinance No. 04-108**, adopted June 8, 2004, establishes purpose, definitions, review process and standards for approval of public charter school facilities; creates Article XI of the Code of Miami-Dade County, Florida; amends Sections 33-303.1, 33-311 and 33-314 to provide for charter school facility approval by Board of County Commissioners after recommendation by Developmental Impact Committee. http://intra/gia/matter.asp?matter=041775&file=false&yearFolder=Y2004

**Resolution No. R-1114-04**, adopted September 9, 2004, authorizes the County Mayor to execute an Interlocal Agreement with the School Board of Miami-Dade County and authorizes the County to consider and approve or deny applications for public charter schools

http://intra/gia/matter.asp?matter=042706&file=false&yearFolder=Y2004

**Resolution No. R-883-17**, adopted October 3, 2017, directs the County Mayor to request the School Board of Miami-Dade County to send a representative for zoning hearings on public charter schools before the Board of County Commissioners

http://intra/gia/matter.asp?matter=171689&file=true&yearFolder=Y2017

#### <u>PROCEDURAL HISTORY</u> Prime Sponsor: Barbara J. Jordan, District 1 Department/Requester: None

This item has no procedural history.

#### ANALYSIS

The proposed resolution seeks to revise the 2004 Interlocal Agreement with the School Board adopted by Resolution No. R-1114-04 to provide updated zoning standards for public hearing review of charter schools. The County Mayor is directed to negotiate with the School Board pursuant to Section 1013.33(8), Florida Statutes, regarding the following issues:

- 1) Updated standards on evaluating the necessity of a proposed charter school use, including available student stations within a reasonable radius of the proposed use.
- 2) Analysis of the availability of choice between traditional public schools, public charter schools, and private schools within a reasonable radius of the proposed use.
- 3) Requirements for verification of applicant-supplied data by the School Board.
- 4) Formal recommendations by the School Board on the approval of the public charter school use and location.
- 5) Attendance at public hearings by a School Board representative pursuant to the request contained in Resolution No. R-883-17.

When charter schools were first established in Florida in 1996, the intent was to improve student learning, increase learning opportunities with special emphasis on low performing students and reading, and measure learning outcomes. Charter schools were to create innovative measurement tools, provide competition to stimulate improvement in traditional schools, expand capacity of the public school system, and mitigate the educational impact created by the development of new residential units. Designed as a tool for best practices to reform public education, this cooperative relationship between charter schools and traditional public schools evolved into a competitive one over time. Now charters are seen as instruments of school choice that bring about competition for funding, as moneys appropriated for a student follow him or her to a charter school, reducing the funding level of the public school that the child would have attended.

Charter schools enroll approximately 10 percent of all of the state's 2.8 million PK-12 public-school students amounting to approximately 296,000 students in more than 650 charter schools. As reported by the Florida Auditor General, as of June 30, 2016, the largest numbers of charter schools are found in Miami-Dade (126), Broward (102), Palm Beach (50), Hillsborough (42), Duval (36), Orange (36), Pinellas (23), Polk (23), Lee (22) and Osceola (17) counties. Due to perceived saturation of charter schools in many areas, a moratorium has been placed by some municipalities on the formation of charter schools, as is the case in at least four municipalities in Broward County, per a conversation with Rhonda Stephanik, Coordinator at Broward County Charter Schools Management/Support Department.

Charter schools are required by law to organize as, or be operated by, a nonprofit organization. But in Miami-Dade County, most hire for-profit companies to build, manage or operate the schools. Miami-Dade's school district records the most charter schools managed by private companies, with for-profits operating 106 of the now 130 charters in the district and only 13 charter schools being independent and seven purchasing services from nonprofit organizations.

The 2018 Florida Department of Education Authorizer Report found that more than half of the 163 charter applications statewide were submitted to five of Florida's largest districts; Miami-Dade (26 applications); Palm Beach (22); Hillsborough County (18); Broward County (14); and Orange County (13).

The 38-percent approval rate statewide during the August 2017-February 2018 reporting period masks wide variation between district authorizers. In Miami-Dade County, for instance, the district approved 81 percent of the 26 applications it received, while Palm Beach County approved just 9 percent (only two) of the 22 applications it received.

The proposed resolution allows the County to update its standards regarding charter school reflecting the expanded use and operation of charter schools throughout the County, and presents an opportunity for the most professional and thorough review of school choice in Miami-Dade County as possible.

#### ADDITIONAL INFORMATION

2018 Department of Education Authorizer Report http://www.fldoe.org/core/fileparse.php/9905/urlt/17-AuthorizerReport.pdf

The Hidden Costs of Charter School Choice http://www.integrityflorida.org/wp-content/uploads/2018/09/charter-school-report-final.pdf

#### Item No. 3A File No. 190058

**Researcher: MF Reviewer: TD** 

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2018-19 FOR THE HOMESTEAD COMMUNITY REDEVELOPMENT AGENCY AND THE HOMESTEAD COMMUNITY REDEVELOPMENT AREA TOTALING \$3,691,135.00

#### **ISSUE/REQUESTED ACTION**

Whether the Board should approve the Fiscal Year 2018-2019 budget for the Homestead Community Redevelopment Agency and the Homestead Community Redevelopment Area in the total amount of \$3,691,135.00.

#### APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies. http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode= Display\_Statute&Search\_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode=Display\_Statute&Search\_String=163.387&URL=0100-0199/0163/Sections/0163.387.html

**Resolution No. R-599-15**, adopted June 30, 2015, allows for designee to be appointed to CRA. <u>http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015</u>

**Part III of Chapter 163 of Florida Statutes** defines the meaning of a "blighted area" to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities. http://www.leg.state.fl.us/Statutes/index.cfm?App\_mode=Display\_Statute&URL=0100-0199/0163/0163.html

Section 163.410 of Florida Statutes states that the exercise of powers in counties with home rule charters does not affect any Community Redevelopment Agency created by a municipality prior to the adoption of a county home rule charter.

http://www.leg.state.fl.us/Statutes/index.cfm?App\_mode=Display\_Statute&URL=0100-0199/0163/0163.html

**Resolution No. R-288-93**, adopted March 2, 1993, made findings related to community redevelopment in the cities of Homestead and Florida City; approved community redevelopment activities in those cities; and directed the County Manager to assist those cities in preparing a preliminary Community Redevelopment Plan. (The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Clerk of the Board.)

**Resolution No. R-915-94**, adopted on June 7, 1994, pertained to a certain geographic area within the City of Homestead generally bounded by Route 1 on the east, Lucy Drive on the south, Redland Road on the west and Ninth Court on the north; accepted the delivery of the Redevelopment Plan from the City of Homestead and made certain findings with respect to this Redevelopment Plan and geographic area; adopted the Redevelopment Plan; and affirmed the delegation of certain powers to the City Council of the City of Homestead; and approved an Interlocal Cooperation Agreement.

(The resolution is not in Legistar. A copy of the resolution can be consulted at the Office of the Clerk of the Board.)

**Ordinance No. 94-125**, adopted June 7, 1994, approved the funding of the City of Homestead Community Redevelopment Plan through a Trust Fund.

(The ordinance is not in Legistar. A copy of the ordinance can be consulted at the Office of the Clerk of the Board.)

#### **PROCEDURAL HISTORY**

Prime Sponsor: Housing, Social Services and Economic Development Committee Department/Requester: Office of Management and Budget

The proposed resolution has no procedural history.

#### ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163,330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

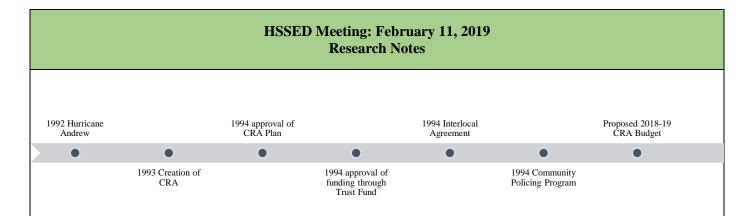
On August 24, 1992, Hurricane Andrew caused destruction of catastrophic proportions that affected all aspects of life in the City of Homestead. Thousands of people were rendered homeless, hundreds of businesses were destroyed or damaged. The local economy plunged to a halt and people's livelihoods were wrecked, as was much of the public revenue sources that the City of Homestead depends upon to provide public services and facilities for its citizens.

As result of this destruction, the Board of County Commissioners passed Resolution No. R-288-93, which approved the undertaking of community redevelopment in the City of Homestead; established a Community Redevelopment Agency; and directed the County Manager to assist the City of Homestead in preparing a preliminary Community Redevelopment Plan.

On June 7, 1994, the Board adopted the Agency's Community Redevelopment Plan pursuant to Resolution No. R-915-94. The Board also approved the funding of the Plan through a Trust Fund through Ordinance No. 94-125.

Resolution No. R-915-94 also approved an Interlocal Agreement between Miami-Dade County and the Agency. This Interlocal Agreement, later amended on July 27, 2004 to include a Community Policing Program. The Interlocal Agreement between the County, the City of Homestead and the Agency requires the Agency to submit an annual budget for County approval.

The proposed resolution seeks the Board's approval of the Fiscal Year 2018-2019 budget for the Homestead Community Redevelopment Agency and the Homestead Community Redevelopment Area in the total amount of \$3,691,135.00.



According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. The countywide TIF payment into the Agency's Trust Fund for Fiscal Year 2018-19 is \$1,200,948 and the City's TIF payment into the Trust Fund is \$1,540,034.

#### The CRA's Fiscal Year 2018-19 budget line items include:

Administrative Expenditures	
Employee Salary and Fringe	\$276,007
Contractual Services	\$63,000
Insurance	\$24,799
Audit and Studies	\$0
Printing and Publishing	\$1,000
Marketing	\$0
Advertising and Notices	\$7,000
Travel and Training	\$10,000
Rent/Lease Costs	\$3,583
Equipment (other than office)	\$0
Office Equipment and Furniture	\$0
Other Administrative Expenses	\$187,959
Sub-total Administrative Expenses	\$573,348
County Administrative Charge at 1.5%	\$16,014
(A)Total Administrative Expenses and County Charges	\$591,362
Operating Expenditures	
Employee Salary and Fringe	\$184,005
Contractual Services	\$247,500
Insurance	\$21,506
Audits and Studies	\$0
Printing and publishing	\$0
Marketing	\$60,000
Legal Services	\$50,000
Architect/Engineer Fees	\$0
Land/Building Acquisitions	\$0
Infrastructure Improvements	\$0
Building Construction & Improvement	\$1,765,000
Debt Service Payments	\$0

# HSSED Meeting: February 11, 2019<br/>Research NotesAssistance to Non-Profits\$150,000Public Safety\$269,424Other Operating Expenses\$335,645(B) Total Operating Expenses\$3,083,080(C) Reserve/Contingency\$16,693Expenditures Total (A + B + C)\$3,691,135

#### **CRA Employee Salary and Fringe Benefits:**

Position	Salary	Administrative (60%)	Operational (40
Executive Director	\$155,526	\$93,315.60	\$62,210
Assistant Executive Director	\$146,792	\$88,075	\$58,717
Administrative Assistant	\$75,387	\$45,232	\$30,155
Administrative Assistant	\$68,136	\$40,882	\$27,254
Planning & Zoning Assistant	\$14,171	\$8,503	\$5,668
TOTAL	\$460,012	\$276,007	\$184,005

#### Some of the CRA's Accomplishments include the following:

#### Historic Downtown Homestead

In 2007, Historic Downtown Homestead was listed on the National Register of Historic Places and in 2013 the City of Homestead celebrated its Centennial. The Historic District encompasses 11 city blocks comprising an area of approximately 12 acres. It qualified for listing on the National Register of Historic Places as being both associated with significant historical events and containing distinctive architectural styles. Recently, the City embarked on a Downtown Revitalization Project designed to breathe new life into the Historic District with a variety of public and private projects and partnerships.

#### Commercial Enhancement Grants

Commercial Enhancement Grant funds are meant for the improvement or rehabilitation of the interior/exterior of existing qualified commercial buildings and for the relocation and expansion of businesses within the City's CRA district, including the removal of architectural barriers for access by handicapped person. Grant funds may not be used for new construction.

#### Housing Rehabilitation Program

The Emergency Home Repair, Residential Façade, and Residential Landscaping Improvement Grant Programs were developed to provide low and moderate income, single-family residents with the financial assistance needed to make necessary improvements to their homes, to increase their livability and life span. This grant does not require matching funds or repayment. This program is limited to one per resident for the life of the grant program.

Emergency Home Repair provides funding for emergency repairs. This section of the program assists homeowners with necessary repairs and property improvements to make a safe, secure and sanitary home.

Residential Façade Improvement provides funding for the improvements of the exterior of the property. This section of the program stabilizes the community by assisting homeowners with improvements that create a sense of pride, as well as preserving the value of the home equity.

#### Some of the proposed projects for FY 2018-19 include the following:

#### Building Construction Improvement - \$1,540,000

These funds will support the construction of one of the major projects in the Downtown Area that the CRA is heavily involved in. The Cybrary, a 22<sup>nd</sup> Century cutting-edge library and educational center located in the CRA's Pioneer Quarter designed to bring reading and education to life. The Cybrary will bring audiences back to the library by creating a unique and fun learning experience.

#### Commercial Enhancement Grant - \$150,000

The Façade Improvement Program is for businesses located within the CRA area (with emphasis on the Pioneer Quarter, Homestead's Historic Downtown and the South West Neighborhood). The program will assist building owners and tenants in making exterior and interior building repairs such as repainting, replacing windows and doors, installing new awning, and installing new signage for the beautification of the area.

#### Residential Grant - \$75,000

This grant is for the improvement of residential curb appeal and necessary emergency repairs to make homes in the CRA safe and secure. The goal of the CRA is to improve the quality of life for homeowners and residents, bring properties up to current building code, improve and upgrade the appearance of the area, and facilitate and encourage redevelopment activity.

#### Not-for-Profit Organizations - \$150,000

The Community Redevelopment Agency's Fiscal Year 2018-190 Budget allocates \$150,000 to the Homestead CRA Not-for-Profit Grant Program. The Not-for-Profit Committee spread the budget and awarded six grants: Homestead Soup Kitchen (\$10,000); Mexican American Council (\$32,000); Greater Miami Youth for Christ (\$43,500); Seminole Cultural Arts Theatre, Inc. (\$34,500); Le Jardin Community Center, Inc. (\$26,000); and Miami Bridge Youth and Family Services, Inc. (\$13,000).

#### **HSSED Meeting: February 11, 2019 Research Notes** A map of the Homestead Community Redevelopment Area is depicted below. NW 13TH ST IST WW 12TH ST NW 12TH ST NE 11ТН 11TH ST NE 10TH ST TH ST 311THST MN NW9TH ST NE 8TH ST NW BTH ST 312TH ST NWTHST NW GTH ST NW STH ST SW 316TH TER SW 317TH TER NW2ND ST NW1ST ST 9TH ST SW1ST ST SW/5TH AVE SW 4TH AVE SWY TITH AVE SW 3RD AV SW 2ND ST SW ZND AVE GE SWATHST Homestead CRA USTH ST 6TH ST SW 6TH CT Legend lission District Boundary community Redevelopment Area ent and Budge al use or sale is permitted

#### ADDITIONAL INFORMATION

The mission of the Homestead Community Redevelopment Agency is to revitalize the Community Redevelopment Area and provide an economic stimulus such that the future value of property within the CRA is optimized. It does this through providing programs that expand economic activities, improve social institutions, improve the physical functioning of the City, and make the City more aesthetically pleasing. https://www.cityofhomestead.com/137/CRA-Plan

#### DEPARTMENT INPUT

The Office of the Commission Auditor posed the following questions to the Office of Management on February 8, 2019. If the answers are received after the HSSED Committee meeting, the notes will updated before the March 5, 2019 BCC meeting.

- How many jobs and businesses have been created through the CRA's efforts in the preceding year?
- How many homes have been improved through the Housing Rehabilitation Program?
- Where will the Cybrary be located?
- When is the project scheduled to begin and what is the projected completion date?

#### Item No. 3B File No. 190092

**Researcher: MF Reviewer: TD** 

RESOLUTION APPROVING THE FISCAL YEAR 2018-2019 BUDGET FOR THE N.W. 79TH STREET CORRIDOR COMMUNITY REDEVELOPMENT AGENCY AND THE N.W. 79TH STREET CORRIDOR COMMUNITY REDEVELOPMENT AREA IN THE AMOUNT OF \$1,031,453.00

#### **ISSUE/REQUESTED ACTION**

Whether the Board should approve the Fiscal Year 2018-2019 budget for the N.W 79<sup>th</sup> Street Corridor Community Redevelopment Agency and the NW 79<sup>th</sup> Corridor Community Redevelopment Area in the total amount of \$1,031,453.00.

#### APPLICABLE LEGISLATION/POLICY

Section 163.356, Florida Statutes governs the creation of community redevelopment agencies. http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\_mode= Display\_Statute&Search\_String=163.356&URL=0100-0199/0163/Sections/0163.356.html

Section 163.387, Florida Statutes governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App mode=Display Statute&Search String=163.387&URL=0100-0199/0163/Sections/0163.387.html

**Resolution No. R-599-15**, adopted June 30, 2015, allows for designee to be appointed to CRA. <u>http://intra/gia/matter.asp?matter=151301&file=true&yearFolder=Y2015</u>

**Part III of Chapter 163 of Florida Statutes** defines the meaning of a "blighted area" to constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities. http://www.leg.state.fl.us/Statutes/index.cfm?App\_mode=Display\_Statute&URL=0100-0199/0163/0163.html

Section 163.410 of Florida Statutes states that the exercise of powers in counties with home rule charters does not affect any Community Redevelopment Agency created by a municipality prior to the adoption of a county home rule charter.

http://www.leg.state.fl.us/Statutes/index.cfm?App\_mode=Display\_Statute&URL=0100-0199/0163/0163.html

**Resolution No. R-566-09**, adopted May 5, 2009, declared a geographic area of unincorporated Miami-Dade County known as the NW 79<sup>th</sup> Street Corridor and described as a portion of Miami-Dade County, generally bounded by NW 87<sup>th</sup> Street on the north, 62<sup>nd</sup> Street on the south, NW 7<sup>th</sup> Avenue on the east, and NW 37<sup>th</sup> Avenue on the west to be a slum or blighted area; declared the rebuilding, rehabilitation, conservation and redevelopment of the area to be in the interest of the public health, safety, morals and welfare of residents pf Miami-Dade County; approved the competitive selection of a consultant to prepare a Community Redevelopment Plan for the NW 79<sup>th</sup> Corridor

Community Redevelopment Area; approved monies in the County's Incorporated Municipal Service Area Non-Departmental Allocation for Management Consulting Services Fund be expended for the preparation f the Redevelopment Plan

http://intra/gia/matter.asp?matter=090460&file=true&yearFolder=Y2009

**Ordinance No. 11-55**, adopted July 19, 2011, appointed a Board of Commissioners of the NW 79<sup>th</sup> Street Corridor Community Redevelopment Agency and designated their respective terms of office; and delegated certain redevelopment powers to the Agency.

http://intra/gia/matter.asp?matter=111476&file=true&yearFolder=Y2011

**Resolution No. R-604-11**, adopted July 19, 2011, adopted the Community Redevelopment Plan regarding certain geographic area of Miami-Dade County known as the NW 79<sup>th</sup> Street Corridor and described as a portion of Miami-Dade County generally bounded by NW 87<sup>th</sup> Street on the north, 62<sup>nd</sup> Street on the south, NW 7<sup>th</sup> Avenue on the east, and NW 37<sup>th</sup> Avenue on the west; and made certain findings with respect to such Redevelopment Plan. http://intra/gia/matter.asp?matter=110860&file=true&yearFolder=Y2011

**Ordinance No. 11-52**, adopted July 19, 2011, pertained to the redevelopment of the NW 79<sup>th</sup> Street Corridor Community Redevelopment Area generally bounded by NW87<sup>th</sup> Street on the north, 62<sup>nd</sup> Street on the south, NW 7<sup>th</sup> Avenue on the east, and NW 37<sup>th</sup> Avenue on the west; established the Redevelopment Trust Fund; provided for appropriation of funds and calculation of increment for deposit into the Fund; set forth the obligation to appropriate to the Fund and the duration of the obligation; and provided for limited County approval of debt. http://intra/gia/matter.asp?matter=111479&file=true&yearFolder=Y2011

**Resolution No. 95-12**, adopted January 24, 2012, approved the Interlocal Cooperation Agreement between Miami-Dade County and the NW 79<sup>th</sup> Street Corridor Community Redevelopment Agency. http://intra/gia/matter.asp?matter=120002&file=true&yearFolder=Y2012

**Resolution No. R-241-14**, adopted March 4, 2014, authorized the conveyance of one parcel of land at a price of ten dollars to the NW 79<sup>th</sup> Corridor Community Redevelopment Agency for the purpose of using this property to attract developers to the redevelopment area.

http://intra/gia/matter.asp?matter=140229&file=true&yearFolder=Y2014

#### PROCEDURAL HISTORY

Prime Sponsor: Housing, Social Services and Economic Development Committee Department/Requester: Office of Management and Budget

The proposed resolution has no procedural history.

#### ANALYSIS

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163, Sections 163,330, et. seq., of the Florida Statutes. All powers arising in the Act are conferred upon counties with home rule charters.

Resolution No. R-566-09, adopted by the Board on May 5, 2009, established the boundaries of the geographic area of unincorporated Miami-Dade County known as the NW 79<sup>th</sup> Street Corridor and declared the Area to be slum or blighted. It also declared the rebuilding, rehabilitation, conservation and redevelopment of the area to be in the interest of the public health, safety, morals and welfare of residents of Miami-Dade County.

On July 19, 2011, the Board adopted Ordinance No. 11-55, appointing a Board of Commissioners of the NW 79<sup>th</sup> Street Corridor Community Redevelopment Agency and delegated certain redevelopment powers to the Agency.

The Board approved the Agency's Redevelopment Plan when it adopted Resolution No. R-604-11 on July 19, 2011; and the Agency's Redevelopment Trust Fund when it adopted Ordinance No. 11-52.

The CRA held its first meeting on September 12, 2011 and on October 3, 2011, adopted the Interlocal Agreement between the County and the CRA. On January 24, 2012, the Board adopted Resolution No. 95-12, which approved an Interlocal Agreement between the Agency and the County, and granted the Agency certain redevelopment powers.

At the September 20, 2011 BCC meeting, Commissioner Jean Monestime allocated \$20,000 from his office funds to the CRA for their use. This allocation has been the CRA's sole source of revenue. In order to further implementation of its redevelopment Plan, the CRA urged the BCC to convey certain County-owned parcels to the CRA. In February 2014, the BCC, through Resolution No. R-241-14 conveyed a parcel of land to the CRA to be used as an incentive to attract developers interested in creating new jobs in part through the construction of facilities for new retail, office and industrial use within the redevelopment area.

During FY 2014-15, the CRA issued a Request for Proposals for development on this parcel of land. Eco Building Solutions, the sole responder to the RFT, offered to construct a mixed use, residential land office/commercial building. However, the negotiations with Eco Building Solutions did not materialize and the CRA returned the parcel back to the County.

For the current fiscal year, the CRA has engaged the services of an economic development coordinator to assist the CRA with shaping its future agenda by re-visiting the Redevelopment Plan. On November 29, 2018, the CRA approved the FY 2018-19 budget, and requested that County staff forwarded the adopted budget to the BCC, as required in the Interlocal Agreement.

The proposed resolution seeks the Board's approval of the Fiscal Year 2018-2019 budget for the Fiscal Year 2018-2019 N.W 79<sup>th</sup> Street Corridor Community Redevelopment Agency and the NW 79<sup>th</sup> Corridor Community Redevelopment Area in the total amount of \$1,031,453.00.

According to the Fiscal Impact Statement, the Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387 of the Florida Statutes. The countywide TIF payment into the Agency's Trust Fund for Fiscal Year 2018-19 is \$430,692 and the unincorporated municipal service area (UMSA) TIF payment into the Trust Fund is \$177,956.

Administrative Expenditures	
Employee Salary and Fringe	\$-
Contractual Services	\$-
Printing and Publishing	\$-
Meeting Costs	\$2,000
Advertising, Newspapers and Notices	\$2,500
Travel & Educational Seminars	\$13,323
CRA Support Staff Office Supplies	\$2,500
Other Administrative Expenses	\$30,000
(A)Sub-total Administrative Expenses	\$50,323
County Administrative Charge at 1.5%	\$9,130
(B) Sub-total Administrative Expenses & County Charge	\$59,453
Operating Expenditures	
Repayment of FON and Plan	\$40,000
Membership and State Fee	\$800
Contractual Services	\$-
Printing, Publishing and Social Media	\$15,000
Marketing & Promotional Events	\$50,000
Meeting Room Expenses	\$1,000
Legal Services	\$10,000
Administrative & Program Support	\$50,000
Professional Services	\$50,000
Property Maintenance	\$-
Property Assessments and Fees	\$-
Corridor Façade Improvement Program	\$150,000
Business Training Programs Support	\$40,000
Land Appraisal/Acquisition/Development	\$250,000
Infrastructure Improvements	\$75,000
	\$731,800
(C) Sub-total Operating Expenses	\$751,000

The CRA's Proposed Fiscal Year 2018-19 budget line items include

A map of the N.W 79<sup>th</sup> Street Corridor Community Redevelopment Area is depicted below. INW 93RD ST NW 92ND ST v 91 S1 ST ST NW 90TH ST NW 89TH ST NW 88TH ST NW 91ST ST 89TH TER THE WALL ABTH TER BTH ST NW 87TH ST NW 85TH ST BETH ST 5 EXPY 196.455 NW BETH ST NW 84TH'ST Sec. NW SATH ST NWEISTTER INV 23RD EAST FLY NW81ST South BOTH TER NW BOTH ST TWEETHAVE NW79THST 5 2511 NW 78TH ST **FILLE** NWTOON UER NW77TH ST THE ST 0 TETH ST STHAVE NW76TH ST NW 76TH ST NW75TH ST NW74TH TER 22 NW 74TH TER NW 26 NWATUST NW73RD TER NW73RD ST 74TH ST W 29UH NW73RD ST NW73RD ST NW 72ND ST W 73RD ST NW71ST LN NUMBER W.36TH NW71ST TER DST NWMISTST NWY NW ZIST AVE WW 69TH TER S NW 69TH S NW 69TH ST NW 68TH S NW 68TH S1 NW 69TH NW 68TH ST INW 66TH ST NW 65TH NW GETH S H ST NW 79 St CRA NW 63RL NW GOTH ST MM NW 63RD ST /65TH S NW 63RD ST Legend 61ST Commission District Boundary Community Redevelopment Area 59TH ST Street NW 58 60TH ST NW 59TH ST NW 57TH'S W 58TH ST NW 56TH This map was prepared by the Miami Dade County Information Technology Department Geographic Infor March 2012 mation Systems (GIS) D

This map and associated information is to be used only for public bulkness as may be authorized by law and no reproduction for commercial use or sale is permitted. No expressed or implied warranties including but not limited to the implied warranties of merchanability or fitness for a particular purpose is made. User is warned the materials contained herein are provided "as is"

#### Item No. 3C File No. 190167

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AGREEMENTS RELATED TO THE GRANT FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 352 IN THE AMOUNT OF \$11,319,717.21 TO FLORIDA SICKLE, INCORPORATED; WAIVING PROVISIONS OF RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE, SUBORDINATE, EXTEND, MODIFY, AND/OR AMEND THE AGREEMENTS, EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN AND TO DO ALL THINGS DEEMED NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION

#### **ISSUE/REQUESTED ACTION**

Whether the Board should approve (1) the Building Better Communities General Obligation Grant Agreement (Grant Agreement) between the County and Florida Sickle, Inc. in the amount of \$11,319,717.21 for Liberty Square Phase Two; (2) the Rental Regulatory Agreement between the County, Florida Sickle, Inc. and Liberty Square Phase Two, LLC; and (3) waiver of the requirement that all contracts with third parties be executed and finalized prior to their placement on a committee agenda.

#### APPLICABLE LEGISLATION/POLICY

**42 USC 12755** sets forth nationwide rules governing affordable housing tenant and participant protections relating to lease agreements, termination of tenancy, maintenance and replacement and tenant selection. http://uscode.house.gov/view.xhtml?req=(title:42%20section:12755%20edition:prelim)

Section 17-1 of the County Code sets forth minimum housing standards governing the condition, occupancy and maintenance of dwellings in order to protect the health, safety, morals and welfare of the public. <u>https://library.municode.com/fl/miami\_</u> dade county/codes/code of ordinances?nodeId=PTIIICOOR CH17HO ARTIIMIDECOMIHOST

**Ordinance No. 05-47**, adopted March 1, 2005, authorized the issuance of Miami-Dade County General Obligation Bonds in more than one series and from time to time in an aggregate principal amount not to exceed \$2,925,750,000 for Building Better Communities Bond Program and a special bond election held on November 2, 2004. http://intra/gia/matter.asp?matter=050765&file=false&yearFolder=Y2005

**Resolution No. R-130-06**, adopted January 24, 2006, requires proposed agenda items seeking approval of a contract or conveyance and authority to execute same shall not be placed on any committee or Commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-County parties. http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006

**Resolution No. R-197-15**, adopted March 3, 2015, approves deletion of Building Better Communities General Obligation Bond program Project Nos. 242.1 (New Family Units at Victory Homes), 244.1 (New Elderly Units at Elizabeth Virrick II) and 247 (New Family Units at Lincoln Gardens) and addition of Project No. 352 (New Family Units at Liberty Square and Lincoln Gardens) with an allocation of \$32,243,000 of surplus funds from Project Nos. 242.1, 244.1 and 247.

http://intra/gia/matter.asp?matter=150253&file=true&yearFolder=Y2015

Resolution No. R-852-15, adopted October 6, 2015, approves an amendment to Resolution No. R-197-15 in order to correct total amount of Building Better Communities General Obligation Bond Program surplus funds allocated to new Project No. 352 - "New Family Units at Liberty Square and Lincoln Gardens" from \$32,243,000 to \$32,300,000.

http://intra/gia/matter.asp?matter=151883&file=true&vearFolder=Y2015

Resolution No. R-1048-17, adopted November 7, 2017, approved agreements related to the grant from Building Better Communities General Obligation Bond Program Project No. 352 (New Family Units at Liberty Square and Lincoln Gardens) in the amount of \$15,000,000 to BAC Funding Corporation and Related Urban Development Group, LLC and approved use of replacement housing factor funds in the amount of \$1,517,381 for Liberty Square Phase One and Hope VI funds in the amount of \$4,063,472 for Lincoln Gardens.

http://intra/gia/matter.asp?matter=172172&file=true&vearFolder=Y2017

**Resolution No. R-974-09**, adopted July 21, 2009, requires any resolution authorizing the execution of instruments creating a County interest in real property 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

Resolution No. R-636-16, adopted July 6, 2016, approved award to RUDG, LLC as the developer of Liberty Square and Lincoln Gardens in response to Request for Application No. 2015-01 to be funded with Building Better Communities General Obligation Bond Funding and approved execution of associated ground leases and a Master Development Agreement.

http://intra/gia/legistarfiles/MinMatters/Y2016/161778min.pdf

**Implementing Order No. 3-47** sets forth the County's process for allocation of surplus and other funds from the Building Better Communities General Obligation Bond Program. http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-47.pdf

#### **PROCEDURAL HISTORY**

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3 **Department/Requester: Public Housing and Community Development** 

The item has no procedural history.

#### ANALYSIS

This item is requesting that the Board approve the grant agreement between the County and Florida Sickle, Inc. in the amount of \$11,319,717.21 for Liberty Square Phase Two; the rental regulatory agreement between the County, Florida Sickle, Inc. and Liberty Square Phase Two, LLC for 204 Phase Two units; and waiver of the requirement that contracts with third parties be executed and finalized prior to being placed on a committee or Board agenda. The project is located at 6514 NW 13 Avenue, Miami, Florida, in Commission District 3.

Pursuant to Resolution No. R-197-15, adopted March 3, 2015, as amended by Resolution No. R-852-15 adopted on October 6, 2015, the Board approved a countywide allocation of \$32,300,000 from Building Better Communities General Obligation Bond (BBC GOB) Project No. 352 (New Family Units at Liberty Square and Lincoln Gardens) for the development of public housing and affordable housing units at Liberty Square and Lincoln Gardens as part of a mixed-use project popularly referred to as Liberty Square Rising.

Pursuant to Resolution No. R-636-16, adopted July 6, 2016, the County Mayor executed a ground lease between the County and Liberty Square Phase Two, LLC (aka Related Urban Development Group) as well as an associated Master Development Agreement for the construction of the project. All aspects of the project shall be completed within 30 months of the proposed grant agreement's effective date. Note that the first phase of the Liberty Square redevelopment is expected to be completed in the spring of 2019 and also consists of a total of 204 units.

Pursuant to Resolution No. R-1048-17, adopted November 7, 2017, the County approved a grant of \$15,000,000 of the allocated BBC GOB funds to the project. The County has agreed it will fund \$11,319,717.21 of the allocated funds for Phase Two in Fiscal Year 2018-19 for reimbursable capital expenditures. Florida Sickle, Inc., the grantee, in accord with the proposed grant agreement, shall lend the Phase Two funding to Liberty Square Phase Two Lenders, LLC, who in turn shall lend that funding to the developer, Related Urban Development Group.

The total cost for the development of Liberty Square Phase Two is estimated to be \$48,169,859. That sum is broken down as follows: tax credit equity totaling \$3,648,701; bonds totaling \$27,500,000; RHF totaling \$391,401; County GOB totaling \$11,319,717; and a deferred developer fee totaling \$5,310,040.

The proposed Rental Regulatory Agreement between the County, Florida Sickle, Inc. and Liberty Square Phase Two, LLC sets forth terms and conditions for the administration of lease agreements with eligible tenants. The project shall consist of 204 units in garden-style buildings. There will be 24 one-bedroom, 144 two-bedroom, 30 three-bedroom and six four-bedroom units. Eligible tenants are persons or families with a total annual household income that does not exceed 60 percent and 80 percent of the area median income for Miami-Dade County adjusted for family size as determined by the United States Department of Housing and Urban Development. The development is expected to begin preleasing in October 2019 with completion of construction in June 2020, indicating an absorption of 12 units per month.

Under the Rental Regulatory Agreement, the grantee and developer agree to maintain rents at certain prescribed rates as follows:

Number of Units	Туре	Set Aside	Gross Rent	Utility	Net Rent
17	One bedroom	30%	\$442.00	\$67.00	\$375.00
28	Two bedroom	30%	\$531.00	\$87.00	\$444.00
22	Three bedroom	30%	\$613.00	\$111.00	\$502.00
6	Four bedroom	30%	\$684.00	\$137.00	\$547.00
22	Two bedroom	60%	\$1,062.00	\$87.00	\$975.00
7	One bedroom	80%	\$1,180.00	\$67.00	\$1,113.00
94	Two bedroom	80%	\$1,416.00	\$87.00	\$1,329.00
8	Three bedroom	80%	\$1,637.00	\$111.00	\$1,526.00

At the County's discretion, up to 20 percent of the rental units may be designated for Housing Choice Voucher (Section 8) subsidy, either project-based or tenant-based.

Lastly, waiver of Resolution No. R-130-06, which requires that all contracts be executed by the non-County party prior to being placed on a committee or Board agenda, is being requested as the grantee, Florida Sickle, Inc., has not yet signed the grant agreement.

#### **ADDITIONAL INFORMATION**

See link below to a Miami Herald article titled "New Liberty Square Apartments almost Ready but Federal Shutdown could Delay Phase 2".

https://www.miamiherald.com/news/local/community/miami-dade/article225405155.html