



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

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

November 13, 2017  
9:30 A.M.  
Commission Chambers

Office of the Commission Auditor  
111 N.W. First Street, Suite 1030  
Miami, FL 33128  
(305) 375-2524

**HSSC Meeting: November 13, 2017  
Research Notes**

**Item No. 1G1**

**File No. 172017**

**Researcher: AIP**

ORDINANCE RELATING TO THE N.W. 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AGENCY; AMENDING SECTION 2-1889 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REAPPOINTING ONE MEMBER NOMINATED BY THE DISTRICT 3 COUNTY COMMISSIONER TO THE AGENCY'S BOARD OF COMMISSIONERS; DESIGNATING A VICE-CHAIR OF THE AGENCY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should approve amending Section 2-1889 of the County Code to reappoint a member of the N.W. 7th Avenue Corridor Community Redevelopment Agency (CRA) nominated by District 3 Commissioner, Vice Chairwoman Edmonson.

**APPLICABLE LEGISLATION/POLICY**

Community Redevelopment Act of 1969; Chapter 163 of the Florida Statutes (Sections 163.330 through 163.450); outlines State procedures relating to CRAs; all powers arising pursuant to the Act are conferred upon counties with home rule charters.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=Ch0163/part03.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20163%2D%3EPart%20III](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0163/part03.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20163%2D%3EPart%20III)

Section 2-1889 of the County Code (Appointments) and Ordinance No. 06-18 (File No. 060154); appointing a Board of Commissioners of the N.W. 7th Avenue Corridor Community Redevelopment Agency and designating their respective terms of office; delegating certain redevelopment powers to the agency.

- [https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTCXXIIINW7THAVCOCOREAG\\_S2-1889AP](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTCXXIIINW7THAVCOCOREAG_S2-1889AP)
- <http://intra/gia/matter.asp?matter=060154&fi>

Ordinance No. 12-23 (File No. 120250), which amended the County Code relating to the appointments for CRA. Adopted on April 3, 2012. <http://intra/gia/matter.asp?matter=120250&file=true&yearFolder=Y2012>

Resolution No. R-1360-09 (File No. 092870), which delegated many redevelopment powers that were formerly vested in the Board to the CRA.

<http://www.miamidade.gov/govaction/matter.asp?matter=092870&file=true&yearFolder=Y2009>

As well as the following resolutions, all of which approved members to the N.W. 7th Avenue CRA:

- Resolution No. R-1370-08 (File No. 083119): Adopted on December 2, 2008.  
<http://intra/gia/matter.asp?matter=083119&file=true&yearFolder=Y2008>
- Resolution No. R-86-09 (File No. 083426): Adopted on January 22, 2009.  
<http://intra/gia/matter.asp?matter=083426&file=true&yearFolder=Y2008>
- Resolution No. R-571-11 (File No. 111203): Adopted on June 7, 2011.  
<http://intra/gia/matter.asp?matter=111203&file=true&yearFolder=Y2011>

## **HSSC Meeting: November 13, 2017**

### **Research Notes**

#### **PROCEDURAL HISTORY**

This item was presented to the Board on October 3, 2017 and was adopted on first reading. The item is scheduled for a public hearing before the Housing and Social Services Committee (HSSC) on November 13, 2017. The Prime Sponsor of this item is Vice Chairwoman, Commissioner Edmonson of District 3.

#### **FISCAL IMPACT**

This item creates no fiscal impact.

#### **ANALYSIS**

This item aims to reappoint Eugene R. Lomando as a commissioner of the N.W. 7th Avenue Corridor CRA for a term of four years, and appoint him as Vice Chair of the Agency. Mr. Lomando is a State-certified general contractor and works as a General Manager at Tropical Glass and Construction Company, in Miami, FL.

The N.W. 7th Avenue Corridor CRA is a board of qualified individuals appointed by the Board to create and implement plans to redevelop the specific area around N.W. 7th Avenue Corridor determined to be “slum and blighted” (Located in District 1). It was first established in 2004, and in 2011, the Board approved the expansion of the CRA area, and both the original and expanded area have a variety of land uses and projects in development. The CRA adopted its new “Action Plan” during Fiscal Year 2013-2014, which detailed the rebranding of the CRA, grant/incentive programs, and other ways to attract businesses to the area.

All CRA’s are overseen by the Community Redevelopment and Municipal Services Division (CRMSD) of the Office of Management and Budget. Primary community redevelopment objectives as defined by the legislation are:

- To address the physical, social, and economic problems associated with slum and blighted areas
- To encourage local government to improve the physical environment (i.e., buildings, streets, parks and utilities) through rehabilitation, conservation, or clearance/rehabilitation
- To convey local community redevelopment agencies the power to expend public funds as a means to improve slum and blighted areas
- To enhance the tax base in the redevelopment areas by encouraging private investment through channeling of tax increment revenues into public improvements within the designated areas; and
- To eliminate substandard housing conditions and to provide adequate housing to residents of low or moderate income, particularly the elderly

Under the County Code, the CRA shall consist of not fewer than five or more than nine commissioners. The terms of office of the commissioners shall be for four years. Any person may be appointed as commissioner if he or she resides or is engaged in business, which means owning a business, practicing a profession or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the agency, which shall be coterminous with the area of operation of the County, and is otherwise eligible for such appointment under Florida law. The members, as currently codified, are:

- Mack Samuel
- Mae Bryant
- Samuel Frederique
- Todd Ruderman
- Gene Lamondo
- Charesse Chester
- Donald Kressly

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**Research Notes**

Note that Todd Ruderman has resigned and Donald Kressly is deceased.

Additional information on the CRA:

<http://www.miamidade.gov/redevelopment/>

<http://www.miamidade.gov/redevelopment/library/reports/nw-7th-ave-annual-2015-2016.pdf>

**HSSC Meeting: November 13, 2017  
Research Notes**

**Item No. 1G2  
File No. 171976**

**Researcher: AIP**

ORDINANCE RELATING TO THE AFFORDABLE HOUSING TRUST FUND BOARD OF TRUSTEES; AMENDING SECTION 17-133 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING MEMBERSHIP TO REMOVE FLORIDA COMMUNITY BANK AND REPLACE IT WITH A LOCAL LENDING INSTITUTION DESIGNEE; PROVIDING FOR DESIGNATION OF ALTERNATES; DELETING AUTHORITY RELATING TO DESIGNATED FACILITIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the amendments to Section 17-33 of the County Code, dealing with the Affordable Housing Trust Fund, to revise its membership, provide for designation of alternatives and delete authority relating to designated facilities.

**APPLICABLE LEGISLATION/POLICY**

Section 17-133 of the Miami-Dade County Code (*Membership*): Adopted on February 6, 2007.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch17\\_artviii\\_sec17-133](http://miamidade.fl.elaws.us/code/coor_ptiii_ch17_artviii_sec17-133)

Ordinance No. 07-15 (Section 17-132 of the County Code) (*Affordable Housing Trust Fund*): Adopted on February 6, 2007.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch17\\_artviii\\_sec17-132](http://miamidade.fl.elaws.us/code/coor_ptiii_ch17_artviii_sec17-132)

**PROCEDURAL HISTORY**

This item was presented to the Board on October 3, 2017 and was adopted on first reading. The item is scheduled for a public hearing before the Housing and Social Services Committee (HSSC) on November 13, 2017. The Prime Sponsor of this item is Commissioner Jordan of District 1.

**FISCAL IMPACT**

This item creates no fiscal impact.

**ANALYSIS**

Housing trust funds are distinct funds established by city, county or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing and increase opportunities for families and individuals to access decent affordable homes. Housing trust funds systemically shift affordable housing funding from annual budget allocations to the commitment of dedicated public revenue. While housing trust funds can also be a repository for private donations, they are not public/private partnerships, nor are they endowed funds operating from interest and other earnings.

Established by the Miami-Dade Commission in 2007 with the purpose of increasing and improving the supply of affordable housing, the Affordable Housing Trust Fund was set up to fund the acquisition of property and property rights, cost of construction including costs associated with planning, administration, design, building or installation, as well as any other costs associated with the construction or financing of affordable housing.

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Section 17-133 of the Code as it currently reads:	Section 17-133 of the Code - proposed changes:
(1)(m) One (1) member designated by the Florida Community Bank.	(1)(m) One (1) member designated by a local lending institution.
(5)(a) ... In addition, the Trust shall make, adopt and amend by-laws, rules and regulations for its own governance and for the operation, governance, restoration, preservation and maintenance of designated facilities.	(5)(a) ... In addition, the Trust shall make, adopt and amend by-laws, rules and regulations for its own governance.
(5)(e) Voting Requirements: Trustees may not designate alternates to vote on their behalf or vote by proxy.	(5)(e) Voting Requirements: Trustees may designate alternates to vote on their behalf.

The reason for these changes are because: the seat for the member designated by the Florida Community Bank remains vacant; the Board desires to permit the board of trustees to designate alternates to vote on their behalf; and since the board of trustees does not operate, govern, preserve or maintain designated facilities, the Board wanted to remove that element.

Additional Links to the Affordable Housing Project:

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

<https://housingtrustfundproject.org/miami-dade-commission-allocates-10-million-to-the-affordable-housing-trust-fund/>

<https://housingtrustfundproject.org/>

**HSSC Meeting: November 13, 2017  
Research Notes**

**Item No. 1G3  
File No. 172011**

**Researcher: AIP**

ORDINANCE RELATING TO THE N.W. 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AGENCY; AMENDING SECTION 2-1889 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REAPPOINTING TWO MEMBERS AND APPOINTING ONE NEW MEMBER NOMINATED BY THE DISTRICT 2 COUNTY COMMISSIONER TO THE AGENCY'S BOARD OF COMMISSIONERS; REAPPOINTING THE CHAIR OF THE AGENCY; PROVIDING FOR FUTURE APPOINTMENT OF OFFICERS AND MEMBERS BY RESOLUTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should amend Section 2-1889 of the County Code to approve the reappointment of two members to the N.W. 7th Avenue CRA, and the appointment of one new member.

**APPLICABLE LEGISLATION/POLICY**

Community Redevelopment Act of 1969/Chapter 163 of the Florida Statutes (Sections 163.330 through 163.450): outlines the State procedures on CRAs and states that all powers arising pursuant to the Act are conferred upon counties with home rule charters.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=Ch0163/part03.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20163%2D%3EPart%20III](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0163/part03.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20163%2D%3EPart%20III)

Section 2-1889 of the County Code (Appointments) and the associated ordinance, No. 06-18 (File No. 060154), adopted on February 7, 2006:

- [http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_artcxxxiii\\_sec2-1889](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artcxxxiii_sec2-1889)
- <http://intra/gia/matter.asp?matter=060154&file=true&yearFolder=Y2006>

Resolution No. R-1360-09 (File No. 092870) delegates many redevelopment powers that were formerly vested in the Board to the CRA; adopted on December 1, 2009.

<http://www.miamidade.gov/govaction/matter.asp?matter=092870&file=true&yearFolder=Y2009>

Ordinance No. 12-23 (File No. 120250) amended the County Code relating to the appointments for CRA. Adopted on April 3, 2012.

<http://intra/gia/matter.asp?matter=120250&file=true&yearFolder=Y2012>

As well as the following resolutions, all of which approved members into the N.W. 7<sup>th</sup> Avenue CRA:

- Resolution No. R-1370-08 (File No. 083119): Adopted on December 2, 2008.  
<http://intra/gia/matter.asp?matter=083119&file=true&yearFolder=Y2008>
- Resolution No. R-86-09 (File No. 083426): Adopted on January 22, 2009.  
<http://intra/gia/matter.asp?matter=083426&file=true&yearFolder=Y2008>
- Resolution No. R-571-11 (File No. 111203): Adopted on June 7, 2011.  
<http://intra/gia/matter.asp?matter=111203&file=true&yearFolder=Y2011>

## **HSSC Meeting: November 13, 2017**

### **Research Notes**

#### **PROCEDURAL HISTORY**

This item was presented to the Board on October 3, 2017 and adopted on first reading. The item is scheduled for a public hearing before the HSSC on November 13, 2017. The Prime Sponsor of this item is Commissioner Monestime of District 2.

#### **FISCAL IMPACT**

This item creates no fiscal impact.

#### **ANALYSIS**

This item seeks to: reappoint Dr. Mae Bryant as a member, as well as Chairwoman; reappoint Mack Samuel as a member; and appoint Lesly Prudent as a new member of the CRA. The CRA is a board of qualified individuals appointed by the Board to create and implement plans to redevelop the specific area around N.W. 7th Avenue Corridor determined to be “slum and blighted” (Located in District 1). It was first established in 2004, and in 2011, the Board approved the expansion of the CRA area, and both the original and expanded area have a variety of land uses and projects in development. The CRA adopted its new “Action Plan” during Fiscal Year 2013-2014, which detailed the rebranding of the CRA, grant/incentive programs, and other ways to attract businesses to the area.

All CRA’s are overseen by the Community Redevelopment and Municipal Services Division (CRMSD) of the Office of Management and Budget

Primary Community Redevelopment objectives as defined by the legislation are:

- To address the physical, social, and economic problems associated with slum and blighted areas
- To encourage local government to improve the physical environment (i.e., buildings, streets, parks, utilities) through rehabilitation, conservation, or clearance/rehabilitation
- To convey local community redevelopment agencies the power to expend public funds as a means to improve slum and blighted areas
- To enhance the tax base in the redevelopment areas by encouraging private investment through channeling of tax increment revenues into public improvements within the designated areas
- To eliminate substandard housing conditions and to provide adequate housing to residents of low or moderate income, particularly the elderly

Under the County Code, the CRA shall consist of not fewer than five or more than nine commissioners. The terms of office of the commissioners shall be for four years. Any person may be appointed as commissioner if he or she resides or is engaged in business, which means owning a business, practicing a profession or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the agency, which shall be coterminous with the area of operation of the County, and is otherwise eligible for such appointment under Florida law. The members, as currently codified, are:

- Mack Samuel
- Mae Bryant
- Samuel Frederique
- Todd Ruderman
- Gene Lamondo
- Charesse Chester
- Donald Kressly



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**Research Notes**

Note that Todd Ruderman has resigned and Donald Kressly is deceased.

Additional information on the CRA:

<http://www.miamidade.gov/redevelopment/>

<http://www.miamidade.gov/redevelopment/library/reports/nw-7th-ave-annual-2015-2016.pdf>

**HSSC Meeting: November 13, 2017  
Research Notes**

**Item No. 2A  
File No. 172490**

**Researcher: AIP**

RESOLUTION RESCINDING RESOLUTION NO. R-932-15 WHICH AUTHORIZED THE ACQUISITION OF PROPERTY LOCATED AT 413 NW 3RD STREET, MIAMI, FLORIDA, AND THE SUBSEQUENT CONVEYANCE OF SUCH PROPERTY AS WELL AS ADJOINING COUNTY OWNED PROPERTY TO DADE HERITAGE TRUST, INC. FOR THE CONSTRUCTION OF AFFORDABLE HOUSING AND HISTORICAL PRESERVATION OF A COTTAGE LOCATED THEREON

**ISSUE/REQUESTED ACTION**

Whether the Board should rescind Resolution No. R-932-15, which was adopted by the Board on October 20, 2015, dealing with the acquisition of property located at 413 NW 3 Street and its conveyance to Dade Heritage Trust, Inc.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-932-15 (File No. 152086), approved on October 20, 2015: which relates to property acquisition for affordable housing.

<http://intra/gia/matter.asp?matter=152086&file=true&yearFolder=Y2015>

**PROCEDURAL HISTORY**

This item has no procedural history. The Prime Sponsor of this item is Commissioner Barreiro of District 5.

**FISCAL IMPACT**

This item creates no fiscal impact.

**ANALYSIS**

On October 20, 2015, the Board approved Resolution No. R-932-15, directing the Mayor (or designee) to take all actions necessary to acquire the property located at 413 NW 3 Street, Miami, Florida. The purpose of this was to convey the property and other adjoining property owned by the County to Dade Heritage Trust, Inc. The property, however, was sold to another party, so the County could not acquire it. Therefore, this item seeks to rescind the Resolution No. R-932-15.

**More information on the Dade Heritage Trust:**

<http://dadeheritagetrust.org/>

**Google Satellite view of the property:**

<https://goo.gl/maps/tPpggx6HE5R2>

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**Research Notes**

**Item No. 2B**

**File No. 172517**

**Researcher: AIP**

RESOLUTION APPROVING RETROACTIVELY A FISCAL AGENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA COMMUNITY DEVELOPMENT COALITION, INC. BY WHICH \$47,500.00 IN AVAILABLE GRANT FUNDS PROVIDED TO THE SOUTH FLORIDA COMMUNITY DEVELOPMENT COALITION, INC. WILL BE EXPENDED FOR THE OPERATION OF THE DISTRICT 8 NONPROFIT ACADEMY WHICH WILL BE CARRIED OUT BY SUCH DISTRICT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT, AND THE DISTRICT COMMISSIONER FROM DISTRICT 8 OR DESIGNEE TO IMPLEMENT, AMEND, EXTEND, ACCEPT ADDITIONAL FUNDING FOR FUTURE PROGRAMMING, AND TERMINATE SUCH AGREEMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a retroactive fiscal agent agreement between the County and the South Florida Community Development Coalition, Inc. (SFCDC) to provide funding to the District 8 Nonprofit Academy.

**APPLICABLE LEGISLATION/POLICY**

N/A

**PROCEDURAL HISTORY**

No procedural history. The Prime Sponsor of this item is Commissioner Cava of District 8.

**FISCAL IMPACT**

The SFCDC received \$50,000 from JP Morgan Chase, N.A., and will be compensated \$2,500 of that money, for carrying out its fiduciary responsibilities. The remaining \$47,500 will be available as funding for the operation of the Academy. This item creates no fiscal impact to the County.

**ANALYSIS**

The District 8 Nonprofit Academy offers free workshops, providing vital training and resources to small nonprofits that engage in a combination of service, civic engagement and advocacy. The Academy aims to give nonprofits the tools and information they need to increase organizational capacity, meet performance standards, and build resilience during uncertain times. The Academy will feature hands-on, interactive workshops which will be facilitated by leading experts in the field. Participants will come away with an individualized capacity building work plan that can be concretely implemented. This initiative was conceived by County Commissioner Daniella Levine Cava to help Miami-Dade nonprofits become efficient, effective and competitive in today's third sector market.

The South Florida Community Coalition Program is a nonprofit membership organization with over 85 members representing affordable housing development, small business/economic development, banking, social services, health, and various other nonprofits and individuals. SFCDC's mission is to expand the capacity of the community development field to develop affordable housing and economic opportunities for low and moderate-income individuals while promoting collaborative, inclusive policy and practice to invest in people, neighborhoods and social capital throughout Miami-Dade County. SFCDC carries out its mission with an emphasis on capacity building/training, advocacy and facilitating partnerships.

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The item includes the Fiscal Agent Agreement which outlines the pay schedules, procedures, and conditions of the agreement. The item also lists all the expenses of the Academy, and how the money will be distributed.

More information on District 8 Nonprofit Academy:

[-https://www.miamidade.gov/district08/library/nonprofit-academy.pdf](https://www.miamidade.gov/district08/library/nonprofit-academy.pdf)

More information on the South Florida Community Development Coalition Inc. (SFCDC):

<http://southfloridacdc.org/>

<https://www.mainstreetcrowd.com/organizations/view/58/>

**HSSC Meeting: November 13, 2017**  
**Research Notes**

**Item No. 2C**

**File No. 172469**

**Researcher: NR**

RESOLUTION APPROVING THE AMENDED BUDGET FOR FISCAL YEAR 2016-2017 FOR THE OMNI COMMUNITY REDEVELOPMENT AGENCY TOTALING \$26,334,476.00; AND AUTHORIZING ISSUANCE AND SALE OF THE OMNI COMMUNITY REDEVELOPMENT AGENCY'S TAX INCREMENT REVENUE SERIES 2017 NOTES IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000.00 FOR PURPOSES OF FINANCING AND REFINANCING THE ACQUISITION AND CONSTRUCTION OF ELIGIBLE COMMUNITY REDEVELOPMENT CAPITAL PROJECTS IN THE REDEVELOPMENT AREA, FUNDING ANY NECESSARY RESERVES AND PAYING COSTS OF ISSUANCE OF SUCH NOTES

**ISSUE/REQUESTED ACTION**

Whether the Board should approve (1) the amended Fiscal Year 2016-17 Omni Community Redevelopment Agency (CRA) Budget and (2) the issuance by the CRA and sale of its 2017 notes in an amount not to exceed \$25,000,000 to finance various projects.

**APPLICABLE LEGISLATION/POLICY**

The Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified in Part III of Chapter 163 of the Florida Statutes, specifically at 163.330. The act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies and to prepare community redevelopment plans for certain defined areas within their boundaries to be designated as community redevelopment areas and within which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum and blight through the use of creative tax increment financing mechanisms.

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

Resolution No. R-825-87, adopted by the Board on July 7, 1987, declared the Omni Area to be a slum and blighted area requiring rehabilitation and redevelopment and approved the Omni Area Redevelopment Plan (resolution attached).

Ordinance No. 87-47, adopted by the Board on July 7, 1987, approved the OMNI Community Redevelopment Area Redevelopment Plan and created a funding mechanism for implementing the Plan through the establishment of a trust fund (ordinance attached).

Resolution No. R-280-96, adopted by the Board on March 21, 1996, approved an amended Interlocal Cooperation Agreement between Miami-Dade County, the City of Miami and the CRA (resolution attached).

Resolution No. R-1372-07, adopted on December 18, 2007, approved the Interlocal Agreement between the City of Miami, County, CRA and the Southeast Overtown/Park West Community Redevelopment Agency and the First Amendment to the CRA Interlocal Agreement.

<http://intra/gia/matter.asp?matter=073749&file=true&yearFolder=Y2007>

Resolution No. R-07-10, adopted by the Board on January 21, 2010, approved the amendment to the redevelopment plan for the CRA and extended the agency through March 31, 2030.

<http://intra/gia/matter.asp?matter=102216&file=false&yearFolder=Y2010>

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### PROCEDURAL HISTORY

Resolution No. R-241-17, adopted by the Board on March 7, 2017, approved the CRA's Fiscal Years 2015-2016 and 2016-2017 budgets in the amounts of \$22,371,207 and \$27,105,271, respectively.

<http://intra/gia/matter.asp?matter=170222&file=true&yearFolder=Y2017>

### FISCAL IMPACT

The Fiscal Year 2016-2017 budget is to be reduced by \$770,795 from \$27,105,271 to \$26,334,476.

### ANALYSIS

This item is sponsored by Vice Chairwoman Edmonson and aims to primarily correct the Fiscal Year (FY) 2016-17 CRA budget, reducing it from \$27,105,271 to \$26,334,476. The amended amount reflects the actual amount of City of Miami Tax Increment funds owed to the CRA in January 2017 as well as the 2017 Children Trust Contribution. Subsequent to the approval of the FY 2016-2017 budget, the CRA adopted Resolution No. CRA-R-17-0023 on April 19, 2017 to reduce the budget to \$26,334,476 from \$27,105,271. This item is requesting that the County also approve the budget amendment. Note that the amended budget also reflects the agency's correct table of organization (i.e., proper number of employees).

The \$26.3 million budget revenue categories include: City of Miami Tax Increment, Miami-Dade County Tax Increment, and Transfer from Midtown CRA, Rent Income, and 2017 Children Trust Contribution. The \$26.3 million budget expenditure categories include: Accounting and Auditing, Professional Services (e.g., Lobbyist), Contractual Services (e.g., Landscaping), Interfund Transfer (e.g., Debt Service Payments and Grants to City of Miami Police), Purchase of Real Estate, Grants, Administrative (e.g., Salaries, Insurance), Reserves (e.g., Property Tax and FY 2017 Budget Reserve).

The resolution also proposes the issuance and sale of the OMNI CRA's Tax Increment Revenue Series 2017 Notes in the total amount of \$25,000,000 for purposes of financing and refinancing the acquisition and construction of eligible community redevelopment capital projects in the redevelopment area. A detailed listing of the projects that will be financed and re-financed under this item, including the status of the projects, was not included in the item. According to BankUnited's letter to the Executive Director of the OMNI CRA (Exhibit C to the item), *"the Series 2017 Loan will finance certain grants to be made by the CRA for some or all of the workforce/affordable housing projects, and make a deposit to the Debt Service Reserve Fund, and pay cost of issuance."*

**HSSC Meeting: November 13, 2017  
Research Notes**

**Item No. 2D**

**File No. 172489**

**Researcher: NR**

**RESOLUTION REQUIRING ALL REPAYMENTS OF EMPOWERMENT ZONE COMMERCIAL LOANS BE USED IN AREAS DESIGNATED AS EMPOWERMENT ZONES**

**ISSUE/REQUESTED ACTION**

Whether the Board should establish a policy requiring that all funds repaid to or collected by Miami-Dade County as a result of empowerment zone commercial loans be used solely in and for the benefit of areas which were designated as empowerment zones.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-304-08, adopted by the Board on March 18, 2008, approved a Program Assumption Agreement (PAA) and Transition Plan with Miami Dade Empowerment Trust (MDET), which included the transfer of certain assets of MDET to the County, including the empowerment zone commercial loan portfolio. All costs associated with the PAA will be covered by retained funds, which are comprised of income that MDET earned as a real estate developer and federal program income.

<http://intra/gia/matter.asp?matter=080782&file=true&yearFolder=Y2008>

**PROCEDURAL HISTORY**

The Board approved a Memorandum of Understanding (MOU) in 1999 between the County and MDET, delegating authority to MDET to govern, direct, and implement the Empowerment Zone Strategic Plan. The County terminated the MOU with MDET on July 10, 2007.

**FISCAL IMPACT**

No fiscal impact is stated in the item.

**ANALYSIS**

This resolution proposes a policy requiring that all funds repaid to or collected by the County as a result of empowerment zone commercial loans be used solely in and for the benefit of areas designated as empowerment zones. The empowerment zone covers specific census tracts in the following 10 neighborhoods: (1) Central Business District/Seaport; (2) Airport; (3) Melrose; (4) Allapattah/Civic Center; (5) Overtown; (6) East Little Havana; (7) Wynwood; (8) Liberty City/Model City; (9) Homestead; and (10) Florida City. In addition, the empowerment zone covers three developable sites: (1) Opa Locka airport; (2) Northside/Poinciana Industrial Center; and (3) Homestead/Florida City. The Empowerment Zone Strategic Plan has five key goals: (1) jobs and pathways; (2) building in the zone; (3) growing new business; (4) people and places; and (5) wire-information technology.

There are numerous empowerment zone commercial loans deemed uncollectable and written off; and the current balance of delinquent loans in the portfolio is approximately \$401,613.60. However, there are empowerment zone loans that are current and being repaid; and the current balance of those is approximately \$388,000.00.

Reference is made to the accompanying Housing and Social Services Committee (HSSC) November 13, 2017 Agenda Item No. 7A (File No. 172529) – Legal Inquiry to County Attorney’s Office Related to Delinquent Empowerment Zone Commercial Loans. The County Attorney’s memorandum responds to questions posed during the discussion of Item 2E at the October 13, 2017 meeting of HSSC related to whether a statute of limitations defense could impede efforts to collect repayment of delinquent empowerment zone commercial loans. The County Attorney’s memorandum states “*Generally, a lawsuit to collect on a written debt must be filed within five years after*

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*a cause of action on the written debt accrues which is ordinarily when a borrower is notified in writing of a default after a required payment is not made. However, a statute of limitations defense is an affirmative defense which may be waived and if not waived, must be properly raised in accordance with the law in order to be successful. Additionally, a statute of limitations defense would not be available if the computation of the five years is tolled for any legally available reason, including whether any of the repayment dates were extended, or if a default is deemed by a court to be one which is ongoing continuously.”*

On November 7, 2017, the Board approved Resolution No. R-1079-17, directing the County Mayor or County Mayor’s designee to provide a report to the Board within 60 days, in accordance with Ordinance No. 14-65, on outstanding delinquent empowerment zone commercial loans, and implemented or proposed strategies for collection or write off.

<http://intra/gia/matter.asp?matter=172197&file=true&yearFolder=Y2017>



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**Item No. 2E**

**File No. 172378**

**Researcher: AIP**

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO DEPOSIT A MINIMUM OF 10 PERCENT OF THE RENTS RECEIVED BY THE COUNTY FROM THE LEASING OF COUNTY-OWNED PROPERTIES INTO THE MIAMI-DADE AFFORDABLE HOUSING TRUST FUND; EXCLUDING RENTS RECEIVED FROM THE RENTAL OF COUNTY-OWNED PROPERTIES, WHICH ARE RENTED UNDER THE COUNTY'S INFILL HOUSING INITIATIVE PROGRAM, PROJECTS DEVELOPED THROUGH THE PUBLIC HOUSING MIXED-FINANCE DEVELOPMENT CONCEPT, COUNTY-OWNED PROPERTIES LEASED IN ACCORDANCE WITH 125.379, FLORIDA STATUTES, PROJECTS FUNDED THROUGH THE COUNTY'S AFFORDABLE HOUSING FUNDING PROGRAMS SUCH AS DOCUMENTARY SURTAX, STATE HOUSING INITIATIVES PARTNERSHIP, HOME INVESTMENT PARTNERSHIPS, COMMUNITY DEVELOPMENT BLOCK GRANTS, GENERAL OBLIGATION BONDS PROGRAMS OR SIMILAR AFFORDABLE HOUSING PROGRAMS OR FUNDS OR PROJECTS RESTRICTED BY FEDERAL OR STATE LAWS, GRANTS OR AGREEMENTS FROM BEING USED FOR SUCH PURPOSES

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the resolution which directs the Mayor (or designee) to deposit a minimum of 10 percent of the rents from County-owned properties into the Affordable Housing Trust Fund.

**APPLICABLE LEGISLATION/POLICY**

Section 125.379 of the Florida Statutes (County Organization and Intergovernmental Relations – *Disposition of County property for affordable housing*).

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.379.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.379.html)

Ordinance No.07-15 (File No. 070697): Adopted as amended on February 6, 2007 / Article VII, Sections 17-129 et seq. of the Miami-Dade County Code (*Affordable Housing Trust Fund of Miami-Dade County, Florida*).

- <http://intra/gia/matter.asp?matter=070697&file=true&yearFolder=Y2007>
- [http://miamidade.fl.elaws.us/code/coord\\_ptiii\\_ch17\\_artviii](http://miamidade.fl.elaws.us/code/coord_ptiii_ch17_artviii)

Resolution No. R-138-16, (File No. 160099): Adopted on February 2, 2016, which requires a minimum of 25 percent of the proceeds from sales of County-owned properties be deposited into the Affordable Housing Trust Fund.

<http://intra/gia/matter.asp?matter=160099&file=true&yearFolder=Y2016>

**PROCEDURAL HISTORY**

This item has no procedural history. The Prime Sponsor for this item is Commissioner Jordan of District 1.

**FISCAL IMPACT**

Currently, the Affordable Housing Trust Fund has \$4,162,318.49 on deposit, of which \$387,000 is in the revolving loan fund. This item, would direct the Mayor or designee to deposit 10 percent of the rents received from leasing County properties.

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**ANALYSIS**

Housing trust funds are distinct funds established by city, county or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing and increase opportunities for families and individuals to access decent affordable homes.

Housing trust funds systemically shift affordable housing funding from annual budget allocations to the commitment of dedicated public revenue. While housing trust funds can also be a repository for private donations, they are not public/private partnerships, nor are they endowed funds operating from interest and other earnings.

Established by the Miami-Dade Commission in 2007 with the purpose of increasing and improving the supply of affordable housing, the Affordable Housing Trust Fund was set up to fund the acquisition of property and property rights, cost of construction including costs associated with planning, administration, design, building or installation, as well as any other costs associated with the construction or financing of affordable housing.

In 2016 the Board adopted a Resolution which requires a minimum of 25 percent of the proceeds from sales of County-owned properties be deposited into the Affordable Housing Trust Fund. This item would provide additional funding to the Trust Fund by directing the Mayor (or designee) to deposit a minimum of 10 percent of the rents received from leasing County properties into the Trust Fund. The item does, however, make exceptions, to exclude the rent received from certain properties.

**Additional Links to the Affordable Housing Project:**

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

<https://housingtrustfundproject.org/miami-dade-commission-allocates-10-million-to-the-affordable-housing-trust-fund/>

<https://housingtrustfundproject.org/>

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**Item No. 3A**

**File No. 172345**

**Researcher: AIP**

RESOLUTION RATIFYING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S ACTION IN APPLYING FOR APPROXIMATELY \$27,963,028.00 IN FISCAL YEAR 2018-19 HIV EMERGENCY RELIEF PROJECT (RYAN WHITE PART A AND MINORITY AIDS INITIATIVE) GRANT FUNDING FOR COMPREHENSIVE HEALTH AND SUPPORT SERVICES FOR LOW-INCOME PERSONS LIVING WITH HIV/AIDS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE, DISBURSE AND EXPEND SUCH FUNDS FROM THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE UNDER THIS PROGRAM, TO AMEND SUCH APPLICATION AS MAY BE NECESSARY, TO EXECUTE CONTINUATION CONTRACTS WITH SERVICE PROVIDERS FUNDED THROUGH THIS PROGRAM, AND TO EXERCISE AMENDMENTS, MODIFICATIONS, CANCELLATION OR TERMINATION CLAUSES CONTAINED IN SUCH CONTRACTS; AND WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-130-06

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify the County Mayor (or designee) action in applying for a federal grant of \$27,963,028.00 in emergency HIV emergency relief funding for the Ryan White Part A and Minority Aids Initiative.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-130-06 (File No. 060239): Adopted on January 24, 2006, it amended Resolution No. R-1198-05 (Approval of Third Party Contracts) which states an agenda item seeking approval of a contract or conveyance and authority to execute, must be fully negotiated and in its final form before going to the Board or Committees. (Item 3A seeks to waive this resolution)

<http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006>

Resolution No. R-1072-12 (File No. 122352), which the Board adopted on December 18, 2012, (Ryan White Treatment Extension Act)

<http://intra/gia/matter.asp?matter=122352&file=true&yearFolder=Y2012>

**PROCEDURAL HISTORY**

N/A

**FISCAL IMPACT**

The application for the grant is for \$27,963,028 in federal funding. No County matching funds are required.

**ANALYSIS**

Although HIV rates have dropped nationwide, Miami remains high risk. According to the CDC, Miami came in second place in their rankings for risk of infection (right behind Baton Rouge, Louisiana), with 42.8 infections for every 100,000 residents.

The Ryan White HIV/AIDS Program provides a comprehensive system of care that includes primary medical care and essential support services for people living with HIV who are uninsured or underinsured. The Program works with cities, states, and local community-based organizations to provide HIV care and treatment services to more than

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half a million people each year. The Program reaches approximately 52% of all people diagnosed with HIV in the United States.

Part A of the Ryan White HIV/AIDS Treatment Extension Act of 2009 provides assistance to Eligible Metropolitan Areas (EMAs) and Transitional Grant Areas (TGAs) that are most severely impacted by the HIV epidemic.

#### Recipients:

Eligible Metropolitan Areas (EMAs)	Transitional Grant Areas (TGAs)
<ul style="list-style-type: none"> <li>- Atlanta, GA</li> <li>- Baltimore, MD</li> <li>- Boston, MA</li> <li>- Chicago, IL</li> <li>- Dallas, TX</li> <li>- Detroit, MI</li> <li>- Ft. Lauderdale, FL</li> <li>- Houston, TX</li> <li>- Los Angeles, CA</li> <li>- Miami, FL</li> <li>- Nassau Suffolk, NY</li> <li>- New Haven, CT</li> <li>- New Orleans, LA</li> <li>- New York, NY</li> <li>- Newark, NJ</li> <li>- Orlando, FL</li> <li>- Philadelphia, PA</li> <li>- Phoenix, AZ</li> <li>- San Diego, CA</li> <li>- San Francisco, CA</li> <li>- San Juan, PR</li> <li>- Tampa-St. Petersburg, FL</li> <li>- Washington, DC</li> <li>- West Palm Beach, FL</li> </ul>	<ul style="list-style-type: none"> <li>- Austin, TX</li> <li>- Baton Rouge, LA</li> <li>- Bergen-Passaic, NJ</li> <li>- Charlotte-Gastonia, NC/SC</li> <li>- Cleveland-Lorain-Elyria, OH</li> <li>- Columbus, OH</li> <li>- Denver, CO</li> <li>- Ft. Worth, TX</li> <li>- Hartford, CT</li> <li>- Indianapolis, IN</li> <li>- Jacksonville, FL</li> <li>- Jersey City, NJ</li> <li>- Kansas City, MO</li> <li>- Las Vegas, NV</li> <li>- Memphis, TN</li> <li>- Middlesex-Somerset-Hunterdon, NJ</li> <li>- Minneapolis-St. Paul, MN</li> <li>- Nashville, TN</li> <li>- Norfolk, VA</li> <li>- Oakland, CA</li> <li>- Orange County, CA</li> <li>- Portland, OR</li> <li>- Riverside-San Bernardino, CA</li> <li>- Sacramento, CA</li> <li>- San Antonio, TX</li> <li>- San Jose, CA</li> <li>- Seattle, WA</li> <li>- St. Louis, MO</li> </ul>

Services of this Grant Program for Part A funds must be used to provide core medical and support services for people living with HIV. Core medical services include the following:

- AIDS Drug Assistance Program
- AIDS pharmaceutical assistance
- Early intervention services
- Health insurance premium and cost sharing assistance for low-income individuals
- Home and community-based health services
- Home health care

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- Hospice services
- Medical case management, including treatment-adherence services
- Medical nutrition therapy
- Mental health services
- Oral health
- Outpatient and ambulatory medical care
- Substance abuse outpatient care

This item seeks to acquire further funding from the Ryan White Grant Program to better assist the Miami-Dade County community. The deadline to apply for the funds for grant year 2018-2019 is November 13, 2017. It is anticipated that the County would receive the funds by March 1, 2018 or thereafter.

More information on the Ryan White program/grants:

- <http://www.miamidade.gov/grants/ryan-white-program.asp>
- <https://hab.hrsa.gov/about-ryan-white-hiv-aids-program/about-ryan-white-hiv-aids-program>
- <https://hab.hrsa.gov/about-ryan-white-hiv-aids-program/part-a-grants-emerging-metro-transitional-areas>

More information on HIV/AIDS in Miami-Dade County:

- <http://miamidade.floridahealth.gov/programs-and-services/infectious-disease-services/hiv-aids-services/hiv-surveillance.html>
- <http://www.miaminewtimes.com/news/miami-named-americas-number-two-hiv-hotspot-8955693>
- <http://www.miamiherald.com/news/state/florida/article56192770.html>
- <http://aidsnet.org/>