

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor, in accordance with the United States Housing Act of 1937, as amended, and applicable federal regulations, to consult with the residents and local government officials pertaining to the proposed disposition of a County-owned public housing property located at 2828 N.W. 23 Avenue, Miami, Florida (Folio No. 01-3127-071-0010), amend the County's Public Housing Agency Annual Plan to include the proposed disposition of such property, subject to the Board's approval, circulate the property in accordance with Implementing Order No. 8-4, and provide a report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
10-5-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, IN ACCORDANCE WITH THE UNITED STATES HOUSING ACT OF 1937, AS AMENDED, AND APPLICABLE FEDERAL REGULATIONS, TO CONSULT WITH THE RESIDENTS AND LOCAL GOVERNMENT OFFICIALS PERTAINING TO THE PROPOSED DISPOSITION OF A COUNTY-OWNED PUBLIC HOUSING PROPERTY LOCATED AT 2828 N.W. 23 AVENUE, MIAMI, FLORIDA (FOLIO NO. 01-3127-071-0010), AMEND THE COUNTY'S PUBLIC HOUSING AGENCY ANNUAL PLAN TO INCLUDE THE PROPOSED DISPOSITION OF SUCH PROPERTY, SUBJECT TO THE BOARD'S APPROVAL, CIRCULATE THE PROPERTY IN ACCORDANCE WITH IMPLEMENTING ORDER NO. 8-4, AND PROVIDE A REPORT

WHEREAS, section 18 of the United States Housing Act of 1937, as amended (the "Act"), and the federal regulations promulgated by the United States Department of Housing and Urban Development ("HUD") provide that public housing agencies ("PHAs") may demolish or dispose of public housing with approval from HUD; and

WHEREAS, a PHA submitting an application for the disposition of public housing must certify that: (1) retention of the property is not in the best interests of the public housing residents because of conditions in the area surrounding the development that adversely affect the health or safety of the residents or the feasible operation of the development, (2) that retention is not in the best interest of the public housing residents because disposition allows the acquisition, development or rehabilitation of other properties that will be more efficiently or effectively operated as low-income housing, or (3) that the PHA has otherwise determined that disposition is appropriate for other reasons as set forth in the statute. In the event of a disposition, the PHA may be required to provide residents an opportunity to purchase the development; and

WHEREAS, a PHA must also certify that it consulted with the residents and local governmental officials, that the PHA Annual Plan authorized the action and that the PHA will comply with the relocation provisions of the Act; and

WHEREAS, the County is a PHA as defined in the Act; and

WHEREAS, as a PHA, the County receives funding from HUD to operate its public housing program; and

WHEREAS, the County owns certain property in Miami-Dade County that is or was utilized for public housing purposes; and

WHEREAS, one such County-owned property is vacant land located in County Commission District 3 at 2828 N.W. 23 Avenue, Miami, Florida (Folio No. 01-3127-071-0010) (the “property”), as more fully described in Attachment “A” attached hereto and incorporated herein by reference; and

WHEREAS, although the property is vacant and not used for public housing purposes, i.e. there is no public housing building on the site, the property presently has a declaration of trust recorded by the County in favor of HUD, which encumbers the property; and

WHEREAS, according to the Miami-Dade Property Appraiser’s website the property is 84,506 square feet; and

WHEREAS, considering the size of the property, this Board believes that it is suitable for development with multifamily, affordable housing; and

WHEREAS, this Board wishes to dispose of the property for the purpose of having the property developed with affordable, multifamily housing; and

WHEREAS, this Board also wishes to convey the property to RCC Development, LLC, a Florida limited liability company (“RCC”), which is an affordable housing developer; and

WHEREAS, RCC proposes to develop the property with multifamily, affordable housing, which such housing is needed in Commission District 3; and

WHEREAS, to comply with the Act and the regulations, this Board wishes, prior to the adoption of a resolution authorizing the County Mayor or the County Mayor's designee to submit a disposition application to HUD pertaining to the property, to direct the County Mayor or the County Mayor's designee to consult with the residents and local government officials and to amend the County's PHA Annual Plan, subject to this Board's approval, to include the disposition of the property,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. In accordance section 18 of the United States Housing Act of 1937, as amended (the "Act"), and 24 CFR part 970, this Board directs the County Mayor or the County Mayor's designee to consult with the residents and local government officials concerning the County's proposed plan to dispose of the County-owned property located at 2828 N.W. 23 Avenue, Miami, Florida (Folio No. 01-3127-071-0010) ("the property").

Section 3. This Board further directs the County Mayor or the County Mayor's designee to amend the County's Public Housing Agency ("PHA") Annual Plan, subject to this Board's approval, to include the disposition of the property. This Board further directs the County Mayor or the County Mayor's designee to submit the amended PHA Annual Plan to the Board after providing the public with a comment period as required by the Act and the federal regulations promulgated by the United States Department of Housing and Urban Development.

Section 4. In accordance with Implementing Order No. 8-4, this Board further directs the County Mayor or the County Mayor’s designee to circulate the property to all County departments and, if applicable, municipalities to determine if there is any interest in the property.

Section 5. This Board further directs the County Mayor or the County Mayor’s designee to provide a report to this Board within 30 days of the effective date of this resolution. The report shall include information concerning the steps taken by the County Mayor or the County Mayor’s designee to comply with sections 2, 3 and 4 of this resolution. The completed report shall be placed on an agenda of a committee of this Board in accordance with Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read 'TAS', is written over a horizontal line.

Terrence A. Smith



OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 8/25/2021

Property Information	
Folio:	01-3127-071-0010
Property Address:	2828 NW 23 AVE Miami, FL 33142-5916
Owner	MIAMI-DADE COUNTY MIAMI DADE HOUSING AGENCY
Mailing Address	701 NW 1 CT 16TH FLOOR MIAMI, FL 33136 USA
PA Primary Zone	3900 MULTI-FAMILY - 38-62 U/A
Primary Land Use	8047 VACANT GOVERNMENTAL : DADE COUNTY
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	84,506 Sq.Ft
Year Built	0



Assessment Information			
Year	2021	2020	2019
Land Value	\$2,535,180	\$1,183,084	\$1,183,084
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$2,535,180	\$1,183,084	\$1,183,084
Assessed Value	\$679,291	\$617,538	\$561,399

Benefits Information				
Benefit	Type	2021	2020	2019
Non-Homestead Cap	Assessment Reduction	\$1,855,889	\$565,546	\$621,685
County	Exemption	\$679,291	\$617,538	\$561,399

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$679,291	\$617,538	\$561,399
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$2,535,180	\$1,183,084	\$1,183,084
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$679,291	\$617,538	\$561,399
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$679,291	\$617,538	\$561,399
Taxable Value	\$0	\$0	\$0

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



OFFICE OF THE PROPERTY APPRAISER

Generated On : 8/25/2021

Property Information

Folio: 01-3127-071-0010

Property Address: 2828 NW 23 AVE

Roll Year 2021 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T4-R	3900	Square Ft.	84,506.00	\$2,535,180

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features			
Description	Year Built	Units	Calc Value

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Property Information

Folio: 01-3127-071-0010

Property Address: 2828 NW 23 AVE

Roll Year 2020 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T4-R	3900	Square Ft.	84,506.00	\$1,183,084

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features			
Description	Year Built	Units	Calc Value

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Property Information

Folio: 01-3127-071-0010

Property Address: 2828 NW 23 AVE Miami, FL 33142-5916

Roll Year 2019 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T4-R	3900	Square Ft.	84,506.00	\$1,183,084

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features			
Description	Year Built	Units	Calc Value

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Generated On : 8/25/2021

Property Information

Folio: 01-3127-071-0010

Property Address: 2828 NW 23 AVE

Full Legal Description
27 53 41 1.94 AC
KENLEN SUBDIVISION PB 84-23
TRACT A
/AKA FLA 5-29/
LOT SIZE 84506 SQUARE FEET

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

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