

# MEMORANDUM

Agenda Item No. 11(A)(9)

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

**DATE:** February 1, 2022

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution rescinding Resolution No. R-1165-19 allocating \$5,000,000.00 of Building Better Communities General Obligation Bond Program Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership” (“Project No. 249”) to Cornerstone Group Partners LLC for development of affordable housing on County-owned land and directing the County Mayor to negotiate lease of such land; approving allocation of \$5,000,000.00 of Project No. 249 funds and \$2,000,000.00 of Affordable Housing Trust Funds (Capital Project Program No. 2000002154) for the development of elderly affordable housing on a portion of the surface lot of the Westchester Regional Library located at 9445 SW 24 Street, Miami, Florida 33165 (“site”) in Commission District 10; directing the County Mayor to (1) take all actions necessary to effectuate the design and construction of affordable housing on the site, (2) negotiate and present to this Board for its approval a long-term agreement with Florida Power & Light Co. for the County’s use and development of the adjacent property located at 9450 SW 16 Street to be used for parking for the Westchester Regional Library and the affordable housing on the site, and (3) provide report to Board

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



\_\_\_\_\_  
Geri Bonzon-Keenan  
County Attorney

GBK/uw



**MEMORANDUM**  
(Revised)

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and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
County Attorney

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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)(9)  
2-1-22

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING RESOLUTION NO. R-1165-19 ALLOCATING \$5,000,000.00 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP” (“PROJECT NO. 249”) TO CORNERSTONE GROUP PARTNERS LLC FOR DEVELOPMENT OF AFFORDABLE HOUSING ON COUNTY-OWNED LAND AND DIRECTING THE COUNTY MAYOR TO NEGOTIATE LEASE OF SUCH LAND; APPROVING ALLOCATION OF \$5,000,000.00 OF PROJECT NO. 249 FUNDS AND \$2,000,000.00 OF AFFORDABLE HOUSING TRUST FUNDS (CAPITAL PROJECT PROGRAM NO. 2000002154) FOR THE DEVELOPMENT OF ELDERLY AFFORDABLE HOUSING ON A PORTION OF THE SURFACE LOT OF THE WESTCHESTER REGIONAL LIBRARY LOCATED AT 9445 SW 24 STREET, MIAMI, FLORIDA 33165 (“SITE”) IN COMMISSION DISTRICT 10; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO (1) TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE DESIGN AND CONSTRUCTION OF AFFORDABLE HOUSING ON THE SITE, (2) NEGOTIATE AND PRESENT TO THIS BOARD FOR ITS APPROVAL A LONG-TERM AGREEMENT WITH FLORIDA POWER & LIGHT CO. FOR THE COUNTY’S USE AND DEVELOPMENT OF THE ADJACENT PROPERTY LOCATED AT 9450 SW 16 STREET TO BE USED FOR PARKING FOR THE WESTCHESTER REGIONAL LIBRARY AND THE AFFORDABLE HOUSING ON THE SITE, AND (3) PROVIDE REPORT TO BOARD

**WHEREAS**, pursuant to Resolution No. R-918-04 (the “Affordable Housing Resolution”), Miami-Dade County voters approved the issuance of general obligation bonds in a principal amount not to exceed \$194,997,000.00 to construct and improve affordable housing for the elderly and families; and

**WHEREAS**, Appendix A to the Affordable Housing Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (“Bond Program”) by project number, municipal project location, Commission district, project name, project description, street address and allocation; and

**WHEREAS**, one of the projects listed in Appendix A to the Affordable Housing Resolution and approved by the voters for funding is Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership” (“Project No. 249”) with an original allocation of \$137,700,000.00; and

**WHEREAS**, on October 29, 2019, this Board approved Resolution No. R-1165-19 allocating \$5,000,000.00 from Project No. 249 to a private developer- Cornerstone Group Partners LLC- for the development of affordable housing on two parcels of land owned by the Water and Sewer Department (“WASD”) and identified by folio numbers 30-4033-001-0080 and 30-4033-001-0050 and a property address of 9000 SW 72 Street, Miami, Florida 33165; and

**WHEREAS**, further, Resolution No. R-1165-19 directed the County Mayor or the County Mayor’s designee to negotiate a long-term lease agreement with the developer for the WASD land for the construction of the affordable housing thereupon; and

**WHEREAS**, ultimately, the County Mayor has determined that is not advisable to construct a building upon the WASD land and, in cooperation with the District 10 Commissioner, has identified an alternative site for the development of elderly affordable housing in Commission District 10 to serve the community; and

**WHEREAS**, there is a great need for the development of affordable housing for the elderly in District 10; and

**WHEREAS**, this need may be satisfied in part through the proposed construction of an affordable housing complex for the elderly on land currently used for parking for the Westchester Regional Library and located at 9445 SW 24 Street, Miami, Florida 33165 (the “Project”); and

**WHEREAS**, similar to the Senator Villas affordable housing complex in Commission District 10 and the Gran Via affordable housing complex in Commission District 11, this Board desires to have the County Mayor or the County Mayor’s designee, through the Department of Public Housing and Community Development (“PHCD”), oversee and undertake the design and construction of the Project; and

**WHEREAS**, accordingly, this Board wishes to rescind Resolution No. R-1165-19 and approve an allocation of \$5,000,000.00 of Project No. 249 funds and an additional \$2,000,000.00 from the Affordable Housing Trust Fund (PHCD capital project program No. 2000002154) to fund the design, construction and development of the Project; and

**WHEREAS**, this Board, as part of the fiscal year 2021-2022 County budget, approved the waiver of certain requirements of the Affordable Housing Trust Fund to allow PHCD to use funds in the Affordable Housing Trust Fund as part of PHCD’s multi-year capital plan for the redevelopment of public and affordable housing in various sites; and

**WHEREAS**, the use the \$2,000,000.00 for the development by PHCD of the Project is consistent with the policy adopted by this Board as part of the fiscal year 2021-2022 County budget; and

**WHEREAS**, this Board further desires to direct the County Mayor or the County Mayor’s designee to negotiate a long-term agreement, preferably an easement agreement, with Florida Power & Light Co. (“FPL”) to allow the County to use and develop certain property owned by

FPL adjacent to the Westchester Regional Library, identified by folio number 30-4009-000-0220 and with an address of 9450 SW 16 Street, Miami, Florida 33165 (“FPL property”), for parking for the Westchester Regional Library and the Project,

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

**Section 1.** Approves the foregoing recitals and incorporates them into this resolution.

**Section 2.** Rescinds Resolution No. R-1165-19 and approves the allocation of \$5,000,000.00 of Project No. 249 funds and \$2,000,000.00 from the Affordable Housing Trust Fund (PHCD capital project program No. 2000002154) to fund the design, construction and development of the Project.

**Section 3.** Directs the County Mayor or the County Mayor’s designee to: (a) take all actions necessary to effectuate the design and construction of the Project; (b) negotiate and present to this Board for its approval a long-term agreement, preferably an easement agreement, with FPL for the County’s use and development of the FPL property for parking for the Westchester Regional Library and the Project; and (c) provide a written report to this Board setting forth the status of the negotiations with FPL and steps taken to advance the development of the Project. The written report required by this section shall be placed on an agenda of the full Board without committee review within 90 days of the effective date of this resolution pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. 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

Sally A. Heyman

Eileen Higgins

Kionne L. McGhee

Raquel A. Regalado

Sen. Javier D. Souto

Keon Hardemon

Danielle Cohen Higgins

Joe A. Martinez

Jean Monestime

Rebeca Sosa

The Chairperson thereupon declared this resolution duly passed and adopted this 1<sup>st</sup> day of February, 2022. 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.

Monica Rizo Perez