

MEMORANDUM

Agenda Item No. 8(K)(1)


TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the County Mayor to dissolve the Section 8 Housing Choice Voucher tenant-based waiting list as of October 31, 2023, and thereafter open such waiting list for 10 business days commencing on January 3, 2024 and ending on January 17, 2024; and authorizing the County Mayor to receive and process applications received during the period set forth herein in accordance with applicable federal laws, regulations, and the Section 8 Administrative Plan

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III and Co-Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh


MDC001

Memorandum



Date: December 12, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Resolution Authorizing the Dissolution and Opening of the Tenant-Based Waiting List

Executive Summary

Public Housing and Community Development Department (PHCD) must obtain approval from the Board of County Commissioners (Board) to dissolve and to open the tenant-based waiting list. Pursuant to the Section 8 Housing Choice Voucher Administrative Plan (Administrative Plan), applicants who are on the waiting list at the time such list is dissolved shall keep their ranking and shall not be required to submit new applications during the open registration period, and that applicants who are being processed prior to dissolution of the waiting list will continue to be processed by PHCD. The 2021 tenant-based waiting list has been exhausted and there are no more applicants on this waiting list. This item seeks the Board's approval to dissolve the waiting list as of October 31, 2023, and open a new tenant-based waiting list to receive a maximum of 5,000 applications commencing on January 3, 2024, and ending on January 17, 2024. It is anticipated that PHCD will reopen the waiting list annually or when the waiting list is exhausted, whichever is sooner, subject to the Board's approval. PHCD is unable to open the waiting list any sooner since it requires sufficient time to work with the software company, Emphasys Software, which will assist PHCD to receive new applications and set up the lottery system that will be utilized to assign a special identifier number to each application that is received.

Opening the tenant-based waiting list will provide more affordable housing opportunities for low-income renters and will ensure continuance of subsidized housing assistance to these families upon the waiting list being exhausted.

Recommendation

It is recommended that the Board authorize the County Mayor or County Mayor's designee to dissolve the tenant-based waiting list as of October 31, 2023, and, thereafter, open such waiting list for 10 business days commencing on January 3, 2024, and ending on January 17, 2024. It is further recommended that the Board authorize the County Mayor or County Mayor's designee to receive and process applications received during the period set forth herein in accordance with applicable federal laws, regulations, and the Administrative Plan.

Scope

This item will have a countywide impact.

Delegation of Authority

Upon the approval of the resolution, the County Mayor or County Mayor's designee will be authorized to: (1) dissolve the tenant-based waiting list as of October 31, 2023; (2) open the tenant-based waiting list for at least 10 days between January 3, 2024 through January 17, 2024; and (3) receive and process applications received during the period set forth herein in accordance with applicable federal laws, regulations, and the Administrative Plan.

Fiscal Impact/Funding Source

PHCD will use available United States Department of Housing and Urban Development (HUD) federal funding to support the opening of the Section 8 waiting list. The approval of this item will not result in a fiscal impact to the County's general fund.

Track Record/Monitor

Alex R. Ballina, PHCD Director, is responsible for administering and monitoring the federally subsidized housing programs.

Background

On July 8, 2020, the Board adopted Resolution No. R-672-20, which directed the County Mayor or County Mayor's designee to make certain amendments to the Administrative Plan regarding the Section 8 waiting list. Specifically, the Board directed the County Mayor or County Mayor's designee to amend the Administrative Plan to include the following requirements: (1) PHCD may only dissolve or open the waiting list with the Board's approval; (2) once the waiting list is dissolved, applicants who are on the waiting list at the time the waiting list dissolved shall keep their ranking and shall not be required to submit new applications during the open registration period; and (3) notwithstanding the dissolution of the waiting list, applicants who are being processed prior to dissolution of the waiting list will continue to be processed by PHCD. Further, Resolution No. R-672-20 requires that one lottery is conducted for the tenant-based waiting list and another lottery is conducted for the project-based programs, and that ranking for each list is done through a computerized application and is verified by a neutral third party. The opening and closing of registration periods will be advertised in the media as required by the Administrative Plan for the purpose of reaching all segments of the community and providing advance notice. On May 4, 2021, the Board adopted Resolution No. R-429-21, which approved the Administrative Plan that included the requirements set forth in Resolution No. R-672-20.

In accordance with the Board's directive, PHCD wishes to dissolve the tenant-based waiting list as of October 31, 2023, since there are no applicants on that list. PHCD further wishes to open a new tenant-based waiting list commencing on January 3, 2024, and ending on January 17, 2024. In an effort to efficiently manage the waiting list and to ensure that it can be opened on an annual basis, PHCD will limit the number of applications received to the first 5,000. PHCD will also work closely with the software company, Emphasys Software, to

receive applications, and establish the lottery system as required by the Administrative Plan. Through the lottery system each application will be assigned a special identifier number.

In accordance with the Administrative Plan, PHCD will announce the opening of the waiting list at least 10 business days prior to the date the applications will be accepted. PHCD will further ensure that following occurs:

1. Advertise the date of the opening of the waiting list in multiple media outlets, including, but not limited to, newspapers, including *Miami Herald*, *Miami Times*, *Diario Los Americas*, and *Haiti en March or Kiskeya Herald*, radio outlets, and social media;
2. Work with each County Commission District.
3. Engage in outreach to religious institutions, government offices, agencies that assist the elderly and disabled, and other agencies and organizations.
4. Work with the Library System to ensure that the public have access points to complete their applications; and
5. Utilize any other methods that are deemed appropriate to increase the scope of outreach to eligible applicants.




Morris Copeland
Chief Community Services Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(K)(1)

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. 8(K)(1)
12-12-23

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DISSOLVE THE SECTION 8 HOUSING CHOICE VOUCHER TENANT-BASED WAITING LIST AS OF OCTOBER 31, 2023, AND THEREAFTER OPEN SUCH WAITING LIST FOR 10 BUSINESS DAYS COMMENCING ON JANUARY 3, 2024 AND ENDING ON JANUARY 17, 2024; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND PROCESS APPLICATIONS RECEIVED DURING THE PERIOD SET FORTH HEREIN IN ACCORDANCE WITH APPLICABLE FEDERAL LAWS, REGULATIONS, AND THE SECTION 8 ADMINISTRATIVE PLAN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

Section 1. The matters contained in the foregoing recital and accompanying memorandum are incorporated in this resolution by reference.

Section 2. This Board authorizes County Mayor or County Mayor's designee to dissolve the Section 8 Housing Choice Voucher tenant-based waiting list as of October 31, 2023, and thereafter open such waiting list for 10 business days commencing on January 3, 2024, and ending on January 17, 2024. This Board further authorizes the County Mayor or County Mayor's designee to receive and process applications received during the period set forth herein in accordance with applicable federal laws, regulations, and the Section 8 Administrative Plan.

The foregoing resolution 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:

| | |
|----------------------------------|----------------------|
| Oliver G. Gilbert, III, Chairman | |
| Anthony Rodríguez, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Kevin Marino Cabrera | Sen. René García |
| Roberto J. Gonzalez | Keon Hardemon |
| Danielle Cohen Higgins | Eileen Higgins |
| Kionne L. McGhee | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Terrence A. Smith