

MEMORANDUM

Agenda Item No. 11(A)(3)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: August 31, 2020

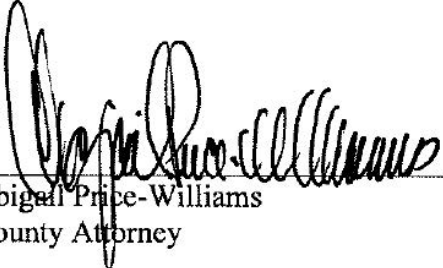
FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to study the options available to the County to collaborate with other government, institutional and private entities to aggregate land and create affordable housing; directing the County Mayor to draw upon the work of the University of Miami's Office of Civic and Community Engagement and that Office's Land Access for Neighborhood Development Tool; requiring a report inclusive of potential collaborative projects

Resolution No. R-870-20

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 7-13-20 Chairwoman's Policy Council. This substitute differs from the original version in that it modifies the structures to be considered for aggregating properties and changes the required contents and due date for the County Mayor's report. These changes are reflected in the title.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins, and Co-Sponsors Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: August 31, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(3)

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)(3)
8-31-20

RESOLUTION NO. _____ R-870-20

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO STUDY THE OPTIONS AVAILABLE TO THE COUNTY TO COLLABORATE WITH OTHER GOVERNMENT, INSTITUTIONAL AND PRIVATE ENTITIES TO AGGREGATE LAND AND CREATE AFFORDABLE HOUSING; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DRAW UPON THE WORK OF THE UNIVERSITY OF MIAMI'S OFFICE OF CIVIC AND COMMUNITY ENGAGEMENT AND THAT OFFICE'S LAND ACCESS FOR NEIGHBORHOOD DEVELOPMENT TOOL; REQUIRING A REPORT INCLUSIVE OF POTENTIAL COLLABORATIVE PROJECTS

WHEREAS, it is of great importance to this Board that an adequate stock of housing exists for the residents of Miami-Dade County (the "County") at ~~[[sales]]~~¹ >>sale<< prices and rents that are affordable; and

WHEREAS, in 2019, the University of Miami's Office of Civic and Community Engagement debuted the Land Access for Neighborhood Development tool ("LAND Tool"), a free, online mapping tool that identified more than 500 million square feet of vacant, unused, or underutilized land across the County and its 34 municipalities; and

WHEREAS, the LAND Tool provides a snapshot of the location, size, and ownership of properties owned by the County, municipalities, community redevelopment agencies, Habitat for Humanity >>i<< and religious and educational institutions ("Public and Institutional Properties") that could be assembled across jurisdictions and at transportation hubs >>in order<< to house low- and ~~[[middle]]~~ >>moderate<<-income residents; and

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< are added.

WHEREAS, the Report Regarding a 10-Year Plan to Increase the Number of Affordable and Workforce Housing Units in Transit Corridors – Directive 171838, issued by the County Mayor on January 17, 2019, projected that >>approximately<< 28,900 units of affordable and/or workforce housing could be >>developed on County-owned or privately-owned<< ~~[[generated through the acquisition and assemblage of private and publicly owned vacant]]~~ properties near transit within seven years; and

WHEREAS, the County owns many properties which are underutilized and suitable for use as affordable housing and maintains an inventory list of such properties; and

WHEREAS, other government ~~[[and]]~~ >>and<< institutional >>, and private<< entities similarly own underutilized properties suitable for use as affordable housing; and

WHEREAS, in 2018, the County successfully partnered with the Miami-Dade County Public School System (“MDCPS”) for a pilot project in Brickell expanding Southside Elementary School, creating a new Southside building on County land which previously contained the unoccupied Medvin Apartments; and

WHEREAS, this project was a complex joint effort between public entities to cooperate to serve the needs of both organizations by providing more classroom space and affordable ~~[[and/or workforce]]~~ housing units; and

WHEREAS, the County’s Public Housing and Community Development Department ~~[[(“PHCD”)]]~~ and MDCPS have also begun discussions around a joint project to renovate Phillis Wheatley Elementary School and build residential housing on the site; and

WHEREAS, this Board desires to partner with government ~~[[and]]~~ >>and<< institutional >>and private<< entities to aggregate underutilized lands for use as affordable housing; and

WHEREAS, land banks, interlocal agreements, and single-transaction conveyances have been used to create affordable and workforce housing in metro areas across the nation, including Houston, Dallas, Los Angeles, Atlanta, and Memphis; and

WHEREAS, public land bank strategies are being considered by several local governments in Florida, including the cities of Groveland, Lakeland, and Jacksonville and in Orange County; and

WHEREAS, this Board endeavors to adopt a process to best convert underutilized ~~[[lands]]~~ >>Public and Institutional Properties<< to affordable housing in a manner which is efficient, productive, and has sufficient controls in place to ensure that the purpose of creating affordable housing is achieved; and

WHEREAS, this Board desires to know more about the options available to it in conveying and developing County land to create ample affordable housing for County residents; and

WHEREAS, the aggregation of Public and Institutional Properties may yield additional benefits aligned with County priorities, such as improved storm and flooding resiliency, pedestrian corridors, and transportation corridors; and

WHEREAS, this Board desires that the County Mayor or County Mayor's designee study the options available to the County >>to facilitate the aggregation of Public and Institutional Properties for affordable housing<<, including, but not limited to, utilizing land banks, engaging in single-transaction conveyances, ~~[[creating a new entity;]]~~ and entering into interlocal agreements, and return with recommendations to this Board ~~[[;and]]~~ >>as to which options should be further studied for implementation in the County<<

~~[[**WHEREAS**, when considering the available options, this Board desires that the County Mayor or County Mayor's designee consider potential benefits and risks which will arise beginning at the decision-making process and continuing through conveyance, development, rent or sale to~~

~~residents, and maintaining affordability, such as, efficiency and effectiveness; enforcement of affordability controls; potential overhead costs; potential for abuse, misfeasance and malfeasance; needed state and local legislative changes; pricing; and ensuring insurable and marketable title; and~~

~~WHEREAS, this Board desires that the County Mayor or County Mayor's designee return to this Board with a report and recommendations within 120 days as to how the County can best accomplish the conversion of Public and Institutional Properties to affordable housing;]]~~

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

Section 1. ~~[[This Board directs the County Mayor or County Mayor's designee to study the options available to the County to best accomplish the aggregation of Public and Institutional Properties and conversion of those lands to affordable housing. The County Mayor or County Mayor's designee shall consider different structures, procedures, and processes, including, but not limited to, utilizing land banks, engaging in single transaction conveyances, creating a new entity, and entering into interlocal agreements. When considering the available options, the County Mayor or County Mayor's designee shall consider the potential benefits and risks which could arise at any point in the process, from the decision making process through development, the rent or sale to tenants or homebuyers, and the perpetuation of affordability. Among the factors to consider as to every option available to the County are efficiency and effectiveness; enforceability of affordability controls; potential overhead costs; potential for abuse, misfeasance and malfeasance; needed state and local legislative changes; pricing; and ensuring insurable and marketable title; and other benefits or risks identified by the County Mayor or County Mayor's designee.]] >>This Board directs the County Mayor or County Mayor's designee to study the options available to the County to best accomplish the aggregation of Public and Institutional Properties for the purpose~~

of creating affordable housing, including, but not limited to, utilizing land banks, engaging in single-transaction conveyances, and entering into interlocal agreements. The report should include the benefits and risks of each option and should consider such factors as staffing, funding, expertise, and resources necessary for successful implementation of a land aggregation program. The report should include an analysis of the different types of collaborative approaches, the process by which the collaborations could be created, and the key operational issues.<<

Section 2. >>This Board directs the County Mayor or County Mayor’s designee to draw upon the work done by the University of Miami’s Office of Civic and Community Engagement and other appropriate stakeholders to compile the report, incorporating use of the LAND Tool to identify potential projects. The report should include recommendations as to the County’s collaboration with other governmental, institutional and private entities, showing both recent examples of similar collaborations in land assemblage and exchange, and some examples of potential collaborations, describing potential projects and sites for land assemblage and exchange.

Section 3.<< This Board directs the County Mayor or County Mayor’s designee to provide a report and recommendations >>to this Board<< as >>to which options should be further studied for implementation as to<< the matters identified in ~~[[Section]]~~ >>sections<< 1 >>and 2<<, above, to be presented to this Board within ~~[[+20]]~~ >>180<< days of the effective date of this resolution, and place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. ~~[[The report shall include a list of potential collaborative projects inclusive of County collaboration with other governmental and/or institutional partners.~~

~~The County Mayor or Mayor’s designee shall work with the University of Miami’s Office of Civic and Community Engagement and other appropriate stakeholders to compile the report, including by using the LAND Tool.]]~~

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins, and the Co-Sponsors are Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

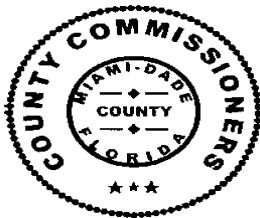
Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	absent	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 31st day of August, 2020. 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: **Melissa Adames**
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency. *Blaw*

Brenda Kuhns Neuman