

MEMORANDUM

Agenda Item No. 8(K)(3)

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

DATE: July 8, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution reaffirming Resolution Nos. R-399-13 and R-331-14, which authorized the County Mayor to submit a demolition and disposition application to the United States Department of Housing and Urban Development (HUD) for Haley Sofge Towers public housing development site; authorizing the County Mayor to submit a disposition application to HUD for Brisas del Este Apartments, a new construction project to be developed at Three Round Towers public housing development site; and authorizing the County Mayor to submit technical amendments to the County's disposition and demolition applications associated with the redevelopment of Haley Sofge Towers and Brisas del Este Apartments at the Three Round Tower development sites, as may be required by HUD and applicable federal laws and regulations, and to execute amendments to annual contribution contract(s), agreements, releases of declarations of trust, and other related documents, subject to HUD's approval

Resolution No. R-655-21

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Public Housing and Community Services Committee.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: July 8, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Demolition and Disposition Application for the Haley Sofge Towers Development Site and Disposition Application for the New Construction of Brisas del Este Apartments at the Three Round Towers Development Site

Recommendation

It is recommended that the Board of County Commissioners (Board):

1. Reaffirm Resolution Nos. R-399-13 and No. R-331-14 (attached as Attachment 1 and Attachment 2 to this memorandum), which authorized the County Mayor or the County Mayor’s designee to submit on behalf of Miami-Dade County (County) a demolition and disposition application to the United States Department of Housing and Urban Development (HUD) for the Haley Sofge Towers public housing development site (Haley Sofge), which is comprised of two buildings located at 750 NW 13 Avenue, Miami, Florida (Building 750) and 800 NW 13 Avenue, Miami, Florida (Building 800) (Folio: 01-3135-047-0010), which said application will outline how all the residents will be successfully relocated to new units on the Senior Campus site;
2. Authorize the County Mayor or the County Mayor's designee to submit a disposition application to HUD to permit Related Urban Development Group, LLC (RUDG, LLC) or its subsidiary, Brisas del Este Apartments, LLC (collectively referred to as RUDG), to construct a project known as “Brisas del Este Apartments”, which is an additional phase of the multi-phase master plan project to redevelop the 6.98 acres of Three Round Towers public housing development site located at 2870, 2920, 2940 and 2800 NW 18 Avenue (Folio: 01-3127-079-0010) in accordance with Resolution No. R-668-14;
3. Authorize the County Mayor or the County Mayor’s designee to submit technical amendments to the County’s disposition and demolition applications associated with the redevelopment of Haley Sofge Towers and the new construction of Brisas del Este Apartments at Three Round Towers public housing development site as may be required by HUD and applicable federal laws and regulations; and
4. Authorize the County Mayor or the County Mayor's designee to execute amendment(s) to the Annual Contribution Contract(s), which provides for the County's receipt of public housing subsidy, agreements, releases of declarations of trust, or other related documents subject to HUD's approval.

Scope

The scope of work contained in the demolition and disposition applications includes the demolition and disposition of Haley Sofge Towers’ Building 750 located at 750 NW 13th Avenue, and of 169 of its 235 units, and the Rental Assistance Demonstration (RAD) conversion

and substantial rehabilitation of 240 units at the Haley Sofge Towers’ Building 800 located at 800 NW 13th Avenue, along with the Rental Assistance Demonstration (RAD) conversion of 66 of Building 750’s units which will be transferred to the new Paseo del Rio project at the public housing development commonly known as the “Senior Campus,” which are located within County Commission District 5 represented by Commissioner Eileen Higgins. Also included is the disposition of land for a new building project known as Brisas del Este Apartments at the Three Round Towers public housing development site located at 2870, 2920, 2940 and 2800 NW 18 Avenue (Folio: 01-3127-079-0010) within County Commission District 3 represented by Commissioner Keon Hardemon.

Delegation of Authority

This item requests a delegation of authority to the County Mayor or the County Mayor’s designee to (a) submit a demolition and disposition application to HUD; (b) make any technical amendments to HUD for the existing Haley Sofge Towers and Brisas del Este Apartments, a new project that is part of the multi-phase project to redevelop the Three Round Towers site; and (c) to execute amendment(s) to the Annual Contribution Contract(s), agreements, releases of declarations of trust or other related documents subject to HUD approval.

Fiscal Impact/Funding Source

The demolition activities for Haley Sofge Towers Building 750 will be performed by RUDG, at their sole cost. Accordingly, there is no fiscal impact to the County for approving this resolution. The approval of a Section 18 demolition and disposition application for Building 750, and 169 of its units, and the RAD conversion and rehab of Building 800, and of 66 units from Building 750, will allow the County to access much more stable and sustainable HUD funding for the long-term management of high-quality housing for its public housing residents.

Track Record/Monitor

This project will be monitored by Michael Liu, Director for Miami-Dade Public Housing and Community Development Department (Department).

Background

Request for Proposals No. 794 was issued on July 14, 2011 to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites and vacant land sites owned by the County and administered by the Department. The solicitation sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, develop vacant land owned by the County, and incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and incorporate creative and sustainable design solutions.

On November 23, 2011, the Board adopted Resolution No. R-1026-11, which awarded site control of a total of 28 project sites, including, but not limited to, the Senior Campus and Three Round Towers, through ground leases executed by the County and six developers, including

RUDG, for the redevelopment of the project sites. On May 21, 2013, the Board also adopted Resolution No. R-399-13, which, in part, authorized the execution of a ground lease with RUDG or its assignee for the redevelopment of Martin Fine Villas and Haley Sofge Towers. Additionally, on October 22, 2013, the Board adopted Resolution No. R-855-13, which, in part, authorized the execution of a ground lease with RUDG for the redevelopment of Robert King High and Three Round Towers. On April 8, 2014, the Board adopted Resolution No. R-331-14, which, in part, authorized the execution of a master development agreement with RUDG for the development of the Senior Campus. A portion of the land upon which the Senior Campus sits includes the project area. Finally, on July 15, 2014, the Board adopted Resolution No. R-668-14, which in part, authorized the execution of a master development agreement and ground leases with RUDG for the development of Three Round Towers public housing development site, which includes additional phases of the project on vacant land. A portion of the vacant land will be developed with the new Brisas del Este Apartments. In accordance with Resolution No. R-668-14, the County Mayor or County Mayor’s designee has executed ground leases for the development of Brisas del Este Apartments to provide site control to RUDG for purposes of seeking financing for this phase of the project. The current ground lease requires RUDG to pay an annual rental amount equal to \$25,000.00 (increasing annually at four percent) and a one-time capitalized lease payment of \$402,500.00.

The County, in partnership with the RUDG, seeks to redevelop the Haley Sofge Towers project, which is comprised of two existing 12-story public housing apartment buildings constructed in 1973 (47 years old +/-), with a total of 475 residential dwelling units, through a combination of HUD’s Section 18 demolition and disposition process and the RAD conversion process. Building 750, with a total of 235 residential dwelling units, will partially go through a RAD authorized Section 18 demolition and disposition application process, to be able to obtain approval to demolish the building because it is obsolete and prepare its site for the future development of a new affordable housing building, and Building 800 will undergo a RAD conversion which will include the substantial rehabilitation of its 240 existing residential dwelling units. The RAD conversion of 66 of the public housing units located in Building 750 will allow for the conveyance of their rental subsidy to the new Paseo del Rio project at the Senior Campus as 66 RAD units. The buildings have deteriorated physical conditions caused by water intrusion, decay, and corrosion. The Department has assessed and determined that the cost of improving both buildings will be significant; therefore, the Department believes that it is in the County’s best interest to move forward with the more cost-effective option of completely demolishing Building 750, relocating its current residents to new affordable housing units already being developed at the Senior Campus site, and substantially rehabilitating Building 800 so that it can provide its current residents with a healthier and safer place to live. To proceed, the Department will submit a Section 18 demolition and disposition application for Building 750 for HUD’s review and approval through its Special Applications Center and will begin the RAD conversion process for Building 800.

The relocation of the existing residents from Haley Sofge Towers will occur in different phases. Haley Sofge Towers Building 750 will occur in three (3) phases as new buildings being constructed at the Senior Campus site are completed to accommodate all 235 existing public housing residents of Haley Sofge Building 750. The first phase of relocation will include the

relocation of 30 public housing residents of Building 750 to Gallery at River Parc, a new construction project that will include a total of 150 new units of affordable and workforce housing units. The second phase of relocation will include the relocation of 139 public housing residents of Building 750 to Brisas del Rio, a new construction project that will include a total of 168 affordable units. The final phase of relocation will include the relocation through a RAD conversion process of the remaining 66 public housing residents of Building 750 to Paseo del Rio, a proposed new construction project that will include a total of 182 affordable units. All Building 750 residents will have the opportunity to move to new units once the new buildings are completely finalized.

Haley Sofge Towers Building 800, currently comprised of 240 public housing units, will undergo a RAD conversion which will include the substantial rehabilitation of its 240 residential units. Residents will be temporarily relocated to allow for the complete rehabilitation of their units. Once their units have been completed, residents will return to their rehabilitated units. All current residents are guaranteed by the laws governing the RAD program that they will have the right to return to new or newly rehabilitated units.

There will not be any displacement of any Haley Sofge Tower residents during this resident relocation process. All relocation, moving, and counseling costs for the relocation of public housing units of Haley Sofge Tower Building 750 & 800, will be covered by the developer. PHCD will work closely with the developer during this process reviewing and approving all relocation plans and ensuring that residents rights are upheld. RUDG has extensive experience in working with PHCD in ensuring that any temporary relocation process and final relocations are handled with sensitivity and patience. RUDG has assisted over 2,200 public housing families in successful relocations to date which will serve as a basis for the expectation that the same outcome will be found in the Haley Sofge Tower RAD conversion.

Brisas del Este Apartments does not involve any displacement of existing residents as this is a project to be newly constructed on vacant land. It is a 161 unit affordable 8-story development, which will include RAD units as authorized by Resolution No. R-1059-19 adopted by the Board on October 3, 2019. This development will be built on open space that is part of the existing Three Round Towers public housing development site. Upon completion, Brisas del Este Apartments will feature 77 one-bedroom/one-bath and 84 two-bedroom/two-bath units. All units will be developed with the same high-quality materials and features regardless of the income level of the future occupants. The building will meet all city and county code requirements and will receive a green building certification.

Finally, as required by HUD’s regulations, the Board’s rules of procedure, and PHCD’s protocols, the County has met and consulted with the Haley Sofge Towers and Three Round Towers public housing residents and provided them with information regarding the demolition and RAD conversion plans of Haley Sofge and the new construction of Brisas del Este Apartments. The Department has held over 27 resident meetings with residents, and there will be more as the projects progress. The Department has also met with the two district commissioners where the projects are located. The Department has now developed specific plans regarding how the County will work on the redevelopment of the two Haley Sofge Towers.

Honorable Chairman José “Pepe” Diaz
and Members, Board of County Commissioners
Page No. 5

Thus, the Department requests that the Board, as required by HUD, adopt another resolution reaffirming that the County Mayor or the County Mayor’s designee is authorized to submit Building 750’s Section 18 demolition and disposition application to HUD for the purposes described above. Brisas del Este Apartments comprises one phase of the multi-phase master plan project to redevelop the Three Round Towers site, and the Department also requests that the Board adopt a resolution reaffirming its prior approval of redevelopment of Three Round Towers and that the County Mayor or the County Mayor’s designee is authorized to submit Brisas del Este Apartments Section 18 disposition application to HUD.

Accordingly, it is recommended that the Board adopt the attached resolution to comply with HUD’s directives.



Morris Copeland
Chief Community Services Officer

Attachments



MEMORANDUM

(Revised)

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

DATE: July 8, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(K)(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. 8(K)(3)
7-8-21

RESOLUTION NO. _____ R-655-21

RESOLUTION REAFFIRMING RESOLUTION NOS. R-399-13 AND R-331-14, WHICH AUTHORIZED THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT A DEMOLITION AND DISPOSITION APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR HALEY SOFGE TOWERS PUBLIC HOUSING DEVELOPMENT SITE; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT A DISPOSITION APPLICATION TO HUD FOR BRISAS DEL ESTE APARTMENTS, A NEW CONSTRUCTION PROJECT TO BE DEVELOPED AT THREE ROUND TOWERS PUBLIC HOUSING DEVELOPMENT SITE; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT TECHNICAL AMENDMENTS TO THE COUNTY'S DISPOSITION AND DEMOLITION APPLICATIONS ASSOCIATED WITH THE REDEVELOPMENT OF HALEY SOFGE TOWERS AND BRISAS DEL ESTE APARTMENTS AT THE THREE ROUND TOWER DEVELOPMENT SITES, AS MAY BE REQUIRED BY HUD AND APPLICABLE FEDERAL LAWS AND REGULATIONS, AND TO EXECUTE AMENDMENTS TO ANNUAL CONTRIBUTION CONTRACT(S), AGREEMENTS, RELEASES OF DECLARATIONS OF TRUST, AND OTHER RELATED DOCUMENTS, SUBJECT TO HUD'S APPROVAL

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. This Board adopts the foregoing recital and the accompanying memorandum as if fully set forth herein.

Section 2. This Board reaffirms Resolution Nos. R-399-13 and No. R-331-14, which are attached hereto as Attachments A and B and incorporated herein by reference, and which authorized the County Mayor or the County Mayor's designee to submit on behalf of Miami-Dade

County (“County”) a demolition and disposition application to the United States Department of Housing and Urban Development (“HUD”) for the Haley Sofge Towers public housing development site, which is comprised of two buildings located at 750 NW 13 Avenue and 800 NW13 Avenue, Miami, Florida.

Section 3. This Board authorizes the County Mayor or the County Mayor's designee to submit a disposition application to HUD to permit Related Urban Development Group, LLC or its subsidiary, Brisas del Este Apartments, LLC (collectively referred to as “RUDG”), to construct a project known as “Brisas del Este Apartments”, which is an additional phase of the multi-phase master plan project to redevelop the 6.98 acres of Three Round Towers public housing development site located at 2870, 2920, 2940 and 2800 NW 18 Avenue (Folio: 01-3127-079-0010) in accordance with Resolution No. R-668-14.

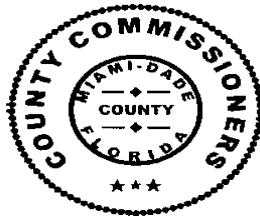
Section 4. This Board authorizes the County Mayor or the County Mayor’s designee to submit technical amendments to the County’s disposition and demolition applications associated with the redevelopment of Haley Sofge Towers and the new construction of Brisas del Este Apartments at Three Round Towers public housing development site as may be required by HUD and applicable federal laws and regulations.

Section 5. This Board authorizes the County Mayor or the County Mayor’s designee, subject to HUD’s approval, to execute amendment(s) to the Annual Contribution Contract(s), which provides for the County’s receipt of public housing subsidy, agreements, releases of the declarations of trust, and other related documents, subject to HUD’s approval.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 8th day of July, 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: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith

ATTACHMENT A

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 8(K)(1)

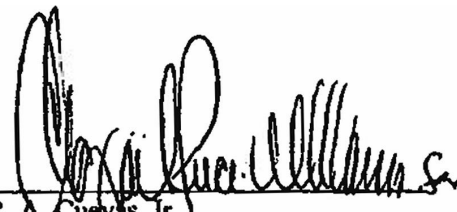
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 21, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution authorizing execution
of ground lease agreements with
RUDG, LLC or their assignee,
for Martin Fine Villas/Haley
Sofge and Claude Pepper Towers
sites
Resolution No. R-399-13

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Co-Prime Sponsors Commissioner Bruno A. Barreiro and Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE
COUNTY

Date: May 21, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Recommendation for Approval to Execute Ground Leases with RUDG's assignees
for the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the execution of ground leases (Leases) with RUDG, LLC or their assignees (Developer), in order to provide site control for the future development of the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites. The Developer requires the Leases as evidence of site control, which is a prerequisite for their nine percent (9%) Low Income Housing Tax Credits (Housing Tax Credits) application that they intend to submit to the Florida Housing Finance Corporation (Finance Corporation) in the 2013 Universal Cycle for development financing for these sites. It is also recommended that the Board consent to the Developer subleasing the sites for the purposes described herein.

Additionally, it is recommended that the Board authorize the County Mayor or County Mayor's designee to submit disposition applications to the U.S. Department of Housing and Urban Development (Housing and Urban Development) for the Martin Fine Villas/Haley Sofge Towers site and the Claude Pepper Towers site, which were previously approved by the Board as a result of Request for Proposals (RFP) No. 794. It is further recommended that the Board authorize the County Mayor or County Mayor's designee to execute amendments to annual contribution contracts agreements, releases, and other documents on behalf of Miami-Dade County (County) as may be required by Housing and Urban Development.

CONTRACT NO:

N/A

CONTRACT TITLE:
PROPERTY ADDRESSES:

Ground Lease between Miami-Dade County and Developer for Martin Fine Villas/Haley Sofge Towers site: Folio 01-3135-047-0010 (District 5-Commissioner Bruno A. Barreiro); and the Claude Pepper Towers site: Folio 01-3135-018-0310 (District 3- Commissioner Audrey M. Edmonson)

METHOD OF AWARD:

The Developer and award of ground leases for the two sites were selected pursuant to RFP No. 794 and approved by Resolution No. R-1026-11.

DESCRIPTION:	The Developer will execute ground leases and any other documents that may be required by Housing and Urban Development or the Finance Corporation.
TERM:	Eleven (11) months from the effective date of the Ground Lease, subject to the Developer obtaining nine percent (9%) Housing Tax Credits.
COUNTY FUNDING SOURCE:	None
PERFORMANCE DATA:	There are no known performance issues with the recommended firms.
COMPLIANCE DATA:	There are no known compliance issues with the recommended firms.
CONTRACT MEASURES:	N/A
LIVING WAGE:	The services provided are not covered under the Living Wage Ordinance.
USER ACCESS PROGRAM:	The User Access program does not apply to revenue contracts.
LOCAL PREFERENCES:	Not applicable due to public housing and federal funding restrictions.
DELEGATED AUTHORITY:	If this item is approved, the County Mayor or the County Mayor's designee will have the authority to exercise, at the discretion of the County Mayor, to make any necessary amendments required by the Finance Corporation or Housing and Urban Development, and to exercise termination, cancellation, and renewal provisions in accordance with the terms and conditions of the ground leases and any amendments.
USING/MANAGING AGENCY:	Public Housing and Community Development (Department)

SCOPE:

Pursuant to Resolution No. R-1026-11, the scope of these projects will not be finalized until the Master Development Agreements are executed. Negotiations will commence in the event the Developer is awarded nine percent (9%) Housing Tax Credits from the Finance Corporation. It is anticipated that successful negotiations will result in improvements to the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites and/or revenue sharing agreements between the Developer and the County.

TRACK RECORD/MONITORING:

Jorge Cibran, Director of Facilities and Development Division, Public Housing and Community Development Department

Background:

RFP No. 794 was issued on July 14, 2011, to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites and vacant land sites administered by the Department. The solicitation sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, develop vacant land owned by the County, and also incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and incorporate creative and sustainable design solutions.

Pursuant to Resolution No. R-1026-11, on November 23, 2011, the Board awarded site control through ground leases to six (6) developers for a total of twenty eight (28) project sites. Resolution No. R-1026-11 approved the Developer for the Martin Fine Villas/Haley Sofge site and the Claude Pepper Towers site and approved the execution of ground leases for those sites. The ground leases were subsequently executed for the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites, and the Developer applied for nine percent (9%) Housing Tax Credits from the Finance Corporation in the 2011 Universal Cycle. However, the Developer was not awarded Housing Tax Credits for these sites in the 2011 Universal Cycle. The leases were for a term of 11 months and were also dependent upon receiving funding and therefore have expired. This process was further enumerated in the November 15, 2012 memorandum to the Economic Development and Social Services Committee (Attachment A).

The Developer now seeks to apply for nine percent (9%) Housing Tax Credits for the 2013 Universal Cycle for the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites. However, Board approval of a ground lease is a prerequisite to apply for Housing Tax Credits as this establishes site control. The Leases include the authorization to enter into sub-ground leases. It is expected that each site will have multiple funding applications, and therefore, is different from previous ground leases. The sub-ground leases are for the purposes of separating and delineating the specific areas to be developed with this specific funding application, and will be determined at a later date. The Leases are contingent on obtaining funding award from the Finance Corporation.

For the last several months, the Finance Corporation has been evaluating its rule-making process to determine the requirements for 2013 applications for Housing Tax Credits. The Finance Corporation

has changed its approach and will issue several Requests for Proposals (Finance Corporation Solicitation). The initial Finance Corporation Solicitation is open to applicants proposing developments of affordable rental Permanent Supportive Housing for Persons with Special Needs, with a goal to fund one application for Veterans with Special Needs. The Developer will submit two (2) applications in this new cycle, one for the Martin Fine Villas/Haley Sofge site for Special Needs housing, and the other for the Claude Pepper Towers site (with additional units at this existing site) for Veterans with Special Needs housing. The Finance Corporation Solicitation was issued on April 15, 2013 and the due date is May 24, 2013 (a seven (7) week application period). In light of the very short application period and the pending deadline, the attached ground leases are being presented to the Board for approval. Additionally, it is also recommended that the County Mayor waive his veto authority to allow the Developer to meet the Finance Corporation deadline subsequent to Board approval.

In order to proceed with the development of these sites, the County, as a public housing authority, must seek prior approval from Housing and Urban Development. This requires a disposition application to Housing and Urban Development for each respective development site. However, the County cannot submit its applications to Housing and Urban Development without first obtaining approval from the Board. The County will only submit the disposition application if the Developer is awarded Housing Tax Credits. Therefore, it is recommended that the Board approve the attached resolution authorizing the County Mayor or County Mayor's designee to submit disposition applications to Housing and Urban Development for the subject sites.

Attachments



Russell Benford, Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 21, 2013

FROM: 
R. A. Cuevas, Jr.
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
- ☐ 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 ____, 3/5's ____, unanimous ____) 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)
5-21-13

RESOLUTION NO. R-399-13

RESOLUTION AUTHORIZING EXECUTION OF GROUND LEASE AGREEMENTS WITH RUDG LLC OR THEIR ASSIGNEE, FOR MARTIN FINE VILLAS/HALEY SOFGE AND CLAUDE PEPPER TOWERS SITES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GROUND LEASE AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO MAKE ANY NECESSARY AMENDMENTS AND TO EXERCISE ANY TERMINATION, CANCELLATION AND RENEWAL PROVISIONS; CONSENTING TO SUBLEASING OF THE SITES BY RUDG LLC; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT DISPOSITION APPLICATIONS TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE SITES APPROVING THE DISPOSITION OF THESE SITES, SUBJECT TO APPROVAL BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENTS TO ANNUAL CONTRIBUTION CONTRACTS, AGREEMENTS, RELEASES, AND ANY OTHER DOCUMENTS THAT MAY BE REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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 foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board authorizes the execution of ground lease agreements with RUDG, LLC or their assignee for the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites, in substantially the form attached hereto and made a part hereof. The Board further authorizes the County Mayor or the County Mayor's designee to make any additional

amendments to said ground leases, as may be required to meet the requirements of the Florida Housing Finance Corporation and/or the United States Department of Housing and Urban Development; and further authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami Dade County and to exercise any cancellation and renewal provisions and any other rights contained therein.

Section 3. The Board consents to RUDG LLC, entering into sub-ground leases, as may be required to meet the requirements of the Florida Housing Finance Corporation and/or the United States Department of Housing and Urban Development; and further authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami Dade County and to exercise any cancellation and renewal provisions and any other rights contained therein.

Section 4. The Board authorizes the County Mayor or the County Mayor's designee to submit disposition applications for the Martin Fine Villas/Haley Sofge and Claude Pepper Towers sites to the United States Department of Housing and Urban Development in the event RUDG LLC or their assignee is awarded Low Income Housing Tax Credits for the sites. The Board further approves such dispositions of these sites, subject to approval by the United States Department of Housing and Urban Development.

Section 5. The Board authorizes the County Mayor or the County Mayor's designee to execute amendments to annual contributions contracts, if required; to execute any agreements, releases from declarations, and any other documents on behalf of the County that may be required by the United States Department of Housing and Urban Development, and to exercise amendments, modifications, cancellation, and termination clauses contained therein.

Section 6. The County Mayor or the County Mayor's designee, pursuant to Resolution No. R-974-09, shall record in the public record all deeds, covenants, reversioners and mortgages creating or reserving a real property interest in favor of the County and shall provide a

copy of such recorded instruments to the Clerk of the Board within thirty (30) days of execution and final acceptance. The Board directs the Clerk of the Board, pursuant to Resolution No. R-974-09, to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with this resolution.

The foregoing resolution was offered by Commissioner **Lynda Bell**
who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson**
and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	aye	
	Lynda Bell, Vice Chair	aye	
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr.	aye
Jose "Pepé" Diaz	absent	Audrey M. Edmonson	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of May, 2013. This resolution shall become effective upon the earlier of (1) ten (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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "TAS" or similar, written over a horizontal line.

Terrence A. Smith

Attachment A

Memorandum



Date: November 15, 2012

To: Honorable Rebecca Sosa
County Commissioner, District

From: Alina T. Hudson
Deputy Mayor/County Manager

Subject: Status Reports Regarding Ground Leases Awarded Pursuant to Request For
Proposals No. 704 and Request for Qualifications No. 704-A

WDSS

Agenda Item No. 7(A)

Pursuant to Resolution No. 152-12, a special meeting of the Economic Development and Social Services Committee was convened on March 14, 2012 to review Request for Proposal (RFP) No. 704. During this meeting, the Committee directed Public Housing and Community Development to provide alternatives for development of public housing sites and the status report on ground leases awarded pursuant to Resolution No. R-1020-11.

Attached are the status reports for the above referenced directive.

Attachments

Russell Benford, Deputy Mayor

Memorandum



Date: _____
 To: Russell Benford
 Deputy Mayor
 From: Gregg Fortner *GF*
 Director, Public Housing & Community Development
 Subject: Status Report on Ground Leases Awarded Pursuant to Resolution R-1028-11
 including those awarded Low Income Housing Tax Credits

The following report is pursuant to Resolution No. R-162-12, which directed the Chair of the Economic Development and Social Services Committee, Rebecca Sosa, to convene a special meeting on March 14, 2012 to review Request for Proposal (RFP) No. 794 and to provide recommendations to the Board of County Commissioners for consideration. During this meeting, Commissioner Sosa requested that Public Housing and Community Development (PHCD) provide the committee with a status report on ground leases awarded pursuant to Resolution No. R-1028-11, including those approved for the Low Income Housing Tax Credits.

Background

Request for Proposals (RFP) No. 794 (Proposal) was issued on July 17, 2011 to solicit proposals for Developer Services to maximize and expedite the development potential of over 100 existing public housing sites and vacant land sites. The County received 215 proposals in response to RFP No. 794. On November 28, 2011, the Board of County Commissioners (Board), pursuant to Resolution R-1028-11, approved six developers for 28 development sites. Additionally, on February 7, 2012 the Board approved Resolution R-137-12 to allow awarded developers to apply for nine percent Low Income Housing Tax Credits from the Florida Housing Finance Corporation.

In addition to the 28 development sites initially awarded by the Board, there was one additional developer and four additional development sites awarded by the Board on February 7, 2012 pursuant to Resolution R-162-12. The awarded developers proposed four percent tax credits for the four additional sites. A summary of the seven developers and 32 sites approved by the Board is attached as Exhibit A.

Applications for the nine percent Low Income Housing Tax Credits were submitted from developers throughout the State of Florida to the Florida Housing Finance Corporation (Finance Corporation). Of the projects that were awarded nine percent tax credits by the Florida Housing Finance Corporation, six of the projects were Public Housing and Community Development (PHCD) public housing sites. The six awarded project sites, the developers and the Finance Corporation's award amounts are summarized below:

Project/Site -- Developer

Finance Corporation Award

• Dante Fascell -- RUDG	\$15,004,007
• Joe Morelli (Brakell Site) -- RUDG	\$24,083,918
• Slirup Plaza -- RUDG	\$11,446,721
• South Miami Plaza -- RUDG	\$11,346,918
• Green Turkey -- Carlisle	\$ 3,248,740
• Jack Orr Plaza -- RUDG	\$20,573,550

Russell Benford, Deputy Mayor
Status Report on Ground Leases Awarded Pursuant to Resolution R-1026-11 including those awarded
Low Income Housing Tax Credits
Page 2 of 3

Status

A summary of the 32 (28 - nine percent and 4 - four percent) project sites awarded by the Board as indicated in Exhibit A are as follows:

Subsequent to the Board's approval of the 28 sites initially awarded, Public Housing and Community Development and the County Attorney's Office worked closely with the awarded developers to provide information and assist with documentation that was required for the Finance Corporation applications:

- Negotiated Ground Leases
- Negotiated Ground Lease amendments and Assignment and Assurances Agreements
- Coordinated with U.S. Housing and Urban Development (HUD) to obtain confirmation of HUD Program letters.
- Provided Public Housing and Community Development Declaration of Trust letters and provision of other miscellaneous information requested by developers.
- Scheduled and attended initial resident meetings, along with the developer to advise residents of the potential for redevelopment at their sites, obtained their input and responded to questions.
- Coordinated with other County Departments to assist with required forms for the Florida Housing Finance Corporation applications.

Additional steps completed or underway by PHCD for the 28 sites initially awarded by the Board include:

- On June 18, 2012 the Board approved Resolution No. R-512-12 granting approval of the Demolition and/or Disposition applications for the nine public housing sites most likely to be awarded nine percent Low Income Housing Tax Credits from the Florida Housing Finance Corporation.
- Subsequently, out of the 28 sites initially awarded by Board, six development sites received nine percent Low Income Housing Tax Credit awards from the Finance Corporation as indicated above and in Exhibit A. The actions taken for the 6 awarded sites include the following:
 - Completed negotiations with developers including a Master Development Agreement, which will be forwarded to the Board and HUD for approval.
 - Prepared and submitted required Environmental Review documents for HUD's review and approval. Demolition and/or Disposition applications will be submitted to HUD once environmental documents are approved by HUD.
 - Scheduled and attended resident meetings to provide detailed information on all aspects of the planned redevelopment and received resident input.
 - Conducted project coordination meetings and continued working closely with developers as necessary on all aspects of the development process.
 - For the sixth site, Green Turnkey, negotiations with Carlisle Development are on-going and are expected to be concluded within the next several weeks.

- For the 22 development sites which were approved for nine percent Low Income Housing Tax Credits by the Board, but were not awarded nine percent Low Income Housing Tax Credits from the Finance Corporation as indicated in Exhibit A, PHCD will continue to negotiate with these developers for awarded development sites. For those development projects determined to be in the County's best interest, the County will execute new ground lease agreements, with approval from the Board and HUD, to provide developers the site control required to submit funding applications. This initial agreement will be contingent upon developers obtaining funding. Once funding is obtained, the County will execute additional agreements including a Master Development Agreement with appropriate approvals from the Board and HUD, to develop the project sites.

The next steps for the four (4) additional sites (Lincoln Gardens, Victory Homes, Harry Cain and Walld Towers) awarded by the Board include:

- Negotiations on all four project sites are underway. For those projects determined to be in the County's best interest, the County will execute ground lease agreements to provide developers the site control required to submit funding applications. This initial agreement will be contingent upon developers obtaining funding. Once funding is obtained, the County will execute additional agreements including a Master Development Agreement, with appropriate approvals from the Board and HUD, to develop the project sites.
- With respect to the Lincoln Gardens site, a ground lease agreement has been negotiated with the developer and will be forwarded to the Board for approval with an explanation, regarding the project's special circumstances and deadline that the other three projects do not have.
- Request approval from the Board to apply for Demolition and/or Disposition applications to HUD. Subsequent to approval, prepare and submit Environmental Review Documents and once approved by HUD, submit Demolition and/or Disposition applications to HUD for approval.
- Conduct meetings with residents to provide information about proposed redevelopment and obtain their input.
- Conduct project coordination meetings and continue working closely with developers as necessary on all aspects of the development process.

In summary, PHCD will continue to work with the developers to ensure that each step is consistent with the Board's directives and the federal guidelines.

EXHIBIT A

Summary of 7 developers and 32 sites approved by Board

20 - 0% LIHTC Awarded Projects

	Project Name/FLA Number or Folio Number	Developer	Commission District	Awarded 0% LIHTC
1	Annie Coleman (FLA 6-18)	Carlisle	3	No
2	Helen Sawyer (FLA 6-67)	Carlisle	3	No
3	South Miami (FLA 6-80)	Carlisle	7	No
4	ModViv (FLA 6-18-B)	Carlisle	8	No
5	Annie Coleman (FLA 6-10)	Carlisle	2	No
6	Gwen Cherry (FLA 6-27) Site 9	Carlisle	8	No
7	Gwen Cherry (FLA 6-27) Site 11	Carlisle	3	No
8	Parkside (FLA 6-28)	Carlisle	8	No
9	Green Turnkey (FLA 6-20)	Carlisle	3	Yes
10	Malay Soles (FLA 6-28)	RUDG	6	No
11	Dante Paevali (FLA 6-34)	RUDG	3	Yes
12	Marlin Pine (FLA 6-48)	RUDG	6	No
13	Robert King Man (FLA 6-18)	RUDG	8	No
14	Smallers Plaza (FLA 6-18)	RUDG	7	No
15	Joe Morelli (FLA 6-18)	RUDG	3	Yes
16	Shirley Plaza (FLA 6-80)	RUDG	7	Yes
17	South Miami Plaza (FLA 6-40)	RUDG	7	Yes
18	Three Round Tower (FLA 6-62)	RUDG	3	No
19	Jack Orr Plaza (FLA 6-44)	RUDG	8	Yes
20	Claude Pepper (FLA 6-28)	RUDG	8	No
21	Vacant land site - Folio #01-8136-000-0182 (1185 NW 11 th St)	Michale	8	No
22	Quimer Gardens (FLA 6-76)	Michale	8	No
23	Dulmer Place (FLA 6-48)	Michale	3	No
24	Modelo Homes (FLA 6-88)	Gorman	8	No
25	Vacant land site - Folio #01-3137-031-0200 (881 NW 11 th St)	Bleakney Housing	3	No
26	New Haven (FLA 6-27) Site 6	Bleakney Housing	8	No
27	Rainbow Village (FLA 6-32)	Bleakney Housing	3	No
28	Vacant land site - Folio #01-4121-000-0010 (3180 SW 07 th Ave)	Gatehouse	7	No

Note: These 28 sites were approved by the Board on November 23, 2011, as per Resolution R-128-11.

Summary:

- 0% LIHTC sites awarded by Board = 20
- Six LIHTC sites awarded by Board which subsequently received 0% LIHTC from Florida Housing Finance Corporation (FHFC)
- 0% LIHTC sites awarded by Board which did not receive 0% LIHTC from FHFC = 22

4 - 1% LIHTC Awarded Projects

	Project Name/FLA Number or Folio Number	Developer	Commission District
1	Lincoln Gardens (FLA 6-18)	Carlisle	3
2	Victory Homes (FLA 6-67)	Carlisle	3
3	Harry Quinn (FLA 6-88)	RUDG	8
4	Ward Towers (FLA 6-14)	Renglesman	3

Note: These four sites were approved by the Board on February 7, 2012, as per Resolution R-162-12.

ATTACHMENT B

Memorandum



Date: April 8, 2014

Agenda Item No. 8(K)(2)

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos Gimenez
County Mayor

Subject: Resolution Authorizing the Execution of Master Development Agreements with RUDG, LLC (Related Urban) for Demolition, Construction, and/or Rehabilitation of certain Public Housing Sites

Resolution No. R-331-14

Recommendation:

It is recommended that the Board of County Commissioners (Board):

- 1) Authorize the County Mayor or County Mayor's designee to execute Master Development Agreements with RUDG, LLC (Related Urban) or its subsidiaries or designees for demolition, construction, and/or rehabilitation of public housing units at the Martin Fine Villas/Haley Sofge Towers, and Robert King High developments, subject to the United States Department of Housing and Urban Development's (Housing and Urban Development) approval;
- 2) Authorize the County Mayor or County Mayor's designee to execute all necessary mixed-finance agreements and documents including but not limited to amendments, agreements, ground leases and amendments, subject to Housing and Urban Development approval;
- 3) Authorize the County Mayor or County Mayor's designee to execute amendments to the Annual Contribution Contracts, which provides for the County's receipt of public housing subsidy, subject to the Housing and Urban Development's approval;
- 4) Authorize the County Mayor or the County Mayor's designee to submit a disposition application to Housing and Urban Development for Robert King High and a demolition application for the Martin Fine/Haley Sofge site; and
- 5) Waive the requirements of Resolution No. R-130-06, which requires that all contracts must be fully negotiated and executed by a non-County party, since neither the County nor Related Urban can execute any mixed finance agreements, including but limited to the Master Development Agreements, without Housing and Urban Development's prior approval.

CONTRACT NO:

Request for Proposals No. 794 - Martin Fine Villas, Haley Sofge Towers, and Robert King High

CONTRACT TITLE:

Request for Proposals No. 794 re-development for Martin Fine Villas/Haley Sofge Towers and Robert King High

DESCRIPTION:

Related Urban will execute necessary mixed-finance documents, including but not limited to the Master Development Agreement with the County and perform all

requirements indicated therein. Related Urban will plan and implement all aspects of the redevelopment of the site in close coordination with Public Housing and Community Development (Department). Related Urban will facilitate and foster continued collaboration with the residents as well as key community stakeholders during the entire development process. The scope is further described under "Scope" in this document.

TERM:	Seventy-five (75) years from the effective date of the Ground Lease.
CONTRACTS AMOUNT:	The total estimated development cost for Phase I is \$33,500,000.00 and for future phases it is \$82,000,000.00.
DEVELOPER:	RUDG, LLC (Related Urban)
USING/MANAGING AGENCY:	Public Housing and Community Development (Department)
LIVING WAGE:	The services provided are not covered under the Living Wage Ordinance.
LOCAL PREFERENCE:	Not applicable due to public housing federal subsidy funding restrictions.
ESTIMATED CONTRACT COMMENCEMENT DATE:	Upon the approval of all mixed-finance documents by Housing and Urban Development.
DELEGATED AUTHORITY:	Subject to the approval of this resolution and approval of the mixed-finance documents by Housing and Urban Development, the County Mayor or the County Mayor's designee will have the authority, at County Mayor's or County Mayor designee's discretion, to execute all necessary mixed-finance agreements, contracts, and other related documents, including but not limited to Master Development Agreement, Ground Leases, and amendments. The County Mayor or the County Mayor's designee will be further authorized to amend the Annual Contribution Contract with the United States Department of Housing and Urban Development, and exercise subsequent amendments and/or extensions in accordance with the terms and conditions of the contract.
SCOPE:	First Phase: Development action contemplated consists of the demolition of seven (7) existing unoccupied and dilapidated non-dwelling buildings unsuitable for occupancy,

and construction of two new public housing buildings; one consisting of a 135-ACC unit mid-rise building to be located on the Robert King High and Martin Fine Villas/Haley Sofge sites, and a second 50 unit public housing building with all units fully accessible for special needs, and located in the Martin Fine Villas/Haley Sofge site. Once the 50 unit building is completed, the residents of Martin Fine will be relocated from the existing Martin Fine Villas to the new structure, and Martin Fine Villas/Haley Sofge will be demolished.

Subsequent phases: Developer contemplates the comprehensive rehabilitation of the 475 public housing units at Martin Fine Villas/Haley Sofge and 315 public housing units at Robert King High; construction of a total of approximately 450 workforce housing units; construction of a new community center; construction of a grocery store; construction of a medical center; construction of office space for the benefit of the County; and construction of other amenities to create a vibrant mixed income, mixed finance community.

These projects are located in District 5 which is represented by Commissioner Bruno A. Barreiro.

COUNTY FUNDING SOURCE/
FISCAL IMPACT

Martin Fine villas: The development action for Martin Fine villas will have no fiscal impact on the County since no County funding is being provided.

Haley Sofge: The Developer has applied for \$15,028,407.00 in Surtax funding. Determination of approval of this funding will be made at a later date and will be presented to the Board for its approval.

Robert King High: The Developer has applied for \$19,512,594.00 in Surtax funding. Determination of approval of this funding will be made at a later date and will be presented to the Board for its approval.

TRACK RECORD/MONITORING:

Jorge Cibran, Director of Facilities and Development Division, Public Housing and Community Development.

Background:

Request for Proposals No. 794 was issued on July 14, 2011 to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites and vacant land sites administered by the Department. The solicitation sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, develop vacant land owned by the County, and also incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and incorporate creative and sustainable design solutions.

On November 23, 2011, the Board, pursuant to Resolution No. R-1026-11 awarded site control through ground leases to six (6) developers for twenty-eight (28) project sites. Subsequently, one (1) additional developer and four (4) additional project sites were awarded by the Board on February 7, 2012 pursuant to Resolution No. R-152-12. Also on February 7, 2012, the Board adopted Resolution No. R-137-12, which approved Amendment No. 1 to each of the ground leases. The resolution further authorized the execution of any additional amendments to the ground leases that may be required to meet the standards of the Florida Housing Finance Corporation. Following the Board's adoption of Resolution No. R-137-12, the County and the developers executed Amendment No. 2 to each of the ground leases to clarify that the title commitment will reflect the existence of the Declarations of Trust held by the County on behalf of the United States Department of Housing and Urban Development. Additionally, the Board adopted Resolution No. R-512-12 on June 19, 2012 to authorize the submission of demolition and/or disposition applications to Housing and Urban Development for up to nine (9) projects.

In addition to these documents, the County and Related Urban will work on additional mixed-finance documents that will be required by Housing and Urban Development.

In order to proceed with the development of these sites, the County, as a public housing authority, must seek prior approval from Housing and Urban Development. This requires a disposition application to Housing and Urban Development for each respective development site. However, the County cannot submit its applications to Housing and Urban Development without first obtaining approval from the Board. Therefore, it is recommended that the Board approve the attached resolution authorizing the County Mayor or County Mayor's designee to submit a disposition application to Housing and Urban Development for the Robert King High site and a demolition application for the Martin Fine/Haley Sofge site for demolition of the existing dilapidated buildings and the existing Martin Fine Villas, which will be demolished once the new 50-unit building is completed. Both of these buildings are located at the Martin Fine/Haley Sofge site. The Board previously authorized submittal of disposition applications for Martin Fine Villas and Haley Sofge pursuant to Resolution No. R-399-13.

Attachments



Russell Benford, Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: April 8, 2014

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(K)(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
- ☐ 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 _____, 3/5's _____, unanimous _____) 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)(2)
4-8-14

RESOLUTION NO. R-331-14

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE MASTER DEVELOPMENT AGREEMENTS WITH RUDG, LLC (RELATED URBAN) OR ITS SUBSIDIARIES OR DESIGNEES FOR DEMOLITION, CONSTRUCTION, AND/OR REHABILITATION OF PUBLIC HOUSING UNITS AT THE MARTIN FINE VILLAS, HALEY SOFGE TOWERS, AND ROBERT KING HIGH DEVELOPMENTS, SUBJECT TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL NECESSARY MIXED-FINANCE AGREEMENTS AND RELATED DOCUMENTS INCLUDING BUT NOT LIMITED TO, AGREEMENTS, GROUND LEASES, AND RELATED DOCUMENTS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENTS TO THE ANNUAL CONTRIBUTION CONTRACT, SUBJECT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT A DISPOSITION APPLICATION TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR ROBERT KING HIGH SITE AND DEMOLITION APPLICATIONS FOR MARTIN FINE VILLAS AND HALEY SOFGE TOWERS; AND WAVING REQUIREMENTS OF RESOLUTION NO. R-130-06

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 this Board:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board authorizes the County Mayor or County Mayor's designee to execute the Master Development Agreements, in substantially the form attached hereto and incorporated by reference, with RUDG, LLC (Related Urban) or its subsidiaries or its designee for the demolition, construction and/or rehabilitation of new or existing public housing developments at the Martin Fine Villas, Haley Sofge Towers, and Robert King High developments, subject to approval from the United States Department of Housing and Urban Development. The Board further authorizes the County Mayor or the County Mayor's designee to exercise any amendments, cancellation, termination, and renewal provisions, and to exercise all other rights contained therein.

Section 3. The Board further authorizes the County Mayor or the County Mayor's designee to take all necessary action to accomplish and execute any and all necessary mixed-finance contracts, agreements, ground leases, and other related documents, subject to the approval of the United States Department of Housing and Urban Development. Further, the County Mayor or the County Mayor's designee is authorized to combine such ground leases as may be necessary to effectuate the purposes of this Resolution.

Section 4. The Board also authorizes the County Mayor or the County Mayor's designee to amend the Annual Contribution Contracts, subject to the approval of the United States Department of Housing and Urban Development.

Section 5. The Board also authorizes the County Mayor or the County Mayor's designee to submit a disposition application for Robert King High and demolition applications for Martin Fine and Haley Sofge to the U.S. Department of Housing and Urban Development.

Section 6. The Board hereby waives the requirements of Resolution No. R-130-06.

Section 7. The Board directs the County Mayor or the County Mayor's designee, pursuant to Resolution No. R-974-09, shall record in the public record all deeds, covenants, reverters and mortgages creating or reserving a real property interest in favor of the County and shall provide a copy of such recorded instruments to the Clerk of the Board within thirty (30) days of execution and final acceptance. The Board directs the Clerk of the Board, pursuant to Resolution No. R-974-09, to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with this resolution.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	aye
	Lynda Bell, Vice Chair	aye
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	absent	Audrey M. Edmonson
Sally A. Heyman	aye	Barbara J. Jordan
Jean Monestime	aye	Dennis C. Moss
Sen. Javier D. Souto	aye	Xavier L. Suarez
Juan C. Zapata	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

Terrence A. Smith