

MEMORANDUM

Agenda Item No. 11(A)(25)

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

DATE: January 19, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution related to funds in the Affordable Housing Trust Fund of Miami-Dade County, Florida ("Trust Fund") previously allocated in the County's Fiscal Year 2021-2022 budget for use by the Public Housing and Community Development Department for its multi-year capital program for the redevelopment of public, affordable and workforce housing; authorizing the County Mayor to execute agreements and any other required documents to effectuate the disbursement of the funds, and to exercise all provisions contained therein, including cancellation, termination and technical amendment provisions, and to take all actions that may be necessary to effectuate the purpose of this resolution

Resolution No. R-79-22

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



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

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

DATE: January 19, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(25)

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)(25)
1-19-22

RESOLUTION NO. R-79-22

RESOLUTION RELATED TO FUNDS IN THE AFFORDABLE HOUSING TRUST FUND OF MIAMI-DADE COUNTY, FLORIDA (“TRUST FUND”) PREVIOUSLY ALLOCATED IN THE COUNTY’S FISCAL YEAR 2021-2022 BUDGET FOR USE BY THE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR ITS MULTI-YEAR CAPITAL PROGRAM FOR THE REDEVELOPMENT OF PUBLIC, AFFORDABLE AND WORKFORCE HOUSING; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO EXECUTE AGREEMENTS AND ANY OTHER REQUIRED DOCUMENTS TO EFFECTUATE THE DISBURSEMENT OF THE FUNDS, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING CANCELLATION, TERMINATION AND TECHNICAL AMENDMENT PROVISIONS, AND TO TAKE ALL ACTIONS THAT MAY BE NECESSARY TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

WHEREAS, this Board has enacted Ordinance No. 07-15, which is codified at Article VIII, sections 17-129 *et seq.* of the Code of Miami-Dade County, Florida (the “Code”), establishing the Affordable Housing Trust Fund of Miami-Dade County, Florida (the “trust fund”); and

WHEREAS, this Board, as part of the fiscal year 2021-2022 County budget, approved the use of \$26,000,000.00 from the trust fund by the Public Housing and Community Development Department (“PHCD”) as part of PHCD’s multi-year capital program #2000002154 for the redevelopment of public, affordable and workforce housing in various sites, including those public housing sites that will be converted under the federal Rental Assistance Demonstration Program established by the United States Department of Housing and Urban Development (“capital program”); and

WHEREAS, this Board desires to provide PHCD with the maximum flexibility to disburse the entire \$26,000,000.00 for the capital program; and

WHEREAS, additionally, this Board desires to expedite the funding of the capital program; and

WHEREAS, as such, this Board wishes to authorize the County Mayor or the County Mayor's designee to negotiate and execute agreements, the County's standard rental regulatory agreements, and any other required documents for the disbursement of the \$26,000,000.00 from the trust fund allocated to the capital program, and after consultation with and approval from the Commissioners of the districts in which the public, affordable or workforce housing project are located,

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

Section 1. This Board approves the foregoing recitals, which are incorporated herein by reference.

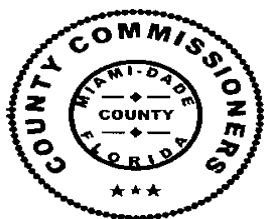
Section 2. This Board authorizes the County Mayor or the County Mayor's designee to negotiate and execute agreements, the County's standard rental regulatory agreements, and any other required documents, subject to approval for form and legal sufficiency by the County Attorney's Office, for the disbursement of the \$26,000,000.00 from the trust fund previously allocated to the Public Housing and Community Development Department's capital program, after consultation with and approval from the Commissioners of the districts in which the public, affordable or workforce housing project are located. This Board further authorizes the County

Mayor or the County Mayor's designee to exercise all provisions included therein, including cancellation, termination and technical amendment provisions, and to take all actions that may be necessary to effectuate the purpose of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** 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	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	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 19th day of January, 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

LCK

Leigh C. Kobrinski
Terrence A. Smith