

MEMORANDUM

Agenda Item No. 8(K)(2)

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

DATE: October 3, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving the execution of a third commitment extension with the Village of Casa Familia, Ltd. for the Village of Casa Familia Development in order to extend the expiration date to September 30, 2024, with an option, at the discretion of the County Mayor, to grant one additional one-year extension of such contract until September 30, 2025; authorizing the County Mayor, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, amendments and loan documents so long as such modifications are not substantially inconsistent with this resolution, and to exercise termination, waiver, acceleration and other provisions in said agreements and documents

Resolution No. R-852-23

This item was amended from the original version as stated in the County Mayor's memorandum.

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Vice Chairman Anthony Rodríguez.


Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: October 3, 2023

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

From: Daniella Levine Cava 
Mayor

Subject: Resolution Authorizing Third Commitment Extension for The Village of Casa Familia, Ltd.

This item was amended at the September 11, 2023 Housing, Recreation, Culture and Community Development Committee meeting to remove Attachment A and all references to Attachment A in the item.

Executive Summary

The purpose of this item is to seek approval of the Board of County Commissioners (Board) of the third commitment extension for The Village of Casa Familia project in order to complete credit underwriting and provide a ground lease extension.

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the County Mayor or the County Mayor's designee to:

- Execute a third commitment extension with The Village of Casa Familia, Ltd. for the Village of Casa Familia development in order to extend the expiration date to September 30, 2024, with an option, at the discretion of the County Mayor or County Mayor's designee, to grant one additional one-year extension of such contract until September 30, 2025; and
- Authorize the County Mayor or County Mayor's designee, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, amendments and loan documents so long as such modifications are approved by the County's Attorney's Office as to form and legal sufficiency and are not substantially inconsistent with this resolution, and to exercise termination, waiver, acceleration and other provisions in said agreements and documents.

Scope

This item seeks to authorize a third commitment extension for The Village of Casa Familia, Ltd. - Village of Casa Familia project comprised of proposed garden-style development of 50 affordable apartment units with a 10,000 square foot community center, extensive amenities, and supportive services tailored to the unique needs of adults with disabilities located at 11025 SW 84th Street, Miami, FL 33176, in Commission District 10, represented by Commissioner Anthony Rodriguez. This agenda item has a countywide impact.

Delegation of Authority

This item requests a delegation of authority to authorize the County Mayor or County Mayor's designee to: (1) execute a third commitment extension with The Village of Casa Familia, Ltd. for the Village of Casa Familia development in order to extend the expiration date to September 30, 2024, with an option, at the discretion of the County Mayor or County Mayor's designee, to grant one additional one-year extension of such contract until September 30, 2025; and (2) upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, amendments and loan documents so long as such modifications are approved by the County's Attorney's Office as to form and legal sufficiency and are not substantially inconsistent with this resolution, and to exercise termination, waiver, acceleration and other provisions in said agreements and documents.

Fiscal Impact/Funding Source

The extension of time for the contract with the above-referenced developer will not have a negative impact on the County's General Fund.

Track Record/Monitor

Alex R. Ballina, Director, Public Housing and Community Development Department (Department) will monitor all Surtax activities. The Department will monitor all projects to ensure compliance with Federal, State, and County guidelines and policies.

Background

On January 22, 2020, the Board of County Commissioners approved, Resolution No. 73-20, which included a Conditional Loan Commitment for the Village of Casa Familia, Ltd. development activity in an amount not to exceed \$2,000,000 of FY 2019 Documentary Stamp Surtax funds. The conditional loan commitment would expire in six (6) months should the Conditional Loan Commitment terms and conditions not be met.

After the expiration of the initial Conditional Loan Commitment on August 26, 2020, The Village of Casa Familia, Ltd. requested two (2) additional extensions. On July 10, 2023, The Village of Casa Familia, Ltd. requested a third conditional loan commitment extension due to several project delays. As per Resolution No. 232-14, the Board must approve all third contract commitment of Surtax funds.

Casa Familia has secured the required financing and lease amendment necessary for moving forward.



Morris Copeland
Chief Community Services Officer



MEMORANDUM

(Revised)

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

DATE: October 3, 2023

FROM: 
Gen Bonzon-Keenan
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
- ☐ 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)(2)
10-3-23

RESOLUTION NO. R-852-23

RESOLUTION APPROVING THE EXECUTION OF A THIRD COMMITMENT EXTENSION WITH THE VILLAGE OF CASA FAMILIA, LTD. FOR THE VILLAGE OF CASA FAMILIA DEVELOPMENT IN ORDER TO EXTEND THE EXPIRATION DATE TO SEPTEMBER 30, 2024, WITH AN OPTION, AT THE DISCRETION OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO GRANT ONE ADDITIONAL ONE-YEAR EXTENSION OF SUCH CONTRACT UNTIL SEPTEMBER 30, 2025; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, UPON A DETERMINATION THAT SUCH ACTIONS ARE IN THE BEST INTEREST OF THE COUNTY, TO SUBORDINATE AND/OR MODIFY THE TERMS OF CONTRACTS, AMENDMENTS AND LOAN DOCUMENTS SO LONG AS SUCH MODIFICATIONS ARE NOT SUBSTANTIALLY INCONSISTENT WITH THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS IN SAID AGREEMENTS AND DOCUMENTS

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:

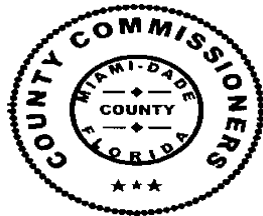
Section 1. Approves the execution of a third commitment extension with The Village of Casa Familia, Ltd., and authorizes the County Mayor or County Mayor's designee to execute a third commitment extension with The Village of Casa Familia, Ltd. for the Village of Casa Familia development in order to extend the expiration date to September 30, 2024, with an option, at the discretion of the County Mayor or County Mayor's designee, to grant one additional one-year extension of such contract until September 30, 2025.

Section 2. Authorizes the County Mayor or County Mayor’s designee, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, amendments and loan documents so long as such modifications are approved by the County Attorney’s Office as to form and legal sufficiency and are not substantially inconsistent with this resolution, and to exercise termination, waiver, acceleration and other provisions in said agreements and documents.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of October, 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: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "S. Williams", written over a horizontal line.

Shannon D. Summerset-Williams