

MEMORANDUM

Agenda Item No. 8(K)(2)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: November 4, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution retroactively approving, after a public hearing, the County Mayor's actions in: (1) applying for additional funds for Fiscal Year 2021 Home American Rescue Plan (ARP) funding from the United States Department of Housing and Urban Development (HUD) in the amount of \$26,578.00; (2) completing forms and required materials to receive such funds; (3) executing the grant agreement between Miami-Dade County and HUD; and (4) receiving such grant funds; and authorizing the County Mayor to: (1) expend such grant funds, (2) execute any other necessary documents required by HUD to expend such funds or additional funds; and (3) exercise the provisions contained in any such agreements, including termination and amendment provisions contained therein

Resolution No. R-1064-25

The accompanying resolution was prepared by the Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Vice Chairman Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/ks

MDC001

Memorandum



Date: November 4, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Retroactively Authorizing County Mayor or County Mayor Designee's Actions in Applying for Fiscal Year 2021 HOME American Rescue Plan (ARP) additional funds appropriated under section 3205 of the American Rescue Plan Act of 2021 and Execution of the related Grant Agreement with the United States Department of Housing and Urban Development (HUD), and Authorizing Expenditure of Funds.

Executive Summary

The purpose of this item is to seek the Board of County Commissioners' (Board) approval of the following: (1) retroactive approval of the County Mayor or County Mayor's designee's actions in applying for additional Fiscal Year 2021 HOME American Rescue Plan (ARP) grant funding from the United States Department of Housing and Urban Development (HUD) in the amount of \$26,578.00, and completing standard forms and required materials to receive such funds; (2) retroactive approval of the County Mayor or County Mayor's designee actions in executing the related grant agreement between Miami-Dade County and HUD, and receiving such grant funds; and (3) authorization for the County Mayor or Mayor's designee's to expend such grant funds, and execute all necessary agreements as may be required for such receipt and expenditure.

Recommendation

It is recommended that the Board:

1. Retroactively approve the County Mayor or the County Mayor's designee's actions in applying for additional Fiscal Year 2021 HOME American Rescue Plan (ARP) grant funding in the amount of \$26,578.00 ("additional grant funds") from the United States Department of Housing and Urban Development (HUD), and completing forms and required materials to receive such funds, as described in the letter dated April 30, 2025, from HUD to Miami-Dade County, a copy of which is attached to the resolution as Exhibit A; and
2. Retroactively approve the County Mayor or County Mayor's designee's execution of the grant agreement between the County and HUD ("grant agreement"), attached to the resolution as Exhibit B and incorporated therein by reference; and authorize the County Mayor or County Mayor's designee to exercise the provisions contained in such grant agreement, including termination and amendment provisions, so long as such amendments are consistent with the purpose of this resolution; and further authorize the County Mayor or County Mayor's designee to execute other necessary documents as may be required by HUD for the grant; and
3. Retroactively approve the County Mayor or County Mayor's designee's actions in receiving the additional grant funds; and
4. Authorize the County Mayor or the County Mayor's designee to expend such funds, execute all necessary agreements and amendments as may be required for the receipt and expenditure of the grant

funds, and exercise all provisions contained therein, subject to the County Attorney's Office's approval for form and legal sufficiency.

Scope

The proposed action will have countywide impact because the additional FY 2021 HOME ARP grant funds will be used for development of affordable housing units countywide.

Delegation of Authority

This item requests a delegation of authority to authorize the County Mayor or the County Mayor's designee to apply for and complete standard forms and required materials to receive grant funds, execute the grant agreement with HUD, receive and expend grant funds, and execute all necessary agreements for the receipt and expenditure of such funds, and exercise all provisions contained therein, subject to the County Attorney's Office's approval for form and legal sufficiency.

Fiscal Impact/Funding Source

This item requests approval to accept additional HOME ARP funding in the amount of \$26,578.00. The additional funding requires no matching funds and will have no negative fiscal impact on the County's General Revenue fund.

Track Record/Monitoring

FY 2021 HOME American Rescue Plan (ARP) fund activities will be monitored by Nathan Kogon, AICP, Director, HCD. Through the review of quarterly progress reports and monitoring site visits, HCD will use the additional grant funds to ensure compliance with federal guidelines and County policies.

Background

On July 20, 2021, Board of County Commissioners (BCC) approved \$17,686,235.00 in FY 2021 HOME ARP grant funding from HUD for various countywide affordable housing activities via resolution R-685-21.

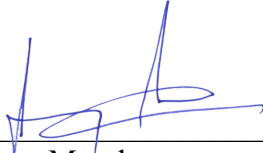
In May 2025, HUD notified Miami-Dade County in a letter dated April 30, 2025, a copy of which is attached to the resolution as Exhibit A, of an administrative error in the allocations of the HOME-ARP funds that resulted in the County inadvertently being allocated \$26,578.00 less in HOME-ARP funds than it was legally entitled to receive. The revised total amount of FY 2021 HOME ARP grant funding for Miami-Dade County is \$17,712,813.00. A copy of the revised HOME ARP grant agreement is attached to the resolution as Exhibit B.

On July 1, 2025, this Board adopted Resolution No. R-666-25, which approved the Fiscal Year (FY) 2025-2029 Consolidation Plan, which includes the Citizen Participation Plan ("CPP"). The CPP allows non-substantial amendments to be approved administratively by the Department of Housing and Community Development. Therefore, in accordance with the authority provided by the Board via Resolution No. R-666-25, the additional \$26,578.00 HOME-ARP fund shall be allocated administratively to POAH CM Redevelopment, LLC, or a related entity, for the Cutler Manor affordable housing development, which was previously allocated a total of \$4,483,000.00 in HOME-ARP funds in 2022 and 2023 via resolutions R-582-22 and R-285-23, respectively. Upon approval of this resolution, the total allocation of HOME ARP funds to Cutler Manor will be \$4,509,578.00. Cutler Manor is located at 10875 SW 216th Ave., Miami, FL 33170, in Commission District 9, represented by Vice Chairman Kionne L. McGhee.

Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

As the grantee, Miami-Dade County will have sole access to the grant funds. Miami-Dade County will ensure the proper use of the grant funds and will be responsible for disbursing the funds for eligible costs, as approved by HUD, during the grant term, which ends on September 30, 2030.

HCD requests that the Board adopt a resolution authorizing the recommendations described above.



Jimmy Morales
Chief Operating Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: November 4, 2025

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 ____, majority plus one ____, 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) ____, 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)
11-4-25

RESOLUTION NO. R-1064-25

RESOLUTION RETROACTIVELY APPROVING, AFTER A PUBLIC HEARING, THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S ACTIONS IN: (1) APPLYING FOR ADDITIONAL FUNDS FOR FISCAL YEAR 2021 HOME AMERICAN RESCUE PLAN (ARP) FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN THE AMOUNT OF \$26,578.00; (2) COMPLETING FORMS AND REQUIRED MATERIALS TO RECEIVE SUCH FUNDS; (3) EXECUTING THE GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND HUD; AND (4) RECEIVING SUCH GRANT FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO: (1) EXPEND SUCH GRANT FUNDS, (2) EXECUTE ANY OTHER NECESSARY DOCUMENTS REQUIRED BY HUD TO EXPEND SUCH FUNDS OR ADDITIONAL FUNDS; AND (3) EXERCISE THE PROVISIONS CONTAINED IN ANY SUCH AGREEMENTS, INCLUDING TERMINATION AND AMENDMENT PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying County Mayor's 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 ratifies and adopts the matters set forth in the accompanying justification memorandum as if fully set forth herein.

Section 2. This Board retroactively approves the County Mayor or County Mayor's designee's actions in applying for additional funds for Fiscal Year (FY) 2021 HOME American Rescue Act (ARP) funding from the United States Department of Housing and Urban Development (HUD) in the amount of \$26,578.00 and completing forms and required materials to receive such funds, as described in the award letter dated April 30, 2025, from HUD to the County, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

Section 3. This Board retroactively approves the County Mayor or County Mayor's designee's execution of the grant agreement between the County and HUD, attached hereto as Exhibit B and incorporated herein by reference.

Section 4. This Board retroactively approves the County Mayor or County Mayor's designee's actions in receiving such grant funds.

Section 5. This Board further authorizes the County Mayor or County Mayor's designee to exercise the provisions contained in such grant agreement, including termination and amendment provisions, so long as such amendments are consistent with the purpose of this resolution. This Board further authorizes the County Mayor or County Mayor's designee to execute other necessary documents as may be required by HUD to receive additional funds.

Section 6. This Board further authorizes the County Mayor or County Mayor's designee to expend the grant funds, execute all necessary agreements and amendments as may be required for the receipt and expenditure of the grant funds, and exercise all provisions contained therein, subject to the County Attorney's Office's approval for form and legal sufficiency.

The foregoing resolution was offered by Commissioner **Roberto J. Gonzalez** , who moved its adoption. The motion was seconded by Commissioner **Natalie Milian Orbis** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of November, 2025. 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.

mmg

Melissa M. Gallo



OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

April 30, 2025

The Honorable Daniella Cava
Mayor of Miami-Dade County
Miami-Dade County
111 NW 1st Street
Suite 2910
Miami, FL 33128

Dear Mayor Cava:

In 2021, the Department of Housing and Urban Development's (HUD or the Department) Office of Community Planning and Development (CPD) allocated \$5 billion appropriated by the American Rescue Plan Act (ARP) of 2021 to HOME Investment Partnerships Program participating jurisdictions. These funds, known as "HOME-ARP," are intended to give you the financial tools to assist your most vulnerable citizens by providing housing, shelter, tenant-based rental assistance, and supportive services for persons experiencing or at risk of homelessness, fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, and other populations at greatest risk of housing instability.

While conducting recent quality control efforts, the Department discovered an administrative error in the allocations of the HOME-ARP funds. This error resulted in your jurisdiction inadvertently being allocated less HOME-ARP funds than it was legally entitled to receive. Specifically, the Department determined that your jurisdiction received \$26,578.00 less in its HOME-ARP allocation than it should have. This letter notifies you of the corrected amount of your HOME-ARP award.

Original HOME-ARP Award	Additional Allocation Amount	Revised HOME-ARP Award
\$17,686,235.00	\$26,578.00	\$17,712,813.00

Attached is an amended HOME-ARP grant agreement for your agency's signature, indicating the additional amount you are entitled to and your final corrected amount. Please sign this agreement and return it to your CPD Representative. Please note: Build America, Buy America provisions continue to be waived for HOME-ARP.

Additionally, you must amend your HOME-ARP allocation plan to include the correct amount of HOME-ARP funds in accordance with HUD Notice CPD-21-10 and your citizen participation plan. Depending upon the criteria for substantial amendments established in your citizen participation plan, you may be required to develop a substantial amendment to the HOME-ARP allocation plan.

The requirements for substantial amendments can be found in section V.C.6 of HUD Notice CPD-21-10. The Department can assist you in determining what may be required to be included in a substantial amendment.

The Department regrets this error and apologizes for any inconvenience it may cause. We are working hard to make this process as seamless as possible for all affected recipients. If you or your staff wish to discuss this correction or have any questions about HOME-ARP, please contact your local HUD Field Office or HUD's Office of Affordable Housing Programs at HOMEARP@hud.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'M Fernandez', with a stylized, cursive script.

Claudette Fernandez
General Deputy Assistant Secretary
for Community Planning and Development

HOME ARP Grant AgreementTitle II of the Cranston-Gonzalez National Affordable Housing Act
Assistance Listings #14.239 – HOME Investment Partnerships Program**EXHIBIT B**

1. Grantee Name (must match name associated with 3b.) and Address Miami-Dade County 111 NW 1st Street Suite 2910 Miami, FL 33128		2. Grant Number (Federal Award Identification Number (FAIN)) M21UP120202	
		3a. Tax Identification Number 596000573	3b. Unique Entity Identifier (formerly DUNS) T6FLYF8JPWK3
		4. Appropriation Number 861/50205	5. Budget Period Start and End Date FY 2021 – 09/30/2030
6. Previous Obligation (Enter "0" for initial FY allocation)			\$17,686,235.00
a. Formula Funds			\$17,686,235.00
7. Current Transaction (+ or -)			\$26,578.00
a. Administrative and Planning Funds Available on Federal Award Date			\$
b. Balance of Administrative and Planning Funds			\$
c. Balance of Formula Funds			\$26,578.00
8. Revised Obligation			\$17,712,813.00
a. Formula Funds			\$17,712,813.00
9. Special Conditions (check applicable box) ☒ Not applicable ☐ Attached		10. Federal Award Date (HUD Official's Signature Date) (mm/dd/yyyy) 9 / 20 / 2021	
11. Indirect Cost Rate*		12. Period of Performance Date in Box #10 - 09/30/2030	
<u>Administering Agency/Dept.</u>	<u>Indirect Cost Rate</u>	<u>Direct Cost Base</u>	
—	—%		
—	—%		
—	—%		
—	—%		

* If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients.

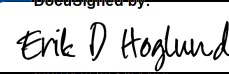
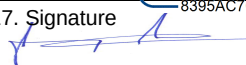
The HOME-ARP Grant Agreement (the "Agreement") between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.) and Section 3205 of the American Rescue Plan (P.L. 117-2) (ARP). HUD regulations at 24 CFR part 92 (as may be amended from time to time), the CPD Notice entitled "Requirements for the Use of Funds in the HOME-American Rescue Plan Program" (HOME-ARP Implementation Notice) (as is now in effect and as may be amended from time to time), the Grantee's HOME-ARP allocation plan (as of the date of HUD's approval, and as amended from time to time), and this HOME-ARP Grant Agreement, form HUD-40093a, including any special conditions (in accordance with 2 CFR 200.208), constitute part of this Agreement. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502 and the HOME-ARP Implementation Notice (both as are now in effect and as may be amended from time to time). To the extent authorized by HUD regulations at 24 CFR part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds invested in HOME-ARP activities under the HOME-ARP Implementation Notice are repayable in accordance with the requirements of the HOME-ARP Implementation Notice as it may be amended from time to time. The Grantee agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58, as well as the HOME-ARP Implementation Notice.

The Grantee must comply with the applicable requirements at 2 CFR part 200, as amended, that are incorporated by the program regulations and the HOME-ARP Implementation Notice, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the program regulations or HOME-ARP Implementation Notice, activities carried out under the grant after the effective date of the 2 CFR part 200 amendments will be governed by the 2 CFR part 200 requirements, as replaced or renumbered by the part 200 amendments.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix I to 2 CFR part 200, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

The Period of Performance for the funding assistance shall begin on the date specified in item 12 and shall end on September 30th of the 6th fiscal year after the expiration of the period of availability for obligation. Funds remaining in the grantee's Treasury account after the end of the budget period will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552, the Grantee shall not incur any obligations to be paid with such assistance after the end of the Budget Period.

The Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 U.S.C. 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001) [2023-05698.pdf \(govinfo.gov\)](https://www.federalregister.gov/documents/2023/05/06/2023-05698.pdf), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

13. For the U.S. Department of HUD (Name and Title of Authorized Official) Erik D Hoglund Acting Regional Director, R4	14. Signature 	15. Date 5/22/2025
16. For the Grantee (Name and Title of Authorized Official) Jimmy Morales, Chief Operating Officer	17. Signature 	18. Date 6/8/2025

19. Check one:

☐ Initial Agreement ☒ Amendment # 1

20. Funding Information: HOME ARP

<u>Source of Funds</u>	<u>Appropriation Code</u>	<u>PAS Code</u>	<u>Amount</u>
2021	861/50205	HMX	\$26,578.00