

MEMORANDUM

Agenda Item No. 8(K)(1)

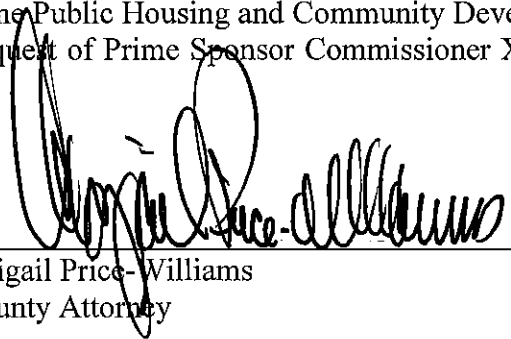
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: April 10, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving proposed Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership funding recommendation in an amount up to \$3,850,000.00 to the related Urban Development Group, LLC's Smathers Preservation Phase One, LLC for the development of a multi-family public housing rehabilitation rental development known as Smathers Preservation Phase One; and authorizing the County Mayor to award such funds, to execute amendments, shell contracts, loan documents and other transactional documents necessary to accomplish the purposes set forth in this resolution, and to exercise termination, waiver, acceleration and other provisions set forth therein

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams
County Attorney

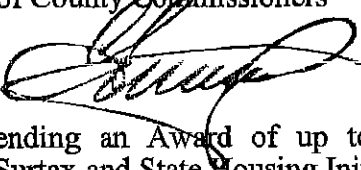
APW/smm

Memorandum



Date: April 10, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Recommending an Award of up to \$3,850,000 of Fiscal Year 2016 Documentary Stamp Surtax and State Housing Initiatives Partnership Program Funding for the Related Urban Development Group, LLC's Smathers Preservation Phase One, LLC, a Multi-Family Countywide Public Housing Rental Development Known As Smathers Preservation Phase One

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the proposed funding recommendation for up to \$3,850,000 for the Fiscal Year (FY) 2016 Request for Applications (RFA) for the Documentary Stamp Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) Program in the Multi-Family Countywide Rental Development category to the Related Urban Development Group, LLC's Smathers Preservation Phase One, LLC for the development of a Mixed-Income Public Housing Development/Rehabilitation of 182 units located at 935 SW 30th Avenue (Building A) and 2970 SW 9th Street, (Building B), Miami FL 33135 known as the Smathers Preservation Phase One. Additionally, it is recommended that the Board authorize the County Mayor or County Mayor's designee to execute all letters of commitment, contracts, agreements, and amendments pursuant to the proposed Surtax/SHIP funding recommendations.

Scope

This item is located in District 7, represented by Commissioner Xavier L. Suarez. However, mixed-income elderly residents countywide may apply to become residents of the development once completed.

Fiscal Impact/Funding Source

The award of Surtax and SHIP funds will not have a negative fiscal impact on the County's General Fund.

Track Record/Monitor

Michael Liu, Director of the Public Housing and Community Development Department (PHCD), will monitor all Surtax/SHIP activities. PHCD will continue to monitor the projects to ensure compliance with State and County guidelines and policies.

Background

The FY 2016 RFA was made available on August 30, 2016 and applications were due by September 29, 2016. The public was advised of the application process through the posting of the notice on PHCD's website and through email distribution to all currently funded agencies. Prior to the issuance of the RFA, PHCD solicited comments from the public through three roundtable meetings for developers held on July 20, 2016, July 22, 2016, and July 29, 2016. All proposals were reviewed and scored by an evaluation/selection committee appointed by the County Mayor or the County Mayor's designee.

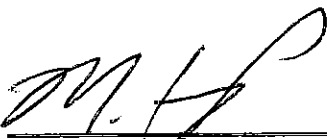
The FY 2016 Surtax and SHIP RFA was issued with \$32,477,339 in available Surtax funding and \$4,400,000 in SHIP funding, for a total funding level of \$36,877,339. Applications for FY 2016 Surtax/SHIP funding were solicited through PHCD's RFA process for the following categories: Rental Activities, Homeownership Activities, Small Housing Developments, Homebuyer Counseling, and Public Housing Developments. Under the FY 2016 RFA, Surtax and SHIP funds are prioritized or targeted for those projects requiring "gap" financing for developments.

Smathers Preservation Phase One will consist of the rehabilitation of a public housing high-rise apartment containing 182 rental apartment units—all of which will be subject to Surtax and/or SHIP restrictions. The development will be located at 935 SW 30th Avenue (Building A) and 2970 SW 9th Street (Building B), Miami, FL 33135. Building A consists of 100 units and Building B consists of 82 units. Currently, 100 of the total 182 units in Building A are occupied by elderly/disabled Miami-Dade County public housing residents that are extremely low-income. Smathers Preservation Phase One will provide six percent or greater additional set-aside units for disabled households beyond what is required by federal, state, or local fair housing laws. Building B (82 units) is currently unoccupied and will be rehabilitated first so that Building A residents will be able to move into the rehabilitated Building B while Building A's rehabilitation starts.

This multi-family rental rehabilitation development will include, upon completion, 147 studio units and 35 one-bedroom/one-bathroom units. There will be 100 units set aside for Miami-Dade Public Housing residents, of which 100 units will be reserved for persons living below 33 percent Area Median Income (AMI), 10 units for 50 percent AMI, 62 units for 60 percent AMI residents, and 10 units for persons living at or below 120 percent AMI. Additionally, the applicant commits to creating a sustainable and energy-efficient development that will achieve a Green Building Certification outlined in Miami-Dade County's Green Code Ordinance No. 07-65.

In the Rental Activities category, six applications were submitted, with two applications not meeting established minimum thresholds and thus not forwarded to the evaluation selection committee for scoring and ranking. Smathers Preservation Phase One, LLC received the highest, perfect score of 104. This item is contingent on First Housing, one of PHCD's contracted underwriting companies completing the underwriting, and forwarding a favorable recommendation by the time this item is heard before the Board.

A due diligence review, as required by Resolution No. R-630-13, was conducted. The resolution requires a report of findings to accompany all recommendations for the commitment of County funds. PHCD's diligence review did not find negative information concerning the recommended entity.



Maurice L. Kemp
Deputy Mayor

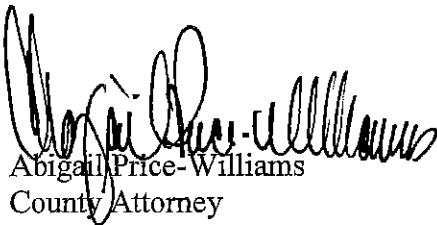


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: April 10, 2018

FROM: 
Abigail Price-Williams
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
- 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 ____, 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

Agenda Item No. 8(K)(1)

Veto _____

4-10-18

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING PROPOSED FISCAL YEAR 2016 DOCUMENTARY STAMP SURTAX AND STATE HOUSING INITIATIVES PARTNERSHIP FUNDING RECOMMENDATION IN AN AMOUNT UP TO \$3,850,000.00 TO THE RELATED URBAN DEVELOPMENT GROUP, LLC'S SMATHERS PRESERVATION PHASE ONE, LLC FOR THE DEVELOPMENT OF A MULTI-FAMILY PUBLIC HOUSING REHABILITATION RENTAL DEVELOPMENT KNOWN AS SMATHERS PRESERVATION PHASE ONE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SUCH FUNDS, TO EXECUTE AMENDMENTS, SHELL CONTRACTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum,

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 and recitals as if fully set forth herein.

Section 2. This Board approves the proposed funding recommendation in the amount of \$3,850,000.00 in Fiscal Year 2016 Documentary Stamp Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) funds associated with Fiscal Year 2016 Request for Applications, as more fully described in the County Mayor's memorandum to the Related Urban Development Group, LLC's Smathers Preservation Phase One, LLC, for Smathers Preservation Phase One, a

multi-family public housing rehabilitation development for primarily elderly/disabled persons living within the range of at or below 33 percent to 120 percent Area Median Income (AMI). Of the 182 units, 147 will be studio units and 35 will be one bedroom/one bathroom with 100 units set aside for Miami-Dade County public housing residents living at or below 33 percent of the AMI. Ten units will be rent-restricted to at or below 50 percent AMI, 62 units at or below 60 percent AMI, and 10 units at or below 120 percent AMI. This project is located at 935 SW 30th Avenue (Building A) and 2970 SW 9th Street (Building B), Miami, FL 33135, located in District 7, represented by Commissioner Xavier L. Suarez.

Section 3. This Board further authorizes the County Mayor or County Mayor's designee to execute all standard shell contracts, amendments, standard shell loan documents and other agreements necessary to accomplish the purposes of this resolution and to exercise the cancellation and other provisions contained therein. All funding awards set forth herein are contingent upon availability of funding from the funding source or program and the recipient agency complying with the conditions set forth in this resolution and the justification memorandum. This Board further 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, agreements, amendments and loan documents so long as such modifications are approved by the County Attorney's Office and are not substantially inconsistent with this resolution and to exercise the termination, waiver, acceleration, or other provisions set forth therein.

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

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

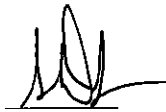
The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of April, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Shannon D. Summerset-Williams