

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO RECAPTURE \$178,378.09 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, PREVIOUSLY ALLOCATED TO THE MADELEINE APARTMENTS REHABILITATION PROJECT PURSUANT TO RESOLUTION NO. 2018-30135, UNDER THE ACTION PLAN FOR FY 2016-2017 AND THE FIVE YEAR CONSOLIDATED PLAN FOR FY 2013-2017, AND TO REALLOCATE THESE RECAPTURED CDBG FUNDS TO THE NEPTUNE APARTMENTS PROJECT; AUTHORIZING THE CITY MANAGER TO SUBMIT THE REVISED ACTION PLAN AND CONSOLIDATED PLAN TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND, FURTHER, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS OR AGREEMENTS.

WHEREAS, the City is an entitlement recipient of HUD formula grant programs as follows: Community Development Block Grant (CDBG) funds, and HOME Investments Partnership (HOME) funds; and

WHEREAS, CDBG funds are used to provide vital public services, housing activities and improvement to public facilities and HOME funds are used for affordable housing activities including multi-family rentals; and

WHEREAS, the City expects to continue to receive entitlement funds from these grant programs to operate the City's housing and community development activities; and

WHEREAS, HUD requires entitlement jurisdictions to submit a Five-Year *Consolidated Plan*, which establishes the strategic framework upon which the City utilizes its funds; and

WHEREAS, the five-year *Consolidated Plan* is augmented and refined by the City's annual submission of the one-year *Action Plan* which delineates the specific projects and activities funded by each year's HUD allocation; and

WHEREAS, CDBG and HOME funds must be expended pursuant to the guidelines delineated in 24 CFR Part 570 and 24 CFR Part 92; and

WHEREAS, the City provided a thirty (30) day public comment period, from March 11, 2018 to April 10, 2018, and a public meeting on March 26, 2018 to advertise the CDBG and HOME amendments; and

WHEREAS, pursuant to Resolution No. 2018-30135, the City recaptured \$421,702.31 of CDBG funds from FY 16/17, allocated to the Lottie Apartments, and reallocated them to the Madeleine Village Apartments; and

WHEREAS, the Administration recommends recapturing \$178,378.09 of these CDBG funds and reallocating them to the Neptune Apartments project to enable the timely expenditure of funds and ensure compliance with HUD's timeliness standard; and

WHEREAS, the Neptune Apartments were acquired in 2015 from Miami Beach Community Development Corporation and the building requires substantial rehabilitation due to neglect, poor workmanship and inferior building products used by the prior property owner, and

WHEREAS, the scope of the project, with a budget of \$2,066,826, includes: termite treatment; roof replacement; building envelope and facade repairs and restoration; exterior paint; replacement of air conditioning units; common area floor finishes replacement; renovation of apartment bathrooms; kitchen cabinets, fixtures and appliances replacement; interior flooring repairs and insulation; drywall repair and paint; common area painting and landscape; electrical work; and irrigation and landscaping; and

WHEREAS, the total funds currently committed to the Neptune Apartments is \$333,860 (FY 17/18 CDBG funds); and

WHEREAS, by reallocating these CDBG funds from the Madeleine Village project, which has been deemed overfunded because of recently recalculated project construction limits, the City can expend these funds to cover additional work required at the Neptune Apartments; and

WHEREAS, these CDBG funds can serve as the required match for the Hazard Mitigation Grant Program, a Federal Emergency Management Agency (FEMA) grant the City is seeking for the Neptune Apartments, which could add up to \$600,000 in funding to the project and further reduce the funding gap; and

WHEREAS, this item was originally presented at the April 11, 2018 City Commission and was subsequently referred to the April 20, 2018 Finance and Citywide Projects Committee where it was recommended unanimously; and

WHEREAS, as per the *Citizen Participation Plan*, a change of use triggers a Substantial Amendment, requiring the Administration to amend the City's various Action Plans and the 2013-2017 Consolidated Plan; and

WHEREAS, the City Manager is the designated agent for all HUD formula grants and executes the grant applications, grant agreements, and other applicable HUD documents on behalf of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Finance and Citywide Projects Committee to recapture \$178,378.09 of Community Development Block Grant (CDBG) funds, previously allocated to the Madeleine Apartments rehabilitation project pursuant to Resolution No. 2018-30135, under the Action Plan for FY 2016/2017 and the Five Year Consolidated Plan for FY 2013-2017, and to reallocate these recaptured CDBG funds to the Neptune Apartments project; authorize the City Manager to submit the revised Action Plan and Consolidated Plan to the Department of Housing and Urban Development (HUD); and further authorize the City Manager to execute all necessary documents or agreements.

Passed and adopted this _____ day of _____, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

4/30/18
Date