

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE RECAPTURE OF \$52,094 OF STATEWIDE HOUSING INITIATIVES PARTNERSHIP (SHIP) FUNDS, PREVIOUSLY ALLOCATED TO MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION, FOR THE REHABILITATION OF THE JEFFERSON APARTMENTS, AND REALLOCATING THESE SHIP FUNDS TO ANOTHER ELIGIBLE HOMEOWNER ACTIVITY PURSUANT TO THE LOCAL HOUSING ASSISTANCE PLAN.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one-to three-year Local Housing Assistance Plan (LHAP) outlining how funds will be used; and

WHEREAS, the LHAP for FY 2013-2016 was approved via Resolution No. 2013-28178 and the LHAP for FY 2017-2019 was approved via Resolution No. 2016-29364; and

WHEREAS, a minimum of 75 percent of the City's SHIP allocation must be expended in construction-related activities; a minimum of 30 percent of overall funds must benefit households earning up to 50 percent Area Median Income (AMI) or very low-income households; and a minimum of 30 percent of overall funds must benefit households earning up to 80 percent AMI or low-income households; and

WHEREAS, SHIP communities must submit an expenditure report by September 30 of every year; and

WHEREAS, pursuant to Resolution No. 2015-29051, Miami Beach Community Development Corporation (MBCDC) was awarded \$135,464 for the rehabilitation of Jefferson Apartments for the replacement of its roof, the replacement of an air conditioning unit located on the roof, and upgrades and repairs to the nine units located on the building's third floor; and

WHEREAS, on July 11, 2016, MBCDC Jefferson Apartments executed two SHIP agreements: 1) an Agreement in the amount of \$109,093, utilizing FY 14/15 funds, with an expiration date of May 31, 2017; and 2) an Agreement in the amount of \$26,371, utilizing FY 15/16, with an expiration date of May 31, 2018; and

WHEREAS, on January 18, 2017, MBCDC Jefferson Apartments executed two (2) documents entitled Amendment No. 1: extending the expenditure deadline for the FY 2014/2015 funds, in the amount of \$109,093.15, to May 31, 2017; and one extending the expenditure deadline for FY 2015/2016, in the amount of \$26,371, to May 31, 2018; and

WHEREAS, MBCDC expended \$83,370 of FY 2014/2015 funds with an expenditure deadline of May 31, 2017 and completed part of the work scope; and

WHEREAS, the remaining FY14/15 funds, in the amount of \$25,723.15, were meant to be transferred to FY 2015/2016 for the remaining scope which included the rehabilitation of kitchen cabinets in nine (9) units, in order to comply with State expenditure reporting guidelines; and

WHEREAS, on May 4, 2018, the City contacted MBCDC to execute two documents entitled Amendment No. 2: one transferring \$25,723.15 of FY 2014/2015 funds to FY 2015/2016; and one extending the expenditure deadline for FY 15/16 from May 2018 to June 30, 2018; and

WHEREAS, MBCDC advised it was unable to expend funds with such short notice, and upon the City offering an extension of time, MBCDC advised that they did not have the financial capacity to advance payments towards additional capital projects at this time; and

WHEREAS, the Administration recommends the recapture of the balance of unexpended funds, in the amount of \$52,094, and the reallocation of these SHIP funds to an eligible homeowner activity, such as first-time homebuyer assistance or homeowner rehabilitation, pursuant to the Local Housing Assistance Plan.

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 approve the recapture of \$52,094 of Statewide Housing Initiatives Partnership (SHIP) Funds, previously allocated to Miami Beach Community Development Corporation for the rehabilitation of the Jefferson Apartments, and reallocating these SHIP funds to another eligible homeowner activity pursuant to the Local Housing Assistance Plan.

PASSED AND ADOPTED this ____ day of _____, 2018.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

5/30/18
Date