

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PERFORM THE FOLLOWING ACTIONS: (1) TO RECAPTURE \$152,840.27 OF HOME INVESTMENT PARTNERSHIP (HOME) FUNDS PREVIOUSLY ALLOCATED AS ENTITLEMENT FUNDS FOR FY 2014/2015 AND THE FIVE-YEAR CONSOLIDATED PLAN FOR FY 2013-2017, AND TO REALLOCATE SAID FUNDS FOR USE IN CONNECTION WITH THE FY 2019/2020 REQUEST FOR PROPOSALS (RFP) FOR CDBG AND HOME (THE RFP); (2) TO RECAPTURE \$66,620.55 OF HOME FUNDS, PREVIOUSLY ALLOCATED AS COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-ASIDE FUNDS FOR FY 2016/2017 AND THE FIVE-YEAR CONSOLIDATED PLAN FOR FY 2013-2017, AND TO REALLOCATE SAID FUNDS FOR USE IN CONNECTION WITH THE RFP; (3) TO RECAPTURE \$120,206.91 OF HOME FUNDS, PREVIOUSLY ALLOCATED TO THE PURCHASE OF THE ALLEN APARTMENTS FOR FY 2015/2016 AND THE FIVE-YEAR CONSOLIDATED PLAN FOR FY 2013-2017, AND TO REALLOCATE SAID FUNDS FOR USE IN CONNECTION WITH THE RFP; (4) TO RECAPTURE \$68,896.20 OF HOME FUNDS, PREVIOUSLY ALLOCATED AS COMMUNITY HOUSING DEVELOPMENT ORGANIZATION SET-ASIDE FUNDS FOR FY 2017/2018 AND THE FIVE-YEAR CONSOLIDATED PLAN FOR FY 2013-2017, AND TO REALLOCATE SAID FUNDS FOR USE IN CONNECTION WITH THE RFP; AND (5) TO RECAPTURE \$16,155.76 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, PREVIOUSLY ALLOCATED TO PUBLIC SERVICES FOR FY 2017/2018 AND THE FIVE-YEAR CONSOLIDATED PLAN FOR FY 2013-2017, AND TO REALLOCATE SAID FUNDS FOR USE IN CONNECTION WITH THE RFP; AND AUTHORIZING THE CITY MANAGER TO SUBMIT THE REVISED ACTION PLANS TO HUD; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE CITY INTERDEPARTMENTAL AGREEMENTS.

WHEREAS, the City is an entitlement recipient of HUD formula grant programs as follows: Community Development Block Grant (CDBG) fund, 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, the *Action Plan* for federal funds is a requirement under HUD's formula grant programs, which include the CDBG and HOME programs and delineates the specific projects and activities funded by each year's HUD allocation; and

WHEREAS, the five-year *Consolidated Plan* is augmented and refined by the City's annual submission of the one-year *Action Plan*; and

WHEREAS, CDBG and HOME stipulate that funds be expended within guidelines as delineated in 24 CFR Part 570 and 24 CFR Part 92; and

WHEREAS, City staff reconciled its CDBG and HOME funds in anticipation of preparing its FY 2017/2018 *Consolidated Annual Performance and Evaluation Report* (CAPER) and Citywide budget rollover process for FY 2019/2020, as well as to ensure that all non-committed funds are properly committed and expended to comply with expenditure and timeliness rules; and

WHEREAS, the HOME Program statute and program regulations require Participating Jurisdictions (PJ's) to reserve and commit a minimum of fifteen (15%) percent of its annual allocation to a Community Housing Development Organization (CHDO) within 24 months of receiving its HOME grant; and

WHEREAS, City staff requested an extension and waiver of CHDO set-aside funds for FY 2016/2017 and 2017/2018, as a result of Hurricane Irma, which was approved by HUD's Miami field office; and

WHEREAS, the CHDO funds for FY 2016/2017 and 2017/2018 were converted to Entitlement funds, as the City does not have an eligible and certified CHDO; and

WHEREAS, the City Commission approved the issuance of Request for Proposals (RFP) for the FY 2019/2020 CDBG and HOME (the RFP) at its January 16, 2019 meeting via Resolution 2019-30666; and

WHEREAS, the Administration will review RFP submissions to ensure that projects align with the needs identified in the *2018-2022 Consolidated Plan* and evaluate project feasibility; and

WHEREAS, the Administration recommends the recapture of unexpended funds from various projects previously approved by the Mayor and Commission and reallocate said funds for use in connection with the RFP, which is an approved method for funds distribution for HOME and CDBG; as follows:

- (1) HOME funds requested for FY 2014/2015, not previously allocated to projects on the Integrated Disbursement Information System (IDIS) in the amount of \$152,840.27; and
- (2) HOME funds requested for FY 2016/2017, previously allocated as \$66,620.55, as approved by HUD in the City's CHDO waiver request; and
- (3) HOME funds previously allocated to the purchase of the Allen Apartments, in the amount of \$120,206.91, that were unexpended; and
- (4) HOME funds requested for FY 2017/2018 CHDO reserves, in the amount of \$68,896.20, as approved by HUD in a CHDO waiver request; and
- (5) Unexpended CDBG funds requested for FY 2017/2018, previously allocated public services in the amount of \$16,155.76; and

WHEREAS, the City issued the RFP for FY 2019/2020 CDBG and HOME funds on January 27, 2019 with a submission deadline of February 28, 2019; and

WHEREAS, the resulting HOME and CDBG funds recapture will be incorporated into the City's various *Action Plans* and its *Consolidated Plan FY 2013-2017*; and

WHEREAS, as per the *Citizen Participation Plan*, a change of use triggers a Substantial Amendment; 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.

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 authorize the City Manager to perform the following actions: 1) to recapture \$152,840.27 of HOME Investment Partnership (HOME) funds, previously allocated as entitlement funds for the *FY 2014/2015 Action Plan* and the *Five-Year Consolidated Plan for FY 2013-2017*, and to reallocate said funds for use in connection with the FY 2019/2020 Request for Proposals (RFP) for CDBG and HOME (the RFP); (2) to recapture \$66,620.55 of HOME funds previously allocated as Community Housing Development Organization (CHDO) set-aside funds, pursuant to the *FY 2016/2017 Action Plan* and the *Five-Year Consolidated Plan for FY 2013-2017*, and to reallocate said funds for use in connection with the RFP; (3) to recapture \$120,206.91 of HOME funds, previously allocated to the purchase of the Allen Apartments pursuant to the *FY 2015/2016 Action Plan* and the *Five-Year Consolidated Plan for FY 2013-2017*, and to reallocate said funds for use in connection with the RFP; (4) to recapture \$68,896.20 of HOME funds, previously allocated as Community Housing Development Organization (CHDO) set-aside funds, pursuant to the *FY 2017/2018 Action Plan* and the *Five-Year Consolidated Plan for FY 2013-2017*, and to reallocate said funds for use in connection with the RFP; and (5) to recapture \$16,155.76 of Community Development Block Grant (CDBG) funds previously allocated to the various public services pursuant to the *FY 2017/2018 Action Plan* and the *Five-Year Consolidated Plan for FY 2013-2017*, and to reallocate said funds for use in connection with the RFP; and authorize the City Manager to submit the revised action plan to HUD; and further authorize the City Manager to execute City interdepartmental agreements.

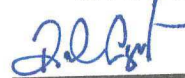
PASSED AND ADOPTED this _____ day of _____, 2019.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

2-5-19

Date