

**RESOLUTION NO. 2015-R-101**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AN AMENDMENT TO THE COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND LITTLE HAITI HOUSING ASSOCIATION, INC. D/B/A HAITIAN AMERICAN COMMUNITY DEVELOPMENT CORPORATION TO ALLOW FOR AN EXTENSION TO THE TERM OF THE AGREEMENT, AN EXTENSION TO THE PROJECT COMPLETION DATE AND FOR A MODIFICATION TO THE SCOPE OF THE PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, the City of North Miami (“City”) is the recipient of HOME Investment Partnership Program funds from the U.S. Department of Housing and Urban Development (“HUD”); and

**WHEREAS**, the HUD provides for a minimum of fifteen (15) percent of its annual allocation, to be reserved for investment in housing to be developed or owned by Community Housing Development Organizations (CHDOs); and

**WHEREAS**, Little Haiti Housing Association, Inc. d/b/a Haitian American Community Development Corporation (“HACDC”) is qualified as a Community Housing Development Organization; and

**WHEREAS**, the City entered into a CHDO Agreement with HACDC on September 10, 2014 as authorized by Resolution R 2014-R-78 to provide for the acquisition, development or demolition of certain properties within the City (“Project”); and

**WHEREAS**, the original Project completion date of October 31, 2015, is not sufficient to allow HACDC to complete the Project, requiring an extension to the term of the agreement and the Project completion date is recommended; and

**WHEREAS**, the original scope of the Project was a four (4) units townhouse development located at 1525 N.E. 128<sup>th</sup> street; and

**WHEREAS**, after the architect’s completion of a lot analysis, the Project size has been reduced from four (4) to three (3) units, modifying the scope of the Project; and

WHEREAS, the Mayor and City Council desire to amend the original agreement to allow for an extension to the term of the agreement, an extension to the completion date for the Project and for a modification to the scope of the Project.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1. Authority of City Manager and City Attorney.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to negotiate and execute a first amendment to the CHDO Agreement between City of North Miami and HACDC to extend the agreement term and the Project completion date to October 31, 2016 and to modify the scope of the Project from four (4) to three (3) units, in substantially the attached form.

**Section 2. Effective Date.** This Resolution shall become effective immediately upon adoption.

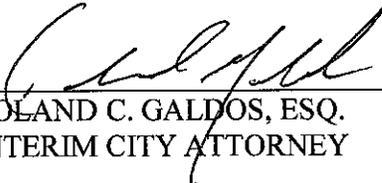
**PASSED AND ADOPTED** by a 4 - 1 vote of the Mayor and City Council of the City of North Miami, Florida, this 13th day of October 2015.

DR. SMITH JOSEPH  
MAYOR

ATTEST:

  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
ROLAND C. GALDOS, ESQ.  
INTERIM CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Desulme

Seconded by: Keys

**Vote:**

Mayor Smith Joseph, D.O., Pharm. D.  
Vice Mayor Carol Keys, Esq.  
Councilman Scott Galvin  
Councilman Philippe Bien-Aime  
Councilman Alix Desulme

<u>  X  </u>	(Yes)	<u>      </u>	(No)
<u>  x  </u>	(Yes)	<u>      </u>	(No)
<u>      </u>	(Yes)	<u>  X  </u>	(No)
<u>  x  </u>	(Yes)	<u>      </u>	(No)
<u>  x  </u>	(Yes)	<u>      </u>	(No)

**FIRST AMENDMENT TO COMMUNITY HOUSING  
DEVELOPMENT ORGANIZATION (CHDO) AGREEMENT  
BETWEEN THE CITY OF NORTH MIAMI AND  
LITTLE HAITI HOUSING ASSOCIATION, INC.  
D/B/A  
HAITIAN AMERICAN COMMUNITY DEVELOPMENT  
CORPORATION**

**THIS FIRST AMENDMENT**, entered into on this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between **THE CITY OF NORTH MIAMI**, a Florida municipal corporation (hereinafter referred to as the "CITY"), with its office located at 776 N.E. 125<sup>th</sup> Street, North Miami, Florida 33161 and **LITTLE HAITI HOUSING ASSOCIATION, INC. d/b/a HAITIAN AMERICAN COMMUNITY DEVELOPMENT CORPORATION**, (hereinafter referred to as "AWARDEE"), located at 181 N.E. 82 Street, Miami, Florida 33138 (collectively the "Parties").

**RECITALS**

**WHEREAS**, the Parties desire to amend the original agreement which was entered into on September 10, 2014, for HOME Investment Partnership Program (HOME) Funds under the City's entitlement allocation; and

**WHEREAS**, under the terms of the original agreement, this project was originally scheduled to be completed by October 31, 2015; and

**WHEREAS**, the original time period is insufficient for AWARDEE to properly allow for the completion of the project; and

**WHEREAS**, the original scope of the project was a four (4) units townhouse development located at 1525 N.E. 128 Street; and

**WHEREAS**, after the architect's completion of a lot analysis, the project size has been reduced from four (4) to three (3) units; and

**NOW THEREFORE**, in consideration of the mutual terms and conditions set forth below, the Parties agree as follows:

1. Section II - Article 2. Term is hereby amended. The Term of the agreement is hereby extended to October 31, 2016.
2. Section III – The Project – Project Description is hereby amended. The scope of the project will be reduced from the development of four (4) units to three (3) units at the project located at 1525 N.E. 128 Street.

3. Section IV – Project Requirements, Subsection A. Commencement Date and Completion Date is hereby amended. The substantial completion date shall be extended to October 31, 2016.
4. Exhibit A – Scope of Work, Sections A and B are hereby amended. The scope of the project will be reduced from the development of four (4) units to three (3) units at the project located at 1525 N.E. 128 Street.
5. All other terms and conditions of the original agreement remain in full force and effect.

*[The remainder of this page is intentionally left blank.]*

**IN WITNESS WHEREOF**, the parties have caused this Amendment to be executed by their respective and duly authorized representatives effective as of the date first written above:

CITY OF NORTH MIAMI

LITTLE HAITI HOUSING ASSOCIATION,  
INC. d/b/a HAITIAN AMERICAN  
COMMUNITY DEVELOPMENT  
CORPORATION  
"Awardee"

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: City Manager

Title: Authorized Representative

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Witness Signature \_\_\_\_\_

\_\_\_\_\_  
Typed/Printed Name of Witness

ATTEST:

\_\_\_\_\_  
Michael A. Etienne  
City Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Roland C. Galdos  
Interim City Attorney