

Date: November 24, 2015

To: The Honorable Mayor and City Council



From: Tanya Wilson-Séjour, AICP, Planning, Zoning & Development Director

Re: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AMENDING THE HOME ACTION PLAN TO ALLOW THE ALLOCATION OF PROGRAM INCOME RECEIVED FROM HOME INVESTMENT PARTNERSHIP FUNDS IN THE AMOUNT OF TWO HUNDRED FIFTY-SEVEN THOUSAND THREE HUNDRED THIRTY THREE DOLLARS AND THIRTY CENTS (\$257,333.30) FOR FISCAL YEAR 2014-15 FROM THE MULTI-FAMILY REHABILITATION PROGRAM TO SINGLE-FAMILY REHABILITATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

RECOMMENDATION

Staff is recommending that the Mayor and Council adopt the proposed resolution, approving the allocation of Two Hundred Fifty Seven Thousand Three Hundred Thirty Three Dollars and thirty cents (\$257,333.30) recaptured program income funds from the FY 2014-2015 to FY 2015-2016 Home Investment Partnership (HOME) action plan to support the City's Single Family Rehabilitation Program.

BACKGROUND

The U.S Department of Housing and Urban Development (HUD) provides Home Investment Partnership Grant (HOME) to the City for the execution and implementation of various community and development programs and projects, as amended under Title 1 of the Cranston-Gonzalez National Affordable Housing Act.

On May 26, 2009, the Mayor and City Council approved an agreement for loan between L & R Buildings and the City to assist the owner to rehabilitate its Multi Family property under the City's Multi-Family Rental Rehabilitation Program in the amount of Two Hundred Thousand Dollars (\$200,000.00). The Borrower agreed to rehabilitate the property, maintain the units affordable and set aside 51% of the units to serve low and moderate income households. The Borrower has since defaulted on the loan and has reimbursed the City the entire amount and all accrued interest in the amount of Two Hundred Fifty Seven Thousand Three Hundred Thirty Three and thirty cents (\$ 257,333.30) at the end of the fiscal year 2014-2015.

Given the growing demands for housing rehabilitation of the city's aging housing stock, the funds are necessary for the continued success of the Single Family Housing Rehabilitation Program. As such, staff recommends the recaptured funds be reprogrammed towards the FY 2015-2016 funding to further support the rehabilitation of single-family dwellings to provide decent and sanitary housing to low and moderate income City residents.

The City solicited resident's views on amending the Action Plan by way of a public notice placed in the Miami Herald on October 25, 2015. Residents were asked to submit written comments between October 26, 2015 to November 24, 2015 by 5:00pm. No comments were submitted to date.

- Attachments:
1. Proposed Resolution
 2. Public Notice

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AMENDING THE HOME ACTION PLAN TO ALLOW THE ALLOCATION OF PROGRAM INCOME RECEIVED FROM HOME INVESTMENT PARTNERSHIP FUNDS IN THE AMOUNT OF TWO HUNDRED FIFTY-SEVEN THOUSAND THREE HUNDRED THIRTY-THREE DOLLARS AND THIRTY CENTS (\$257,333.30) FOR FISCAL YEAR 2014-15 FROM THE MULTI-FAMILY REHABILITATION PROGRAM TO SINGLE-FAMILY REHABILITATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the City of North Miami (“City”) has entered into an agreement with The United States Department of Housing and Urban Development (HUD) for the execution and implementation of HOME Program in the City, as authorized under Title II of the Cranston – Gonzalez National Affordable Housing Act, as amended; and

WHEREAS, on May 26, 2009, the Mayor and City Council approved an agreement for a loan between L & R Buildings (Borrower) and the City to assist the owner to rehabilitate affordable housing under the City’s Multi-Family Rental Rehabilitation Program in the amount of Two Hundred Thousand Dollars (\$200,000.00); and

WHEREAS, Borrower agreed to rehabilitate the property and maintain the units as affordable rental housing and that at least fifty-one (51) percent of the units would serve low and moderate income households; and

WHEREAS, in the event of default, the Borrower agreed, as a term and condition of the loan, that it would pay the entire outstanding principal balance of the loan, with all accrued and unpaid interest to the City; and

WHEREAS, Borrower has since defaulted on the loan and has reimbursed the City the entire amount and all accrued interest in the amount of Two Hundred Fifty-Seven Thousand Three Hundred Thirty-Three and Thirty Cents (\$257,333.30), referred to herein as “Program Income Funding”; and

WHEREAS, the City desires to redistribute Program Income Funding to assist with the rehabilitation of single-family dwellings to provide decent and sanitary housing to low and moderate income City residents; and

WHEREAS, to accomplish such goal, the City administration desires to redistribute Program Income Funding as follows: City of North Miami HOME Rehabilitation Program in the amount of Two Hundred Thirty-One Thousand Five Hundred Ninety-Nine Dollars and Ninety-Seven Cents (\$231,599.97); Administrative allocation in the amount of Twenty-Five Thousand Seven Hundred Thirty-Three Dollars and Thirty-Three Cents (\$25,733.33); for a total Program Funding in the amount of Two Hundred Fifty-Seven Thousand Three Hundred Thirty-Three Dollars and Thirty Cents (\$257,333.30); and

WHEREAS, the Mayor and City Council find the aforementioned redistribution of Program Funds, to facilitate housing to low and moderate income City residents, serves the best interest of the City.

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

Section 1. Amendment to Fiscal Year 2014-2015 HOME Investment Partnership Grant Funds (HOME) Action Plan. The Mayor and City Council of the City of North Miami, Florida, hereby approve and amend the HOME Action Plan to allow the allocation of program income received from HOME Investment Partnership Funds in the amount of Two Hundred Fifty-Seven Thousand Three Hundred Thirty-Three Dollars and Thirty Cents (\$257,333.30) for fiscal year 2014-15 from the Multi-Family Rehabilitation Program to the Single-Family Rehabilitation Program.

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

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 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: _____

Seconded by: _____

Vote:

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

_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)



CITY OF NORTH MIAMI

NOTICE OF PUBLIC HEARING

**TO AMEND HOME PARTNERSHIP INVESTMENT
FISCAL YEAR 2014-2015 ACTION PLAN**

The City of North, in accordance with 24 CFR Part 902.503 Amendments, proposes to amend its Federal HOME Partnership Investment (HOME) FISCAL YEAR 2014-2015 Action Plan as follows:

AMENDMENT TO 2015 ACTION PLAN

Source of Reprogrammed Funds		Recommended Redistribution of Funds	
Activity	Amount	Activity	Amount
Multi Family Recaptured Funds Loan Program	\$257,333.30	Admin 10%	\$25,733.33
		City of North Miami HOME Rehabilitation Program	\$231,599.97
TOTAL			\$257,333.30

Citizens are hereby invited to comment on the proposed amendment. All comments must be submitted in writing from October 26, 2015 to November 24, 2015 by 6:00 p.m. and addressed to the City of North Miami, Community Planning & Development Department, 12400 N.E. 8th Avenue, North Miami, Florida 33161, ATTN: Housing Manager. Further information may be obtained by calling (305) 893-6511, Ext. 12248.

The North Miami City Council will hold a public hearing to allow citizens an additional opportunity to comment on this proposed amendment to the HOME Fiscal Year 2015 Action Plan on **Tuesday, November 24, 2015**. The meeting will be at 7:00 p.m. in the North Miami Council Chambers, City Hall, Second Floor, 776 N.E. 125th Street, North Miami, Florida 33161.

THIS MEETING IS OPEN TO THE PUBLIC IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142, NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 288.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.