

RESOLUTION No. 2008-144-831

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ACCEPTANCE OF \$700,000.00 in 2005 DISASTER RECOVERY FUNDS FROM MIAMI-DADE COUNTY'S OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZING THE CITY MANAGER TO TAKE WHATEVER STEPS ARE NECESSARY TO RECEIVE THE FUNDING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens was previously awarded \$375,000 in CDBG funding from the 2005 Disaster Recovery Funds, administered locally by Miami-Dade County, and

WHEREAS, the City of Miami Gardens has been awarded an additional allocation of \$700,000.00 ("Funds"), and

WHEREAS, in order to receive the funds from the Miami-Dade County, the City is required to execute a Resolution authorizing the City Manager to accept the award of the Funds,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS. The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

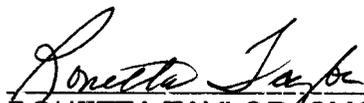
Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens, Florida, authorizes the acceptance of CDBG funding from the 2005 Disaster Recovery Funds federal appropriation in the amount of \$700,000.00, and further authorizes the City Manager to take any and all steps necessary to receive the funding.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JULY 23, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECOND BY: Councilman Bratton

VOTE: 6-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> </u> (Yes)	<u> </u> (No) (not present)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)

SKD/teh
8145747_1 DOC

**AMENDMENT ONE TO THE
FY 2005 COMMUNITY DEVELOPMENT BLOCK GRANT
Supplemental Disaster Recovery Initiative
GOVERNMENTAL CONTRACT BETWEEN
MIAMI-DADE COUNTY
AND
THE CITY OF MIAMI GARDENS**

The contract between Miami-Dade County, and the City of Miami Gardens, a municipal government, executed on June 15, 2007 is amended as follows:

Article III, the County Agrees, is amended to read:

Subject to the availability of funds, to pay for contracted activities according to terms and conditions contained within this amendment in an amount not to exceed \$1,075,000.

Attachment A is amended as indicated in Attachment A.

Attachment B is amended as indicated in Attachment B.

Attachment E is amended as indicated in Attachment E.

Effective Date

This Amendment, effective June 30, 2008 increases the funds allocated, extends the contract period, and alters the format of the contract and subsequent amendments thereto.

a. This contract shall begin on January 1, 2007. Any costs incurred by the Contractor prior to this date will not be reimbursed by the County.

b. This contract shall expire on December 31, 2008. Any costs by the Contractor beyond this date will not be reimbursed by the County.

Except for the changes enumerated above, all other provisions of the agreement shall remain in full force and effect.

Progress Reports

The Contractor shall submit a status report using the form attached hereto as Attachment C, "Progress Report," as it may be revised by OCED, which shall describe the progress made by the Contractor in achieving each of the objectives and action steps identified in Attachment A, "Scope of Services."

The Contractor shall ensure that OCED receives each report in triplicate (or as indicated) no later than July 10, 2008, October 10, 2008 and January 10, 2009,

Annual Report (Fourth Quarter Progress Report)- The Contractor shall submit a cumulative status report (hereinafter referred to as "Annual Report") using the "Progress Report" specified in Article XVIII, Paragraph 2 above, which shall describe the progress made by the Contractor in achieving each of the objectives identified in Attachment A during the previous year. The "Annual Report" must cover the fiscal year of January 1, through December 31, and shall be received annually by OCED no later than January 10 of each year this contract is in effect.

This Amendment and all its attachments are hereby made a part of the Agreement.

IN WITNESS THEREOF the parties agree to the mutual covenants herein contained and have caused this three (3) page Amendment to the Contract to be executed on their behalf this 15th day of Sept. 2008.

CONTRACTOR:
The City of Miami Gardens

MIAMI-DADE COUNTY

BY: [Signature]

BY: [Signature]

NAME: Danny O. Crew

NAME: Carlos Alvarez

TITLE: City Manager

TITLE: Mayor

DATE: _____

BY: _____

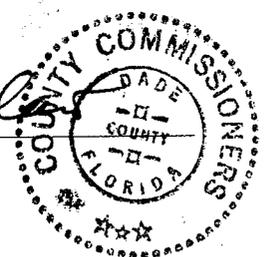
ATTEST

NAME: _____

BY: [Signature]

TITLE: _____

TITLE: Clerk, Board of County Commissioners



DATE: _____

Witnesses:

BY: _____
(Signature)

Type or Print Name

BY: _____
(Signature)

Type or Print Name

Approved as to form
and Legal Sufficiency
[Signature]
Assistant County Attorney
9/11/2008
Date

Federal ID Number: _____

Resolution #:
Contractor's Fiscal Year Ending Date:

CORPORATE SEAL:

CONTRACT IS NOT VALID UNTIL SIGNED AND DATED BY BOTH PARTIES

SCOPE OF SERVICES
 FY 2005 CDBG (Disaster Recovery Funds)
 01/01/2007 - 12/31/2008

ATTACHEMENT A

AGENCY NAME:
 ACTIVITY:
 FUNDING SOURCE:

CITY OF MIAMI GARDENS
 2005 Disaster Recovery Program -Housing Rehabilitation
 CDBG 2005

AMOUNT:

\$1,075,000 (revised February 25, 2008)

TOTAL ACTIVITY COSTS:

\$1,075,000 reflects additional allocation of \$700k awarded June 3, 2008

ACCOMPLISHMENT UNITS

38

PROPOSED ACCOMPLISHMENT UNITS

38

TYPE:

Housing Units

QUARTER	ACTION STEP CATEGORY	CUMULATIVE PERCENTAGE OF COMPLETION	CUMULATIVE QUARTERLY SERVICES UNIT/ CLIENTS	CUMULATIVE PROJECTED PAYMENT LEVEL	ACTUAL QUARTERLY ACCOMPLISHMENTS	CUMULATIVE SERVICES UNITS	CUMULATIVE REIMBURSEMENTS
1 ST 2007	OCCED finalizing agreement with DCA	0%	APPROVED	APPROVED			
2 ND 2007	OCCED finalizing agreement with DCA	0%					
3 RD 2007	OCCED finalizing contract execution with City City advertising funding availability and accepting applications	0%					
4 TH 2007	City processing rehab loan applicants. City continues to accept applications subject to funding availability.	0%		\$ 3,750.00			

SCOPE OF SERVICES
 FY 2005 CDBG (Disaster Recovery Funds)
 01/01/2007 - 12/31/2008

ATTACHEMENT A

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 ACTIVITY:
 FUNDING SOURCE:

CITY OF MIAMI GARDENS
 2005 Disaster Recovery Program-Housing Rehabilitation
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AMOUNT:
 TOTAL ACTIVITY COSTS:
 ACCOMPLISHMENT UNITS
 PROPOSED ACCOMPLISHMENT UNITS
 TYPE:

\$1,075,000 (revised February 25, 2008)
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 38
 38
 Housing Units

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1 ST 2008	Closing rehab loans and completing rehab work City applied for additional recaptured funds	20%	APPROVED	\$ 215,000.00			
2 ND 2008	Completing rehab units started in 1st qtr of 2008 and processing new applicants from City's waitlist	10%		\$ 109,000.00			
3 RD 2008	Additional funding (\$700k) awarded; contract amendment	0%		\$ -			
4 TH 2008	Closing new rehab loans and begin permitting process	25%		\$ 269,000.00			

**City of Miami Gardens
 Disaster Recovery (CDBG 2005)
 Budget
 January 1, 2007 to December 31, 2008**

Code	Description	Budget Amount	Total
60118	<u>Residential Rehab</u>	\$ 946,000.00	\$ 946,000.00
61613	<u>Legal & Title Fees</u>	\$ 129,000.00	\$ 129,000.00
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
	Totals	\$ 1,075,000.00	\$ 1,075,000.00

Note: revised numbers reflect \$700,000 increase in allocation

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any of the funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreement in excess of \$100,000) and that all subrecipients shall certify and disclose accordingly.
4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By: _____

(Signature of Authorized Representative)

Print: _____

CITY OF MIAMI GARDENS, DANNY CREW

(Print Name of Firm and Authorized Representative)

Title: _____

CITY MANAGER

Date: _____

7-25-08

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: July 23, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: N/A 1st Reading

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: **Danny Crew, City Manager**

Public hearing

Ordinance

2nd Reading

Advertising requirement:

Quasi-Judicial

Resolution X

Yes No

RFP/RFQ/Bid # N/A

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ACCEPTANCE OF \$700,000.00 in 2005 DISASTER RECOVERY FUNDS FROM MIAMI-DADE COUNTY'S OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZING THE CITY MANAGER TO TAKE WHATEVER STEPS ARE NECESSARY TO RECEIVE THE FUNDING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

Background

Community Development Block Grant (CDBG) *Disaster Recovery* funding was made available to the state of Florida by the U.S. Department of Housing and Urban Development, pursuant to the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act (Federal Register - Docket No. F.R.-5051-N-01, Volume 71, Number 29). Florida received \$82,904,000 for affected communities. Congress allocated the funding to assist in recovery from federally declared disasters that occurred between July 10, 2005 and October 24, 2005. Congress directed that the funds go "to areas facing the greatest need".

The allocated funds were to be administered thru the state's Department of Community Affairs (DCA). The DCA would in turn enter into agreements with the 16 counties affected by the 2005 hurricane season. Each of these counties would then enter into sub-recipient agreements with the municipalities that reside within them. The amount of funds allocated to each municipality was

determined thru a competitive application process based on the eligibility of the projects submitted.

The City of Miami Gardens was awarded an initial allocation of \$375,000 as a result of its initial application to Miami Dade County. During the course of the administration of the contract, the County determined that the City of Miami Gardens' "project" was moving efficiently and spending their allocated funds in an expedient manner, compared to other municipalities. City staff suggested that additional funds be awarded and the County requested that a formal letter of request be submitted. A letter was submitted to the County requesting an additional \$700,000 in *Disaster Recovery* Funds that were recaptured from underperforming projects. Approval of the additional allocation was approved by the Board of County Commissioners at their meeting of June 3, 2008.

The resolution accepting the initial allocation of \$375,000 was approved by City Council on May 23, 2007 (Reso. #2007-85-592). The attached resolution requests Council's approval to authorize the acceptance of the additional \$700,000 and authorize the City Manager to execute the amendment to the agreement between Miami Dade County and the City of Miami Gardens originally executed on June 15, 2007. The approval of this resolution would bring the total amount of Disaster Recovery Program Funds to \$1,075,000.

Recommendation

City staff recommends the approval of the attached resolution authorizing the acceptance of the additional \$700,000 and authorizing the City Manager to execute the amendment to the agreement between Miami Dade County and the City of Miami Gardens.