

RESOLUTION No. 2009-107-1052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY OF MIAMI GARDENS' COMMUNITY DEVELOPMENT BLOCK GRANT THIRD PROGRAM YEAR ANNUAL ACTION PLAN; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 ("Recovery Act"), into law, and

WHEREAS, under the Recovery Act, One Million Dollars (\$1,000,000.00) was appropriated to local governments to carry out eligible activities on an expedited basis, and

WHEREAS, the City of Miami Gardens is eligible to receive Three Hundred Seventy-One Thousand, Two Hundred Seven Dollars (\$371,207.00) in CDBG funding, and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has encouraged those entitlement cities to use their funds for infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings, and

WHEREAS, HUD has mandated that entitlement communities submit a substantial amendment to their Annual Action Plan to the HUD office by June 5, 2009, delineating how the funds are to be used, and

WHEREAS, City staff is recommending that the funds be used for housing and rehabilitation, infrastructure improvements, and for associated administrative costs, and

WHEREAS, a public hearing on this matter was held on May 27, 2009,

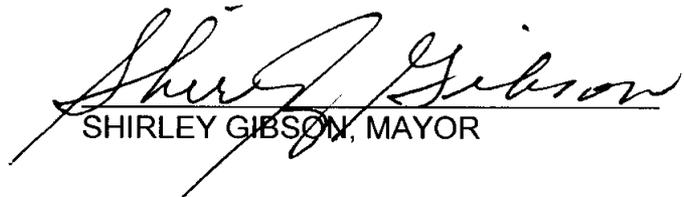
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

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 hereby authorizes a substantial amendment to its Third Program Year Annual Action Plan to accept CDBG funding in the amount of Three Hundred Seventy-One Thousand, Two Hundred Seven Dollars (\$371,207.00) for infrastructure activities. Furthermore, the City Council authorizes the City Manager to execute any and all agreements that may be necessary in order to accept 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 MAY 27, 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

Resolution NO. 2009-107-1052

MOVED BY: Councilman Gilbert
SECONDED BY: Councilman Campbell

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> </u> (Yes)	<u> </u> (No)	Not present
Councilman Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)	
Councilman Oliver Gilbert, III	<u> x </u> (Yes)	<u> </u> (No)	
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)	
Councilman André Williams	<u> x </u> (Yes)	<u> </u> (No)	

SKD/teh
8481102_1.DOC



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	May 27, 2009		Item Type: <small>(Enter X in box)</small>	Resolution Y	Ordinance	Other	
Fiscal Impact: <small>(Enter X in box)</small>	Yes	No	Ordinance Reading: <small>(Enter X in box)</small>	1st Reading		2nd Reading	
		X		Public Hearing: <small>(Enter X in box)</small>	Yes	No	Yes
			X				
Funding Source:	Community Development Block Grant (CDBG-R)		Advertising Requirement: <small>(Enter X in box)</small>	Yes		No	
				X			
Contract/P.O. Required: <small>(Enter X in box)</small>	Yes	No	RFP/RFQ/Bid #:	N/A			
	X						
Sponsor Name	Danny Crew, City Manager		Department:	Community Development			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY OF MIAMI GARDENS' COMMUNITY DEVELOPMENT BLOCK GRANT THIRD PROGRAM YEAR ANNUAL ACTION PLAN; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (Recovery Act). Under the Recovery Act, \$1 billion in Community Development Block Grant (CDBG-R) funds was appropriated for local governments to carry out eligible activities on an expedited basis. Based on established formula allocations, the City of Miami Gardens is eligible to receive \$371,207 in CDBG-R Funds.

On May 4 2009, HUD released the Notice for the CDBG-R program (Docket No. FR-5309-N-01). The Notice states that grantees carefully evaluate proposed projects for the consistency with the overarching goal of the Recovery

**ITEM L-1) RESOLUTION
 PUBLIC HEARING
 CDBG Third Program Year
 Annual Action Plan**

Act to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care.

HUD encourages utilizing CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings. Certain activities are prohibited and may not be funded with CDBG-R pursuant to the Recovery Act, including swimming pools, golf courses, zoos, aquariums and casinos or other gambling establishments.

Current Situation

HUD has mandated that Entitlement Communities receiving the additional funding submit a substantial amendment to their Annual Action to the local HUD office by June 5, 2009, delineating how the funds will be used. The HUD Notice for CDBG-R funds is not specific as to what projects that can be implemented with the funds.

Some requirements of the regular CDBG program have been waived in order to give grantees more flexibility in developing appropriate activities for this program. For example, HUD has waived the requirement the grantees utilize funds to address priority need and objectives for the CDBG-R program. However, it is stated that the funds are be used in conjunction with other Recovery Act and HUD funding. Pursuant to the Recovery Act, the Notice states that the funds should be primarily invested in economic development, housing, infrastructure and other public facilities activities that will quickly spur further economic investment, increased energy efficiency, and job creation and retention. Unlike regular CDBG funds, only ten percent 10% the CDBG-R can be utilized for administrative costs.

City staff has drafted the proposed budget for the use of the CDBG-R funds below.

Housing Rehab (energy efficiency emphasis)	\$205,681
Infrastructure Improvements (existing projects)	\$128,405
Admin (10%)	\$37,121
Total CDBG-R	\$371,207

A resolution substantially amending the City's third (3rd) Year Annual Action Plan is required in order to fulfill our obligations to receive these funds.

Recommendation:

Staff recommends approval of the proposed resolution authorizing a substantial amendment to its third (3rd) Program Year Annual Action Plan.

Attachment:

None