

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE ONE-YEAR ACTION PLAN FOR FISCAL YEAR 2024 FOR FEDERAL FUNDS, WHICH INCLUDE THE BUDGETS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, IN THE AMOUNT OF \$889,998.00, AND THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM, IN THE AMOUNT OF \$508,242.00; AND AUTHORIZING THE CITY MANAGER TO: (1) ALLOCATE CDBG FUNDING TO THE FOLLOWING PROGRAMS: (I) \$14,000.00 TO UNIDAD OF MIAMI BEACH, INC. PROJECT LINK; (II) \$35,000.00 TO BOYS AND GIRLS CLUBS OF MIAMI-DADE; (III) \$21,638.00 TO AYUDA, INC. - HERE FOR YOU PROGRAM; (IV) \$14,440.00 TO UNIDAD OF MIAMI BEACH, INC. SENIOR RECREATION AND LANGUAGE PROGRAM; (V) \$25,200.00 TO FRIENDSHIP CIRCLE MIAMI BEACH AND NORTH DADE, INC. SUNDAY CIRCLE PROGRAM; (VI) \$15,000.00 TO CITY OF MIAMI BEACH OFFICE OF COMMUNITY SERVICES GROCERY PROGRAM; (VII) \$8,221.00 TO BUDDY SYSTEM MIA, INC. FOOD DISTRIBUTION PROGRAM; (VIII) \$50,000.00 FOR TENANT RELOCATION COSTS; (IX) \$454,500.00 TO AN AFFORDABLE HOUSING REHABILITATION PROJECT AND/OR ACQUISITION PROJECT; (X) \$50,000.00 TO HISPANIC BUSINESS INITIATIVE FUND INC. D/B/A PROSPERA FOR SMALL BUSINESS ASSISTANCE (XI) \$24,000.00 TO WEECARE, INC. D/B/A UPWARDS FOR THE BOOST PROGRAM; AND (XII) \$177,999.00 FOR PROGRAM ADMINISTRATION, OF WHICH \$20,000.00 SHALL BE ALLOCATED TO HOUSING OPPORTUNITIES PROJECT FOR EXCELLENCE, INC. (HOPE, INC.) FOR U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)-RELATED FAIR HOUSING SERVICES; AND (2) ALLOCATE HOME FUNDING TO THE FOLLOWING (I) \$381,182.00 TO TENANT-BASED RENTAL ASSISTANCE; (II) \$76,236.00 TO A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO); AND (III) \$50,824.00 FOR PROGRAM ADMINISTRATION; AND (3) TRANSMIT TO HUD A SUBSTANTIAL AMENDMENT TO THE HUD FY 2021 ACTION PLAN, REALLOCATING \$112,269.35 OF EXISTING HOME AMERICAN RESCUE PLAN (HOME-ARP) FUNDING FROM NON-PROFIT CAPACITY BUILDING FUNDS TO SUPPORTIVE SERVICES, THEREBY INCREASING THE TOTAL ALLOCATION FOR SUPPORTIVE SERVICES TO \$508,578.95, OF WHICH \$100,000.00 WILL BE ALLOCATED TO LEGAL SERVICES OF GREATER MIAMI, INC. NORTH BEACH HOUSING STABILITY PROJECT AND \$127,911.95 WILL BE DESIGNATED FOR USE BY ELIGIBLE HOUSEHOLDS AT RISK OF HOMELESSNESS; AND (4) EXECUTE ALL APPLICABLE DOCUMENTS RELATED TO THE APPROPRIATION AND ALLOCATION OF THESE PROGRAM FUNDS; AND (5) SUBMIT THE ONE-YEAR ACTION PLAN TO THE HUD; AND (6) MAKE MINOR NON-SUBSTANTIAL CHANGES TO THE ONE-YEAR ACTION PLAN OR THE FIVE-YEAR CONSOLIDATED PLAN, OR THE RESULTING AGREEMENTS (WHICH DO NOT ALTER THE PURPOSE, SCOPE, APPROVED BUDGET AND/OR INTENT OF THE PLANS); AND (7) EXTEND THE EXPIRATION DATES OF SAID AGREEMENTS WHEN NECESSARY; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AGREEMENTS WITH SUB-RECIPIENTS OF CDBG AND HOME PROGRAM FUNDS AND CITY INTERDEPARTMENTAL AGREEMENTS.

WHEREAS, the City is an entitlement recipient of U.S. Department of Housing and Urban Development (HUD) federal formula grant programs as follows: Community Development Block Grant (CDBG) funds and HOME Investment Partnerships (HOME) funds; and

WHEREAS, the *Five-Year Consolidated Plan* and the *One-Year Action Plan* is a federal requirement for all HUD entitlement jurisdictions, including the CDBG and HOME Programs; and

WHEREAS, the proposed *Five-Year Consolidated Plan* for FY 2023-2027, adopted on June 28, 2023 via Resolution No. 2023-3263, is the City's long-term plan on how it intends to use federal CDBG and HOME entitlement funds for the term of the Plan; and

WHEREAS, the *Action Plan* provides a concise summary of the actions, activities, and programs that will take place during the program year to address the priority needs and goals identified in the *Five-Year Consolidated Plan*; and

WHEREAS, the 2024 Action Plan must be submitted to HUD by August 15, 2024, using HUD's Integrated Disbursement Information System (IDIS); and

WHEREAS, the *One-Year Action Plan* for FY 2024 is based upon the City's federal entitlement allocation of \$889,998.00 in CDBG funds and \$508,242.00 in HOME funds; and

WHEREAS, CDBG funds may be used for a maximum of 20 percent (\$177,999.00) for program planning and administration activities and a maximum of 15 percent (\$133,499.00) for public service activities; and

WHEREAS, on March 14, 2024, the Administration issued a Request for Applications (RFA) for CDBG, HOME, and HOME-ARP funds approved via Resolution 2024-32498; and

WHEREAS, the resulting CDBG recommendations for public services, are as follows: \$14,000.00 for UNIDAD of Miami Beach - Project Link; \$35,000.00 for Boys & Girls Club of Miami-Dade aftercare and summer camp; \$21,638.00 for Ayuda - Here for You Program; \$14,400.00 for UNIDAD of Miami Beach – Recreation and Language Services; \$25,200.00 for Friendship Circle – Sunday Circle, \$15,000.00 for the City's Grocery Assistance Program, and \$8,221.00 for Buddy System food distribution; and

WHEREAS, the resulting CDBG recommendations for economic development, are as follows: \$50,000.00 for Hispanic Business Initiative Fund, Inc. d/b/a Prospera for small business assistance, and \$24,000.00 to WeeCare, Inc. d/b/a Upwards for the BOOST program; and

WHEREAS, the Administration recommends allocating \$50,000.00 in CDBG funds to cover costs associated with complying with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) requirements for a property acquired by the City for affordable housing; and

WHEREAS, the Administration is recommending deferral of the \$454,500.00 in CDBG funds for future award to a shovel-ready project addressing housing affordability; and

WHEREAS, the City will contract Housing Opportunities Project for Excellence, Inc. (HOPE, Inc.) for the provision of HUD-mandated fair housing services in the amount of \$20,000.00, utilizing CDBG planning and administration funds; and

WHEREAS, HOME funds may be used for a maximum of 10 percent (\$50,824.00) for program planning and administration activities; and

WHEREAS, the HOME Program rules require each entitlement community to reserve a minimum of 15 percent (\$76,236.00) of its annual allocation for activities undertaken by qualified Community Housing Development Organizations (CHDO); and

WHEREAS, a CHDO is a private nonprofit, community-based housing development organization that has identified the development of affordable housing as its primary mission and has the capacity to develop affordable housing; and

WHEREAS, no applications were received for HOME funds during the RFA process, and the Administration recommends allocating \$381,182.00 in HOME funds to implement a Tenant-Based Rental Assistance (TBRA) Program; and

WHEREAS, to qualify, households must have an income that does not exceed 80% of the area median income (AMI), with the assistance covering a portion of the rent and the tenant paying the remaining amount based on their income, and in some cases, the program may also cover security deposits, utility deposits, and utility payments; and

WHEREAS, one application was received for the HOME-ARP funding for this RFA from Legal Services of Greater Miami under the Supportive Services category; and

WHEREAS, the City has funded two projects administered by Legal Services: Tenant Defense and North Beach Homeless Prevention Project, both of which will expire on September 30, 2024; and

WHEREAS, the resulting HOME-ARP recommendations for Supportive Services are as follows: \$100,000.00 for the Legal Services of Greater Miami - North Beach Housing Stability Project; and

WHEREAS, from time to time, it may be necessary for the City to process a "Substantial Amendment" to the *Five-Year Consolidated Plan* and the annual *Action Plan* to allow for the funding of new activities, modification of existing activities, or other program administrative actions; and

WHEREAS, pursuant to 24 CFR §91.505 (a), the City is required by HUD to identify the criteria to be used in determining if a proposed action will be considered a "Substantial Amendment," as follows:

1. A change in allocation priorities or a change in the method of distributing funds;
2. Funding an activity using funds from any program covered by the Plan (including program income) not previously described in the One Year Action Plan; or
3. A change in the purpose, scope, location, or beneficiaries of an activity; and

WHEREAS, any proposed amendment considered a Substantial Amendment requires approval by the City Commission; and

WHEREAS, in accordance with 24 CFR §91.505 (b), a Substantial Amendment requires Citizen Participation; and

WHEREAS, a substantial amendment to the 2021 Action Plan was approved on January 20, 2022, via Resolution 2022-31979, to include the allocation plan for HOME-ARP funding; and

WHEREAS, the Administration now seeks to move HOME-ARP funds, in the amount of \$112,269.35, from the Non-Profit Capacity Building Fund category to Supportive Services, given the lack of applications received for the former, bringing the amount allocated to Supportive Services to \$508,578.95; and

WHEREAS, after accounting for previously funded Supportive Services projects, in the amount of \$280,667.00, \$227,911.95 (\$508,578.95 - \$280,667.00) of unencumbered funds would be left, from which \$100,000.00 will be allocated to Legal Services of Greater Miami - North Beach Housing Stability Project, leaving a balance of \$127,911.95; and

WHEREAS, the Administration recommends using these funds for eligible HOME-ARP financial assistance to support households at risk of homelessness, as defined in 24 CFR 91.5, covering costs such as: security deposits, utility deposits and payments, moving costs, first and last months' rent, payment of rental arrearages (up to six months); and

WHEREAS, in accordance with the Citizen Participation Plan, the City advertised a notice of public hearing and public 30-day comment period (May 13, 2024 – June 11, 2024) for community development needs with a public hearing held on May 28, 2024; and

WHEREAS, the City advertised a Notice of a 30-day public comment period and public hearing (June 17, 2024 – July 16, 2024) for the draft Action Plan and substantial amendment, with a Public Hearing held on July 10, 2024.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt the One-Year Action Plan for Fiscal Year 2024 for federal funds, which includes the budgets for the Community Development Block Grant (CDBG) program, in the amount of \$889,998.00, and the Home Investment Partnerships (HOME) program, in the amount of \$508,242.00; and authorizing the City Manager to: (1) allocate CDBG funding to the following programs: (i) \$14,000.00 to UNIDAD of Miami Beach, Inc. Project LINK; (ii) \$35,000.00 to Boys and Girls Clubs of Miami-Dade; (iii) \$21,638.00 to Ayuda, Inc. Here for You Program; (iv) \$14,440.00 to UNIDAD of Miami Beach, Inc. Senior Recreation and Language Program; (v) \$25,200.00 to Friendship Circle Miami Beach and North Dade, Inc. Sunday Circle Program; (vi) \$15,000.00 to City of Miami Beach Office of Community Services Grocery Program; (vii) \$8,221.00 to Buddy System MIA, Inc. Food Distribution Program; (viii) \$50,000.00 for tenant relocation costs; (ix) \$454,500.00 to an affordable housing rehabilitation project and/or acquisition project; (x) \$50,000.00 to Hispanic Business Initiative Fund, Inc. d/b/a Prospera for small business assistance; (xi) \$24,000.00 to Weecare, Inc. d/b/a Upwards for the BOOST Program; (xii) \$177,999.00 for program administration, of which \$20,000.00 shall be allocated to Housing Opportunities Project for Excellence, Inc. (HOPE, Inc.) for U. S. Department of Housing and Urban Development (HUD)-related fair housing services; and (2) allocate HOME funding to the following: (i) \$381,182.00 to tenant-based rental assistance; (ii) \$76,236.00 to a Community Housing Development Organization (CHDO); and (iii) \$50,824.00 for program administration; and (3) transmit to HUD a substantial amendment to the HUD FY 2021 Action Plan, reallocating \$112,269.35 of existing HOME American Rescue Plan funding (HOME-ARP) from Non-Profit Capacity Building funds to Supportive Services, thereby increasing the total allocation for Supportive Services to \$508,578.95, of which \$100,000.00 will be allocated to Legal Services of Greater Miami, Inc. North Beach Housing Stability Project and \$127,911.95 shall be designated

for use by eligible households at risk of homelessness; and (4) execute all applicable documents related to the appropriation and allocation of these program funds; and (5) Submit the One-Year Action Plan to HUD; and (6) make minor non-substantial changes to the One-Year Action Plan or the resulting agreements (which do not alter the purpose, scope, approved budget, and/or intent of the plans); and (7) extend the expiration dates of said agreements when necessary; and further authorize the City Manager and City Clerk to execute agreements with sub-recipients of CDBG and HOME program funds and City interdepartmental agreements.

PASSED and **ADOPTED** this _____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

7/15/2024

Date