

RESOLUTION NO. 2016-R-86

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH MIAMI AND OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION, INC., TO DEVELOP A CITY-OWNED PROPERTY LOCATED AT 1046 NE 128TH STREET FOR THE CONSTRUCTION OF ELDERLY HOUSING (“PROJECT”), WITH CITY CONTRIBUTIONS TOTALING ONE HUNDRED SIXTY-TWO THOUSAND FORTY-FIVE DOLLARS (\$162,045.00) USING FUNDS RECEIVED FROM THE HOME INVESTMENT PARTNERSHIP PROGRAM AND THE TD CHARITABLE FOUNDATION; AUTHORIZING THE CREATION OF 128TH STREET DEVELOPMENT LLC, BETWEEN THE CITY OF NORTH MIAMI AND OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION, INC., TO MANAGE THE CONSTRUCTION AND MAINTENANCE OF THE PROJECT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY AND TO EXECUTE ALL DOCUMENTS TO EFFECTUATE THE DEVELOPMENT OF THE PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the Opa-Locka Community Development Corporation, Inc., a Florida Not-for-profit entity established since 1980 (“Opa-Locka CDC”), was evaluated and certified by the Department of Housing and Urban Development as a Community Housing Development Organization (“CHDO”); and

WHEREAS, the Opa-Locka CDC has built over Two Thousand Five Hundred (2,500) dwelling units through partnerships with Miami-Dade County and private developers and is therefore well situated to undertake an affordable elderly housing Project with the City of North Miami (“City”) through fruition; and

WHEREAS, the City Community Planning and Development Department applied for and subsequently received a grant through TD Bank under the *2015 Housing For Everyone Grant Program* in the amount of One Hundred Thousand Dollars (\$100,000.00) (“TD Bank Grant”), to develop a property donated to the City located at 1046 NE 128th Street (“Subject Property”), as endorsed by Resolution 2015-R-132, passed and adopted on December 8, 2015; and

WHEREAS, the City Community Planning and Development Department has set aside for Fiscal Year 2014-2015 and Fiscal Year 2015-2016 of HOME Investment Partnership Program funds, approximately Sixty-Two Thousand Forty-Five Dollars (\$62,045.00); and

WHEREAS, the City desires to combine the funds and dedicate approximately One Hundred Sixty-Two Thousand Forty-Five Dollars (\$162,045.00) from its TD Bank Grant and CHDO funds, towards the development of the Subject Property; and

WHEREAS, the Opa-Locka CDC has shown strong interest in partnering with the City and is willing to leverage their own funds to help develop the Subject Property with the construction of elderly housing, at an estimated total project cost of Three Hundred Thirty Thousand Dollars (\$330,000.00) (“Project”); and

WHEREAS, the Opa-Locka CDC is also willing to partner with the City in the creation of a Limited Liability Company entitled *128th Street Development LLC*, to assume the responsibility for the construction, maintenance and management of the Project; and

WHEREAS, City administration desires to commit the Subject Property for the development of the Project, and Opa-Locka CDC desires to finalize the drawings, design and construction of the Project, in accordance with the terms and conditions of the Memorandum of Understanding; and

WHEREAS, the Mayor and City Council find that entering into a Memorandum of Understanding for the development and realization of the Project, is in 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, AS FOLLOWS:

Section 1. Authority of City Manager and City Attorney. The Mayor and Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to execute a Memorandum of Understanding, between the City of North Miami and Opa-Locka Community Development Corporation, Inc., to develop a City-owned property located at 1046 NE 128th Street, for the construction of elderly housing (“Project”), with City contributions totaling One Hundred Sixty-Two Thousand Forty-Five Dollars (\$162,045.00) using funds received from the HOME Investment Partnership Program and the TD Charitable Foundation.

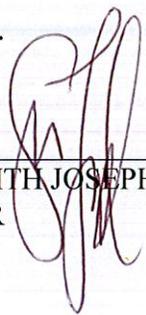
Section 2. Approving Creation of a Limited Liability Company. The Mayor and Council of the City of North Miami, Florida, hereby authorize the creation of *128th Street*

Development LLC, between the City of North Miami and Opa-Locka Community Development Corporation, Inc., to manage the construction and maintenance of the Project, by authorizing the City Manager and City Attorney to execute an Operating Agreement.

Section 3. Authority of the City Manager. The Mayor and Council of the City of North Miami, Florida, hereby authorize the City Manager to do all things necessary and to execute all documents to effectuate the development of the Project.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 23rd day of August, 2016.



DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Desulme

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	<u> </u>	(No)
Vice Mayor Alix Desulme	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilwoman Carol Keys, Esq.	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Philippe Bien-Aime	<u>X</u>	(Yes)	<u> </u>	(No)