

BOARD OF COUNTY COMMISSIONERS
Agenda Request

Date of Meeting: April 1, 2014

Date Submitted: March 18, 2014

To: Honorable Chairman and Members of the Board

From: Robert M. Presnell, County Administrator
Phyllis R. Moore, SHIP Administrator

Subject: Approval of Resolution No. 2014-007 Approving the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan FY(s) 2014-2015, 2015-2016 and 2016-2017

Statement of Issue:

This agenda item seeks the Board of County Commissioners (BOCC) approval of the following:

1. Approve Resolution No. 2014-007 adopting the SHIP Local Housing Assistance Plan (LHAP) for Fiscal Years 2014-2015, 2015-2016 and 2016-2017.
2. Authorization for the Chairman to sign certification documents related the LHAP submission.

Background:

Gadsden County is a participating local government in the State Housing Initiatives Partnership (SHIP) Program established by Section 420.907-420.9079, et seq., Florida Statutes, Chapter 67-37, Florida Administrative Code and administered by the Florida Housing Finance Corporation. A requirement for the receipt of SHIP funds is to develop a Local Housing Assistance Plan (LHAP) adopted by resolution and sets forth strategies for administering the SHIP Program. The Local Housing Assistance Plan (LHAP) is intended to increase the availability of affordable housing units by combining local resources and cost savings measures into a local housing partnership and use public and private funds to reduce the cost of housing.

Analysis:

The need for affordable housing for the extremely low, very low, low and moderate income households is addressed in the County's Comprehensive Plan. SHIP funds will provide the financial vehicle for affordable housing and thereby lower the cost to income-eligible and credit qualified residents. The Local Housing Assistance Plan (LHAP) will become effective July 1, 2014 following adoption by the Gadsden County Board of County Commissioners and subsequent approval by the Florida Housing Finance

Corporation. The plan is for FY(s) 2014-2015, 2015-2016 and 2016-2017 and all amendments will be made with the input of the Partnership and approval by the County Commissioners.

The Local Housing Assistance Plan (LHAP) is intended to increase the availability of affordability of affordable housing units by combining local resources and cost savings measures into a local housing partnership and use public and private funds to reduce the cost of housing.

Fiscal Impact:

NONE

Options:

Option 1: Approve and sign the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan for Fiscal Years 2014-2015, 2015-2016 and 2016-2017 and authorize the Chairman to sign certification documents related to the LHAP Submission. (Exhibit D)

Option 2: Disapprove and not sign the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan for Fiscal Years 2014-2015, 2015-2016 and 2016-2017.

Option 3: Provide other direction.

County Administrator's Recommendation:

Option 1

Attachments:

1. SHIP Local Housing Assistance Plan
2. Exhibit A: Administrative Budget
3. Exhibit B: Timeline of Activities
4. Exhibit C: Delivery Goal Charts
5. Exhibit D: Certification of Florida Housing-LHPA and SHIP Funds (Chairman Signature Required)
6. Exhibit E: Resolution No. 2014-007
7. Exhibit F: SHIP Information Sheet
(3-originals of each)

GADSDEN COUNTY

State Housing Initiatives Partnership (SHIP) Program
SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FISCAL YEARS COVERED

2014-2015

2015-2016

2016-2017

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I. PROGRAM DESCRIPTION Chapter 67-37.005 F.A.C. and Section 420.9072, F.S.

A. Name of the participating local government and Interlocal if Applicable:
Section 420.9072 (5), F.S.

GADSDEN COUNTY

Interlocal: Yes _____ No X

Name of participating local government(s) in the Interlocal Agreement;

A copy of the Interlocal Agreement is attached as **Exhibit H.**

B. Purpose of the program: Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.
Creation of the Plan is for the purpose of meeting the housing needs of the very low, low and moderate-income households, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing.

C. Fiscal years covered by the Plan: *Chapter 67-37.002, F.A.C.*

X 2014/2015

X 2015/2016

X 2016/2017

D. Governance: *Chapter 67-37.005(3) and (5)(i) F.A.C. and Section 420.9071(14)F.S.*
The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. (F.A.C.). The SHIP Program furthers the housing element of the local government Comprehensive Plan, Cities and Counties must be in compliance with these applicable statutes and rules: Section 420.907-9079,F.S. and Chapter 67-37, F.A.C.

E. Local Housing Partnership *Section 420.9072(1)(a), F.S.*
SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

F. Leveraging: *Chapter 67-37.007(1)(b)(c), F.A.C. and Ssection 420.9075(1)(a) and (1)(b3, and (1)(c), F.S.*
The Plans are intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds maybe leveraged with or used to supplement other Florida Housing Finance Corporation programs that's not providing down payment and closing cost assistance, and to provide local match to obtain federal housing grants or programs. The program also works with USDA/Rural Development. Rural Development has partner with SHIP to combine programmatic money to stretch program assistance. Rural Development also provides first mortgage at below mortgage rate to first time homebuyers, whereby SHIP provides down-payment and closing cost assistance. SHIP funds may be leverage with the County general fund and USDA /Rural Development Rehabilitation Loan/Grant Program.

G. Public Input: *Chapter 67-37.005(3), F.A.C.*

Public input was solicited through face-to-face meetings with housing providers, social service providers and local lenders. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

H. Advertising and Outreach: *Chapter 67-37.005(6)(a), F.A.C.*

The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

I. Discrimination: *Section 420.9075(3)(c), F.S.*

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

J. Support Services and Counseling: *Chapter 67-37.005(5)(g), F.A.C.*

Support services are available from various sources. Available support services may include but are not limited to:

- Pre-Homeownership Counseling
- Credit Counseling.
- Foreclosure prevention counseling
- Home maintenance for residents who have received home rehabilitation

K. Purchase Price Limits: *Section 420.9075(4)(c), F.S. and Chapter 67-37.007 (6) F.A.C.*

The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower, may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

- Independent Study (copy attached)
- U.S. Treasury Department
- Local HFA Numbers

The purchase price limit for new and existing homes is shown on the Housing Delivery Goals Charts.

New Homes: \$140,000.00

Existing Homes: \$120,000.00

L. Income Limits, Rent Limits and Affordability:

Chapter 67-37.005(5)(e), F.A.C. and Section 420.9071(2), F.S.

The Income and Rent Limits used in the SHIP Program are updated annually by the U.S. Department of Housing and Urban Development (HUD) and distributed by Florida Housing

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Finance Corporation. **Affordable** means that monthly rents or mortgage payments including taxes and insurance do not exceed 30% of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. However it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed **Affordable** if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

M. Welfare Transition Program *Chapter 67-37.005(6)(b)(7) F.A.C.*

Should a eligible sponsor be used, **Gadsden County** has developed a qualification system and selection criteria for applications for Awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors that employed personnel from the Welfare Transition Program and Workforce Development Initiatives programs will be given preference in the selection process.

N. Monitoring and First Right of Refusal: *Section 420.9075(3)(e) and (4) (f), F.S.*

In the case of rental housing, the staff or entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored for at least annually for 15 years or the term of assistance whichever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

O. Administrative Budget: *Chapter 67-37.005(6)(f)3, F.A.C.*

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as **Exhibit A**. These are presented on an annual basic for each State fiscal year submitted.

Gadsden County finds that the monies deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The SHIP Administrator is responsible for administration of the SHIP program for fiscal year(s) 2014/15, 2015/16 and 2016/17. In accordance with Chapter 67-37, Florida Administrative Code, the cost of administering the plan does not exceed 10% percent of the total SHIP allocation will be authorized for administrative expenses each year, as approved by the Board of County Commissioners-attached resolution. **Exhibit E** Should the amount of funding increase or decrease administration will remain at 10% of total funds allocated.

A County or an eligible municipality may not exceed the 10% limitation on administrative costs. The cost of administering the program may not exceed 10% of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000.00 may use up to 10% of program income for administrative costs.

Exhibit E.

P. PROGRAM ADMINISTRATION:

Administration of the local housing assistance plan is the responsibility of the city/county. Should a third party entity or consultant contract for all or part of the administrative or other functions of the program provide in detail the **duties, qualification and selection criteria**.

Q. Essential Service Personnel

Define in accordance with Rule Chapter 67-37.002(6) F.A.C. and Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a) FS. Persons in need of affordable housing who are employed in occupations or professions in which they are essential to the county as referenced in Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a), F.S.

R. Green Initiatives: Section 420.9075(3) (d). F.S.

Gadsden County will monitor compliance with chapter 11 of the 2007 Florida Building Code for Residential development regarding Energy Efficiency. To reduce the costs of maintenance, by using materials such as high density insulation, vinyl siding, vinyl windows, that exceeds "Energy Star" requirements, energy efficient lights, and 13 SER HVAC systems. The County is committed to production of energy efficient housing for long term affordability. The County shall adhere to all energy requirements of HUD and the State of Florida Energy Efficiency Code for Building Construction. The County will encourage the homeowners to purchase Energy Star rated appliances, after rehabilitation or New Construction throughout Gadsden County. Also the County will allow the Contractor to save and re-used existing building materials.

II. LHAP HOUSING STRATEGIES: Chapter 67-37.005(5), F.A.C.

A. Name of the Strategy: Purchase Assistance Program

a. Summary of the Strategy:

The Purchase Assistance Program assists eligible first time homebuyers with down payment and closing cost. Funds will be available to purchase a **Newly Constructed home**, not to exceed **\$140,000.00** and **Existing home** less than ten (10) years of age and shall not exceed **\$120,000.00**. For the use as their principle residence, Potential homebuyers must hire a private home inspector to insure that the existing unit currently meets State and Local Building Codes. Mobile homes are not eligible for purchase under this program. Purchaser of a new constructed home or existing home will be assisted with

only the amount required to reduce the purchase price (Principle Reduction) in order to make unit affordable.

- b. **Fiscal Years Covered:** 2014/15, 2015/16, and 2016/17
- c. **Income Categories to be served:** Extremely Low, Very Low, Low, and Moderate Income Families.
- d. **Maximum award amount:** Assistance shall not exceed **\$10,000** for Moderate Income Applicants and up to **\$15,000** for Extremely Low, Very Low to Low Income Applicants.
- e. **Terms, Recapture and Default:**
Subsidy provided will be in the form of a **ten (10) year** deferred payment loan, for new construction and **seven (7) years** for existing unit. The loan amount will depreciate at a rate of 10% per year. The Deferred Payment Loan will involve a security agreement (lien) placed on the property, at 0% interest. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by Gadsden County Zoning Standards within the ten (10) or (7) year period. **Also the loan is forgiven in full at the end of (10) years new construction and (7) years existing.**
- f. **Recipient Selection Criteria:**
Prior to applying to Gadsden County, applicants must complete the Gadsden County homeowner class conducted by the Gadsden County Extension office. Applicants possessing a certificate of completion will be assisted on a first come, first qualified, first ready basis.

Applicants must be first time homebuyers. First time homebuyer is defined as: an individual who has not owned a home within the last three years, displaced individuals due to a divorce, and families who own mobile homes but not the property owner nor pay property taxes. All other cases will be reviewed on a first come, first-ready-to-close basis by the administrator and approved by the Affordable Housing Advisory Committee and the Board of County Commissioners. All applicants must be able to obtain first mortgage financing, with fixed interest rates.
- g. **Sponsor Selection Criteria:** Not Applicable
- h. **Additional Information:** SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

B. Name of the Strategy: Emergency Repair

- a. **Summary of the Strategy:**
Repairs considered an emergency will be available only to owner/occupied households. Emergency situations may vary from a leaking roof, plumbing

repairs or replacement, installation of ramps, or handicap accessible bathrooms which require immediate attention to faulty wiring. In general, any situations that endanger the health and safety of the family will be considered an emergency repair. The County will encourage the incorporation of energy efficiency features, green building and design techniques into rehabilitation or construction projects for long term affordability.

- b. **Fiscal Years Covered:** 2014/15, 2015/16 and 2016/2017
- c. **Income Categories to be served:** Extremely Low and Very Low
- d. **Maximum award:** \$ 10,000
- e. **Terms, Recapture and Default:**

Subsidy provided will be in the form of a two (2) year deferred payment loan. The Deferred Payment Loan will involve a security agreement (lien) placed on the property at 0% interest. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by the Gadsden County Zoning Standards within the two (2) year period. **Also the loan is forgiven in full at the end of the (2) year period.**

- f. **Recipient Selection Criteria:**

Applicants will be assisted on a first come, first qualified, first ready basis following annual advertisement of the availability of SHIP funds. Priorities may be given according to the initial determination of assistance in an effort to accommodate SHIP expenditure requirements. If a waiting list exists and the projected wait time for assistance is more than two years, the strategy will be closed until all applicants on the list have been assisted. **Mobile homes are not eligible for rehabilitation under this program.**

Applicants must provide evidence that property taxes are paid current and Mortgage (if applicable) also paid current.

- g. **Sponsor Selection Criteria:** Not Applicable
- h. **Additional Information:**

SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

C. Name of the Strategy: Owner Occupied Rehabilitation/Replacement Program

- a. **Summary of the Strategy:**

Assistance will be provided to homeowners whose homes are not in compliance with the State and Local building codes or Section 8 Minimum Quality Standards. In lieu of rehabilitation when the homes are deteriorated to the extent that repairs are unfeasible due to unreasonable costs or extensive

structural problems, a replacement will be granted. Mobile homes are not eligible for rehabilitation under this program. The county will encourage the incorporation of energy efficiency features, green building and design techniques into rehabilitation or construction projects for long term affordability.

- b. **Fiscal Years Covered:** 2014/15, 2015/16 and 2016/17
- c. **Income Categories to be served:** Extremely low, Very Low and Low income households.
- d. **Maximum award:** \$60,000
- e. **Terms, Recapture and Default:**

Subsidy provided will be in the form of a five (5) year deferred payment loan. The loan amount will depreciate at a rate of 20% per year. The Deferred Payment Loan will involve a security agreement (lien) placed on the property at 0% interest. Repayment of the loan will be required only if the homeowner sells or transfers ownership of the home, ceases to use the home as his/her primary residence or fails to maintain the property to the standards as set forth by the Gadsden County Zoning Standards within the five (5) year period. **Also the loan is forgiven in full at the end of the (5) year period.**

- f. **Recipient Selection Criteria:**
Applicants will be assisted on a first come, first qualified, first ready basis following annual advertisement of the availability of SHIP funds. Priorities may be given according to the initial determination of assistance in an effort to accommodate SHIP expenditure requirements. If a waiting list exists and the projected wait time for assistance is more than two years, the strategy will be closed until all applicants on the list have been assisted. Rehab will be available only to owner/occupied households.

Applicants must possess a clear title to the property, although it may be jointly owned and mortgaged. Applicants must provide evidence that property taxes are paid current and mortgage (if applicable) also paid current.

- g. **Sponsor Selection Criteria:** Not Applicable

- h. **Additional Information:**
SHIP assisted applicants can only benefit once from the program with exception to those affected by a disaster.

D. Name of the Strategy: Foreclosure Prevention

- a. **Summary of the Strategy:**
The Foreclosure Prevention Program will provide assistance on a first-come served basis to eligible applicants who are delinquent in their mortgage payments, but whose home have not yet had a foreclosure sale date set. Applicants requesting assistance must be able to prove that their financial situation is temporary and due to circumstances beyond their control, such as

military deployment or job loss, loss spousal support, personal injury, or unanticipated emergency expenses, as determined by the jurisdictions SHIP program. Eligible expenses will include delinquent mortgage payments, attorney's fee, recording fee, and late fees.

- b. **Fiscal Years:** 2014/15, 2015/16 and 2016/17
- c. **Income Categories to be served:** Very Low, Low and Moderate
- d. **Maximum Award Amount:** \$3,000
- e. **Terms, Recapture and Defaults:**
Subsidy provided will be in the form of a three (3) year deferred payment loan. The loan will depreciate at rate of 33.33% percent per year. The deferred payment loan will involve a security agreement (Lien) place upon the property at 0% interest. Repayment of the loan will be required only if the homeowner rents, sell, or transfer ownership of the home, ceases to use the home as his/her primary residence or fails to maintain property to the standards as set forth by Gadsden County Zoning Standards within the (3) three period. **Also the loan is forgiven in full at the end of the (3) year period.**
- f. **Recipients Selection Criteria:**
Persons previously assisted with SHIP funds will be eligible for assistance through this strategy. Applicants will be selected on a first-come first served basis.
- g. **Sponsor Selection Criteria:** Not Applicable
- h. **Additional Information:** SHIP assisted applicants can only benefit once from the program with the exception to those affected by a disaster.

E. Name of the Strategy: Disaster Relief

- a. **Summary of the Strategy:**
The Disaster Relief Strategy provides assistance to households following a natural disaster as declared by the President of the United States or Governor of the State of Florida. This strategy will only be implemented in the event of a natural disaster using any funds that have not yet been encumbered or additional disaster funds issued by Florida Housing Finance Corporation. SHIP disaster funds may be used for items such as, but not limited to:
 - (a) purchase of emergency supplies for eligible households to weatherproof damaged homes;
 - (b) interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable;
 - (c) construction of wells or repair of existing wells where public water is not available;
 - (d) payment of insurance deductibles for rehabilitation of homes covered under homeowners insurance policies;
 - (e) security deposit, rental assistance for the duration of Florida Office of the

Governor Executive Order 04-182, for eligible recipients that have been displaced from their homes due to damage from the storm;
(f) other activities as proposed by the counties and eligible municipalities and approved by Florida Housing.

- b. **Fiscal Years Covered:** 2014/15, 2015/16 and 2016/17
- c. **Income Categories to be served:** Extremely low-Very low- and Low
- d. **Maximum Award Amount:** \$5,000

- e. **Terms, Recapture and Default:**
All SHIP funds provided to eligible households will be in the form of a deferred payment loan at 0% interest for a period of 3 years. Should the owner move, vacate, rent or sell the home before the (3) three years have passed; the balance of the SHIP loan will be immediately due and repayable to the county. **Also the loan will be forgiven in full at the end of the (3) year period.**

- f. **Recipient Selection Criteria:**
Application will be reviewed for eligibility and approved on a first come first served basis. Applicants must own and occupy the home. Mobile homes are not eligible.

- g. **Sponsor Selection Criteria:** Not Applicable

- h. **Additional Information:** SHIP funds at all times must be used for eligible applicants and eligible housing. SHIP disaster funds may not be used for the purchase or rehabilitation of mobile homes.

III. LHAP INCENTIVE STRATEGIES

Section 420.9071 (16), F.S.

- A. **Name of the Strategy: Expedited Permitting**
Permits as defined in s. 163.3164(7) and (8), F.S. for affordable housing projects are expedited to a greater degree than other projects.
 - a. **Established policy and procedures:**
Permits as defined in S.163.3164 (7) and (8) for affordable housing projects are expedited to a greater degree than other projects. Expedited permitting process for affordable housing projects. Gadsden County permitting process shall remain as it exists. However, if affordable housing projects begin to experience delays beyond the normal permitting time frame and not related to developers changes, or are more than four weeks on any phase of the permitting process, then such affordable housing projects will be processed ahead of other projects to be considered. For the purpose of expedited permit process, affordable housing projects will be indentified as those projects assisted with state or federal funds.

B. Name of the Strategy: Ongoing Review Process

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

a. Established policy and procedures:

The Administration staff continues to review the local policies, ordinances, regulations, and plan provisions. Recommendations are provided to the Board of County Commissions on an as needed basis.

IV. EXHIBITS:

A. Administrative Budget for each fiscal year covered in the Plan. Exhibit A.

B. Timeline for Encumbrance and Expenditure: *Chapter 67-37.005(6)(d) and (f) F.A.C.*
A separate timeline for each fiscal year covered in this plan is attached as Exhibit B. Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.

C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the Plan: *Chapter 67-37.005, F.A.C.*
Completed HDGC for each fiscal year is attached as Exhibit C.

D. Certification Page: *Chapter 67-37.005(7), F.A.C.*
Signed Certification is attached as Exhibit D.

E. Adopting Resolution: *Section 420.9072(2)(b)2, F.S.*
Original signed, dated, witnessed or attested adopting resolution is attached as Exhibit E.

F. Program Information Sheet:
Completed program information sheet is attached as Exhibit F.

G. Ordinance: *Section 420.9072(3)(a), F.S.*
If changed from the original ordinance, a copy is attached as Exhibit G.

H. Interlocal Agreement: *Section 420.9072, F.S.*
A copy of the Interlocal Agreement if applicable is attached as Exhibit H.

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

Name of Local Government: GADSDEN COUNTY

- (1) The local government will advertise the availability of SHIP funds pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner, which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for awards.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if the local government (or interlocal entity) will be unable to comply with the provisions the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments to the approved Local Housing Assistance Plan shall be provided to the Corporation within 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities such as interest earned on loans.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation as soon as available.
- (13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation as soon as possible.

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Certification

- (14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.
- (15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- (17) Rental Units constructed or rehabilitated with SHIP funds shall be monitored at least annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)
- (18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.
- (19) The provisions of Chapter 83-220, Laws of Florida X *has or* *has not* been implemented.

Witness

Chief Elected Official or designee

Witness

Type Name and Title

Date

OR

Attest:
(Seal)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSION OF THE COUNTY OF GADSDEN, FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year Local Housing Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing; housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

WHEREAS, as required by Chapter 67-37.005(6)(f)3, F.A.C, .It is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

WHEREAS, the Economic and Community Development Department has prepared a three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Commission finds that it is in the best interest of the public for the GADSDEN COUNTY to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; and NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA that:

Section 1: The Board of County Commissioners of the Gadsden County hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2014-2015, 2015-2016 and 2016-2017.

Section 2: Eric F. Hinson, The Chairman, is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3: This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2014.

Chairman or Mayor or
designee

(CORPORATE SEAL)

ATTEST:

City or County Clerk

STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
INFORMATION SHEET

LOCAL GOVERNMENT: GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS

CHIEF ELECTED OFFICIAL: ERIC F. HINSON, BOCC CHAIRMAN

ADDRESS: POST OFFICE BOX 1799, QUINCY, FLORIDA 32353-1799

SHIP ADMINISTRATOR: PHYLLIS R. MOORE

ADDRESS: 9 EAST JEFFERSON STREET, RM. 101 QUINCY, FLORIDA 32351

TELEPHONE:(850) 875-8659 FAX:(850) 875-8899

EMAIL ADDRESS: PMoore@gadsdencountyfl.gov

ADDITIONAL SHIP CONTACTS: _____

ADDRESS: _____

EMAIL ADDRESS: _____

INTERLOCAL AGREEMENT: YES/NO (IF yes, list other participants in the inter-local agreement):

The following information must be furnished to the Corporation before any funds can be disbursed.

LOCAL GOVERNMENT EMPLOYER FEDERAL ID NUMBER: 59-6000616

MAIL DISBURSEMENT TO: COMMUNITY DEVELOPMENT ADMINISTRATION

ADDRESS: POST OFFICE BOX 1799, QUINCY, FLORIDA 32353-1799

OR:IF YOUR FUNDS ARE ELECTRONICALLY TRANSFERRED PLEASE COMPLETE THE ATTACHED FORM:

NO CHANGE FROM PREVIOUS ELECTRONIC FORM SUBMITTED.

Provide any additional updates the Corporation should be aware of in the space below:

Please return this form to: SHIP PROGRAM MANAGER, FHFC 227 N. BRONOUGH ST, STE 5000
TALLAHASSEE, FL 32301 Fax: (850) 922-7253

Exhibit G

Ordinance: Section 420.9072(3)(a)F.S.

If changed from the original ordinance, a copy is attached as Exhibit G.

Gadsden County's ordinance has changed from the original ordinance attach is a copy of the new ordinance 2013-009.

BOARD OF COUNTY COMMISSIONERS Agenda Request

Date of Meeting: December 17, 2013

Date Submitted: November 14, 2013

To: Honorable Chairperson and Members of the Board

From: Robert M. Presnell, County Manager
Allara Mills Gutcher, Director of Planning and Community Development
Phyllis R. Moore, SHIP Administrator

Subject: **PUBLIC HEARING** - Amendment of Chapter 66, Article II, Housing Initiatives Partnership (SHIP) by Adoption of Ordinance 2013-009

Statement of Issue:

Board of County Commissioners (BOCC) approval to amend Chapter 66, Article II of the Gadsden County Code of Ordinances, Housing Initiatives Partnership, to better reflect current statutory requirements, and to reestablish the makeup of the housing advisory committee. This amendment will also combine the purpose of the housing advisory committee with that of the Community Development Block Grant Citizen's Advisory Task Force.

Background:

Ordinance 1993-01 adopted the Housing Initiatives Partnership regulations into the Gadsden County Code of Ordinances, which is guided by §420.9075, Florida Statutes. Currently, Chapter 66, Article II contains the language which was adopted by that ordinance.

Analysis:

Chapter 420, Part VII, Florida Statutes and Rule Chapter 67-37, Florida Administrative Code provide the legislative authority and requirement for the local housing initiatives partnership program which administers the SHIP program monies as distributed. The requirements include the establishment of a local housing assistance program and submittal of a report of the local government's affordable housing programs and accomplishments. Much of the language within this Ordinance is derived from Chapter 420, Part VII, Florida Statutes.

Gadsden County is one which receives the minimum allocation of SHIP funds. Due to our population numbers, we are able to have less than the statutorily required eleven (11) members. In order to become more efficient and to streamline our activities, this ordinance will reduce the current number stipulated in the Code from nine to seven members, and combine the purpose of

ORDINANCE NO. 2013-009

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE CODE OF ORDINANCES CHAPTER 66, ARTICLE II, HOUSING INITIATIVES PARTNERSHIP; CREATION OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC), WHICH WILL SERVE AS THE AFFORDABLE HOUSING ADVISORY COMMITTEE, (AHAC) AND SHALL OPERATE IN A DUAL-ROLE OF CITIZENS ADVISORY TASK FORCE (CATF); AND TO CHANGE THE MEMBERSHIP ON THE AFFORDABLE HOUSING ADVISORY COMMITTEE FROM THE ELEVEN (11) MEMBERS TO SEVEN (7) MEMBERS, IN ACCORDANCE WITH THE PROVISIONS OF F.S. 420.9076; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Gadsden County has established the Gadsden Affordable Housing Advisory Committee (AHAC), as required pursuant to §420.9076(2), Florida Statutes; and

WHEREAS, §420.9076, Florida Statutes required that the County appoint members to adopt the Local Housing Assistance Program (LHAP); and,

WHEREAS, Florida Statutes requires that these appointed members make specific recommendations to encourage or facilitate affordable housing while protecting the ability of the property to increase in values that will be the basis for the County to adopt the local housing assistance program, and amendments thereto;

WHEREAS, §290.046(6) Florida Statutes requires a Citizen's Advisory Task Force be appointed "to provide input relative to all phases of the project process" for Community Development Block Grant Funds; and

WHEREAS, this ordinance repeals all prior ordinances in conflict with the terms set out herein and dissolves any previously appointed AHAC and the Citizens Advisory Task Force for CDBG funds;

Now therefore, be it ordained by the Board of County Commissioners of Gadsden County, Florida as follows:

SECTION I: Approval of Amendment.

We, the Board of County Commissioners of Gadsden County, hereby adopt the amendment to Chapter 66, Article II of the Gadsden County Code of Ordinances, as hereby included as Exhibit "A".

Section II: Repeal

All parts of Chapter 66, Article II of the Gadsden County Code of Ordinances in existence prior to the adoption of this ordinance and in conflict herewith are hereby repealed and shall have no further effect whatsoever.

Section III: Severability

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

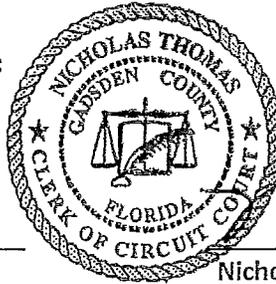
Section IV. Effective Date

This Ordinance shall become effective upon filing with the Department of State.

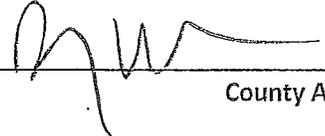
The above and foregoing Ordinance was read and approved at a duly convened regular meeting of the Board of County Commissioners of Gadsden County, Florida, this 17th day of December, 2013.

APPROVED AS TO FORM & CORRECTIONS:


Eric F. Hinson, BOCC Chairman




Nicholas Thomas, Clerk of Courts


County Attorney

COUNTY SEAL

Exhibit H

Interlocal Agreement: Section 420.9072. F.S.

A copy of the Interlocal Agreement is applicable is attached as Exhibit H.

**Gadsden County has not entered into an Interlocal Agreement at the time of the adoption
of this plan.**