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RESOLUTION NUMBER
2011-235

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, 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 COMMISSION CHAIR 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.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK 3586, PGS 1795-1836 42 pg(s)
INSTR # 2032844
Doc Type GOV, Recorded 07/27/2011 at 02:26 PM
Rec. Fee: \$358.50
Cashiered By: MARGEC Doc. #2

WHEREAS, in 1992 the State of Florida enacted the William E. Sadowski Affordable Housing Act, 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, codified at Sections 420.907-420.9079, Florida Statutes (FS), and Chapter 67-37, Florida Administrative Code (FAC), require local governments to develop a one- to three-year Local Housing Assistance Plan (LHAP) outlining how funds will be used, with 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 benefiting from awards made pursuant to the Act, with the methodology and purchase prices defined in the LHAP; and

WHEREAS, as required by Chapter 67-37.005(7), FAC, we find that five (5) percent of the local housing distribution plus five (5) percent of program income is insufficient to adequately pay the necessary costs of administering the LHAP, and the cost of administering the program may not exceed ten (10) percent of the local housing distribution plus five (5) percent of program income deposited into the trust fund; and

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WHEREAS, the Housing Division of the Human Services Department has prepared a three-year LHAP for submission to the Florida Housing Finance Corporation, which the Affordable Housing Advisory Committee has reviewed and revised; and

WHEREAS, the Board of County Commissioners finds that in the best interest of the public to submit the LHAP for review and approval so as to qualify for said State housing funds.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

Section 1: The Board of County Commissioners of Charlotte County, Florida, hereby approves the Local Housing Assistance Plan, attached hereto as Exhibit "1" and incorporated herein by reference, for submission to the Florida Housing Finance Corporation as required by Chapter 420.907, FS, for fiscal years 2012, 2013, and 2014.

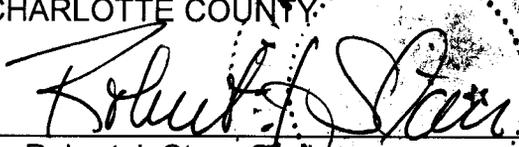
Section 2: The Chairman of the Charlotte County Board of County Commissioners is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper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

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

PASSED AND DULY ADOPTED this 12th day of July, 2011, by the Board of County Commissioners of CHARLOTTE COUNTY.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY

By


Robert J. Starr, Chairman

ATTEST:

Barbara T. Scott, Clerk of Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

By: Susan F. Carleton
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Janette S. Knowlton, County Attorney
MB



CHARLOTTE COUNTY, FLORIDA

SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FISCAL YEARS COVERED

JULY 1, 2011 – JUNE 30, 2014

I. PROGRAM DESCRIPTION:

A. Name:

The Charlotte County Housing Assistance Plan (the "Plan") for the fiscal years beginning July 1, 2011 and ending June 30, 2014 was approved by the Charlotte County Board of County Commissioners on _____, 2011.

Interlocal: Yes ___X___ No _____

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

Punta Gorda, Florida

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

B. Purpose of the program:

Creation of the Plan is for the purpose of meeting the housing needs of very low, low and moderate income households, to expand production of and preserve affordable housing, and to further the housing element of the local government comprehensive plan specific to affordable housing.

C. Fiscal years covered by the Plan:

_____ 2011-12 _____
_____ 2012-13 _____
_____ 2013-14 _____

D. Governance:

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37.007 Florida Administrative Code. The SHIP Program does further the housing element of the local government Comprehensive Plan. Cities and County must be in compliance with Program Statute and Rule.

E. Local Housing Partnership:

SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups. A broad range of affordable housing interests have participated in the partnership since program inception, including non-profit corporations, lending institutions, real estate developers, and for profit corporations.

F. Leveraging:

The Plan increases 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 may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to developers in order to obtain federal housing grants or programs.

G. Public Input:

The Charlotte County Affordable Housing Advisory Committee held two meetings and one public workshop on May 18, 2011 to consider uses for Charlotte County's annual allocation of SHIP funds for each of the three fiscal years covered by this Plan should funds be allocated. The Board of County Commissioners held two Public Hearings for public input. Should no funds be allocated during any of the above fiscal years the covenants of this LHAP that do not require funding and do not apply will not be enforced. The public meeting was noticed as per County requirements on the County television station, the County web sites and other appropriate publications with the public invited to participate at all opportunities and via email or written correspondence . The Committee voted at its May 18, 2011 meeting to recommend the Plan to the Charlotte County Board of County Commissioners on June 28, 2011.

Additional public input about the SHIP program is received at the end of each of the regularly scheduled meetings of the Affordable Housing Advisory Committee, typically held on a quarterly basis.

H. Advertising and Outreach:

Charlotte County or its administrative representative shall advertise the notice of funding availability in a local newspaper as well as all available electronic media of general circulation at least 30 days before the beginning of the application period. Applications for disaster assistance may be accepted immediately following a declared disaster with advertising to follow as soon after as practical. If no funding is available, no notice of funding availability is required.

I. Discrimination:

In accordance with the provisions of Florida Statutes Sections 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. All SHIP advertisements and selection processes will conform to the anti-discrimination laws that make it unlawful to discriminate on the basis of race, creed, color, religion, age, sex, marital or familial status, national origin, or handicap in the award of program benefit.

J. Support Services and Counseling:

The Charlotte County Homebuyers Program offers homebuyer counseling at no charge to down payment assistance clients. This program utilizes the Fannie Mae approved homeowner training guide. Foreclosure counseling is also available at no charge to clients of the foreclosure prevention strategies. This counseling is provided by HUD certified foreclosure counselors.

The Homebuyers Program offers homeownership counseling, both individually and group, to assist potential homebuyers to position themselves to become homeowners. Counselors aid participants in creating workable budgets, repairing credit reports, and dealing with problems hindering their ability to become homeowners. The program is open to all residents of Charlotte County at all income levels regardless of their

participation in other SHIP programs. They are served on the basis of first come, first served. The program does not currently limit the number of participants.

Construction and rehabilitation assistance is provided at no charge to all program participants by certified construction technicians in the Housing Rehabilitation Program. State certified inspection agencies survey the homes of eligible participants before rehabilitation is approved and again before payment is made to ensure the appropriateness of rehabilitation.

Habitat For Humanity of Charlotte County, Inc. provides "family nurturing" for homes assisted with SHIP funds. Family nurturing includes a broad range of support services to ensure the household will assimilate to homeownership with the least disruption in their lives.

New construction of rental housing assisted with SHIP funds will be selected in a public competition giving preference to developers who limit rent increases and to those who provide day care, down payment assistance via escrow of a portion of rents, computer laboratories, and similar social services available to all residents. Additional preference will be given to those developers who commit to providing employment opportunities for people transitioning from welfare to self-sufficiency.

K. Purchase Price Limits:

Purchase Price Limits: The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the Punta Gorda Metropolitan Statistical Area. The 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 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.

L. Income Limits, Rent Limits and Affordability:

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by Florida Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 F.S. However it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent 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 percent benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

M. Welfare Transition Program:

Charlotte 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 will be given addition scoring in the selection process. Beginning with the 2009-2010 fiscal year, new contracts with sub-recipients will require prioritizing employment through the Welfare Transition Program.

N. Monitoring and First Right of Refusal:

In the case of rental housing, Charlotte County or an entity to which the County has contracted for implementing the local housing assistance plan rental strategies shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, Charlotte County 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 annually for at least 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:

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as Exhibit A. These are presented on an annual basis for each State fiscal year submitted. The moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan, according to Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, which provides:

“A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, 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.”

Charlotte County has adopted these findings in the attached resolution, Exhibit E.

P. Program Administration:

Charlotte County assumes responsibility for the local housing assistance plan, in cooperation with the City of Punta Gorda as specified in the attached interlocal agreement. Since Plan inception, Charlotte County has implemented the SHIP program and has leveraged County dollars to expand and provide additional housing opportunities.

Charlotte County shall advertise the receipt of SHIP funds and solicit qualified nonprofit entities to submit a proposal to implement the homeowner strategies of the Plan for the three years covered by the Plan. The solicitation shall be in a local newspaper and/or available electronic media opportunities of general circulation and provide at least a 30 day window for applicants to submit proposals.

The duties include implementation of all homeowner strategies including, but not limited to, accepting applications, verifying household income and eligibility, conducting mortgage closings, maintaining assistance files and data, and providing information and assisting in preparation of annual reports and audits.

Qualified non-profit organizations must be established under the laws of the State of Florida, and in receipt of a letter from the Internal Revenue Service indicating that the organization is recognized as tax exempt, pursuant to Section 501(c)(3) of the Internal Revenue Code. The organization must be established for the purpose of providing housing services, and it must have been operating in Charlotte County for a reasonable time with paid staff and demonstrate professional capability and proficiency. Organizations must have internet capabilities at the time the selection of an organization to administer the SHIP program is considered by the Board of County Commissioners.

The selection criteria will rank experience in affordable housing and its understanding of the SHIP program, residential mortgage underwriting principles, especially income verification procedures. Sponsor proposals shall address how the organization would administer the various SHIP strategies, the number of paid staff dedicated to the delivery of SHIP strategies, other activities of paid staff and the anticipated impact of those activities on the operation of the organization. The scoring below will be utilized to rank sponsor applicants

Selection Criteria

Understanding of SHIP program rules	15 points maximum
Number of paid staff with at least two years relevant experience	10 points maximum
Other activities and anticipated impact of those on operation	5 points maximum

Q. Essential Service Personnel:

Charlotte County's Essential Service Personnel are those personnel providing basic functions essential to the community such as: teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, skilled building trades personnel, sanitary and utility personnel, postal personnel, and other personnel providing for basic health, safety and welfare up to 120% Area Median Income (AMI) and other personnel at 80% of AMI or less, subject to SHIP set asides.

The Plan includes a variety of strategies to retain and recruit essential service personnel in order to positively impact the economic and social growth of the community. Down payment assistance, community land trust assistance, and single family construction and rehabilitation will provide assistance to essential personnel living in the community or moving into the community to accept a job essential to the economic and social growth of the community.

The foreclosure prevention strategy will assist current essential service personnel retain ownership of their homes. Non-SHIP assistance through the Human Services Department is available for renters struggling to make rental and essential utility payments.

II. LHAP HOUSING STRATEGIES:

A. Home Ownership Purchase Assistance:

1. Summary

Home Ownership Purchase Assistance provides down payment and closing cost assistance to qualified households to purchase new or existing single family or condominium homes. All homes purchased must be the primary residency of the recipient and may not be used as a rental unit.

Homes purchased in this strategy may be purchased utilizing the mortgage revenue bond programs approved by Florida Housing Finance Corporation or provided by Charlotte County Housing Finance Authority if these programs also conform to these guidelines.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low, low, and moderate incomes will be served by this activity. However, priority will be given to very-low and low-income families. Moderate income households may be served if adequate funds are available. Ten percent (10%) of allocated down payment assistance funds will be reserved for the first nine months of each State fiscal year for down payment assistance to households deprived of affordable housing due to the closure of mobile home parks or the conversion of affordable rental units to condominiums.

4. Maximum award

The maximum award and level of funding for this strategy and each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as part of the Plan.

5. Terms, Recapture and Default Provision

SHIP assistance is provided in the form of a deferred loan with 0% interest. The terms of the loans are as follows:

Loan Range: \$0 to \$5,000.00	Five year term, Forgivable at the end of the fifth year
\$5,001.00 to \$15,000.00	Ten year term 25% loan reduction starting with the 7 th year
\$15,001.00 to Cap	fifteen year term 25% loan reduction starting with the 12 th year

Additional terms contained in the mortgage render the loan due and payable as program income if the home is no longer used as the primary residence of the applicant, is used as rental housing, or is sold. The SHIP mortgage can be subordinated upon a refinance of the primary loan only if the refinance is for a better interest rate with no cash out or bills being paid. Refinances with cash out, including reverse mortgages, or bills paid require full repayment as program income at time of refinance.

6. Recipient Selection Criteria

Selection will be on a first come and first ready basis, following receipt of an application, income qualification, attendance at an approved home ownership training program, first mortgage approval, and a purchase contract for a home.

7. Sponsor selection criteria, if applicable

See Section I, Subsection P, "Program Administration."

8. Additional Information

Not applicable

B. Housing Rehabilitation:

1. Summary

Homeowner Rehabilitation Program provides SHIP assistance to rehabilitate and/or add hurricane mitigation/hardening features to single family and condominium units. All homes rehabilitated with SHIP assistance must be the primary residence of the recipient and may not be used as a rental unit.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low and low incomes homeowners who have not been previously assisted with SHIP funds will be served by this activity. Exceptions to the prohibition of homeowners previously assisted shall be homeowners required to hook up to new sewer, septic, or any other public utility need to meet health and safety issues lines after SHIP assistance is provided or those needing assistance following a major disaster. Moderate income households may be served if adequate funds are available.

4. Maximum award

The maximum award and level of funding for this strategy and each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as part of the Plan.

5. Terms, Recapture and Default Provision

SHIP assistance is provided in the form of a deferred loan with 0% interest. The terms of the loans are as follows:

Loan Range: \$0 to \$5,000.00	Five year term, Forgivable at the end of the fifth year
\$5,001.00 to \$15,000.00	Ten year term 25% loan reduction starting with the 7 th year
\$15,001.00 to Cap	fifteen year term 25% loan reduction starting with the 12 th year

Additional terms contained in the mortgage render the loan due and payable as program income if the home is no longer used as the primary residence of the applicant, is used as rental housing, or is sold. The SHIP mortgage can be subordinated upon a refinance of the primary loan only if the refinance is for a better interest rate with no cash out or bills being paid. Refinances with cash out or bills paid require full repayment as program income at time of refinance.

6. Recipient Selection Criteria

Selection will be on a first come and first ready basis, following receipt of an application, income qualification, and first mortgage approval if applicable. If the applicant has an existing SHIP mortgage from down payment assistance through the Cornerstone Program, they will be eligible for rehab assistance five years from the date of the signed SHIP mortgage agreement. If the applicant has an existing SHIP mortgage from previous rehab assistance, they will be eligible for additional assistance 15 years from the date of the signed SHIP mortgage agreement.

7. Sponsor selection criteria, if applicable

See Section I, Subsection P, "Program Administration."

8. Additional Information

C. Housing Construction:

1. Summary

Single Family Housing Construction is for the costs associated with construction or acquisition/rehabilitation of single family homes that are then sold to qualified very low or low income households.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low and low income households will be served by this activity. Moderate income households may be served if adequate funds are available.

4. Maximum award

The maximum award and level of funding for this strategy and each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as part of the Plan.

5. Terms, Recapture and Default Provision

SHIP assistance may be provided in the form of down payment assistance to the purchaser of the completed home. The assistance will be in the form of a deferred loan with 0% interest to the income eligible applicant home. The terms of the loans are as follows:

Loan Range: \$0 to \$5,000.00	Five year term, Forgivable at the end of the fifth year
\$5,001.00 to \$15,000.00	Ten year term 25% loan reduction starting with the 7 th year
\$15,001.00 to Cap	fifteen year term 25% loan reduction starting with the 12 th year

Additional terms contained in the mortgage render the loan due and payable as program income if the home is no longer used as the primary residence of the applicant, is used as rental housing, or is sold. The SHIP mortgage can be subordinated upon a refinance of the primary loan only if the refinance is for a better interest rate with no cash out or bills being paid. Refinances with cash out, including reverse mortgages or bills paid require full repayment as program income at time of refinance.

Alternatively, assistance may be provided as a loan directly to the developer, repayable at the time of sale to an income-eligible household with 0 percent interest.

6. Recipient Selection Criteria

Selection of households for constructed homes will be on a first come and first ready basis, following receipt of an application, income qualification, attendance at an approved home ownership training program, and first mortgage approval.

7. Sponsor selection criteria, if applicable

Not for Profit developers will be selected as sponsors through a competitive process. Selection criteria will give priority to proposals with the maximum number of units produced at the lowest per unit (SHIP) cost and leveraging provided from other approved private or public funding sources. Additional scoring will be given sponsors that employ or agree to employ personnel from the WAGES or Workforce Development Initiatives Program. Other scoring incentives will be for green building design and the use of local labor in the home construction. In addition, preference will be given to Sponsors seeking to build homes within the designated Neighborhood Revitalization Area or within close proximity to existing employment centers.

A for-profit developer may be eligible for funding under this strategy only for developments within the Neighborhood Revitalization Area or within one mile of a major employment center such as Murdock Circle or others as designated in the Notice of Funding Availability.

8. Additional Information

Not applicable.

D. Foreclosure Prevention:

1. Summary

The Foreclosure Program provides SHIP assistance to qualified homeowners of single family and condominium units to prevent foreclosure. All households receiving SHIP assistance must be the primary residence of the recipient and may not be used as a rental unit. Recipients will be provided assistance regardless of balances on any other SHIP mortgage.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low, low and moderate income homeowners will be served by this activity. Participation in a Certified HUD Credit Counseling Program is required. Receipt of prior SHIP assistance is not required. However, homeowners with SHIP mortgages will be given priority.

4. Maximum award

The maximum award and level of funding for this strategy and each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as part of the Plan.

5. Terms, Recapture and Default Provision

The award of SHIP assistance is provided in the form of a forgivable loan with 0 percent interest. The terms of the loans are as follows:

Loan Range: \$0 to \$5,000.00	Five year term, Forgivable at the end of the fifth year
\$5,001.00 to \$15,000.00	Ten year term 25% loan reduction starting with the 7 th year
\$15,001.00 to Cap	fifteen year term 25% loan reduction starting with the 12 th year

Additional terms contained in the mortgage render the loan due and payable as program income if the home is no longer used as the primary residence of the applicant, is used as rental housing, or is sold. The SHIP mortgage can be subordinated upon a refinance of the primary loan only if the refinance is for a better interest rate with no cash out, including reverse mortgages or bills being paid. Refinances with cash out or bills paid require full repayment as program income at

time of refinance.

6. Recipient Selection Criteria

Selection will be on a first come and first ready basis, following receipt of an application, income qualification and completion of a workout plan with a Certified HUD Credit Counselor.

7. Sponsor selection criteria, if applicable

See Section I, Subsection P, "Program Administration."

8. Additional Information

Not applicable.

E. Foreclosure Prevention, Extended Home Protection:

1. Summary

The Foreclosure Prevention Program provides SHIP assistance to qualified homeowners of single family and condominium units to prevent foreclosure. All households receiving SHIP assistance must be the primary residence of the recipient and may not be used as a rental unit. Recipients will be provided assistance regardless of balances on any other SHIP mortgage. To be qualified, at least one of the primary income providers in the household must be able to provide proof of job loss or a minimum 30 percent reduction in discretionary income or other significant demonstration of hardship within the past six months due to changing economic conditions with proof provided that the job loss and/or income reduction were due to no fault of their own.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low, low and moderate income homeowners will be served by this activity. Receipt of prior SHIP assistance is not required. However, homeowners with SHIP mortgages will be given priority.

4. Maximum Award

The total maximum award is \$12,400. This will include funds to bring a mortgage current as well as funds to provide a small supplementary mortgage payment for six to eight months.

5. Terms, Recapture and Default Provision

SHIP assistance is provided in the form of a forgivable loan with 0 percent interest. The terms of the loans are as follows:

Loan Range: \$0 to \$5,000.00	Five year term, Forgivable at the end of the fifth year
\$5,001.00 to \$15,000.00	Ten year term

25% loan reduction starting with the 7th year

\$15,001.00 to Cap

fifteen year term

25% loan reduction starting with the 12th year

Additional terms contained in the mortgage render the loan due and payable as program income if the home is no longer used as the primary residence of the applicant, is used as rental housing, or is sold. The SHIP mortgage can be subordinated upon a refinance of the primary loan only if the refinance is for a better interest rate with no cash out or bills being paid. Refinances with cash out, or bills paid require full repayment as program income at time of refinance.

A portion of this money may be recaptured if all funds are not necessary to bring the household to financial stabilization or if the household members fail to participate in appropriate credit and employment counseling services.

6. Recipient Selection Criteria

Selection will be on a first come and first ready basis, following receipt of an application, income qualification and completion of a workout plan with a Certified HUD Credit Counselor. Participation in a Certified HUD Credit Counseling Program is required. In addition, applicants must register with no less than two employment service agencies, including the Career and Services Center of Southwest Florida. Recipients must be able to provide proof that they are unemployed or have experienced a reduction in income of no less than 30 percent or other significant demonstration of hardship due to no fault of their own.

7. Sponsor selection criteria, if applicable

See Section I, Subsection P, "Program Administration."

8. Additional Information

Not applicable.

F. Disaster Recovery/Mitigation:

1. Summary

Unencumbered Charlotte County SHIP funds in Home Ownership and Non-Home Ownership Strategies may be used to provide emergency replacement of or repairs to homes owned and occupied by low and very low income households damaged as a result of a disaster that has been declared by Executive Order by a national or state authority. Emergency repairs that are not covered by insurance shall be eligible for assistance.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low, low, and moderate incomes will be served by this activity.

4. Maximum award

The maximum award and level of funding for this strategy and each fiscal year is specified on

the Housing Delivery Goals Charts attached, which are herein adopted as part of the Plan.

5. Terms, Recapture and Default Provision

SHIP assistance is provided in the form of a deferred loan with 0% interest. The terms of the loans are as follows:

Loan Range: \$0 to \$5,000.00	Five year term, Forgivable at the end of the fifth year
\$5,001.00 to \$15,000.00	Ten year term 25% loan reduction starting with the 7 th year
\$15,001.00 to Cap	fifteen year term 25% loan reduction starting with the 12 th year

Additional terms contained in the mortgage render the loan due and payable as program income if the home is no longer used as the primary residence of the applicant, is used as rental housing, or is sold. The SHIP mortgage can be subordinated upon a refinance of the primary loan only if the refinance is for a better interest rate with no cash out or bills being paid. Refinances with cash out or bills paid require full repayment as program income at time of refinance.

6. Recipient Selection Criteria

Selection will be on a first come and first ready basis, following receipt of an application, income qualification, attendance at an approved home ownership training program if applicable, and first mortgage approval if applicable.

7. Sponsor selection criteria, if applicable

See Section I, Subsection P, "Program Administration."

8. Additional Information

Rehabilitation assistance shall include the purchase of emergency supplies to weatherproof damaged homes; interim repairs to avoid further damage; tree and debris removal required to make individual housing units inhabitable; and other post disaster, housing rehabilitation assistance that are not insured or otherwise subject to reimbursement. To expedite funding to those most in need after a disaster, 30 days notice of fund availability will not be required for disaster recovery assistance. However, the availability of funding will be advertised.

G. Public Housing Rental Program:

1. Summary

Public Housing Rental Program Strategy is for the rehabilitation or construction of public housing units occupied by qualified households.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this Strategy.

3. Income Category Served

Very low income households will be served by this activity. The housing agency will utilize its approved selection policy, which consists of a “first come and first ready” waiting list for residential units.

4. Maximum Award

The maximum award and level of funding for each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as a part of the Plan.

5. Terms, Recapture and Default Provision

SHIP assistance will be given in the form of a forgivable loan to a public housing authority. The term of the loan is 15 years. Additional conditions in the loan documents provide the loan will be due and payable as program income at 0% interest if the property is sold or no longer used as affordable rental units that are available to low and very low income households. If property is offered for sale before 15 years, the housing authority must give a first right of refusal to eligible non-profit organizations for purchase at the current market value for continued occupancy by eligible households. Mortgage documents shall include provisions for repayment in the event that rental housing is no longer affordable to lower income households. Repayment of the principal is immediately due in full in the event of default.

6. Recipient Selection Criteria

All tenants in units funded through this strategy must be very-low-income households at or below 50 percent of the Area Median Income.

7. Sponsor Criteria

Participation will be limited to rental property operated by a public housing authority. The housing authority or its development partner shall propose rehabilitation or construction of specified apartments or housing complexes with selection awarded to the proposal with the lowest SHIP funded rehabilitation or construction cost per unit.

8. Additional Information

All property receiving SHIP assistance must be rented at prices that are affordable in accordance with guidelines provided by HUD and distributed by Florida Housing Finance Corporation. Rent limits are provided annually by HUD and distributed by Florida Housing Finance Corporation. Rent limits must be in accordance with program regulations. Housing Authorities selected for participation in the strategy shall be required to report to the County the income eligibility of tenants on an annual basis for 15 years. The County shall use the information reported in the annual SHIP Report submitted to the Florida Housing Finance Corporation.

H. Non-Profit/Special Needs Rental Program:

1. Summary

Strategy is designed to assist in the rehabilitation or construction of rental housing owned and operated by non-profit or special needs organizations for very low or low income households.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this Strategy.

3. Income Category Served

Very low income households will be served by this activity.

4. Maximum Award

The maximum award and level of funding for each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as a part of the Plan.

5. Terms, Recapture and Default Provision

SHIP assistance will be given in the form of a forgivable loan at 0% interest to the income eligible applicant of the rehabilitated or constructed housing. The term of the loan is 15 years. Additional conditions in the mortgage provide that the loan will be due and payable as program income if the property is sold or no longer used as rental housing affordable to low income households. Repayment of the principal is immediately due in full in the event of default.

Selected sponsors offering rental housing for sale before 15 years or who have remaining mortgages funded under this program must give a right of first refusal to eligible non-profit organizations at the current market value for continued occupancy by eligible persons. Selected sponsors shall be required to report to the County the income eligibility of tenants on an annual basis for 15 years. The County shall use the information reported in the annual SHIP Report submitted to the Florida Housing Finance Corporation.

6. Recipient Selection Criteria

All tenants in units funded through this strategy must be very-low-income households at or below 50 percent of the Area Median Income. The specific selection criteria will be determined by the developer assuming compliance with all fair housing laws.

7. Sponsor Criteria

Non-profit and special needs organizations seeking to operate rental housing for low and very low income households will be eligible to submit applications for SHIP funds to rehabilitate or construct rental housing. Applications will be ranked in accordance with specific scoring criteria based on County preferences and development needs. Scoring will be based on the experience of the developer, project readiness, community need, green and universal design features, and willingness to employ local labor as well as hiring from the Welfare Transition Program. The application may be modified to reflect local preferences for housing for elderly households, special needs, and extremely low income households. Criteria may also be amended to reflect a desire for development within a specific infill area in Charlotte County, including the Neighborhood Revitalization Area, within one mile of a major employment center such as Murdock Circle, or within the City of Punta Gorda. A selection committee will be chosen by the Charlotte County Housing Manager which shall include at least one member of the Affordable Housing Advisory Committee or, in the case of fewer than five applications, may be scored directly by the Affordable Housing Advisory Committee. Applications will be ranked in descending order with applications receiving the highest score ranked first. In the case of a tie after applications have been ranked, the Board of County Commissioners shall select

applications at a public meeting after considering recommendations of the ranking committee. The decision of the Board of County Commissioners shall be final.

8. Additional Information

All property receiving SHIP assistance must be rented at prices that are affordable in accordance with guidelines provided by HUD and distributed by Florida Housing Finance Corporation. Rent limits are provided annually by HUD and distributed by Florida Housing Finance Corporation. Rent limits must be in accordance with program regulations. Agencies selected for participation in the strategy shall be required to report to the County the income eligibility of tenants on an annual basis for 15 years. The County shall use the information reported in the annual SHIP Report submitted to the Florida Housing Finance Corporation.

I. For-Profit, New Construction or Rehab Rental Program:

1. Summary

Rental, For Profit New Construction Strategy is designed to assist in the new construction of rental housing or rehabilitation of existing properties by For Profit developers. The Strategy will provide a source of funds that may be used as local contribution in the HOME Program, the State Apartment Improvement Loan (SAIL) Program and the Housing Credit Program administered by the Florida Housing Finance Corporation or other public funding received for affordable housing initiatives. These funds may also be combined with bonds provided by the Charlotte County Housing Finance Authority.

2. State Fiscal Years Covered

The three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this strategy. The level of funding for each fiscal year is specified on the Housing Goals Charts attached, which are herein adopted as a part of the Plan.

3. Income Category Served

Very low income households will be served by this activity.

4. Maximum Award

The maximum award and level of funding for each fiscal year is specified on the Housing Delivery Goals Charts attached, which are herein adopted as a part of the Plan.

5. Terms, Recapture and Default Provision

SHIP funds for this Strategy will be provided in the form of a loan to be repaid as program income in semi-annual payments beginning after 80% of occupancy and continuing over a period of 30 years at a 2 percent interest rate. A 1 percent interest rate may be available to properties in which at least 75 percent of the units are set-aside for households earning 50 percent or less of Area Median Income (AMI) or if 30 percent of the units are set-aside for special needs households such as disabled, very-low-income, homeless, or households transitioning out of homelessness. The loan shall be secured by mortgage documents that subject the mortgagee to the recapture provisions of 6737.007(12), Florida Administrative Code. In the event the local SHIP mortgage and the primary mortgage have different restrictions on the same issue, the more restrictive regulation shall take precedence.

Selected developers shall be required to report to the County the income eligibility of tenants on an annual basis for 15 years. The County shall use the information reported in the annual SHIP Report submitted to the Florida Housing Finance Corporation.

6. Recipient Selection Criteria

All tenants in units funded through this strategy must be very-low-income households at or below 50 percent of the Area Median Income. The specific selection criteria will be determined by the developer assuming compliance with all fair housing laws.

7. Sponsor Criteria

Non-profit and special needs organizations seeking to operate rental housing for low and very low income households will be eligible to submit applications for SHIP funds to rehabilitate or construct rental housing. Applications will be ranked in accordance with specific scoring criteria based on County preferences and development needs. Scoring will be based on the experience of the developer, project readiness, community need, green and universal design features, and willingness to employ local labor as well as hiring from the Welfare Transition Program. The application may be modified to reflect local preferences for housing for elderly households, special needs, and extremely low income households. Criteria may also be amended to reflect a desire for development within a specific infill area in Charlotte County, including the Neighborhood Revitalization Area, within one mile of a major employment center such as Murdock Circle, or within the City of Punta Gorda. A selection committee will be chosen by the Charlotte County Housing Manager which shall include at least one member of the Affordable Housing Advisory Committee or, in the case of fewer than five applications, may be scored directly by the Affordable Housing Advisory Committee. Applications will be ranked in descending order with applications receiving the highest score ranked first. In the case of a tie after applications have been ranked, the Board of County Commissioners shall select applications at a public meeting after considering recommendations of the ranking committee. The decision of the Board of County Commissioners shall be final.

8. Additional Information

All property receiving SHIP assistance must be rented at prices that are affordable in accordance with guidelines provided by HUD and distributed by Florida Housing Finance Corporation. Rent limits are provided annually by HUD and distributed by Florida Housing Finance Corporation. Rent limits must be in accordance with program regulations. Agencies selected for participation in the strategy shall be required to report to the County the income eligibility of tenants on an annual basis for 15 years. The County shall use the information reported in the annual SHIP Report submitted to the Florida Housing Finance Corporation. In the event the Developers primary financing and the local LHAP have different restrictions on the same issue, the more restrictive regulation shall take precedence.

J. Renter Eviction Prevention:

1. Summary

The Renter Eviction Program provides a SHIP grant to qualified renters in order to prevent eviction. All households receiving SHIP assistance must be the primary, year-round residence of the recipient and may not be used as for seasonal occupancy. To be qualified, renters must have

lost their job or suffered a minimum 30 percent reduction in discretionary income or other significant demonstration of hardship within the past six months due to changing economic conditions.

2. State Fiscal Years Covered

Three state fiscal years beginning July 1, 2011 and ending June 30, 2014 will be used for this activity.

3. Income Category Served

Very low and low-income homeowners will be served by this activity.

4. Maximum award

The maximum award for this strategy will be \$3,000.

5. Terms, Recapture and Default Provision

SHIP assistance will be provided in the form of a grant up to \$3,000.

6. Recipient Selection Criteria

Selection will be on a first come, and first ready basis, following receipt of an application, income qualification and completion of a workout plan with a certified credit counselor. Participation in a credit counseling program is required. In addition, applicants must register with no less than two employment service agencies, including the Career and Services Center of Southwest Florida. Recipients must be able to provide proof that they lost their job or experienced a minimum 30 percent reduction in income through no fault of their own. They must also provide a signed 12-month lease for their rental unit that will not expire within the period of assistance.

7. Sponsor selection criteria, if applicable

See Section I, Subsection P, "Program Administration." This program will be administered by the non-profit selected to oversee the homeowner strategies.

8. Additional Information

To be eligible to receive assistance, the owner of the rental unit must provide a statement indicating that the unit will be available for the term of the assistance and is not in danger of foreclosure.

III. LHAP INCENTIVE STRATEGIES:

A. Expedited Permitting:

Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

Policy and Procedure:

Per Ordinance Number 98-0710A0, Developer will make request to be designated as an Affordable Housing Development (AHD) to the County Ombudsman who will review the project to determine if it provides at least 25% of the units (or one unit in the case of a

single unit development) as affordable units and meets the definition. If project meets the definition, the Developer will be provided a letter from County Administrator to include with his permitting documents. A project requiring DRC processing shall be scheduled for review within one week. If project requires Zoning Board of Appeals process, it shall be placed on the agenda of the next regularly scheduled meeting, unless Developer requests a delay. A project requiring neither shall be expedited through the County review process, and any agencies shall report items that may cause delay to the Ombudsman who will review those items with Developer within 24 hours and who will assist in forwarding the development through the review process.

B. 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.

Policy and Procedure:

Per Ordinance Number 98-0710A0, any and all changes in code, procedure or process that affect the cost of housing shall be reviewed by the Charlotte County Affordable Housing Advisory Committee (AHAC). No such changes shall be considered for approval by the Charlotte County Board of County Commissioners (BCC), or any person or agency delegated with authority to act on its behalf, unless it has been considered by the AHAC at a public meeting. The AHAC shall make non-binding recommendations of any proposed changes in code, procedure or process that affect the cost of housing to the BCC.

C. Inventory of Publicly Owned Lands:

An ongoing process for developing and making available an inventory of all land owned by the County and to provide a process for making appropriate lands available to non-profit housing providers for the creation of affordable housing.

Policy and Procedure:

Per Resolution Number 2001-080, the County's Manager of Real Estate Services will establish, on a semi-annual basis or as otherwise required, a listing of County owned real property believed to be surplus to County needs. The listing will be made available to other government divisions for review. Such surplus properties will be disposed of by legal means, in accordance with County guidelines and Florida Law.

By Florida law, such surplus property may be offered for sale and the proceeds earmarked for the development of affordable housing or may be donated to nonprofit housing providers for the construction of permanent affordable housing.

IV. EXHIBITS:

- A. Administrative Budget for each fiscal year covered in the Plan:
Attached as Exhibit A.
- B. Timeline for Encumbrance and Expenditure:

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:
Completed HDGC for each fiscal year is attached as Exhibit C.
- D. Certification Page:
Signed Certification is attached as Exhibit D.
- E. Adopting Resolution:
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:
If changed from the original ordinance, a copy is attached as Exhibit G.
- H. Interlocal Agreement:
A copy of the Interlocal Agreement if applicable is attached as Exhibit H.

Exhibit A
SHIP Administrative Budget
2011-2012

Wages & Fringe Benefits	\$ 34,350.00
Travel	\$ 500.00
Office Supplies	\$ 150.00
<hr/>	
Total SHIP Administrative Funding	\$ 35,000.00

SHIP Administrative Budget
2012-2013

Wages & Fringe Benefits	\$ 4,350.00
Travel	\$ 500.00
Office Supplies	\$ 150.00
<hr/>	
Total SHIP Administrative Funding	\$ 5,000.00

SHIP Administrative Budget
2013-2014

Wages & Fringe Benefits	\$ 4,350.00
Travel	\$ 500.00
Office Supplies	\$ 150.00
<hr/>	
Total SHIP Administrative Funding	\$ 5,000.00

EXHIBIT "A"

FLORIDA HOUSING FINANCE CORPORATION

HOUSING DELIVERY GOALS CHART #2002

STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2011-2012

Name of Local Government: CHARLOTTE COUNTY, FLORIDA Available Funds: \$460,000.00

Name of Local Government: CHARLOTTE COUNTY, FLORIDA

Strategy # From Plan Text	HOME OWNERSHIP STRATEGIES (strategy title must be same as the title used in plan text.)	VLI		Max. SHIP		LI	Max. SHIP		MI	Max. SHIP Award	A		B		C		D		E		F
		Units	Award	Units	Award		Units	Award			New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total SHIP Dollars	Percentage	Total SHIP Dollars	Percentage	Total Units		
1	Purchase Assistance	0	\$35,000	1	\$35,000				5	\$15,000				\$110,000.00				\$110,000.00		24%	6
2	Housing Rehabilitation	2	\$30,000	4	\$30,000				2	\$30,000				\$240,000.00				\$240,000.00		52%	8
3	Housing Construction	0		0					0									\$0.00		0%	0
4		0		0					0									\$0.00		0%	0
5		0		0					0									\$0.00		0%	0
6		0		0					0									\$0.00		0%	0
7																		\$0.00		0%	0
Subtotal 1 (Home Ownership)		2		5					7		\$0.00			\$350,000.00		\$0.00		\$350,000.00		76%	14

Strategy #	RENTAL STRATEGIES	VLI		Max. SHIP		LI	Max. SHIP		MI	Max. SHIP Award	A		B		C		D		E		F
		Units	Award	Units	Award		New Construction SHIP Dollars	Rehab/Repair SHIP Dollars			Without Construction SHIP Dollars	Total SHIP Dollars	Total SHIP Dollars	Percentage	Total SHIP Dollars	Percentage	Total Units				
1	Rental, Housing Authority Housing	5	\$15,000	0					0		\$75,000.00							\$75,000.00		16%	5
2	Rental, NonProfit/Special Needs Housing	0		0					0									\$0.00		0%	0
3	Rental, For Profit New Construction	0		0					0									\$0.00		0%	0
Subtotal 2 (Non-Home Ownership)		5		0					0		\$75,000.00			\$0.00				\$75,000.00		16%	5
Administration Fees																		\$35,000.00		8%	
Admin. From Program Income																		\$0.00		0%	
GRAND TOTAL		7		5					7		\$75,000.00			\$350,000.00		\$0.00		\$460,000.00		100%	19

Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.

Percentage Construction/Rehab																						
Maximum Allowable																						
Purchase Price:																						

Allocation Breakdown		Amount	%
Very-Low Income		\$135,000.00	32%
Low Income		\$155,000.00	36%
Moderate Income		\$135,000.00	32%
TOTAL		\$425,000.00	100%

Projected Program Income:	\$110,000.00	Max Amount Program Income For Admin:	\$5,500.00
Projected Recaptured Funds:	\$0.00		
Distribution:	\$350,000.00		
Total Available Funds:	\$460,000.00		

28-Jun-11

EXHIBIT "C"

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

Name of Local Government:

Charlotte County, Florida _____

- (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 with in 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.

Page 2

Certification

- 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.
- 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 has or X has not been implemented.
(note: Miami Dade County will check "has")

Witness



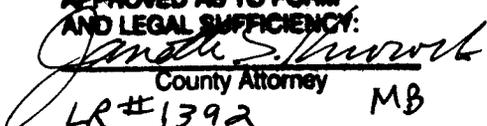
Chief Elected Official or designee

Witness

Robert J. Starr, Chairman
Board of County Commissioners
Type Name and Title

Date

OR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

County Attorney
LR # 1392 MB

Attest:
(Seal)

ATTEST:
BARBARA T. SCOTT, CLERK OF CIRCUIT COURT AND EX-OFFICIO CLERK OF THE BOARD OF COUNTY COMMISSIONERS
2 BY: Debra F. Carleton
DEPUTY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

COUNTY CLERK

DEPUTY CLERK

DEPUTY CLERK

RESOLUTION NUMBER
2011-235

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, 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 COMMISSION CHAIR 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, in 1992 the State of Florida enacted the William E. Sadowski Affordable Housing Act, 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, codified at Sections 420.907-420.9079, Florida Statutes (FS), and Chapter 67-37, Florida Administrative Code (FAC), require local governments to develop a one- to three-year Local Housing Assistance Plan (LHAP) outlining how funds will be used, with 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 benefiting from awards made pursuant to the Act, with the methodology and purchase prices defined in the LHAP; and

WHEREAS, as required by Chapter 67-37.005(7), FAC, we find that five (5) percent of the local housing distribution plus five (5) percent of program income is insufficient to adequately pay the necessary costs of administering the LHAP, and the cost of administering the program may not exceed ten (10) percent of the local housing distribution plus five (5) percent of program income deposited into the trust fund; and

EXHIBIT "E"

WHEREAS, the Housing Division of the Human Services Department has prepared a three-year LHAP for submission to the Florida Housing Finance Corporation, which the Affordable Housing Advisory Committee has reviewed and revised; and

WHEREAS, the Board of County Commissioners finds that in the best interest of the public to submit the LHAP for review and approval so as to qualify for said State housing funds.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

Section 1: The Board of County Commissioners of Charlotte County, Florida, hereby approves the Local Housing Assistance Plan, attached hereto as Exhibit "1" and incorporated herein by reference, for submission to the Florida Housing Finance Corporation as required by Chapter 420.907, FS, for fiscal years 2012, 2013, and 2014.

Section 2: The Chairman of the Charlotte County Board of County Commissioners 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.

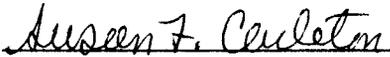
PASSED AND DULY ADOPTED this 12th day of July, 2011, by the Board of County Commissioners of CHARLOTTE COUNTY.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY

By 
Robert J. Starr, Chairman



ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Janette S. Knowlton, County Attorney NB

**STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
INFORMATION SHEET**

LOCAL GOVERNMENT:

Charlotte County, Florida

CHIEF ELECTED OFFICIAL (Mayor, Chairman, etc.): Robert J. Starr, Chairman

ADDRESS: 18500 Murdock Circle, Port Charlotte, FL 33948

SHIP ADMINISTRATOR: Robert P. Hebert

ADDRESS: 410 Taylor Street, Suite 101, Punta Gorda, FL 33950

TELEPHONE: (941)-505-4889

FAX: (941) 505-4890

EMAIL ADDRESS: robert.hebert@charlottefl.com

ADDITIONAL SHIP CONTACTS: Victoria Carpenter, Human Services Director

ADDRESS: 512 E. Grace Street, Punta Gorda, FL 33950

EMAIL ADDRESS: vikki.carpenter@charlottefl.com

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

YES, City of Punta Gorda, Florida

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

LOCAL GOVERNMENT EMPLOYER FEDERAL ID NUMBER: 59-6000541

MAIL DISBURSEMENT TO: Robert P. Hebert, SHIP Administrator, Human Services

ADDRESS: 410 Taylor Street, Suite 101, Punta Gorda, FL 33950

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)488-9809

EXHIBIT "F"

Ex. "H"

City of Punta Gorda

RESOLUTION NO. 2332-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PUNTA GORDA, FLORIDA, REAFFIRMING THE TERMS OF THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND CHARLOTTE COUNTY DATED NOVEMBER 21, 1995, GOVERNING THE DISTRIBUTION OF FUNDS PURSUANT TO THE STATE HOUSING INITIATIVES PARTNERSHIP ACT ("SHIP")

WHEREAS, Section 420.9072(4), Florida Statutes, the State Housing Initiatives Partnership Act ("SHIP"), authorizes monies in the Local Government Housing Trust Fund to be distributed to approved counties and municipalities within the County pursuant to an Interlocal Agreement; and

WHEREAS, on November 21, 1995, the City of Punta Gorda and Charlotte County entered into an Interlocal Agreement governing the distribution of "SHIP" funds; and

WHEREAS, the Florida Housing Finance Corporation, has requested that the City and the County reaffirm the terms of the Interlocal Agreement governing distribution of "SHIP" funds; and

WHEREAS, after review of the existing Interlocal Agreement by the Department of Community Development of the City of Punta Gorda and the City of Punta Gorda Legal Department, it is appropriate, as requested, to reaffirm its terms;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PUNTA GORDA, FLORIDA, THAT:

1. The Interlocal Agreement between the City of Punta Gorda and Charlotte County, dated November 21, 1995, governing the distribution of funds pursuant to the State Housing Initiatives Partnership Act, a copy of which is attached hereto, is hereby reaffirmed.
2. A certified copy of this Resolution shall be furnished to the Charlotte County SHIP Administrator.

EXHIBIT "H"

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE Resolution ON FILE IN THE OFFICE OF THE CITY CLERK, CITY OF PUNTA GORDA, CHARLOTTE COUNTY FLORIDA

[Signature]
CITY CLERK

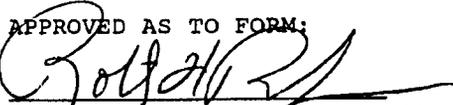
DONE in regular session of the City Council of the City of
Punta Gorda, Florida, this 15th day of May, 2002.


Marilyn P. Smith, Mayor

ATTEST:


SUE SELNER, City Clerk

APPROVED AS TO FORM:


ROBERT H. BERNTSSON, City Attorney

5/15/02
Date

THIS INTERLOCAL AGREEMENT made and entered into this 21st day of November, 1995, by and between Charlotte County, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners (the "County") and the City of Punta Gorda, a municipal corporation created and existing under the laws of the State of Florida, acting by and through its City Council (the "City"):

WITNESSETH:

WHEREAS, Section 420.9072(4), Florida Statutes, the "State Housing Initiatives Partnership Act" ("SHIP") authorizes monies in the Local Government Housing Trust Fund (the "FUND") to be distributed to approved counties and eligible municipalities within the County pursuant to an Interlocal Agreement; and

WHEREAS, the SHIP legislation anticipates intergovernmental cooperation between approved counties and eligible municipalities to consider intergovernmental cooperation; and

WHEREAS, Charlotte County is an approved County and the City of Punta Gorda is an eligible municipality within the County; and

WHEREAS, the County and City desire to distribute SHIP allocations pursuant to the Interlocal Agreement; and

WHEREAS, the County and City have determined that the monies can be more effectively and efficiently utilized and managed through the execution of this Interlocal Agreement.

NOW THEREFORE, for and in consideration of mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. The County and City do hereby agree that the monies in the Fund which are to be distributed to the County and the City as provided in 420.9073, Florida Statutes shall be deposited in the Local Housing Assistance Trust Fund established by the Charlotte County Board of County Commissioners.
2. An annual Housing Assistance Plan will be recommended by the Charlotte County Affordable Housing Advisory Committee, and approved by the Board of County Commissioners. Said plan will identify affordable housing projects to be undertaken using funds in the Local Housing Assistance Trust Fund. The County agrees that its use of such funds will not exclude City participation. Eligible residents of the City shall qualify, without limitation, for assistance and benefit from the programs included in the Housing Assistance Plan. The County further agrees to consider in the Housing Assistance Plan projects recommended by the City of Punta Gorda, or its residents of the City of Punta Gorda.

** NOTE: This was approved by City Council on May 3rd, 1995

3. The County, as administrative agent, shall be eligible to receive administrative funds to the maximum extent allowed under the SHIP program.
4. Unless earlier terminated pursuant to the provisions of this Interlocal Agreement, the term of this agreement shall run concurrent with the distribution of monies in the fund which are to be allocated between the County and the City, with each fiscal year's allocation as a new contract term.
5. The County and City direct the Florida Housing Finance Agency ("The Agency") to distribute and allocate the monies in the fund in accordance with this Interlocal Agreement and authorize the Agency to rely on their stated intent and their authority to execute the Interlocal Agreement.
6. The monies distributed will be deposited in the below listed depository account:

LOCAL HOUSING ASSISTANCE TRUST FUND
CHARLOTTE COUNTY FUND 119

The Agency will be notified of any changes. The County agrees to have such account or accounts audited annually as required by statute and Agency Rule. The County agrees to pay for the cost of such audits with funds available for the administration of the program.

7. The County and the City agree that one report will be prepared as required by 9I-37.016, F.A.C.
8. The parties to this Agreement understand that the SHIP Program Rules require an incentive plan for providing affordable housing. The Charlotte County Affordable Housing Advisory Committee shall make recommendations to the Charlotte County Board of County Commissioners and the Punta Gorda City Council regarding a Local Affordable Housing Incentive Plan in accordance with 9I-37.010, F.A.C. It shall be the sole responsibility of each governing body to adopt the Local Affordable Housing Incentive Plan for their respective jurisdiction.
9. If at any time during the term of this Interlocal Agreement, the County or the City believe that the intent of the parties as set forth herein is not being accomplished, or that the terms of the Interlocal Agreement are not fair, such entity may, upon the giving of ninety days written notice, renegotiate the terms and provisions of this Interlocal Agreement to be effective on the first day of the next fiscal year. If the parties are unable to so renegotiate the terms and provisions of this Interlocal Agreement prior to the commencement of the next fiscal year, the noticing party shall cease to be a party to this Interlocal Agreement and this Interlocal Agreement shall terminate and be of no further force or effect as to such party and the funds shall be allocated according to population.

10. If either party shall cease to be eligible for allocation and distribution, such party's allocation of the funds shall remain in the Fund to be used by the Agency.
11. For all purposes of this Interlocal Agreement, the term "Interlocal Agreement" shall mean this Interlocal Agreement and amendments hereto approved in writing by both parties.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by the parties this 21st day of November, 1995.

Attest:

Barbara T. Scott
Clerk of Circuit Court
and ex-officio
Clerk to the Board of
County Commissioners

By: *Elaine S. Rice*
Deputy Clerk

Attest:

Ellen Diomedes
City Clerk

By: *Ellen Diomedes*
City Clerk

CHARLOTTE COUNTY
BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA

By: *Matthew DeBoer*
Matthew DeBoer, Chairman
11-21-95

CITY OF PUNTA GORDA
Acting and through its City Council

By: *Lindsay M. Harrington*
Lindsay M. Harrington, Mayor

Approve as to Form and Legal
Sufficiency

By: *Renee Francis Lee*
Renee Francis Lee, County Attorney MB

By: *J. Michael Rooney*
J. Michael Rooney, City Attorney

SHIP, AGREE

IMAGED
7-29-11
AP