

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Shirley Taylor-Prakelt, Director
Housing & Community Development, 797-1199

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A Resolution of the Town of Davie, adopting the Local Housing Assistance Plan (LHAP) for 2002-2004 under the State Housing Initiatives Partnership (SHIP) Program; authorizing the Mayor to execute the Interlocal Agreement with Broward County for the establishment and administration of a Joint Local Housing Assistance Program for 2002-2004; approving Davie's Housing Delivery Goals/SHIP Budget Strategies for FY 2001/02; and providing for an effective date.

REPORT IN BRIEF: In 1997, the Town of Davie became an "entitlement" recipient of State Housing Initiatives Partnership (SHIP) Grant funds. On April 1, 1998, the Town Council unanimously adopted the Town's Affordable Housing Incentive Strategy; and, the Broward County Local Housing Assistance Plan (LHAP) was amended to include the Town of Davie.

Although Davie falls under the County's LHAP, the Town determines how its proportionate share of SHIP grant funds are allocated, and retains oversight of the Town's housing programs and initiatives. Every three (3) years, a new LHAP must be prepared and submitted to the State of Florida; and, a new Inter-Local Agreement must be developed for implementation of the various SHIP programs. The local budgets are adopted annually.

PREVIOUS ACTIONS: 1996-1998 LHAP (including amendments) via Resolutions 97-208 and 99-88, and 1999-2001 LHAP (including amendments) via Resolutions 98-103, 99-181, and 99-257.

CONCURRENCES: Approval of this Resolution is required of all municipalities participating in the County-wide SHIP Program.

FISCAL IMPACT: Receipt of \$591,726 in SHIP Grant funds from the State of Florida.

Account Name: SHIP

Appropriate to Account #: 001-0406.515.05.24 (SHIP)

RECOMMENDATION(S): The Town staff recommends that the Town Council adopt the attached Resolution so that the Town's housing programs can be

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR 2002-2004 UNDER THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE ESTABLISHMENT AND ADMINISTRATION OF A JOINT LOCAL HOUSING ASSISTANCE PROGRAM FOR 2002-2004; APPROVING DAVIE'S HOUSING DELIVERY GOALS/SHIP BUDGET STRATEGIES FOR FY 2001/02; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1997 the Town of Davie became an "entitlement" recipient under the State Housing Initiatives Partnership (SHIP) Program, which requires the adoption of a Local Housing Assistance Plan (LHAP); and

WHEREAS, for the purpose of implementing these SHIP Program Funds, the Broward County Local Housing Assistance Plan (LHAP) was amended to include the Town of Davie; and

WHEREAS, every three years, a new LHAP must be adopted, and the Interlocal Agreement with Broward County must be renewed; and,

WHEREAS, the new LHAP for FY 2002-2004 which incorporates the Town's FY 2001/02 SHIP Budget Strategies, and the new Interlocal Agreement for 2002-2004 needs to be approved; and,

WHEREAS, the Town's Housing and Community Development Office recommends that Davie continue its positive contractual relationship with the Broward County Office of Housing Finance; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1: The Local Housing Assistance Plan (LHAP) for 2002-2004 which incorporates the Town's Minimum and Average Costs and FY 2001/02 Budget Strategies, herewith included as Exhibit "A", is hereby adopted.

SECTION 2: The Interlocal Agreement with Broward County for the establishment and administration of a Joint Local Housing Assistance Program for 2002-2004, herewith included as Exhibit "B", is hereby adopted.

SECTION 3: Findings as to Administrative Costs. The Town of Davie hereby

SECTION 4. Establishment of Average and Maximum Costs. Pursuant to the SHIP Act, the Town hereby establishes the following “maximum awards” and “average costs” under the 2002-2004 LHAP:

| <u>SHIP Program Strategy</u> | <u>Average</u> | <u>Maximum</u> |
|------------------------------|----------------|----------------|
| Purchase Assistance | \$ 8,000 | \$10,000 |
| New Const. - Single-Family | \$15,000 | \$25,000 |
| New Const. - Multi-Family | \$ 7,500 | \$15,000 |
| Home Repair | \$12,500 | \$15,000 |
| Barrier Free | \$15,000 | \$25,000 |

SECTION 5. Budget Strategies and Budget. The following budgets and strategies are hereby adopted for the Town’s FY 2001/02 SHIP allocation.

| <u>SHIP Program Strategy</u> | <u>FY 2001/02</u> |
|--------------------------------------|-------------------------|
| Home Repair Program (Rehab) | \$ 155,000 |
| Barrier-Free Program | \$ 20,000 |
| Purchase Assistance - Town-wide | \$ 57,554 |
| New Const. Single-Family - Driftwood | \$ 300,000 ¹ |
| County Admin & H/O Counseling | \$ 29,586 |
| Town Administration | <u>\$ 29,586</u> |
| Total | \$ 591,726 ² |

SECTION 5. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

¹ Harmony Village Community Plan adopted 2/7/01 by Reso 2001-37 for 22 Habitat for Humanity Homes

² It should be noted that this figure is subject to change based on Documentary Surtax Allocations; and, changes can be made to this budget administratively, by the Town’s Housing & Community Development Director

EXHIBIT "A"

**BROWARD COUNTY LOCAL HOUSING PARTNERSHIP
State Housing Initiatives Partnership (SHIP) Program
2002-2004 Joint Local Housing Assistance Plan**

for Broward County, the City of Coral Springs and Town of Davie

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Part I. Background

A. Introduction

The challenge of providing affordable housing to all families and individuals in Broward County is a task far from being complete. The people who need affordable housing are the people who help make Broward County's communities function. Teachers, government workers, nurses, police officers, retail and service industry employees are among those who need quality, affordable housing.

As noted by the South Florida Regional Planning Council, ensuring the adequacy and affordability of housing is crucial in achieving a liveable, sustainable and economically competitive community. To that end, the Board of County Commissioners for Broward County and the city commissions for the cities of Coral Springs and Town of Davie have formed the Broward County Local Housing Partnership to create affordable housing opportunities for very low-income, low-income, and moderate-income households through the production, acquisition, and rehabilitation of affordable housing using funds provided under the State Housing Initiatives Partnership Act (SHIP).

The 2002-2004 Joint Local Housing Assistance Plan represents the housing construction, rehabilitation and finance program adopted by the Broward County Local Housing Partnership to make affordable residential housing units available under the SHIP program.

B. State Housing Initiatives Partnership Program (SHIP)

On July 1, 1992, the State Legislature, following the recommendations made by the Governor's Ad Hoc Work Group on Affordable Housing, signed the William E. Sadowski Affordable Housing Act into law. This legislation established a dedicated funding source for eligible local governments to expand the production and preservation of affordable housing.

An innovative feature of the Sadowski Act is the State Housing Initiatives Partnership Program (SHIP). SHIP provides funds to local governments for implementing locally-designed affordable housing strategies and encouraging the creation of partnerships to conserve, improve or provide new housing for very low, low and moderate-income persons.

In 1993, the Broward County Board of County Commissioners accepted SHIP funds and agreed to implement an affordable housing program and to maintain an affordable housing trust fund on behalf of the Partnership. The County entered into agreements with the entitlement cities of Coral Springs, Pembroke Pines, Plantation and Sunrise to administer the SHIP program. Shortly thereafter, the County's Office of Urban Affairs developed the first Local Housing Assistance Plan (LHAP) for the Partnership.

C. Broward County Local Housing Partnership

The 2002-2004 Joint Local Housing Assistance Plan continues the existing local housing partnership between Broward County and the City of Coral Springs and Town of Davie; lenders; developers; and nonprofit organizations to produce affordable housing, combine resources, reduce housing costs and provide related services.

The partnership process enhances the development of affordable housing by combining the strengths of public, private, and nonprofit organizations. The participating local governments bring regulatory reforms, subsidies, and innovative financing into the affordable housing development process. Private developers and lending institutions, such as the Housing Finance Authority lenders consortium, bring financial expertise, home training workshops, post-closing follow-up, building experience, and contacts in the housing industry. Nonprofit organizations generate community support, help lower development costs, and stimulate neighborhood pride.

The Affordable Housing Advisory Committee appointed by the Board of County Commissioners made recommendations to the Board of County Commissioners and city councils for incentives that will increase the availability of affordable housing. The Committee also encouraged community dialogue on housing issues, opportunities, and long-term strategies.

D. Joint Local Housing Assistance Plan

In keeping with the intent of the Sadowski Act and the requirements of the SHIP Program, the following is the fourth three year Joint Local Housing Assistance Plan (LHAP) adopted by the Broward County Local Housing Partnership. The LHAP is a concise description of the adopted local housing assistance program covering State Fiscal Years 2002 through 2004 and was created in accordance with Florida Statutes Chapter 420.907, Rule 67-37 of the Florida Administrative Code and local ordinances.

The goals of the LHAP are:

To increase the availability of affordable housing by combining local resources and cost saving measures using a local housing partnership and by using private and public funds to reduce the cost of housing.

To promote more compact urban development, and to assist in achieving the growth management goals contained in the adopted local comprehensive plan by allowing more efficient use of land so as to provide housing units that are more affordable.

To establish a strong sense of community through increased social and economic integration.

To build the organizational and technical capacity of community-based organizations so as to optimize the role of community-based organizations in the production of affordable housing.

To promote the innovative design of eligible housing, and its supporting infrastructure, and to provide for cost savings in the provision of such housing.

E. Plan Development Process

The Office of Housing Finance coordinated the development of the LHAP with input from local lending institutions, developers, non-profit agencies, and affordable housing advocates.

Three public hearings to discuss the Local Housing Assistance Plan were held on January 10, 2001, January 17, 2001 and January 24, 2001. No comments were received from the public regarding the activities to be considered in the 2002-2004 LHAP. However, comments from concerned parties were received throughout the 2000 program year and also considered in the LHAP development process.

Part II. Local Housing Assistance Program

A. Joint Local Housing Assistance Program Overview

This section describes the housing construction, rehabilitation, repair and finance activities adopted by the Broward County Local Housing Partnership using SHIP program allocations and other funds deposited into the local housing assistance trust fund to make affordable residential units available to eligible persons. The program expands or preserves existing housing stock and creates new affordable housing opportunities through financing for construction, home purchase loans, counseling, rehabilitation, land acquisition, and housing for people with special housing needs.

The availability of the SHIP program will be advertised in newspapers of general circulation as well as community newspapers. Clients will be referred to the program from a variety of sources, including staff outreach, community groups, investor's meetings, and public advertisement. Flyers will be distributed and local community groups will be contacted. In addition, code enforcement officials will help disseminate information.

Supportive services to be provided under the program to all eligible applicants include referral to other community resources, counseling on housing rights and responsibilities, mortgage default counseling, rental delinquency prevention, money management, rental and purchase procedures, home management, and property care and maintenance.

The targeted populations to receive assistance are those persons or families whose incomes do not exceed 50% of the median income adjusted for family size (very low-income), those whose incomes do not exceed 80% of the median income adjusted for family size (low-income), and those whose incomes do not exceed 120% of the median income adjusted for family size (moderate-income).

B. Program Implementation

The Broward County Office of Housing Finance is responsible for administering the Local Housing Assistance Program and ensuring complete compliance with all applicable ordinances, rules and regulations. The Broward County Office of Housing Finance will deliver some of the SHIP program services to clients, as well as use the Broward County Community Development Division, and nonprofit organizations to qualify clients and to deliver program services.

The Office of Housing Finance will implement the following SHIP strategies: Client intake, assessment and counseling; Home Purchase Second Mortgage; Purchase Assistance; New Construction and Development Assistance. It has developed a partnership with lenders through a bank consortium to offer special financing opportunities. The Community Development Division will implement the Home Repair, Foreclosure Assistance, Water/Sewer Connection, Rental Acquisition/Rehabilitation and Special Needs strategies. It has extensive program offerings from several sources such as Community Development Block Grants and HOME funding that may be leveraged with SHIP funds. The Division can develop packages that take advantage of private financing as well as extend funding to nonprofit organizations.

Each participating city selected the SHIP strategies based on individual assessments of the affordable housing needs and demands within its jurisdiction. Each city will refer applicants from their city to the Office of Housing Finance, or the appropriate nonprofit organization specific to SHIP strategies selected and approved by the city.

C. General Program Requirements

The 2002-2004 Joint Local Housing Assistance Program is governed by the following administrative requirements as established by Florida Statutes § 420.907, Rule 67-37 of the Florida Administrative Code, local ordinances, and local comprehensive plans.

1. **Residency Requirements:** All properties receiving assistance must be located within the incorporated areas of Broward County and within the incorporated areas of each city for the cities' programs.
2. **Qualification and Selection of Applicants:** The Partnership has developed a qualification system for applications for awards, has adopted criteria for the selection of eligible persons and sponsors, and has established a maximum award schedule for each activity consistent with the intent of the LHAP. Specific requirements are contained within each program

description.

3. **Notice of Funding Availability:** The Broward County Office of Housing Finance will advertise the availability of the local housing assistance program in a newspaper of general circulation such as the Miami Herald and/or the Sun Sentinel and periodicals serving ethnic and diverse neighborhoods such as the Westside Gazette, and El Heraldo de Broward at least thirty days before the beginning of the application period.
4. **Non-Discrimination:** All federal, state, and local fair housing acts and anti-discrimination laws shall be in effect. Discrimination based on race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award or application process is prohibited.
5. **Contractual Compliance with Program Requirements:** As a condition of receipt of an award, the eligible sponsor or eligible person must contractually commit to comply with the affordable housing criterion established under the SHIP program.
6. **Rental Housing Affordability Compliance and Monitoring:** All eligible rental housing constructed, rehabilitated, or otherwise assisted from the housing assistance program must be reserved for eligible persons for 15 years or the term of assistance, whichever is longer. 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 recipients. The Broward County Community Development Division or the Office of Housing Finance will annually monitor and determine tenant eligibility for rental housing for a period of 15 years or the term of assistance, whichever period is longer.
7. **Homeownership Set-Aside Requirement:** A minimum of 65% of the funds made available under the program will be reserved for providing owner-occupied housing including construction, rehabilitation, purchase assistance and lease-purchase financing.
8. **Construction Set-Aside Requirement:** A minimum of 75% of program funds will be provided for construction, rehabilitation, or emergency repair of affordable housing.

- 2. Maximum Sales Prices:** The sales price of new or existing eligible housing may not exceed 90% of the median area purchase price in the area as established by the U.S. Department of the Treasury Revenue Proclamation.*

| <u>Location</u> | <u>New</u> | <u>Existing</u> |
|-----------------------|-------------|-----------------|
| Town of Davie | \$124,187** | \$108,726** |
| Broward County | \$124,187** | \$108,726** |
| City of Coral Springs | \$159,009* | \$159,009* |

** Limits as of January 6, 1997. Subject to change.

* As per study until June 30, 2002

- 3. Maximum Loan Terms:** Loans issued using SHIP funds may not have terms exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.
- 4. Recapture of Funds:** All eligible owner-occupied housing constructed, rehabilitated or otherwise assisted from proceeds provided under the program is subject to the specific recapture requirements as established for each program.
- 12. Income Limits:** The SHIP Program considers housing affordable when the monthly rents or monthly mortgage payments, including taxes, and insurance do not exceed 30 percent of an amount representing the percentage of the median anticipated annual income limits adjusted for family size for the household. These limits are provided by the Florida Housing Finance Corporation and will be adjusted upon receipt of the new limits without further approval by the County or State.
- 13. Rent Limits Adjusted to Unit Size:** These rent limits will be updated annually as provided by the Florida Housing Finance Corporation rent limits adjusted to unit size.
- 14. Maximum Per Unit Awards:** Eligible housing benefitting from awards from the program may not exceed those limits adopted by resolution for each activity. The amount of assistance will be guided by the extent of rehabilitation necessary to comply with the Broward County Minimum Housing Code, construction standards, and by the ability of the applicant to repay loans.
- 15. Controlling Clause in Issues of Conflict:** Projects receiving assistance from the SHIP program and from other State or federal programs which may have conflicting verification certification and monitoring requirements, shall comply with the requirements of the most restrictive program.
- 16. Housing Counseling Training:** All eligible persons receiving assistance under the program, except where noted, will be required to complete a housing counseling workshop provided by the Office of Housing Finance's Community Homebuyer's Workshop, the Office of

Housing Finance's Tips for Homeowners Post-Closing Workshop for Homeowners, or the Broward County Housing Authority's Comprehensive Housing Counseling Program which address personal budgeting, home inspection and maintenance, preparation for home ownership and other pertinent topics.

- 17. Encumbrance and Expenditure Time Frames:** All SHIP funds for each State Fiscal Year will be obligated by June 30 of the following fiscal year. Program funds must be expended within 24 months of the close of the applicable State fiscal year.

| <u>Program Year</u> | <u>Encumbrance Deadline</u> | <u>Expenditure Deadline</u> |
|---------------------|-----------------------------|-----------------------------|
| 2001-2002 | June 30, 2003 | June 30, 2004 |
| 2002-2003 | June 30, 2004 | June 30, 2005 |
| 2003-2004 | June 30, 2005 | June 30, 2006 |

- 18. Plan Amendments:** The LHAP will be amended if at any time it is determined that a strategy will not be used or a new strategy required. If at any time during the approved plan period the Partnership is unable to comply with any provision of this plan, the Florida Housing Finance Corporation will be notified.
- 19. Administrative Expenditures:** Broward County and the City of Coral Springs and Town of Davie have determined that five percent of the local housing distribution is insufficient to pay the necessary costs of administering the program and has allocated no more than ten percent of the SHIP funds to be applied towards administrative expenses.
- 20. Local Housing Assistance Trust Fund:** All funds received from the State pursuant to the SHIP act and any funds received or budgeted to provide funding for the program, shall be deposited into the Affordable Housing Assistance Trust Fund.
- 21. Recycled Funds:** All funds generated from loan repayments, reimbursements, other repayments and interest earned on distributed funds will be expended in a manner provided by §420.907 et. al. F.S. and F.A.C Rule 67-37.
- 22. Eligible Applicant or Property Owner:** An eligible applicant means one or more natural persons or a family determined by the county or eligible municipality to be of very-low income, low income, or moderate income according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household. For activities requiring proof of ownership to qualify, the following types of verification may be accepted:
- a). Warranty Deed
 - b). Quit-Claim Deed

- c). Long Term Lease (99 years)
- d). Homestead Exemption
- e). Tax Records
- f). Life Estate.

23. Eligible Housing Types: Eligible housing is any real and personal property, excluding mobile homes, located within the County or eligible municipality which is designated and intended for the primary purpose of providing decent, safe, and sanitary residential units which are designed to meet Chapter 553, F.S. including:

- a). Detached single-family housing
- b). Condominium unit
- c). Townhouse
- d). Villa
- e). Multi-Family Rental Units
- f). Manufactured building bearing an approved device or seal issued by the State of Florida Department of Community Affairs.

24. Competitive Bid Selection Process: Broward County through administration of the SHIP Program, will make funds available through a separate competitive bid process for certain strategies. Notice will be advertised in a newspaper of general circulation announcing the County's request for proposals, letters of interest or quotes (RFP/RLI/RFQ). Notice will state the application procedures and application deadline.

- a) **Application Requirements:** Applications must be received by the County on or before the application deadline as stated in the RFP/RFQ/RLI. Applications must provide a detailed description of the activity as requested in the application package. Applications which do not contain required items and which do not provide adequate justification for omitting these items, will not be reviewed and will result in the rejection of the application. Applications must be complete, accurate, legible and timely when submitted.
- b) **Application Review:** Applications will be evaluated by a SHIP Review Committee consisting of:
 - The SHIP Administrator
 - One representative from the Office of Housing Finance
 - One representative from the Community Development Division
 - One representative from the Office of Project Management & Construction
 - One representative from either the Purchasing Division or the Office of Budget and Management Policy
 - One representative from the Development Management Division

The Review Committee may use other staff to assist in reviewing applications and will submit applications recommended for funding to the appropriate directors within the County Administration. The Broward County Board of County Commissioners will have final approval of all applications recommended for funding.

c) Criterion: Criterion for applications may address:

- Number of units to be assisted.
- Extent to which the project assists very low-income and low-income households.
- Applicant's ability to implement the proposed project.
- Applicant's experience in implementing similar projects.
- Project location.
- Amount of SHIP funds requested.
- Unit sales price/monthly rental.
- Floor plans/design features.
- Total project budget.
- Responsiveness of submitted application.
- Availability of prequalified buyers/eligible residents.
- Leveraging of funds with other private and public resources.
- Timeliness of project implementation.
- Feasibility of project.
- Ability to timely proceed.
- Past work performance.
- Employed personnel from the Wages and Workforce Development Initiatives Programs 10 additional points (preference points).

D. HOMEOWNERSHIP ACTIVITIES

Home Purchase Second Mortgage Program

Program Description: Provides a below-market second mortgage combined with a first mortgage from a lender to eligible persons to purchase, construct or rehabilitate eligible owner-occupied housing, including detached housing, condominiums, townhouses or villas. Applicants will be encouraged to be processed for first mortgage financing through the Housing Finance Authority's Lenders' Program. Funds can be used for down payments, closing costs, and rehabilitation expenses.

Qualification & Selection Guidelines:

1. Eligible applicants will be selected on a first come, first qualified, first served basis within the income groups.
2. Applicants must not own any other residential property.
3. Certificate of housing counseling completion required prior to loan closing.
4. A maximum of five percent of loan proceeds may be used to pay all costs associated with

obtaining a loan, excluding down payment.

5. Maximum loan-to-value for combined first and second mortgages shall be 105 percent for very low-income and low-income applicants.

Repayment/Recapture Terms:

1. 30 year, fixed-rate maximum loan term with monthly payments required.

2. Minimum loan amount \$5,000

3. Applicable interest rates:

Very Low-Income Applicants 1%

Low-Income Applicants 2%

Moderate-Income Applicants 3%

4. In the event the property is to be sold, the amortized (remaining) balance of the second mortgage will be due upon sale of property.

Purchase Assistance Program

Program Description: Provides eligible persons a deferred payment loan to be applied towards closing costs, mortgage reduction, points, and/or downpayments for the purchase of eligible owner-occupied housing, including detached housing, condominiums, townhouses or villas.

Qualification & Selection Guidelines:

1. Applicants will be selected on a first come, first qualified, first served basis within the income groups.

2. Applicants must not own any other residential property.

3. Certificate of housing counseling completion required prior to loan closing.

4. A maximum of five percent of loan proceeds may be used to pay all costs associated with obtaining a loan, excluding down payment.

5. Maximum loan-to-value for combined first and second mortgages shall be 105 percent for very low-income and low-income applicants.

6. Applicants must make mortgage application with the Housing Finance Authority's Lenders' Program. Non-participating lenders must meet or exceed the Lenders' Program terms.

Repayment/Recapture Terms:

1. Five-Year deferred payment loan with a 20% yearly loan write-down.

2. Maximum deferred payment loan of \$10,000 to be applied towards closing costs and downpayments.

3. Pro-rated repayment due upon sale of property within the five year loan term.

Development Assistance Program

Program Description: Provides direct financial assistance to eligible sponsors for acquisition and development of eligible owner-occupied housing and to eligible prospective homebuyers for purchase assistance funds to buy a home in conjunction with the above. The eligible developer is responsible for acquisition and development costs, subsequent reimbursement by the County at time of closing and then passing through a direct benefit via the reduction in sales price of the

eligible unit to the homebuyer. This is achieved through the builder/developer subtracting the reduction or waiver therein of any impact fees or any other administrative fees off the top of the sales price. The combined total unit cost allowance must not exceed \$35,000 (\$20,000 for the developer and \$15,000 for the prospective homebuyer). Eligible costs for the prospective homebuyer includes down payment and/or closing costs assistance.

Qualification & Selection Guidelines:

1. Eligible developer will be selected or awarded funds through a competitive bid process as specified in the General Program Requirements. Eligible prospective homebuyers will be selected on a first come, first qualified, first served basis after being determined as SHIP income certified.
2. Eligible developer must verify that the approved purchaser has been certified by OHF as very low-income, low-income, or moderate-income.
3. Eligible costs include:
 - a). Professional fees such as engineering, architectural, surveying and consulting costs and interest buydowns.
 - b). Infrastructure expenses typically paid by the developer including, streets, roadways, parking areas; sidewalks, pathways, walkways; storm-drainage systems; sanitary systems; water supply systems, water mains, connections, hydrants, meters; utilities and utility easements for telephone, cable, electric lines, and rights-of-way; street lighting. Infrastructure expenses must be on-site and must be directly related to the housing being assisted with SHIP funds.
 - c) Payment of administrative fees including, Preliminary and Final Plat Review, Engineering Service Charges, Recording Fees, Site Plan Review Fees, Minor Review Fees, Surface Water License, Permit to Construct in Right-of-Way, Sewer and Water Installation Fee, Sewer and Water Plan Review, Waste Water License, Building Permits, Road Construction Agreement Review, Traffic Study/Action Plan Review, Environmental Impact Review, Surface Water Permit, Land Use Amendment Review, Septic Tank Permit, Well Permit.
 - d). Payment of road, park, police, fire, and water and sewer impact fees.
 - e). Hard costs typically or customarily treated as construction costs by institutional lenders, or any other reasonable hard or soft costs associated or involved with the development and or construction process.
4. Eligible occupant must not own any other residential property.
5. Certificate of housing counseling completion required of eligible occupant prior to loan closing.
6. All end loans must be processed through the Housing Finance Authority's Lender's Program, unless the applicant can obtain a commitment letter forty-five (45) days prior to the issuance of the certificate of occupancy.
7. Property must be owner-occupied.

Repayment/Recapture Terms:

1. Ten year deferred payment loan with a 10% yearly loan write-down.
2. Pro-rated repayment due upon sale of property within the ten year loan term.
3. The first and subsequent purchasers of the property during the affordability term (ten years) must be very low- income, low-income, or moderate-income and occupy the property as a principal residence.
4. SHIP assisted property may be sold during the affordability period (ten years) with full repayment of the SHIP assistance required at all times during the affordability period if the

subsequent purchaser does not meet the income categories described above.

Home Repair Program

Program Description: Provides a five year deferred payment loan for improving and maintaining owner-occupied housing to correct code violations, prevent further deterioration, stop the loss of energy and infiltration of outside elements.

Qualification & Selection Guidelines:

1. An eligible agent will be selected through the competitive bid process as specified in the General Program Requirements to perform repairs.
2. Eligible homeowners will be selected on a first come, first qualified, first served, basis within the income groups by Broward County.
3. Property must be owner-occupied.
4. Verification of ownership and payment of property taxes will be conducted to determine eligibility.
5. Eligible uses, in order of repair priority, include:
 - a). Emergency repairs: repairs of an urgent nature such as minor damage caused by fires, broken water pipes, electrical failures, gas leaks, heating and water heating system failures, sewer/sanitation back-ups, and other repairs which are a threat to life, health, and safety of the resident as a result of unintentional and uncontrollable causes and the residence has been declared as being in violation of applicable building or housing codes.
 - b). Roof repair and/or replacement: complete repair or replacement of deteriorated roofing systems to eliminate substandard or unsafe roofing conditions, and to prevent further roofing deterioration.
 - c). Home repairs and weatherization: window replacement, door replacement, weatherization, re-wiring, re-plumbing, kitchen and bathroom remodeling to replace deteriorated conditions, interior and exterior painting, exterior wall and stucco repair, a/c and heating systems, insulation, floor covering to replace materials containing holes, rips or tears, or in otherwise poor condition, repair cracked driveways, repair cracked or hazardous sidewalks, landscaping required to meet local codes, removal of dangerous or diseased trees, termite treatment and repair, and room additions to alleviate overcrowded living conditions.
 - d). Hurricane/Storm Shutters: The installation of hurricane shutters and storm shutters is an eligible item when included in the overall repair project to be performed by the Contractor and only if required by code or ordinance. Any code violations, health and safety issues, and /or hurricane shutters must not exceed \$3,000.00
6. Certificate of housing counseling completion required prior to repairs.
7. Applicants for repairs will not be eligible for any additional repairs for a period of five years from the completion of repairs.

Repayment/Recapture Terms:

1. Five-year deferred payment loan with a 20% yearly loan write-down.
2. Pro-rated repayment due upon sale of property within the five year loan term.

New Construction

Program Description: Created to enhance and preserve existing neighborhoods by awarding funds to eligible sponsors to construct eligible in-fill housing within the designated target areas. New Construction will complement an overall Neighborhood Improvement Project currently being implemented by Broward County in several communities. New housing construction will accompany upgraded water supply systems; improved drainage; new road pavement, swales, sodding, landscaping, and neighborhood signage. Assistance will be customized to meet the specific needs of the proposed project using the award to fund any combination of approved strategies.

Qualification & selection on Guidelines:

1. Eligible homeowners will be selected on a first come, first qualified, first served basis within the income groups.
2. Program assistance is project specific and may not be used in conjunction with funding from other SHIP programs unless approved by the Office of Housing Finance.
3. Certificate of housing counseling completion required prior to resident occupancy.

Repayment/Recapture Terms:

1. Ten year deferred payment loan with a 10% yearly loan write-down.
2. Pro-rated repayment due upon sale of property within the ten year loan term.
3. The first and subsequent purchasers of the property during the affordability term (ten years) must be very-low income, low income or moderate income and occupy the property as a principal residence.
4. SHIP assisted property may be sold during the affordability period (ten years) with full repayment of the SHIP assistance required at all times during the affordability period if the subsequent purchaser does not meet the income categories described above.

Foreclosure Prevention

Program Description: Designed to preserve the affordable housing stock of Broward County, the program provides single family home owners assistance in the form of a deferred payment loan to pay default mortgages where foreclosure proceedings have been initiated by a mortgage holder.

Qualification & Selection Guidelines:

1. Eligible applicants will be selected on a first come, first qualified, first served basis.
2. Eligible applicant must be the property owner of a single family dwelling.
3. Funds will be used to bring mortgages current, including maintenance payments in foreclosure, special assessments and various other condominium type fees, including legal fees, thereby avoiding foreclosure action.
4. As part of the application selection process, the Review Committee will review the funding request, factors contributing to the foreclosure action (i.e. loss of employment, loss of income due to illness, divorce) and client's ability to demonstrate they can make future monthly payments.
5. A current credit report will be required. Applicant will cover cost of credit report in money order form.

6. Participants must contribute at least 25% of their own funds towards the amount necessary to reinstate the account.

Repayment/Recapture Terms:

1. Five-year deferred payment loan with a 20% yearly loan write-down. Restrictive covenant to be executed by the homeowner(s).
2. SHIP assisted property may be sold during the affordability period with a pro-rated 20% yearly loan write-down due upon sale of property within the five year loan term.
3. Property assessed value cannot exceed \$108,726.00

Water/Sewer Connections

Program Description: Provides a deferred payment loan to eligible homeowners in the 15 neighborhoods identified in the Broward County Neighborhood Improvement Project to be applied towards the cost of connecting to a water supply and sewage discharge system being installed in those areas.

Geographic Availability:

1. Central County: Unincorporated Broward County neighborhoods of Franklin Park, Melrose Park, Broward Estates, St. George, Washington Park, Riverland Village, Boulevard Gardens, Rock Island.
2. North County: Unincorporated Broward County neighborhoods of Pompano Highlands, Cresthaven/Collier Manor, Park Ridge, North Andrews Estates and Pompano Estates.
3. South County: Unincorporated Broward County neighborhoods of Carver Ranches/Utopia, Miami Gardens, and Lake Forest.

Qualification & Selection Guidelines:

1. Eligible applicants must reside within the specific geographic areas as stated above and will be selected on a first come, first qualified, first served basis.

Repayment/Recapture Terms:

1. Five-year deferred payment loan with a 20% yearly loan write-down.
2. Pro-rated repayment due upon sale of property within the five year loan term.

Special Needs Homeownership/Barrier-Free Housing

Program Description: Provides eligible elderly and disabled persons a deferred payment loan for housing modifications and barrier removal to improve elderly and disabled accessibility, and to provide for health and safety repairs as needed by older and disabled persons to maintain their independence. Health and safety repairs may include repairs unrelated to accessibility and barrier removal.

Qualification & Selection Guidelines:

1. An eligible Agent to be selected through a competitive bid process as specified in the General Program Requirements to perform necessary modifications.

2. Eligible persons will be selected on a first come, first qualified, first served basis within the income groups.
3. Resident must be elderly, medically or physically disabled.
4. Certificate of housing counseling optional.
5. Eligible uses for barrier removal and home modifications include: Modifications to widen doorways, install accessible doors and hardware, widen halls, kitchens, bathrooms and bedrooms to accommodate mobility aides (canes, walkers, wheelchairs and scooters); grab bars; entry ramps, railings, walkways and landings; non-slip floor surfaces throughout the home environment, may include carpeting; pushable or lever hardware; delayed opening and closing mechanisms on egress and garage doors; interior doors; improved lighting; accessible appliances which include but are not limited to front or touch-type controls; lever faucets; installation of accessible cabinets, shelves, drawers, sinks, toilets, kitchen, bathroom, utility and swimming pool appliances and fixtures. Installation and provision of assisted technology products to increase accessibility in the home environment. Examples are but are not limited to: roll in style or permanent shower chair, environmental control system and hand held shower, non-slip surfacing on accessible roll-in with or without curb shower; accessible touch-type light switches and thermostats; smoke alarms and fire detectors; and removal of other architectural barriers. Code violations, along with health and safety issues are not to exceed \$15,000.00 and may not be related to accessibility issues.
6. Health and safety and security related repairs include but shall not be limited to the following: roof repair and/or replacement; complete repair or replacement of deteriorated roofing systems to eliminate substandard or unsafe roofing conditions, and to prevent further rotting, window repair and/or replacement, weatherization, re-wiring, re-plumbing, termite treatment and repair, interior wall repairs and painting, a/c and heating systems, insulation, repair cracked driveways, repair cracked or hazardous sidewalks.

Repayment/Recapture Terms:

1. Five-year deferred payment loan with a 20% yearly loan write-down.
2. Pro-rated repayment due upon sale of property within the five year loan term.
3. Applicants for repairs will not be eligible for any additional assistance under this program for a period of five years from the date of original program assistance.

E. RENTAL HOUSING ACTIVITIES

Rental Acquisition & Rehabilitation Program

Program Description: Provides financial assistance to owners of rental properties in the form of a fifteen year (15) deferred payment loan for the purpose of acquisition, rehabilitation or a combination of acquisition and rehabilitation. Rehabilitated units are to be occupied by eligible families upon completion or rehabilitation.

Qualification & Selection Guidelines:

1. Applicants will be selected on a first come, first qualified, first serve basis within the income groups.
2. Property purchased may be used to provide Homeless Transitional Housing.

3. All owners of rental properties within the designated eligible areas may be eligible for assistance.
4. Property owner may be an individual corporation, but must also hold a minimum of 10% equity in the property and show adequate financial and management capabilities.
5. Funds may be used to make essential improvements and to replace major housing systems in danger of failure.

Repayment/Recapture Terms:

1. Awards will be made on a deferred payment basis for a fifteen (15) year affordability period.
2. Loans will be secured by a mortgage lien against the property rehabilitated, and will be payable on a fifteen year (15) deferred payment basis with a prorated 6.66% (1/15th) yearly loan write-down due upon sale of property within the fifteen (15) year loan term.

Rental/New Construction

Program Description: Created to expand affordable housing opportunities for renters by constructing new multi-family rental units to be occupied by income-eligible families. Rental/New Construction will accompany upgraded water supply systems; improved drainage; new road pavement, swales, sodding, landscaping and neighborhood signage. Assistance will be in the form of a fifteen (15) year deferred-payment loan. Units are to be occupied by income-eligible families upon completion.

Qualification & selection on Guidelines:

1. Eligible tenants must fall within the income groups (very-low, low and moderate).
2. Eligible developers will be selected and awarded funds on a first-come, first-served basis.
3. Preference will be given in the selection process for sponsors that employ personnel from the Wages and Workforce Development Initiatives Program.
4. Eligible costs include:
 - a). Professional fees such as engineering, architectural, surveying and consulting costs and interest buydowns.
 - b). Infrastructure expenses typically paid by the developer including, streets, roadways, parking areas; sidewalks, pathways, walkways; storm-drainage systems; sanitary systems; water supply systems, water mains, connections, hydrants, meters; utilities and utility easements for telephone, cable, electric lines, and rights-of-way; street lighting. Infrastructure expenses must be on-site and must be directly related to the housing being assisted with SHIP funds.
 - c). Payment of administrative fees including, Preliminary and Final Plat Review, Engineering Service Charges, Recording Fees, Site Plan Review Fees, Minor Review Fees, Surface Water License, Permit to Construct in Right-of-Way, Sewer and Water Installation Fee, Sewer and Water Plan Review, Waste Water License, Building Permits, Road Construction Agreement Review, Traffic Study/Action Plan Review, Environmental Impact Review, Surface Water Permit, Land Use Amendment Review, Septic Tank Permit, Well Permit.
 - d). Payment of road, park, police, fire, and water and sewer impact fees.
 - e). Hard costs typically or customarily treated as construction costs by institutional lenders, or any other reasonable hard or soft costs associated or involved with the development and or

construction process, including land costs.

Repayment/Recapture Terms:

1. Awards may be made as a thirty (30) year deferred-payment loan, with repayment due at the end of the thirty (30) year term. Interest rates will be as determined by OHF.
2. Awards may be made as a fifteen (15) year deferred-payment basis with a 6.66% (1/15th) yearly loan write-down. Pro-rated repayment will be due upon sale of property within the fifteen (15) year loan term.

F. OTHER ACTIVITIES

Housing Counseling Services

Program Description: Provides counseling and education to all selected applicants using the Office of Housing Finance's Community Home Buyers Workshops, and the Office of Housing Finance's Tips for Homeowners post closing workshop. Workshops cover topics such as housing rights and responsibilities, mortgage default counseling, rental delinquency, money management, rental and purchase procedures, home management, property care and maintenance, prepare potential homeowners for home ownership, and referral to other community resources.

All program applicants, except where noted in individual programs, are required to attend.

Part III. Partnership Incentives

Broward County

1A. Definition of Affordable Housing: Broward County Resolution 93-668, the Committee's appointing Resolution, defines "affordable housing" as defined in the SHIP Act. This definition states: Affordable means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30 percent of an amount representing the percentage of the median annual gross income for the households as indicated in subsections (19), or subsection (20), or subsection (28).

This strategy has been implemented in the Land Development Code, the Land Use Plan and the Housing Element of Volume 4 of the County's Comprehensive Plan. The structure is in place and it is functioning as intended.

2. Definition of Affordable Housing: Initiate Land Use Plan amendment: adopt definition(s) of "Affordable Housing" for the purposes of the Land Use Plan's objectives and policies relating to affordable housing. Amendment language, without reference to specific income amounts, should read as follows.

(See SHIP Act for definition; i.e. Very-low income person, low income person, and moderate income person)

This strategy has been implemented in the Land Development Code, the Land Use Plan and the Housing Element of Volume 4 of the County's Comprehensive Plan. The structure is in place and it is functioning as intended.

3A. Increased Density Levels: Amend the Broward County Land Use Plan to allow increased density levels for affordable housing development proposals through the creation of a new flexible density unit, under the County Land Use Plan, entitled "Affordable Housing Units", to be allocated and used within Broward municipalities for the purpose of providing density incentives for the construction of affordable housing projects.

Land Use Plan policies creating the "Affordable Housing Units" should consider the following criteria:

1. Creation of Affordable Housing Units. Policies creating Affordable Housing Units ("AFUs") should:

*Create a minimum number of AFUs for each municipality, and unincorporated Broward County areas;

*Allow use of AFUs anywhere within municipal boundaries, without regard to existing flex-zone boundaries, but subject to adopted location criteria;

*After creation of the minimum number of AFUs, allocate a number of AFUs to each municipality based on an estimation/allocation methodology (to be developed) which considers

without limitation: (i) a municipality's affordable housing need; and (ii) a municipality's developable land which can accommodate the AFUs.

*The number of AFUs created pursuant to these new policies shall be deducted from the municipality's available flex or reserve units, in order to ensure that creation of the AFUs does not add to the total number of permitted units within the given municipality.

*AFUs should not be permitted to be transferred from on municipal jurisdiction to another.

2. Use of a Sliding Scale For Density Bonuses:

Consideration should be given to the use of a sliding scale for the use of density bonuses, which scale would vary based on the applicability of land use related factors, including without limitation:

*Whether the proposed affordable housing development is located within a designated "in-fill" area or designated Community Redevelopment Area;

*Whether the proposed affordable housing development can incorporate transit related elements to support the proposed development; and

*The target population for the proposed affordable housing development (i.e. mix of "low", "very-low" and "moderate" housing units proposed), with a greater density bonus to be allowed for greater percentages of "low" and "very-low" units proposed.

The intent is to create a sliding scale of incentives, with greater density awarded to those projects, appropriately located, which serve the need of "low" and "very-low" income families, and which also serve to fulfill other land use-related policies of the Land Use Plan.

The sliding scale of bonus densities should begin from the existing permission to double density, to increases in density sufficient to permit multi-story, multi-family projects targeted to provide "low" and "very-low" income housing. Implementing regulations shall establish appropriate land-use compatibility criteria to guide application of bonus density.

3. Geographic Location: Consideration, and additional density bonuses, should also be given based on the geographic location of the proposed affordable housing development (e.g. whether the proposed development is located within a Community Redevelopment Area; whether the proposed development is located within or near employment centers).

4. Non-sale of Bonus Units. Units available for density bonus allocation to affordable housing projects shall not be "sold" to the applicant/developer by the applicable jurisdiction.

This strategy was adopted as part of the County's Land Use Plan and is functioning as intended.

5. Amend the following policies of the Broward County Land Use Plan:

01.07.01., 01.07.02, 01.07.03, and 01.07.04, to insert the word "shall" in place of "should".

These changes were made to make local government and County government do something that they normally might not do.

5A. Expedited Permitting: Establish, subject to legal review, a policy for permit review agencies to place affordable housing developments, for both new construction and rehabilitation projects, first in the "queue" of projects to be reviewed. Some of the key points in the process where this incentive would save time include: plat review, reviews associated with plat recording, site plan review, off-site improvement plan review, building plan reviews, water and sewer construction plan permits, surface water license, wastewater license, building permit plans and construction inspections.

At the County level, this incentive would dovetail with the provision of development review guidance outlined in Incentive #7.

This strategy is currently a phase in process. Code and Zoning, Building and Permitting and Development Management are currently implementing this strategy. The County will be working until June 30, 1998 to implement this strategy with all other departments.

6. Expedited Permitting: Enhance existing County Land Development Code mechanism which withholds issuance of C.O(s), rather than requiring a bond guaranteeing performance, to ensure compliance with off-site and on-site improvement requirements established during the permitting process. Requirements subject to this incentive should include: (i) roads; (ii) sidewalks; and (iii) on-site water/sewer requirements, at a minimum.

Cities should similarly review their local bonding requirements to determine whether a similar incentive can also be implemented at the municipal level.

In addition, if the completion of an off-site improvement is the only outstanding requirement for release of the C.O., bonding for the remainder of the off-site improvement shall be offered as an alternative to delaying the C.O. release.

Further, investigate establishing a low cost option for complying with the requirement to show "evidence of financial resources necessary to complete a mitigation project" for projects that have wetland mitigation obligations.

This strategy is currently a phase in process. Code and Zoning, Building and Permitting and Development Management are currently implementing this strategy. The County will be working until June 30, 1998 to implement this strategy with all other departments.

7A. Expedited Permitting: Use of public resources to provide free or low cost administrative advice regarding the most efficient way to complete the permitting, construction inspection, and project financing processes. These resources would also be used to provide advocacy for the affordable development during the permit process, especially in matters regarding compliance with the requirements of other governments. These resources would not provide professional engineering expertise.

This strategy is currently a phase in process. Code and Zoning, Building and Permitting and Development Management are currently implementing this strategy. The County will be working until June 30, 1998 to implement this strategy with all other departments.

18. Expedited Permitting: County Staff shall investigate a program to subsidize pre-plan review fees for affordable housing projects.

This strategy has been implemented through Building and Permitting and is functioning as intended.

8A. Reservation of Capacity: Establish, as permitted by law, a procedure for the reservation of infrastructure capacity for affordable housing development, in the areas of roads, parks, school and utilities.

Within cities, investigation should include review of capacity reservation as to local park, local street, utility (as applicable), and other concurrency requirements pursuant to city comprehensive plans.

This strategy has been implemented in the Land Development Code and is functioning as intended.

10A. Zero Lot Line: Continue to allow zero-lot line configurations as provided for in applicable zoning codes and Planned Unit Development (PUD) ordinances.

This strategy has been implemented and is functioning as intended.

11. Street Requirements: Continue, without modification, those minimum street requirements contained in the Land Development and Zoning Codes of Broward County and the SHIP interlocal cities.

This strategy has been implemented and is functioning as intended.

12A. Fiscal Impact Statement: The local government shall require that all agencies, prior to adopting, amending or repealing any policies, procedures, ordinances, regulations or plan revisions, determine whether the impact of the proposed action will have a significant impact on the affordability of housing. In the event a significant impact on the cost of housing is found, require agencies to investigate impact reducing alternatives.

This strategy has been implemented within the County's Land Development Code. Currently this strategy is functioning as intended, however a monitoring policy will be implemented by June 30, 1998.

15. Actively pursue purchase of tax delinquent vacant properties by the County, using SHIP

funds, to keep property out of the hands of individuals who hold for speculation, to minimize the problems associated with absentee landlords, to provide for reuse of the property, and to avert code problems caused by illegal dumping and vacancy.

This strategy is currently being implemented by the Office of Housing Finance. The strategy is functioning as intended.

16. Subject to legal review, allow builders/developers to defer Water Capital Recovery Charges and Wastewater Capital Recovery Charges until a certificate of occupancy is released for affordable housing units. To be eligible for fees deferral, development or projects must provide housing for families with a total family income of eighty percent (80%) or less of the median income for Broward County.

In addition, staff should investigate whether SHIP funds can be used to subsidize capital recovery charges.

Similarly, cities should review their capital recovery programs to determine whether this incentive can also be implemented locally.

Currently, the Community Development Division is implementing the subsidizing of capital recovery charges under the Water/Sewer Program Strategy and it is functioning as intended.

19A. Impact Fee Modification: Broward County shall modify the provisions of subsidizing road and park impact fees for affordable housing. Units that are developed for "very-low" income residents will be subsidized at 100%, impact fees for "low" income residents will receive 75% subsidies, and impact fees for "moderate" income residents will receive 50% subsidies. The County will request that the Broward County School Board modify their provisions for subsidizing education impact fees accordingly.

In addition, Broward County shall recommend utilizing its SHIP funds to supplement existing funding sources used to pay impact fees for affordable housing projects. It is the AHAC Committee's intent that this proposed recommendation not supplant, or substitute for existing sources of funding for impact fee subsidies.

Subject to annual review, selection criteria for funding under this incentive should be on a "first-come, first-serve" basis within budget amounts appropriated for each income class to be served.

This strategy has been implemented in the County's Land Development Code and is functioning as intended.

City of Coral Springs

1A. Definition of Affordable Housing: By executing the Interlocal Agreement, the City has accepted the definition of affordable housing as contained in the SHIP Act. This definition states: Affordable means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30 percent (30%) of an amount representing the percentage of the median annual gross income limits for the households as indicated in subsection (19), subsection (20) or subsection (28).

This strategy has been implemented as of October 1994 and is functioning as intended.

5B. The Expedited Processing of Permits for Affordable Housing: Establish a policy for permit review agencies to place affordable housing projects first in the "queue" of projects to be reviewed. This shall include all appropriate reviews and inspections by the City.

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended.

SB-1. The Expedited Processing of Permits for Affordable Housing: To continue the streamlined process for one-stop review. Review procedures for zero lot line developments combine: (i) plat exemption and (ii) development review. The combined review shall be completed jointly by the Community Development Department and the Engineering Department.

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended.

7B. The Expedited Processing of Permits for Affordable Housing: Provide technical assistance, not to include engineering services, in the preparation of site plan and plats in order to facilitate development of affordable housing.

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended.

10B. The allowance of zero lot line configuration: To continue the allowance of zero lot line configuration in the following zoning districts: RS-6, RC-6, RC-12, RC-15, RM-15 and RM-20.

This strategy has been implemented as of October 1994 and is functioning as intended.

12B. The establishment of a process by which local government considers before adoption

of policies, procedures, ordinances, regulations, or plan provisions that have a significant impact on housing: The City has developed an administrative procedure whereby any change to policies, procedures, ordinances, regulations or plan revision which would have a significant impact on the cost of housing shall have a financial impact statement prepared, including financial impacts relating to potential housing costs, for consideration before City Commission approval. The developer/builder must provide a breakdown of the amount of additional costs associated with the increase. Cost increases will be verified by the City Finance Management/ Administration and City Building Division. Upon review of the cost increase analysis, staff shall make recommendations for appropriate incentives to be presented to the City Commission for approval on a case-by-case basis.

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended.

17B. The preparation of a printed inventory of locally owned public lands suitable for affordable housing: To continue to participate in the Florida Department of Community Affairs annual update of publicly owned lands and buildings suitable for affordable housing. If public lands become available for affordable housing, the City staff examine the list and make recommendations thereon.

This strategy has been implemented as of October 1994 and is functioning as intended.

Town of Davie

1. Definition of Affordable Housing: By executing the Interlocal Agreement, the Town has accepted the definition of affordable housing as contained in the SHIP Act. The definition states: Affordable means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30% percent (30%) of an amount representing the percentage of the median annual gross income limits for the households as indicated in subsection (19), subsection (20) or subsection (28).

This strategy was adopted on June 4, 1997 and reaffirmed upon adoption of the Town's Local Incentive Strategy on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

2. Expedited Processing of Permits for Affordable Housing: The Town has initiated a "one-stop permitting process" whereby all permits are processed from the Development Services Department. The Town's policy is to process all permits within 10-17 working days. Should a problem or delay arise, the Chief Building Official would personally intervene to expedite processing.

The Town has initiated a "one-stop-permitting process" whereby all permits are processed within 10-17 days. The Town's Housing and Community Development Coordinator was designated as the liaison to hand-walk affordable housing developers through the permitting process, so that they are expedited to a greater degree than other projects in Davie. Should a problem or delay arise, the Chief Building Official personally intervenes to expedite processing.

3. Modification of Impact Fees: The modification of impact fee requirements, including the reduction or waiver of fees and alternative methods of fee payment. The Director of the Development Services Department was empowered to waive fees covered by Section 326 (d) of the Town Code (Park and Recreation Impact Fees), for affordable housing initiatives. Further, the Town waives building permit fees for private not-for-profit developers of affordable housing that serves individuals or families who earn up to 80% of the median income for the Broward county area, as follows: a) 100% waiver on the first \$200,000 of construction/rehab costs, and b) 50% waiver on the next \$200,000 - \$400,000 of construction/rehab costs. The Town also waives the Broward County Housing Authority's "Payment in Lieu of Property Taxes" (PILOT) for the two (2) public housing projects located in Davie.

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

4. Parking and Set-Back Requirements: Section 12-308 (b) (1) of the Davie Town Code which permits "administrative waivers or variances", will be amended to permit a waiver of up to twenty-five percent (25%) of that which is permitted by Code, for affordable housing initiatives only. The Land Development Code currently allows the Town Administrator and/or designee to approve "non-use special permit requests" through a written administrative decision; however, this process is currently limited to approving: set-back requirements for principal or accessory buildings or structures, the spacing requirement between principal and accessory buildings, and the height of a building or structure, if they are not increased by more than ten (10) percent of that which is permitted by the Code. Additionally the Code permits the administrative approval on the number of parking spaces required, if not reduced by more than twenty percent (20%).

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended; and the Town Code will be modified accordingly in the future.

5. Review of Proposed Policies, Procedures, etc.: The establishment of a process by which the Town of Davie considers, before adoption, the impact that proposed policies, procedures, ordinances, regulations, or plan provisions will have upon the cost of housing. The Development Services Director will identify those proposed policies, procedures, plans, etc. that may impact the development of housing, and send them to the Housing and Community Development Coordinator for review and comment. The Coordinator will ensure that such proposed action is consistent with the Town's adopted Consolidated Plan for Federal Funds.

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

6. Inventory of Publicly Owned Land: The preparation of a printed inventory of publicly owned lands suitable for affordable housing. The Town's Planning and Zoning Division in the Development Services Department, currently maintains a list of all publicly-owned land in Davie. This list will be reviewed on a routine basis by the Housing and Community Development Coordinator, and will be updated accordingly.

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

time, are adopted herein by reference.

2. Establishment of Joint Local Housing Assistance Program. The parties hereby agree to establish a joint local housing assistance program ("Program"), pursuant to the requirements of the Act, which shall be established for a three (3) year period, all subject to the provisions of §§ 420.907 - 420.9079, Fla. Stat. and other applicable law. The program shall consist of establishing a Local Housing Assistance Plan (LHAP) and the Implementation and Administration of the Program. The LHAP shall be jointly developed by the parties and shall be adopted and amended only by resolution of each of the parties pursuant to the provisions of the Act.

3. County, through it's Office of Housing Finance shall be solely responsible for the administration and implementation of the Program in accordance with the provisions of the ACT.

3.1 County Provision of Performance Reports. County shall provide the Town with one Performance Report per Program per fiscal year. The Performance Report shall be the annual reporting materials required pursuant to the Act. The Performance Report shall, at a minimum, provide the Town with the following information: Population data for those assisted including: income level, age, family size, race, and any special needs populations; amount of funds expended within the Town, by category with the Town Program; and balance of funds remaining to be expended within the Town.

3.2 County shall file a single annual report for all Program activities, in all applicable governmental jurisdictions, pursuant to the requirements of the Act's implementing regulations.

3.3 County shall establish, or cause to be established based on input from the Town, all of the administrative criteria or requirements necessary or desirable to implement the Act, including without limitation, the following: (i) maximum award schedules; (ii) qualification systems for applications received pursuant to the Program activities; (iii) eligibility criteria for Program participants; (iv) advertising requirements for the availability of funds; and (v) definitions of affordable housing. The parties expressly agree that the administrative criteria or requirements to be established may, as applicable or appropriate, vary based on either the nature of the Program element or strategy to be addressed, or the requirements of the local jurisdiction, all of which shall be subject to the provisions of the ACT.

4. Establishment and Administration of Trust Fund. In order to implement and administer the Act, the County shall establish a specially designated and dedicated Affordable Housing Assistance Trust Fund ("Affordable Housing Assistance Trust Fund") within the official fiscal and accounting records of the County. All monies received from the state pursuant to the Act, and any funds received or budgeted to provide funding for the Program, shall be deposited into the Affordable Housing Assistance Trust Fund.

4.1 Restrictions on use of Funds. Pursuant to the Act's requirements, expenditures other than for the administration and implementation of the Program shall not be made from the Affordable Housing Assistance Trust Fund.

4.2 Audit of Housing Trust Fund. The County agrees that the Affordable Housing Assistance Trust Fund shall be separately stated as a special revenue fund in the County's audited financial statements. Copies of such audited financial statements shall, consistently with the requirements of the Act, be forwarded to the Florida Housing Finance Corporation as soon as such statements are available. The parties agree to pay their pro rata share of the cost of the audit using Town and County Program administrative dollars. The County shall provide the Town a copy of this audit.

5. Distribution of Funds Available Pursuant to the Act. All monies available to the Town and the County pursuant to the Act shall be distributed to the County as provided in the Act.

5.1 Directions to Corporation. The Town and the County direct the Florida Housing Finance Corporation (the "Corporation") to distribute the monies pursuant to the Act in accordance with this Agreement, and authorize the Corporation to rely on the parties' stated intent and authority to execute this Agreement.

5.2 Deposit of Funds. The monies to be distributed by the Corporation will be deposited in the following Depository Account: Broward County Affordable Housing Assistance Trust Fund.

5.3 The Corporation shall be notified by the parties of any change in the status of the Affordable Housing Assistance Trust Fund, or the distribution agreement between them.

6. Modification of Agreement. This Agreement may be modified by resolution(s) of the parties adopting a written amendment of this Agreement. As required by the Act, or other applicable law, amendments to the program or this Agreement shall not become effective until following review and approval required by the Act.

7. Term and Termination of Agreement.

7.1 Term of Agreement. Unless earlier terminated pursuant to other provisions of this Agreement, the term of this Agreement shall run concurrently with the distribution of monies pursuant to the Act. For so long as this Agreement remains effective, the parties agree that they will not do anything to jeopardize the other party's right to receive its distributions pursuant to the Act.

7.2 Termination of Agreement. At any time during the term of this Agreement, the Town or the County may provide ninety (90) days written notice of the termination of

this Agreement. In the event of a notice of termination, this Agreement shall terminate and be of no further force or effect as to either party on the ninetieth day following the non-noticing party's receipt of the termination notice; provided, however, that all Program funds encumbered by the County prior to the date of termination shall continue to be payable to the County pursuant to the terms of such encumbrance(s). In the event of a termination, the parties agree to mutually advise the Corporation of the termination of this Agreement, and to provide for the continued orderly payment of those funds to be distributed pursuant to the Act necessary to fulfill outstanding encumbrances, if any. In the event of a termination of this Agreement, the distribution and allocation of unencumbered funds to the County and the Town shall be pursuant to the requirements of the Act.

8. Interpretation. The language of this Agreement has been agreed to by both parties to express their mutual intent and no rule of strict construction shall be applied against either party hereto. The headings contained in this Agreement are for reference purposes only and do not affect in any way the meaning or interpretation of this Agreement.

9. Notices. Whenever either party desires to give notice unto the other, such notice must be in writing, sent by registered United States mail, return receipt requested, addressed to the party for who it is intended at the place specified below. The place for giving of notice shall remain the same until it shall have been changed by written notice in compliance with the provision of this paragraph. For the present, the parties designate the following as the respective place for giving of notice:

FOR BROWARD COUNTY:
Director
Fort Lauderdale, FL 33301
Office of Housing Finance
110 NE Third Street, Ste #300
Fort Lauderdale, FL 33301

With copy to:
Office of County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue

FOR THE Town:
Director of Housing and
Community Development
6591 Orange Drive
Davie, Florida 33314

With Copy to:
Monroe Kiar
Town Attorney

10. Effective Date. The effective date of this Agreement shall be the date upon which the parties hereto have approved this Agreement.

11. Filing of Interlocal Agreement. Pursuant to the provisions of Section 163.01 (11), Florida Statute, this Interlocal Agreement shall be filed with the Clerk of the Circuit Court in and for Broward County, Florida.

IN WITNESS WHEREOF, the parties hereto have made and execute Agreement

on the respective dates under each signature: Broward County through its Board of County Commissioners, signing by and through Chair or Vice chair, authorized to execute same by Board action of _____ day of _____, 2001, by the Town of _____, signing through its Mayor, authorized to execute same by action of the Town Commission on the _____ day of _____, 2001.

COUNTY

ATTEST:

County Administrator and Ex-Officio
Clerk of the Board of County Commissioners
of Broward County, Florida

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

By _____ Chair
_____ day of _____, 2001.

Approved as to form by Office of County
Attorney, Broward County, Florida
EDWARD A. DION, County Attorney
Governmental Center, Suite #423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Pamela M. Kane
Assistant County Attorney

