

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

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

SUBJECT: Resolution

COUNCIL DISTRICT: #1 - Councilmember Tom Truex

TITLE OF AGENDA ITEM: A Resolution of the Town of Davie, authorizing the Mayor to execute an Agreement with Habitat for Humanity of Broward Inc., for the development of the twenty-two (22) single-family homes contemplated in the Town's "Harmony Village Community Redevelopment/Revitalization Plan"; authorizing the use of \$725,000 in the Town's State Housing Initiatives Partnership (SHIP) Program Grant funds for the development of the infrastructure and related construction costs; requiring Habitat for Humanity of Broward Inc., to transfer the deed for such infrastructure improvements back to the Town of Davie once complete; authorizing an effective date.

REPORT IN BRIEF: On February 7, 2001, the Davie Town Council unanimously adopted Resolution 2001-037 approving the "Harmony Village Community Redevelopment/Revitalization" Plan. This Plan is a holistic approach to neighborhood revitalization which contains both residential and non-residential components. The center-piece of the Plan is the construction of 22 new single-family homes by Habitat for Humanity of Broward, Inc., on the vacant site located on the northeast corner of the Davie Road Ext. and NW 76 Ave., which is to be donated to Habitat for Humanity by the Town of Davie.

On April 16, 2002, the Broward County Commission unanimously approved the Plat for Harmony Village. (The Site Plan had previously been approved by the Davie Town Council, contingent upon approval of the Plat by the County Commission). The designs for the infrastructure are complete, and are now ready to be put out to bid.

At this time, the Town needs to execute an Agreement with Habitat for Humanity of Broward Inc., to construct the infrastructure improvements and the twenty-two (22) single-family homes. This Agreement grants \$725,000 in the Town's State Housing Initiatives Partnership Program (SHIP) funds to Habitat for the development of the infrastructure and for related construction costs. Since Habitat for Humanity will be responsible for developing the infrastructure needed for the site on the Town's Rights-of-Way, they will

need to transfer the deed for such infrastructure improvements back to the Town, once the construction is complete.

PREVIOUS ACTIONS: Resolution 2001-037

CONCURRENCES: None

FISCAL IMPACT: \$725,000 in SHIP Grant Funds

RECOMMENDATION(S): To adopt the Resolution

Attachment(s): Resolution , Legal Instrument to Convey Warranty Deed

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HABITAT FOR HUMANITY OF BROWARD INC., FOR THE DEVELOPMENT OF THE TWENTY-TWO (22) SINGLE-FAMILY HOMES CONTEMPLATED IN THE TOWN'S "HARMONY VILLAGE COMMUNITY REDEVELOPMENT/REVITALIZATION PLAN"; AUTHORIZING THE USE OF \$725,000 IN THE TOWN'S STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM GRANT FUNDS FOR THE DEVELOPMENT OF THE INFRASTRUCTURE AND RELATED CONSTRUCTION COSTS; REQUIRING HABITAT FOR HUMANITY OF BROWARD INC., TO TRANSFER THE DEED FOR SUCH INFRASTRUCTURE IMPROVEMENTS BACK TO THE TOWN OF DAVIE ONCE COMPLETE; AUTHORIZING AN EFFECTIVE DATE.

WHEREAS, On February 7, 2001, the Davie Town Council unanimously adopted Resolution 2001-037 approving the "Harmony Village Community Redevelopment/Revitalization Plan", which is a holistic approach to neighborhood revitalization that contains both residential and non-residential components; and,

WHEREAS, the center-piece of the Plan is the construction of 22 new single-family homes by Habitat for Humanity of Broward, Inc., on the vacant site located on the NE corner of the Davie Road Ext. and NW 76 Ave. donated by the Town of Davie; and,

WHEREAS, the Site Plan and the Plat have been approved and the designs for the infrastructure are complete and ready to be bid out; and,

WHEREAS, the Town allocated \$725,000 in it's State Housing Initiatives Partnership Program (SHIP) funds for the purpose of developing the housing outlined above; and,

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

SECTION 1. The Mayor is hereby authorized to execute the attached Agreement with Habitat for Humanity of Broward, Inc., to construct 22 single-family homes pursuant to the "Harmony Village Community Revitalization/Redevelopment Plan".

SECTION 2. The Town of Davie hereby grants Habitat for Humanity of Broward Inc., \$725,000 in State Housing Initiatives Partnership Program (SHIP) Grant Funds for the purpose of developing the housing outlined above.

SECTION 3. Habitat for Humanity will develop the infrastructure needed for the site on the Town's Rights-of-Way, and will transfer the deed for such infrastructure

improvements back to the Town of Davie once the construction is complete.

SECTION 4. This Resolution shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002.

MAYOR/COUNCILMEMBER

ATTEST: _____

TOWN CLERK

Town of Davie
Affordable Housing Funding Agreement
State Housing Initiatives Partnership (SHIP) Program

THIS AGREEMENT, made and entered into as of this 19 day of June 2002, by and between the Town of Davie, a political subdivision of Florida, whose address is 6591 Orange Drive, Davie, Florida 33314, hereinafter referred to as the "Town" and Habitat for Humanity of Broward, Inc. a Florida not for profit corporation, whose address is 3564 North Ocean Boulevard, Fort Lauderdale, Florida, hereinafter referred to as "Habitat for Humanity".

WITNESSETH:

WHEREAS, on February 7, 2002 the Davie Town Council adopted a holistic Redevelopment/Revitalization Plan for the "Harmony Village Community" located in the Driftwood Target Area; and,

WHEREAS, the center-piece of this Plan is the construction of twenty-two (22) new single-family homes by "Habitat for Humanity", on the vacant 4.2 acre site located on the NE corner of the Davie Road Extension and NW 76 Avenue which is owned by the "Town", and hereinafter referred to as the "Project Site"; and,

WHEREAS, The twenty-two (22) new single-family homes and the infrastructure improvements are collectively referred to herein as "the Project"; and

WHEREAS, Site Plan Number 10-1-01 for "the Project" was approved by the Davie Town Council on 1/2/2002, the Plat was approved by the Broward County Commission, and the designs for the infrastructure are ready to be bid out; and,

WHEREAS, pursuant to Davie Resolution 2001-037, the Town will convey the "Project Site" to Habitat for Humanity for development of the Project; and

WHEREAS, Habitat for Humanity, in connection with the construction of "Project" will also install the Infrastructure on the Project Site; and,

WHEREAS, Town hereby authorizes \$725,000 in it's State Housing Initiative Partnership (SHIP) Grant Program Funds for the "Project", such funds to be conveyed in a manner prescribed by the Broward County Office of Housing Finance (OHF) who oversees the Town's SHIP Grant funds, to Habitat for Humanity, in order to construct the Project; and,

WHEREAS upon completion of the "Project " Habitat for Humanity will convey the Infrastructure back to the Town;

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00), and other good and valuable consideration, paid or received by each party unto the other, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION 1. INCORPORATION OF RECITALS. Town and Habitat acknowledge and agree that the recitals set forth above are true and correct and are incorporated herein by reference.

SECTION 2. TRANSFER OF SHIP FUNDS. Subject to the terms and conditions of this Agreement, and in the manner prescribed by the Broward County Office of Housing Finance (OHF), the Town hereby transfers \$725,000 from its SHIP Grant Funds to Habitat for Humanity for the sole purpose of constructing the "Project".

SECTION 3. TRANSFER OF PROJECT SITE. In accordance with Resolution 2001-037, the Town will convey the "Project Site" to Habitat for Humanity for development of the "Project", with the goal of constructing the first eleven (11) homes on or before September 30, 2003, and the remaining homes on or before September 30, 2004.

SECTION 4. USE OF SHIP FUNDS. Habitat agrees to utilize the \$725,000 in the Town's SHIP Grant Funds for the sole purpose of constructing the "Project", and upon completion of the "Project" to convey the Infrastructure improvements back to the Town.

SECTION 5. LIMITATION TO DESCRIBED PURPOSE. The monies granted herein may be used solely by Habitat for Humanity for the purpose of the construction of the Homes and Improvements upon the "Project Site".

SECTION 6 . INFRASTRUCTURE. Habitat for Humanity shall convey the Infrastructure Improvements to the Town within 30 days after the date upon which the Improvements have been completed and a Certificate of Occupancy has been issued by the applicable governmental entity.

SECTION 7 . MISCELLANEOUS.

7.1 This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Florida.

7.2 Any modification of this Agreement or additional obligation assumed by either

party in connection with this Agreement shall be binding only if evidenced in writing signed by each party.

7.3 In the event of any litigation arising out of or in connection with this Agreement, the prevailing party shall be entitled to recover all costs, including reasonable attorneys' fees at trial and all appellate levels.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

WITNESSES:

TOWN OF DAVIE, FLORIDA, a
municipal corporation of the
State of Florida

as to Town

By: _____
HARRY VENIS, MAYOR

as to Town

ATTEST: _____
RUSSELL MUNIZ, TOWN CLERK

HABITAT FOR HUMANITY OF
BROWARD, INC., a Florida not
for profit corporation
By: _____

STATE OF FLORIDA)

) SS:

COUNTY OF BROWARD)

The Agreement was acknowledged before me this ____ day of June, 2002, by _____, as _____ of the Town of Davie, Florida, a municipal corporation, on behalf of the corporation, and (s)he is personally known to me or has produced a driver's license as identification.

Notary Public
(Notary Seal) State of Florida
My commission expires:

STATE OF FLORIDA)

) SS:

COUNTY OF BROWARD)

The Agreement was acknowledged before me this _____ day of June, 2002, by _____, as _____ of HABITAT FOR HUMANITY OF BROWARD, INC., a not for profit corporation, on behalf of the corporation, and (s)he is personally known to me or has produced a driver's license as identification.

Notary Public

(Notary Seal) State of Florida

My commission expires:

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