

1 RESOLUTION NO. 2020-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 APPROVING AN AMENDMENT TO THE STATE HOUSING
5 INITIATIVES PARTNERSHIP (“SHIP”) LOCAL HOUSING
6 ASSISTANCE PLAN (“LHAP”) FOR FISCAL YEARS 2017,
7 2018, AND 2019, TO ADD THE CITY OF COCONUT CREEK,
8 FLORIDA (“CITY”), FOR IMPLEMENTATION OF THE
9 CITY’S SHIP PROGRAM FOR FISCAL YEARS 2017, 2018,
10 AND 2019; DIRECTING THE COUNTY ADMINISTRATOR
11 TO SUBMIT THE AMENDED LHAP TO THE FLORIDA
12 HOUSING FINANCE CORPORATION FOR REVIEW AND
13 APPROVAL; AUTHORIZING THE COUNTY
14 ADMINISTRATOR TO EXECUTE ANY NECESSARY
15 DOCUMENTS RELATED TO THE AMENDED LHAP;
16 AUTHORIZING THE COUNTY ADMINISTRATOR TO
17 SUBMIT A REVENUE RESOLUTION TO RECOGNIZE THE
18 TRANSFER OF THE CITY’S SHIP PROGRAM FUNDS TO
19 THE COUNTY; AND PROVIDING FOR SEVERABILITY AND
20 AN EFFECTIVE DATE.

21 WHEREAS, the State of Florida enacted the William E. Sadowski Affordable
22 Housing Act (“Sadowski Act”) in 1992 to create a dedicated source of revenue for
23 affordable housing projects using a portion of the documentary stamp taxes from transfers
24 of real estate;

WHEREAS, funding for the State Housing Initiatives Partnership (“SHIP”) Program
was established by the Sadowski Act;

WHEREAS, the SHIP Program, codified in Sections 420.907-420.9079,
Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code
(collectively, the “SHIP Rules and Regulations”), provides funds to local governments as
an incentive to create partnerships that produce and preserve affordable homeownership
and multifamily housing to serve very low, low, and moderate income families;

1 WHEREAS, Broward County (“County”) is a recipient of SHIP Program funds, and
2 as such, is required under Section 420.9075, Florida Statutes, to develop and implement
3 a local housing assistance plan (“LHAP”) to make affordable housing units available to
4 persons of very low, low, and moderate income and to assist persons who have special
5 housing needs including the elderly and persons with disabilities;

6 WHEREAS, pursuant to Section 420.9072, Florida Statutes, local governments
7 may enter into interlocal agreements for the purpose of establishing a joint local housing
8 assistance program;

9 WHEREAS, on April 26, 2016 (Agenda Item No. 14), the Broward County Board
10 of County Commissioners (“Board”) adopted Resolution No. 2016-243, approving a joint
11 LHAP between the County and the City of Weston (“County’s LHAP”), which provided,
12 among other things, for the County to administer the City of Weston’s SHIP Program
13 funding allocation within the City of Weston;

14 WHEREAS, on February 14, 2017 (Agenda Item No. 31), the Board approved an
15 amendment to the County’s LHAP to add the City of Margate to the LHAP and for the
16 County to administer the City of Margate’s SHIP Program funding allocation within the
17 City of Margate;

18 WHEREAS, the Board desires to amend the County’s LHAP to add the City of
19 Coconut Creek, and to provide for the County to administer the City of Coconut Creek’s
20 SHIP Program funding allocation for fiscal years 2017, 2018, and 2019, to complete
21 affordable housing projects within the City of Coconut Creek; and

22 WHEREAS, pursuant to Section 420.9072, Florida Statutes, and Rule 67-37.006,
23 Florida Administrative Code, LHAP amendments must be adopted by resolution and
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1 submitted to the Florida Housing Finance Corporation (“Corporation”) for review and
2 approval, NOW, THEREFORE,

3 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
4 BROWARD COUNTY, FLORIDA:

5 Section 1. The above recitals set forth in the preamble to this Resolution are
6 true, accurate, and deemed incorporated herein as though set forth in full hereunder.

7 Section 2. The Board approves amending the County’s LHAP to add the City of
8 Coconut Creek and to administer the City of Coconut Creek’s SHIP Program for State
9 fiscal years 2017, 2018, and 2019.

10 Section 3. The Board authorizes the County Administrator to submit the
11 County’s LHAP, amended as provided herein (“Amended LHAP”), to the Corporation for
12 review and approval, and to execute any necessary documents required by the
13 Corporation relating to the Amended LHAP in accordance with the SHIP Rules and
14 Regulations.

15 Section 4. The Board authorizes the County Administrator to submit to the
16 Board for adoption a revenue resolution to recognize the SHIP Program funding being
17 transferred from the City of Coconut Creek to the County for the County’s administration
18 of the City of Coconut Creek’s SHIP Program.

19 Section 5 Severability.

20 If any portion of this Resolution is determined by any court to be invalid, the invalid
21 portion will be stricken, and such striking will not affect the validity of the remainder of this
22 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
23 legally applied to any individual, group, entity, property, or circumstance, such
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1 determination will not affect the applicability of this Resolution to any other individual,
2 group, entity, property, or circumstance.

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4 Section 6. Effective Date.

5 This Resolution is effective upon adoption.

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7 ADOPTED this day of , 2020.

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9 Approved as to form and legal sufficiency:
10 Andrew J. Meyers, County Attorney

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12 By /s/ Claudia Capdesuner 05/18/2020
13 Claudia Capdesuner (date)
Assistant County Attorney

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15 By /s/ Annika E. Ashton 05/18/2020
16 Annika E. Ashton (date)
Deputy County Attorney

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