

1 RESOLUTION NO. 2020-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY,
4 FLORIDA, APPROVING AN AMENDMENT TO THE
5 STATE HOUSING INITIATIVES PARTNERSHIP
6 ("SHIP") PROGRAM JOINT LOCAL HOUSING
7 ASSISTANCE PLAN ("LHAP") FOR FISCAL YEARS
8 2020, 2021, AND 2022, TO ADD THE CITY OF
9 COCONUT CREEK, FLORIDA ("CITY"), FOR
10 IMPLEMENTATION OF THE CITY'S SHIP PROGRAM
11 FOR FISCAL YEARS 2020, 2021, AND 2022;
12 DIRECTING THE COUNTY ADMINISTRATOR TO
13 SUBMIT THE AMENDED LHAP TO THE FLORIDA
14 HOUSING FINANCE CORPORATION FOR REVIEW
15 AND APPROVAL; AUTHORIZING THE COUNTY
16 ADMINISTRATOR TO EXECUTE ANY NECESSARY
17 DOCUMENTS RELATED TO THE AMENDED LHAP;
18 AUTHORIZING THE COUNTY ADMINISTRATOR TO
19 SUBMIT A REVENUE RESOLUTION TO
20 RECOGNIZE THE TRANSFER OF THE CITY'S SHIP
21 PROGRAM FUNDS TO THE COUNTY; AND
22 PROVIDING FOR SEVERABILITY AND AN
23 EFFECTIVE DATE.

14 WHEREAS, the State of Florida enacted the William E. Sadowski Affordable
15 Housing Act ("Sadowski Act") in 1992 to create a dedicated source of revenue for
16 affordable housing projects using a portion of the documentary stamp taxes from transfers
17 of real estate;

18 WHEREAS, funding for the State Housing Initiatives Partnership ("SHIP") Program
19 was established by the Sadowski Act;

20 WHEREAS, the SHIP Program, codified in Sections 420.907-420.9079,
21 Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code
22 (collectively, the "SHIP Rules and Regulations"), provides funds to local governments as
23 an incentive to create partnerships that produce and preserve affordable homeownership
24 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 May 7, 2019 (Agenda Item No. 27A), the Broward County Board
10 of County Commissioners (“Board”) adopted Resolution No. 2019-257, approving a joint
11 LHAP between the County, the City of Weston, and the City of Margate (“County’s
12 LHAP”);

13 WHEREAS, the Board desires to amend the County’s LHAP to add the
14 City of Coconut Creek, and to provide for the County to administer the City of Coconut
15 Creek’s SHIP Program funding allocation for fiscal years 2020, 2021, and 2022, to
16 complete affordable housing projects within the City of Coconut Creek; and

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

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22 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
23 BROWARD COUNTY, FLORIDA:
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1 Section 1. The above recitals set forth in the preamble to this Resolution are
2 true, accurate, and deemed incorporated herein as though set forth in full hereunder.

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4 Section 2. The Board approves amending the County’s LHAP to add the
5 City of Coconut Creek and to administer the City of Coconut Creek’s SHIP Program for
6 State fiscal years 2020, 2021, and 2022.

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

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

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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.

3
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

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

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