

**RESOLUTION 2003-083**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA ADOPTING AN AMENDED COMMUNITY DEVELOPMENT BLOCK GRANT, HOUSING ASSISTANCE PLAN**

**WHEREAS**, the City of Marathon (the "City") adopted a Housing Assistance Plan ("HAP") by Resolution 01-04-23, April 4, 2001 in meeting the Community Development Block Grant ("CDBG"), Housing Category, application requirements; and

**WHEREAS**, the Florida Department of Community Affairs ("FL DCA") requires, as a special condition for DCA authorizing the release of CDBG funds, that an amended HAP be submitted; and

**WHEREAS**, the City amended the HAP to reflect the additional services and benefits to City residents, particularly to the City's very low- and low-income residents.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:**

**Section 1.** The Community Development Block Grant, amended Housing Assistance Plan, attached hereto as "Attachment A" is hereby adopted.

**Section 2.** This resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the city of Marathon, Florida, this 10th day of June, 2003.

**THE CITY OF MARATHON, FLORIDA**



**Randy Mearns, Mayor**

AYES: Bartus, Pinkus, Repetto, Worthington, Mearns  
NOES: None  
ABSENT: None  
ABSTAIN: None


**ATTEST:**



Cindy L. Ecklund  
City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

A handwritten signature in black ink, consisting of several overlapping loops and lines, positioned above a horizontal line.

CITY ATTORNEY

CITY OF MARATHON 2001 SMALL CITIES  
 COMMUNITY DEVELOPMENT BLOCK GRANT – HOUSING CATEGORY  
 HOUSING ASSISTANCE PLAN

**All funds awarded will be in the form of grants to the homeowners and loans to property owners providing rentals to qualified beneficiaries.**

The process for selecting, accepting, reviewing and approving requests for assistance will be by advertisement in local newspapers of general circulation on at least four occasions. **This process** will provide a minimum sixty (60) day application period. Additional outreach activities shall include, press releases, **publication on the City of Marathon’s website accessible through the Internet**, announcements at public meetings and notification to the following: non-profit organizations, social service providers, local churches, daycare providers and organizations serving the elderly. Any subsequent application periods necessary shall meet the criteria outlined above.

Properties to be addressed shall meet all of the following criteria:

**Priority #1**

- Single family
- Owner occupied
- Primary residence
- Contain Housing Code, Housing Quality Standards or Health/Safety Violations or sewer connection requirements.

**Priority #2**

- Property owners
- Single family or multi-family rental properties
- Occupied by qualified beneficiaries
- Contain Housing Code, Housing Quality Standards or Health/Safety Violations or sewer connection requirements.

**Applications received within the application period(s) which meet the primary criteria above shall be prioritized based on the schedule outlined herein. Those household/projects receiving the greatest priority score, shall be addressed until all available funding has been expended.**

Priorities

<b>Documented Multiple Housing Code violations</b>	<b>15</b>
<b>Elderly (one owner greater than 62 yrs.)</b>	<b>10</b>
<b>Disabled household member</b>	<b>10</b>
Single head of household (2 or more persons)	05
Length of Ownership ( <b>greater than 15 yrs.</b> )	05
(0-5yrs = 0, 6-10yrs = 2, 11-15yrs = 3, 16yrs+ = 5)	
<b>Very low income</b>	<b>05</b>
<b>Children in household (greater than 2)</b>	<b>05</b>

Note: In the event of tie scores, very low-income households will receive priority.

Conflicts of interest will be addressed pursuant to 24 C.F.R. Section 570.489 and Chapter 112.311-112.3143, F. S. by immediate identification of potential conflicts.

Additionally, beneficiaries will be identified in minutes of the Board of City of Marathon Commissioners and the CDBG Citizens Advisory Task Force meeting(s) so that any previously unknown conflicts may be surfaced. The conflicts will be acknowledged publicly along with the final selection of beneficiaries.

It is the intent of the City of Marathon Commission and the CDBG Citizens Advisory Task Force to deal with these conflicts if **such conflicts** occur on a local level and request waiver for acknowledgement of the conflicts when appropriate.

The Monroe County Housing Authority will perform HUD Section 8 Housing Quality Standards (HQS) inspections on all properties to be rehabilitated to ensure compliance with the local safe housing code and safe, sanitary and decent housing to determine what rehabilitation work must be done on each eligible housing structure. All work required to meet HUD Housing Quality Standards and local housing code will be completed for each unit addressed.

The maximum amount of CDBG funds that may be expended on any one housing unit is \$25,000.00. This amount may only be exceeded by a recorded vote of the City of Marathon Commission upon recommendation of the CDBG Citizen's Advisory Task Force.

6.a. The City of Marathon will address the rehabilitation of rental units under this process.

6.b. **The City of Marathon will address sewer connections of property owners of single family rental properties, occupied by eligible households. In the event of funds availability and completion of all applicants under priority #1, the City of Marathon will address the sewer connection under this process. Assistance will be provided as a loan. Applicants will execute a note secured by a mortgage on the subject property. The term of the note will be for three (3) years at zero (0) percent interest and requires no regular payments. The principal balance shall be forgiven by 1/3rd annually on the anniversary date. The mortgage shall contain affordability covenants that require that during the term of the loan, the property shall be rented on an annual lease to very low- and low-income households subject to annual income certification.**

7. The City of Marathon may assist in the rehabilitation of mobile homes, modular homes or other forms of manufactured housing subject to paragraph 8 below.

The City of Marathon will not provide assistance to beneficiaries for those housing units that are unfeasible to repair under CDBG and Housing Assistance Plan guidelines. Additionally, The City of Marathon will not provide assistance to properties where the post rehabilitation value, exclusive of land, is less than the cost of rehabilitation. It is noted that due to extremely high median housing values, this is an unlikely situation.

9. All program participants will be advised routinely via formal written notification of their status in the program and specifically when a previously selected housing unit is deleted from the rehabilitation program.

10. The City of Marathon **will** require homeowners of eligible units maintain **sufficient** homeowners, wind, flood or other property insurance as a condition of participation.

11. The City of Marathon will require a final inspection by qualified entities for acceptance of the contractor's final work. All work is subject to the City of Marathon's building permit and inspection process.

12. The City of Marathon will ensure that ownership of non-rental units by the occupying beneficiary is confirmed, **the owner has** the right to encumber the property and provide permission to a contractor to undertake construction work on the unit. This will be accomplished through coordination with the Monroe County Tax Appraiser's Office.

13. The City of Marathon, through the CDBG Program, does not have any plans to declare a housing structure to be demolished or through its action, be converted to a non-LMI structure.

14. The City of Marathon, through the Monroe County Housing Authority, will develop bid proposals to be bid upon by contractors and interface with beneficiaries to ensure the contractor performs to the contract terms. All construction contracts will be between the property owner and the contractor.

15. The City of Marathon will review its local codes to determine that the property proposed for rehabilitation is in compliance with local codes prior to the initiation of any housing rehabilitation activities and issuance of a building permit.

16. The age of participating housing unit to be addressed will be verified by obtaining the Property Records Card for each unit in the Official Records of the Monroe County Tax Appraiser's Office. Coordination with the Bureau of Historic Preservation will take place as appropriate.

17. The Monroe County Housing Authority will test as required for lead based paint abatement when addressing pre-1978 homes following whatever program requirements exist.

18. Since virtually all housing structures to be addressed will be contained in the 100-year flood plain by virtue of the geographic configuration and location of the City of Marathon, the City of Marathon will follow and comply with all applicable Federal Emergency Management Agency (FEMA) requirements when addressing housing units.

19. The Monroe County Housing Authority, on behalf of the City of Marathon will document completion of construction by ensuring that each housing unit case file shall contain the following information:

A statement from the contractor that all items on the initial work write up as modified through change orders have been completed;

An acknowledgement that the housing unit meets the applicable local codes and Section 8 Housing Quality Standard (HQS).

A signed acknowledgement by the housing unit owner or his or her personal representative that the work has been completed based on the work write up and change orders. Should all requirements be fulfilled and the homeowner or their representative refuse to acknowledge completion of the work, the housing unit case file shall be documented with a statement detailing the stated reason for said refusal;

The documentation shall be completed prior to the submission of the administrative closeout package and shall accompany the administrative closeout package when submitted to the Department of Community Affairs; and

The following data will be provided by housing unit and summarized by activity as part of the administrative closeout for each activity providing direct benefit:

Address of each housing unit rehabilitated with CDBG funds, the date the construction was completed on the housing unit, and the amount of CDBG funds expended on that unit;

Whether the household is headed by a female, the number of handicapped persons in the household, the number of elderly persons in the household, and the LMI or VLI status of the household.

The number of occupants of the household, categorized by sex; and

The racial demographics of the household by number (white, black, Hispanic, Asian/Pacific Islander, or American Indian/Alaskan Native).