

Sponsored by: Hernstadt

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-63**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, AMENDING THE CITY'S ADOPTED
COMMUNITY DEVELOPMENT BLOCK GRANT, HOUSING ASSISTANCE
PLAN; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, on April 4, 2001, the City of Marathon (the "City") adopted Resolution 01-04-2, which established a Housing Assistance Plan ("HAP") in order to satisfy its Community Development Block Grant ("CDBG") program requirements; and

WHEREAS, on June 10, 2003, the City adopted Resolution 2003-083, which amended the adopted Housing Assistance Plan to reflect the additional services and benefits to City residents, particularly to the City's very low and low-income residents of the CDBG program; and

WHEREAS, the City desires to incorporate and adopt "Green Standards" into the aforementioned Housing Assistance Plan to require both minimal and supplemental green standards to be implemented in housing rehabilitation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

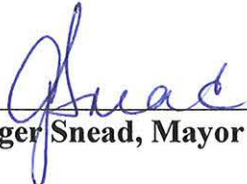
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The CDBG amended Housing Assistance Plan, a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the City Manager and approved as to form by the City Attorney, is hereby approved.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13th DAY OF JULY, 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Keating, Ramsay, Worthington, Snead
NOES: None
ABSENT: None
ABSTAIN: None

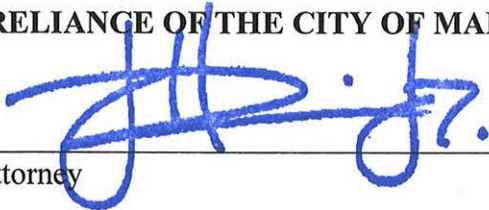
ATTEST:



Diane Clavier, City Clerk

(City Seal)

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



City Attorney

CITY OF MARATHON
2009 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT
HOUSING CATEGORY - HOUSING ASSISTANCE PLAN

1. All funds awarded will be a grant to the beneficiary and housing unit.
2. The process for selecting, accepting, reviewing and approving requests for assistance will be by advertisement in local newspapers of general circulation on at least two occasions for a minimum thirty (30) day application period. Any subsequent application periods shall meet the criteria outlined above.

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

- Single Family
- Owner occupied
- Primary residence
- Contain Housing Code, Housing Quality Standards or Health/Safety Violations

Priority within the applications meeting the primary criteria shall be as follows:

- Multiple citations for violation of Housing Code 15 points
- Elderly 10 points
- Handicapped 5 points
- Single Head of Household (2 or more persons) 5 points
- Length of Ownership 5 points maximum
(0-5 yrs=0, 6-10 yrs=2, 11-15 yrs=3, 16 yrs+=5)

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

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

Additionally, beneficiaries will be identified in the minutes of the Marathon City Council and the Citizens Advisory Task Force meetings 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 and the Citizens Advisory Task Force to deal with these conflicts if the conflict occurs on a local level and request waiver for acknowledgement of the conflicts when appropriate.

4. 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.
5. 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 Marathon City Council.
6. The City will not address the rehabilitation of rental units under this process.
7. The City of Marathon will assist in the rehabilitation of mobile homes, modular homes or other forms of manufactured housing subject to paragraph 8 below.

8. The City 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 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 will not provide CDBG assistance to beneficiaries of housing units who do not participate in the National Flood Insurance Program. The amount of said insurance must be equal to or greater than the amount of CDBG funds expended on the rehabilitation of said unit. Potential beneficiaries will be provided the opportunity to purchase said insurance at their own expense.
11. The City will require a final inspection by qualified entities for acceptance of the contractor's final work. All rehabilitation work is subject to the City's building permit and inspection process.
12. The City will ensure that ownership of non-rental units by the occupying beneficiary is confirmed, they have 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 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 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.

The following "Green" Rehabilitation Standards shall apply to all housing rehabilitation work:

1. Any appliances replaced or installed shall be Energy Star;
 2. Any door and/or window replaced or installed shall be Energy Star.
 3. Any lighting fixture replaced or installed shall be Energy Star.
 4. Weatherization of all homes rehabilitated. At a minimum, weatherization shall include attic, and if appropriate, floor insulation as well as sealing all exterior walls. Other weatherization activities are at the local government's option. (New home construction is presumed to meet the minimum insulation and sealing requirements.
 5. Any replaced or new (for new home construction) HVAC unit shall have a SEER rating of at least 14.
15. The City 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, the City 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. A statement from the contractor that all items on the initial work write up as modified through change orders have been completed;
 - b. An acknowledgement that the housing unit meets the applicable local codes and Section 8 Housing Quality Standard (HQS);
 - c. A signed acknowledgment 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;
 - d. 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
 - e. 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.