

**CITY OF MARATHON, FLORIDA
RESOLUTION 2012-23**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AMENDING THE CITY'S COMMUNITY BLOCK DEVELOPMENT GRANT HOUSING ASSISTANCE PLAN TO INCLUDE AS ELIGIBLE GRANT FUND ACTIVITIES WASTEWATER LATERAL CONNECTIONS FOR LOW AND MODERATE INCOME HOUSEHOLDS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Community Development Block Grant ("CDBG") program is a competitive grant program administered by the Florida Department of Economic Opportunity ("DEO") that addresses critical housing and infrastructure needs of the elderly, disadvantaged, and low to moderate income populations; and

WHEREAS, the City has identified a need for physical housing improvements to benefit low-to-moderate income persons living within the City's boundaries and has been awarded a small cities grant in the amount of \$750,000 for low and moderate income household wastewater lateral connections ; and

WHEREAS, the City desires to amend its CDBG housing assistance plan to include as eligible grant fund activities wastewater lateral connections for low and moderate income households.

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

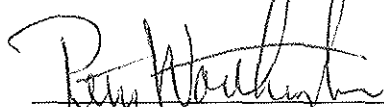
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City's Amended Housing Assistance Plan, a copy of which is attached as Exhibit "A," is hereby approved. The City Manager is authorized to execute all necessary documents in connection therewith.

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 28th DAY OF FEBRUARY, 2012.

THE CITY OF MARATHON, FLORIDA



Pete Worthington, Mayor

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

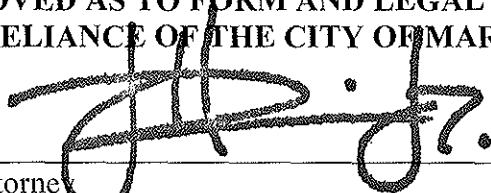
ATTEST:



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
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT
HOUSING CATEGORY - HOUSING ASSISTANCE PLAN

1. All funds awarded will be a grant to the low-to-moderate income (LMI) 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 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 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 City 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, although sewer connections are eligible as outlined in Section 20.

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 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 City 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 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 Economic Opportunity; 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.
20. Sewer Connections: In certain cases, CDBG funds may be made available to income-eligible residents or rental property owners solely to provide connections to a central wastewater collection system (sewer connections). This activity is considered to be housing rehabilitation and, although similar in many ways to standard housing rehabilitations, have a number of differences. Sewer connections are subject to the following:

- a. Sewer connections are essentially housing rehabilitations and the applicant must document LMI status, ownership, and full-time residency.
- b. Funds provided for sewer connections to single family units are grants and do not require repayment.
- c. Rental units may be eligible for assistance if the beneficiaries are LMI and are full-time residents. In addition, the property owner must enter into a deferred payment loan (DPL) agreement that provides for an affordability period of three-years, amortizing 1/3 upon the anniversary of execution of the DPL each year until completely forgiven at the conclusion of the fifth year, and that states the units that received assistance shall remain available and affordable, as defined by HUD guidelines, to LMI tenants. Failure to do so will result in repayment of the non-amortized balance of the DPL. The DPL will be recorded.
- d. Applicants are selected based on the basis of "first come, first ready" until funds are exhausted. Sewer connection applicants are not ranked.
- e. Sewer connection projects generally do not undertake repairs to the interior of housing units unless such repairs are absolutely necessary for a code-compliant sewer connection.