

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2017-106**

**A RESOLUTION OF THE CITY OF MARATHON, FLORIDA, REQUESTING AN EXTENSION OF THE TERM SPECIFIED IN SECTION 3, "TERM" OF THE INTERLOCAL AGREEMENT BETWEEN THE MONROE COUNTY AND THE CITY OF MARATHON TRANSFERRING AFFORDABLE HOUSING RESIDENTIAL DWELLING UNIT ALLOCATIONS FOR AN APPROVED PROJECT IN THE OWNERSHIP OF HTG CRYSTAL COVE LLC, TO BE LOCATED 4900 OVERSEAS HIGHWAY, MARATHON, FLORIDA ON PROPERTIES INCLUDING REAL ESTATE NUMBERS 00327150-000000, 00327910-000000, 00327920-000000, 00327990-000000, 00328000-000000, 00328010-000000, 00328020-000000, AND 00328030-000000. NEAREST MILE MARKER 50; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, On or about December 0f 2016, the City of Marathon and Monroe County entered into an Interlocal Agreement (ILA) transferring forty-six (46) affordable housing residential dwelling units to the City to be utilized in a project in the ownership of HTG Crystal Cove, LLC; and

**WHEREAS**, the ILA provided a "reverter clause" and a term which specified that:

"Section 3. TERM: Subject to and upon the terms and conditions set forth herein, this Interlocal Agreement shall continue in force until one of the following occur:

The project is not granted funding by FHFC LIHTC/WORKFORCE program in the FY16-17 or FY 17-18 competitive cycle; or

The project does not complete construction and does not obtain Certificates of Occupancy for all 46 affordable housing units contemplated herein by December 31, 2019. All affordable housing units for which Certificates of Occupancy are issued prior to December 31, 2019 shall remain subject to this Interlocal Agreement irrespective of whether all 46 affordable housing units contemplated herein receive Certificates of Occupancy."

**WHEREAS**, subject project did not request FHFC LIHTC/WORKFORCE housing funding in the 2016-2017 competitive cycle, but did in the following cycle and did not qualify; and

**WHEREAS**, the City and the project owner remain resolute in the approved project as an FHFC LIHTC/WORKFORCE and wish to assure that it may continue to apply in future grant cycles; and

**WHEREAS**, further, with the impacts of Hurricane Irma in Marathon and on the Florida Keys in general, the imperative need for additional workforce housing is at a crisis level; and

**WHEREAS**, the City requests that the term specified in Section 3 of the ILA be extended to include the remainder of the 2018-2019 competitive cycle and extend through the physical year of 2020.

**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 requests that the term specified in Section 3 of the ILA be extended to include the remainder of the 2018-2019 competitive cycle and extend through the physical year of 2020.

**Section 3.** The City Clerk shall forward a certified copy of this Resolution to appropriate individuals at Monroe County, Florida, the Florida Department of Economic Opportunity, the Florida Housing Finance Corporation, the Florida Task Force on Affordable Housing, and the Executive Offices of the Governor.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12TH DAY OF DECEMBER, 2017.**

**THE CITY OF MARATHON, FLORIDA**


  
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Michelle Coldiron, Mayor

AYES: Bartus, Cook, Senmartin, Zieg, Coldiron  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
\_\_\_\_\_  
Diane Clavier, City Clerk  
(City Seal)

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

  
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David Migut, City Attorney