

RESOLUTION NO. 2021- 67

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ANY NECESSARY CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one to three-year Local Housing Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act. The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

WHEREAS, as required by Section 420.9075, F.S., it is found that five percent of the local housing distribution plus five percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed ten percent of the local housing distribution plus five percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs; and

WHEREAS, the Economic and Community Development Department has prepared a three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Commission finds that it is in the best interest of the public for the City of Pompano Beach to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. The City Commission of the City of Pompano Beach hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2021-2022, 2022-2023, 2023-2024.

SECTION 2. The City Manager is hereby designated and authorized to execute any certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

SECTION 3. City staff is hereby authorized and directed to submit the said approved plan for review and approval by the Florida Housing Finance Corp.

SECTION 4 This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 23rd day of February, 2021.

DocuSigned by:
Rex Hardin
502CB780EB3F480...
REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
Asceleta Hammond
775D4290316A490...
ASCELETA HAMMOND, CITY CLERK

MEB/jmz
2/2/21
l:reso/2021-57



SHIP LHAP Template 2016-001
[eff. Date 9/11/2018]



City of Pompano Beach

SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

2021-2022, 2022-2023, 2023-2024

Table of Contents

Description	Page #
Section I, Program Details	3
Section II, Housing Strategies	7
A. Owner Occupied Rehabilitation	7
B. Demolition / Reconstruction	8
C. Purchase Assistance with or without Rehab	9
D. Emergency Repair	11
E. Security and/or Utility Deposit	12
F. Disaster Assistance	12
Section III, Incentive Strategies	13
A. Expedited Permitting	
B. Ongoing Review Process	
C. Modification of Impact Fees	
D. Flexible Densities	
E. Affordable Accessory Residential Units	
F. Parking and Setback Requirements	
G. Flexible Lot considerations	
H. Modification of Street Requirements	
I. Public Land Inventory	
J. Support of Development Near Transportation Hubs	
Exhibits	
A. Administrative Budget for each fiscal year covered in the Plan	
B. Timeline for Estimated Encumbrance and Expenditure	
C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan	
D. Signed LHAP Certification	
E. Signed, dated, witnessed or attested adopting resolution	



F. Ordinance: (If changed from the original creating ordinance)	
G. Interlocal Agreement	

I. Program Details:

A. LG(s)

Name of Local Government	City of Pompano Beach
Does this LHAP contain an interlocal agreement?	No
If yes, name of other local government(s)	

B. Purpose of the program:

- To meet the housing needs of the very low, low and moderate-income households;
- To expand production of and preserve affordable housing; and
- To further the housing element of the local government comprehensive plan specific to affordable housing.

C. Fiscal years covered by the Plan: 2021-2022, 2022-2023, 2023-2024

D. Governance: The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

E. Local Housing Partnership: The SHIP Program encourages building active partnerships between government, lending institutions, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

F. Leveraging: The Plan is intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

G. Public Input: Public input was solicited through face to face meetings with housing providers, social service providers, the City website and media outlets and local lenders and neighborhood associations. Public input was solicited through the local newspaper in advertising the Notice of Funding Availability.

H. Advertising and Outreach: SHIP funding availability shall be advertised in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

I. Waiting List/Priorities: A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status.



Applicants will be maintained in an order that is consistent with the time completed applications were submitted as well as any established funding priorities as described in this plan.

The following priorities for funding (very low income, Special Needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

- 1. Special Needs Households
 - a. Very low
 - b. Low
 - c. Moderate and up to 140% if allowed under the specific strategy
- 2. After Special Needs Set-asides
 - a. Very Low
 - b. Low
 - c. Moderate and up to 140% if allowed under the specific strategy

J. Discrimination: In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or marital status in the award application process for eligible housing.

K. Support Services and Counseling: Support services are available from various sources. Available support services may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling, Foreclosure Counseling and Transportation.

L. Purchase Price Limits: The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

M. Income Limits, Rent Limits and Affordability: The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at www.floridahousing.org.

“Affordable” means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071, F.S. However, it is not the intent to limit an individual household’s ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.



- N. Welfare Transition Program:** Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.
- O. Monitoring and First Right of Refusal:** In the case of rental housing, the staff and any entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.
- P. Administrative Budget:** A line-item budget is attached as Exhibit A. The city/county finds that the moneys deposited in the local housing assistance trust fund are necessary to administer and implement the local housing assistance plan.

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states: "A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan."

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states: "The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs." The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

- Q. Program Administration:** Administration of the local housing assistance plan will be performed by:

Entity	Duties	Admin. Fee Percentage
Local Government	All administrative duties	10
Third Party Entity/Sub-recipient	N/A	

- R. First-time Homebuyer Definition:** For any strategies designed for first-time homebuyers, the following definition will apply: *An individual who has had no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned a home with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse. An individual*



who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

S. Project Delivery Costs: *(state the percentage or dollar amount per applicant and which strategies are covered)*

Project delivery cost may be charged for the following strategies and will not exceed 2% of the total project cost:

- A. Owner Occupied Rehabilitation
- B. Demolition / Reconstruction
- C. Purchase Assistance with or without Rehab
- D. Emergency Repair
- E. Security and/or Utility Deposit
- F. Disaster Repair/Mitigation

T. Essential Service Personnel Definition (ESP): **ESP includes** teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, and skilled building trades personnel.

U. Describe efforts to incorporate Green Building and Energy Saving products and processes:

In accordance with Section 420.9075 (3) (d), Florida Statutes, in the rehabilitation and construction of housing, the City will encourage innovative design, green building principles, storm resistant construction or other elements that reduce long term costs relating to maintenance, utilities or insurance. When required, all work will meet the Florida Building Code standards. The City may require any of the features listed below when economically feasible in the rehabilitation or construction of homes. This list is not all-inclusive.

- i. Water-Conserving Appliances and Fixtures
- ii. Energy Star Appliances
- iii. Efficient Lighting Interior / Exterior
- iv. Upgrading of Insulation
- v. Air Conditioning Units with a Higher Seer Rating
- vi. Impact Resistant Windows

V. Describe efforts to meet the 20% Special Needs set-aside: *(describe which strategies and how Special Needs are prioritized for funding)*

The City of Pompano Beach will collaborate with social service agencies serving the designated special needs populations to achieve the goal of the special needs set-aside. The goals will be met through the owner-occupied rehabilitation, emergency repair and rental assistance strategies.

W. Describe efforts to reduce homelessness: The City of Pompano Beach will work with agencies serving the homeless populations primarily through rental assistance to place these individuals or families in rental or transitional housing for the purpose of providing a stable housing situation for twelve months or more.



Section II. LHAP Strategies:

A. Owner Occupied Rehabilitation	Code 3
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a. Summary: SHIP funds will be awarded to households in need of repairs to correct code violations, health and safety issues, electrical, plumbing, roofing, windows and other structural items. Mitigation, universal design, energy efficiency, incipient violations and cosmetic improvements may be included on rehabilitation projects if funds are available after completing all required repairs listed above.

b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024

c. Income Categories to be served: Very low, low and moderate

d. Maximum award: \$60,000

e. Terms:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded mortgage and note.
2. Interest Rate: 0%
3. Years in loan term: 15 years
4. Forgiveness: The loan will be forgiven 20% per year in the last 5 years.
5. Repayment: Not required as long as the loan is in good standing.
6. Default: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

In cases where the qualifying homeowner(s) die(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the outstanding balance of the loan will be due and payable.

If the home is foreclosed on by a superior mortgage holder, the City will make an effort to recapture funds through the legal process if it is determined that adequate funds may be available to justify pursuing a repayment.

f. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities as described in section I. (I) of this plan.

g. Sponsor Selection Criteria: N/A

h. Additional Information: All work will be performed by contractors on the City's approved contractor's list.



Subordination of the Program Loan for the purpose of refinancing an existing debt that is in a superior lien position to the Program Loan may be allowed in accordance with the OHUI Loan Subordination Policy, as amended from time to time. Subordination restrictions:

1. Subordination of the Program Loan will not be approved for a purpose other than refinance debt that was secured by the subject property prior to or of the same date of the Program Loan.
2. The City will only allow one subordination approval during the course of the Program Loan.

The City reserves the right to deny any subordination request it deems not in the best interest of the City or the homeowner. The authority to approve subordination requests or exceptions to the City’s Loan Subordination Policy will rest with the City Manager or his/her designee.

B. Demolition / Reconstruction	Code 4
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a. Summary: Structures will be demolished and rebuilt in the following cases:

1. Single family properties that are in a flood zone and have estimated rehabilitation costs exceeding 50% of the assessed value will be demolished and rebuilt to meet the Building Code.
2. Single family properties that are not in a flood zone but are beyond repair and unsafe for human habitation. The property must meet the definition of an unsafe structure, and the building department in cooperation with the OHUI shall determine the economic feasibility of the property.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$140,000
- e. Terms:
 1. Repayment Loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded mortgage and note.
 2. Interest Rate: 0%
 3. Years in Loan term: 15 years
 4. Forgiveness: The loan will be forgiven 20% per year in the last 5 years.
 5. Repayment: Not required as long as the loan is in good standing.



- 6. Default: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

In cases where the qualifying homeowner(s) die(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the outstanding balance of the loan will be due and payable.

If the home is foreclosed on by a superior mortgage holder, the county will make an effort to recapture funds through the legal process if it is determined that adequate funds may be available to justify pursuing a repayment.

- f. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities as described in section I. (l) of this plan.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: All work will be performed by contractors on the City’s approved contractor’s list.
Subordination of the Program Loan for the purpose of refinancing an existing debt that is in a superior lien position to the Program Loan may be allowed in accordance with the OHUI Loan Subordination Policy, as amended from time to time. Subordination restrictions:
 1. Subordination of the Program Loan will not be approved for a purpose other than to refinance debt that was secured by the subject property prior to or of the same date of the Program Loan.
 2. The City will only allow one subordination approval during the course of the Program Loan.
 3. The City reserves the right to deny any subordination request that is not in the best interest of the City or the homeowner. The authority to approve subordination requests or exceptions to the City’s Loan Subordination Policy will rest with the City Manager or his/her designee.

C. Purchase Assistance with or without Rehab	Code 1, 2
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<p>a. Summary: SHIP funds will be awarded for down payment and closing costs to households to purchase a newly constructed or existing home. A newly constructed home must have received a certificate of occupancy within the last twelve months. The City may provide repairs to existing homes that address code violations, property standards, disaster mitigation, energy efficiency, and accessibility improvements.</p>



- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$50,000
- e. Terms:
 - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred subordinate loan secured by a recorded subordinate mortgage and note.
 - 2. Interest Rate: 0%
 - 3. Years in loan term: 20 years
 - 4. Forgiveness: The loan will be forgiven at the end of the 20-year term.
 - 5. Repayment: No repayment is required if the loan is in good standing.
 - 6. Default: The loan will be determined to be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

In cases where the qualifying homeowner(s) die(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the outstanding balance of the loan will be due and payable.

If the home is foreclosed on by a superior mortgage holder, the county will make an effort to recapture funds through the legal process if it is determined that adequate funds may be available to justify pursuing a recapture.

- f. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities as described in section I. (I) of this plan.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information:
 - 1. Applicants must secure a first mortgage by an approved lender.
 - 2. Applicant must attend an 8-hour Homebuyer Education class from a HUD-approved housing counseling agency and receive a certificate of Pre-purchase housing counseling upon completion of the course. This certificate is required prior to loan closing.
 - 3. All first mortgage loans must be at a fixed rate mortgage not to exceed a term of thirty (30) years.
 - 4. Subordination of a Loan for the purpose of refinancing an existing debt that is in a superior lien position to the Program Loan may be allowed in accordance with the OHUI Loan Subordination Policy, as amended from time to time. Subordination restrictions:
 - a) Subordination of the Program Loan will not be approved for a purpose other than refinance debt that was secured by the subject property prior to or of the same date of the Program Loan.



- b) The City will only allow one subordination approval during the course of the Program Loan.
- c) The City reserves the right to deny any subordination request that is not in the best interest of the City or the homeowner. The authority to approve subordination requests or exceptions to the City’s Loan Subordination Policy will rest with the City Manager or his/her designee.

D. Emergency Repair	Code 6
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a. Summary: Funds will be awarded to applicants in need of repairs to their home related to a dire situation that needs to be mitigated immediately. This includes damaged roofing that is leaking, damaged windows causing exposure to the elements, or electrical or plumbing problems that could cause damage (fire) to the home or if there is an immediate health hazard to the occupants. Applicants who receive emergency repair assistance are eligible to receive Residential rehabilitation assistance.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$15,000
- e. Terms:
 - 1. Repayment loan/deferred loan/grant: Assistance will be provided in the form of a grant.
 - 2. Interest Rate: N/A
 - 3. Years in loan term: N/A
 - 4. Forgiveness: N/A
 - 5. Repayment: N/A
 - 6. Default: N/A
- f. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities as described in section I. (I) of this plan
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: N/A

E. Security and/or Utility Deposit	Code 13, 23
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a. Summary: Assistance includes first and last month’s rent and security and/or utility deposits for a new residential lease. The rental unit must meet Housing Quality Standards as defined in 24 CFR 982.401. Utilities for which deposits may be paid include water, sewer, solid waste, electricity and gas. Funds will be awarded to renters that are in need of a one-time payment to assist with obtaining a lease on a rental unit.



- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$5,000
- e. Terms:
 - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant.
 - 2. Interest Rate: N/A
 - 3. Years in loan term: N/A
 - 4. Forgiveness: N/A
 - 5. Repayment: N/A
 - 6. Default: N/A
- f. Recipient/Tenant Selection Criteria: Priority will be given to applications received in the following order on a first come, first eligible basis:
 - 1. Applicant’s meeting the definition of homeless (420.0004 (13), F.S.)
 - 2. Applicants referred by the housing authority
 - 3. Veteran’s households
 - 4. Walk in applicants
- g. Sponsor/Sub-recipient Selection Criteria: N/A
- h. Additional Information: The lease must be at least twelve months.

F. Disaster Assistance	Code 5, 13
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- a. Summary: Funds will be awarded to applicants in need of home repairs caused by a disaster that is declared by an Executive Order of the President or Governor. Repairs will be prioritized as follows for homeowners:
 - 1. Immediate threats to health and life safety (sewage, damaged windows, roofing) in cases where the home is still habitable.
 - 2. Imminent residual damage to the home (such as damage caused by a leaking roof) in cases where the home is still habitable.
 - 3. Repairs necessary to make the home habitable.
 - 4. Repairs to mitigate dangerous situations (exposed wires)
 - 5. Insurance deductibles
 - 6. Temporary rental assistance up to 3 months including first and last month’s rent, security and utility deposits for displaced homeowners

For tenants:

 - 1. Security, utility deposits and up to 3 month’s rent for displaced tenants.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024



- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$15,000
- e. Terms:
 - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant.
 - 2. Interest Rate: N/A
 - 3. Years in loan term: N/A
 - 4. Forgiveness: N/A
 - 5. Repayment: N/A
 - 6. Default: N/A
- f. Recipient/Tenant Selection Criteria: Applicants will be assisted on a first-qualified, first-served basis with the following additional requirements:
 - 1. Must provide proof of homeowner's insurance, if insured
 - 2. Must file for and use proceeds from insurance as first option
 - 3. There can be no duplication of benefits
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Funds for disaster mitigation will only be allocated from unencumbered funds or additional funds awarded through Florida Housing Finance Corporation for the disaster.

III. LHAP Incentive Strategies

In addition to the **required Incentive Strategy A and Strategy B**, include all adopted incentives with the policies and procedures used for implementation as provided in Section 420.9076, F.S.:

(a) EXPEDITED PERMITTING

The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.

Existing Strategy: This incentive is presently implemented. Once a project is identified as an affordable housing project, reviewers have five days (5) to review and process the plans for affordable housing. If on the third submittal, the resubmitted plans are not 100% corrected, the contractor will then be required to submit his plans through the normal permitting process for a building permit.

(b) PROCESS OF ONGOING REVIEW

The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Existing Strategy: The Office of Housing and Urban Improvement will be assigned to the City's Development Review Committee (DRC) team as an optional reviewer. Wherein, all proposed development can be reviewed and commented on by the Office of Housing and Urban Improvement.



These comments are then submitted to the various governing boards. Additionally, the Office of Housing and Urban Improvement will by matter of policy be consulted on all matters that impact affordable housing.

(c) MODIFICATION OF IMPACT FEES

The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Existing Strategy: The Office of Housing and Urban Improvement using grant funds currently pays the impact fees for contractors to reduce the cost of housing to low and moderate-income homebuyers. The individual applicant submits the request to the Office of Housing and Urban Improvement, who review the request and approves them on a case by case basis, and subject to funding availability. The criterion for eligibility determination is based on whether the tenants are low to moderate income households or the project is a senior facility and the amount of funds requested and the amount of funds available to pay these fees.

(d) FLEXIBLE DENSITIES

The allowance of flexibility in densities for affordable housing.

Existing Strategy: Flexibility and densities for affordable housing can be captured through the use of flexibility units for commercial land use designations. If flex units are awarded to a property, in accordance with the requirements of 154.61, applicants will either need to build affordable housing or can pay into the affordable housing trust fund.

(e) AFFORDABLE ACCESSORY RESIDENTIAL UNITS

The allowance of affordable accessory residential units in residential zoning districts.

Existing Strategy: Section 155.4303 of the City's zoning Code allows accessory Dwelling Units. For purposes of determining maximum density, an accessory dwelling unit shall be considered to be a half dwelling unit. Additional use specific standards to regulate this use exist within the zoning code.

(f) PARKING AND SETBACK REQUIREMENTS

The reduction of parking and setback requirements for affordable housing.

Existing Strategy: Affordable housing projects taking advantage of the Residential Planned Unit Development process can determine what parking requirements and setbacks their project will have. Additionally, the City allows for major and minor administrative adjustments at varying percentage rates from code requirements. Deed-restricted workforce and/or affordable housing can be used to demonstrate a public benefit to compensate for the requested modification of standards

(g) FLEXIBLE LOT CONFIGURATIONS

The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Existing Strategy: Flexible lot configurations (including zero lot line) are currently permitted in RS-4, all RM districts, and the DPOD district. Additionally, affordable housing projects can consider the RPUD



process, which can offer further flexibility in private development.

(h) MODIFICATION OF STREET REQUIREMENTS

The modification of street requirements for affordable housing.

Existing Strategy: If street modification of streets are desired, modified streets can be permitted by rezoning to the planned development process.

(i) PUBLIC LAND INVENTORY

The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Existing Strategy: In 2015, a group of city staff in conjunction with staff from the CRA meet bi-weekly for a 6-month period. The purpose of these meetings was to review all property owned by the City and CRA, in order to identify the current or future intended purpose for the land. In the end, the committee presented the work to the City Manager.

A report was produced by the CRA, with the information that the Development Services Department assembled. Development Services still has this database and updates it as needed. As a result of this intense review process, it was a recommendation to the City Manager to create a new for job for someone to manage and review all that is related to the acquisition, management and maintenance of these properties. Until such time that this position is filled, this Department has the database/inventory of all City Owned land.

(j) SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

The support of development near transportation hubs and major employment centers and mixed-use developments.

Existing Strategy: The City has a current transit-oriented district and a proposed transit-oriented corridor. There is the existing Downtown Pompano Transit Oriented District and the proposed East Transit Oriented Corridor. The ETOC or East Transit Oriented Corridor is a designated area where the City is proposing major land use plan and zoning code changes to implement a district that allows mixed-use development with commercial uses on the first floor, primarily along US 1 and Atlantic Boulevard, and residential units on upper floors. Affordable housing must be addressed in any land use plan amendments that increase permitted residential units by more than 100 units. To meet County requirements in the ETOC, 15% or 360 units, of the additional 2,399 units will be affordable housing or the developer will have to pay an in lieu of fee into the City's Affordable Housing Trust Fund to buy out of the affordable housing requirement.

IV. EXHIBITS:

Required

- A. Administrative Budget for each fiscal year covered in the Plan.
- B. Timeline for Estimated Encumbrance and Expenditure.

SHIP LHAP Template 2016-001
[eff. Date 9/11/2018]



- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.
- D. Signed LHAP Certification.
- E. Signed, dated, witnessed or attested adopting resolution.

Optional

- F. Ordinance: (If changed from the original creating ordinance).
- G. Interlocal Agreement.
- H. Other Documents Incorporated by Reference.

Exhibit A (2021)

City of Pompano Beach	
Fiscal Year: 2021-2022	
Estimated SHIP Funds for Fiscal Year:	\$ 1,197,234.00
Salaries and Benefits	\$ 117,473.40
Office Supplies and Equipment	\$ 1,000.00
Travel Per diem Workshops, etc.	\$ 500.00
Advertising	\$ 750.00
Other*	\$
Total	\$ 119,723.40
Admin %	10.00%
OK	
Fiscal Year 2022-2023	
Estimated SHIP Funds for Fiscal Year:	\$ 1,197,234.00



Salaries and Benefits	\$	117,473.40
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	119,723.40
Admin %		10.00%
OK		
Fiscal Year 2023-2024		
Estimated SHIP Funds for Fiscal Year:	\$	1,197,234.00
Salaries and Benefits	\$	117,473.40
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	119,723.40
Admin %		10.00%
OK		
<p>*All "other" items need to be detailed here and are subject to review and approval by the SHIP review committee. Project Delivery Costs that are outside of administrative costs are not to be included here, but must be detailed in the LHAP main document.</p>		
<p>Details:</p>		

**Exhibit B
Timeline for SHIP Expenditures**

City of Pompano Beach affirms that funds allocated for these fiscal years will
(local government)
meet the following deadlines:

Fiscal Year	Encumbered	Expended	1 st Year AR	2 nd Year AR	Closeout AR
2021-2022	6/30/2023	6/30/2024	9/15/2022	9/15/2023	9/15/2024
2022-2023	6/30/2024	6/30/2025	9/15/2023	9/15/2024	9/15/2025
2023-2024	6/30/2025	6/30/2026	9/15/2024	9/15/2025	9/15/2026

If funds allocated for these fiscal years is not anticipated to meet any of the deadlines in the table above, Florida



Housing Finance Corporation will be notified according to the following chart:

Fiscal Year	Funds Not Encumbered	Funds Not Expended	1 st Year AR Not Submitted	2 nd Year AR Not Submitted	Closeout AR Not Submitted
2021-2022	3/30/2023	3/30/2024	6/15/2022	6/15/2023	6/15/2024
2022-2023	3/30/2024	3/30/2025	6/15/2023	6/15/2024	6/15/2025
2023-2024	3/30/2025	3/30/2026	6/15/2024	6/15/2025	6/15/2026

Requests for Expenditure Extensions (close-out year ONLY) must be received by FHFC by June 15 of the year in which funds are required to be expended. The extension request shall be emailed to robert.dearduff@floridahousing.org and terry.auringer@floridahousing.org and include:

1. A statement that “(city/county) requests an extension to the expenditure deadline for fiscal year _____.”
2. The amount of funds that is not expended.
3. The amount of funds that is not encumbered or has been recaptured.
4. A detailed plan of how/when the money will be expended.

Note: an extension to the expenditure deadline (June 30) does not relieve the requirement to submit (September 15) the annual report online detailing all funds that have been expended. Please email terry.auringer@floridahousing.org when you are ready to “submit” the AR.

Other Key Deadlines:

AHAC reports are due for each local government the same year as the local government’s LHAP being submitted. Local governments receiving the minimum (or less) allocation are not required to report.

Exhibit A

ADMINISTRATIVE BUDGET FOR EACH FISCAL YEAR

Exhibit A (2021)

City of Pompano Beach

Fiscal Year: 2021-2022

Estimated SHIP Funds for Fiscal Year:	\$	1,197,234.00
Salaries and Benefits	\$	117,473.40
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	119,723.40
Admin %		10.00%
OK		

Fiscal Year 2022-2023

Estimated SHIP Funds for Fiscal Year:	\$	1,197,234.00
Salaries and Benefits	\$	117,473.40
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	119,723.40
Admin %		10.00%
OK		

Fiscal Year 2023-2024

Estimated SHIP Funds for Fiscal Year:	\$	1,197,234.00
Salaries and Benefits	\$	117,473.40
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	119,723.40
Admin %		10.00%
OK		

*All "other" items need to be detailed here and are subject to review and approval by the SHIP review committee. Project Delivery Costs that are outside of administrative costs are not to be included here, but must be detailed in the LHAP main document.

Details:

July 1, 2021

Exhibit B
Timeline for SHIP Expenditures

City of Pompano Beach affirms that funds allocated for these fiscal years will
(local government)
meet the following deadlines:

Fiscal Year	Encumbered	Expended	1 st Year AR	2 nd Year AR	Closeout AR
2021-2022	6/30/2023	6/30/2024	9/15/2022	9/15/2023	9/15/2024
2022-2023	6/30/2024	6/30/2025	9/15/2023	9/15/2024	9/15/2025
2023-2024	6/30/2025	6/30/2026	9/15/2024	9/15/2025	/9/15/2026

If funds allocated for these fiscal years is not anticipated to meet any of the deadlines in the table above, Florida Housing Finance Corporation will be notified according to the following chart:

Fiscal Year	Funds Not Encumbered	Funds Not Expended	1 st Year AR Not Submitted	2 nd Year AR Not Submitted	Closeout AR Not Submitted
2021-2022	3/30/2023	3/30/2024	6/15/2022	6/15/2023	6/15/2024
2022-2023	3/30/2024	3/30/2025	6/15/2023	6/15/2024	6/15/2025
2023-2024	3/30/2025	3/30/2026	6/15/2024	6/15/2025	6/15/2026

Requests for Expenditure Extensions (close-out year ONLY) must be received by FHFC by June 15 of the year in which funds are required to be expended. The extension request shall be emailed to robert.dearduff@floridahousing.org and terry.auringer@floridahousing.org and include:

1. A statement that "(city/county) requests an extension to the expenditure deadline for fiscal year _____.
2. The amount of funds that is not expended.
3. The amount of funds that is not encumbered or has been recaptured.
4. A detailed plan of how/when the money will be expended.

Note: an extension to the expenditure deadline (June 30) does not relieve the requirement to submit (September 15) the annual report online detailing all funds that have been expended. Please email terry.auringer@floridahousing.org when you are ready to "submit" the AR.

Other Key Deadlines:

AHAC reports are due for each local government the same year as the local government's LHAP being submitted. Local governments receiving the minimum (or less) allocation are not required to report.

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

Local Government or Interlocal Entity:

City of Pompano Beach

Certifies that:

- (1) The availability of SHIP funds will be advertised pursuant to program requirements in 420.907-420.9079, Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will ensure that there will be no discrimination on the basis of race, color, national origin, sex, handicap, familial status, or religion.
- (3) A process to determine eligibility and for selection of recipients for funds has been developed.
- (4) Recipients of funds will be required to contractually commit to program guidelines and loan terms.
- (5) Florida Housing will be notified promptly if the local government /interlocal entity will be unable to comply with any provision of the local housing assistance plan (LHAP).
- (6) The LHAP provides a plan for the encumbrance of funds within twelve months of the end of the State fiscal year in which they are received and a plan for the expenditure of SHIP funds including allocation, program income and recaptured funds within 24 months following the end of the State fiscal year in which they are received.
- (7) The LHAP conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the LHAP.
- (8) Amendments to the approved LHAP shall be provided to the Florida Housing for review and/or approval within 21 days after adoption.
- (9) The trust fund exists with a qualified depository for all SHIP funds as well as program income or recaptured funds.
- (10) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (11) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements (CAFR). An electronic copy of the CAFR or a hyperlink to the document shall be provided to Florida Housing by June 30 of the applicable year.

- (12) Evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97, F.S. shall be provided to Florida Housing by June 30 of the applicable year.
- (13) SHIP funds will not be pledged for debt service on bonds.
- (14) Developers receiving assistance from both SHIP and the Low-Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (15) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.
- (16) Rental Units constructed or rehabilitated with SHIP funds shall be monitored for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e). To the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility.
- (17) The LHAP meets the requirements of Section 420.907-9079 FS, and Rule Chapter 67-37 FAC.
- (18) The provisions of Chapter 83-220, Laws of Florida have not been implemented (except for Miami-Dade County).

Witness

DocuSigned by:
Rex Hardin
502CB780EB3F480...

Chief Elected Official or designee

Rex Hardin, Mayor

Witness

Type Name and Title

Date

OR

DocuSigned by:
Arcelita Hammond
775D4290316A490

Attest:
(Seal)



Exhibit E
67-37.005(1), F.A.C.
[eff. date]

RESOLUTION #: _____

A RESOLUTION OF THE _____ COMMISSION OF THE _____ (Local Government) FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year Local Housing Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

WHEREAS, as required by *section 420.9075, F.S.* It is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

Exhibit E
67-37.005(1), F.A.C.
[eff. date]

WHEREAS, the Economic and Community Development Department has prepared a three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Commission finds that it is in the best interest of the public for the _____ (local government) to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; and

NOW THEREFORE, BE IT RESOLVED BY THE _____ OF THE _____, FLORIDA that:

Section 1: The _____ (commission or council) of the _____ (local government) hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2021-2022, 2022-2023, 2023-2024.

Section 2: The _____ (Chairman or Mayor or designee), is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, _____.

Chairman or Mayor or designee

(SEAL)

ATTEST:

City or County Clerk