

RESOLUTION NO. 2019-135

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE CITY OF HIALEAH LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR FISCAL YEARS 2019-2020, 2020-2021, AND 2021-2022, A COPY OF WHICH IS ATTACHED HEREAFTER AS EXHIBIT "A", AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES AND CHAPTER 67-37 OF THE FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS REQUIRED BY THE STATE IN FURTHERANCE HEREOF; AND FURTHER 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;

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, §§ 420.907-420.9079, Florida Statutes (2019), and 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;

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy and an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act;

WHEREAS, pursuant to § 420.9075 (7), the costs of administering a Local Housing Assistance Plan may not exceed 5 percent of the local housing distribution moneys and program income deposited into the trust fund, unless the governing body of a county or an eligible

municipality finds by resolution that five (5) percent of the local housing distribution plus five (5) percent of the program income is insufficient to adequately pay the necessary costs of administering the Local Housing Assistance Plan, in which case the cost of administering the Local Housing Assistance Plan may not exceed ten (10) percent of the local housing distribution plus five (5) percent of program income deposited into the trust, except that small counties, as defined in § 120.52(19), Florida Statutes (2019), and eligible municipalities receiving local housing distribution of up to \$350,000 may use up to ten percent of program income for administrative costs;

WHEREAS, the Department of Grants and Human Services has prepared a three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation;

WHEREAS, City Council, after reviewing the proposed Local Housing Assistance Plan, attached hereto and incorporated herein as Exhibit "A", finds that five (5) percent of the local housing distribution plus five (5) percent of the program income is insufficient to adequately pay the necessary costs of administering the Local Housing Assistance Plan; and

WHEREAS, the Mayor and City Council of the City of Hialeah find that it is in the best interest of the public for the City of Hialeah to submit the Local Housing Assistance Plan) for fiscal years 2019-2020, 2020-2021, and 2021-2022, for review and approval so as to qualify for documentary stamp tax funds.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this Resolution are hereby incorporated and adopted by reference as if fully set forth herein.

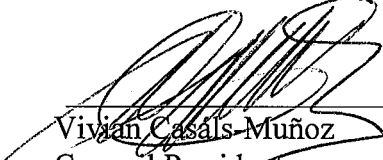
Section 2: The City of Hialeah, Florida hereby approves the City of Hialeah Local Housing Assistance Plan (LHAP), for fiscal years 2019-2020, 2020-2021, and 2021-2022, a copy of which is attached hereafter as Exhibit "A", as required by the State Housing Initiatives Partnership Program Act, Subsections 420.907-420.9079, Florida Statutes and Chapter 67-37 of the Florida Administrative Code.

Section 3: The City of Hialeah, Florida hereby authorizes and directs the Mayor or his designee to execute any necessary documents and certifications required by the State in furtherance hereof, and further authorizes the submission of the Local Housing Assistance Plan for review and

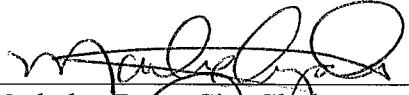
approval by the Florida Housing Finance Corporation.

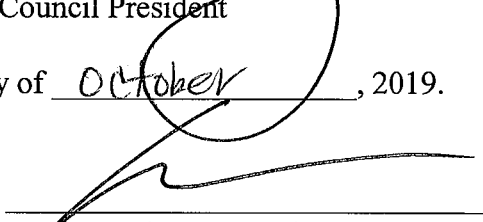
Section 4: This resolution shall become effective when approved by majority vote of the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 22 day of October, 2019.

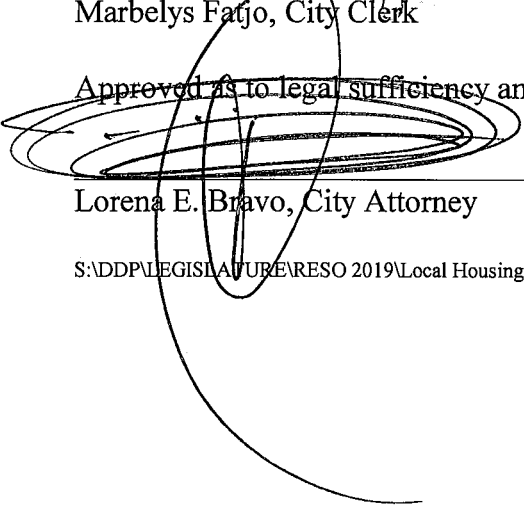

Vivian Casals-Muñoz
Council President

Attest: Approved on this 29 day of October, 2019.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:


Lorena E. Bravo, City Attorney

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Resolution was adopted by a 6-0-1 vote with Councilmembers, Caragol, Zogby, Hernandez, Casáls-Munoz, Garcia-Martinez and Cue-Fuente voting "Yes" and with Councilmember Lozano absent.