

**RESOLUTION NO. 2022-097**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AUTHORIZING THE RECAPTURE OF \$118,906.75 IN STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM (“SHIP”) FUNDS INITIALLY ALLOCATED TO JOSE VIZCAINO, AND REAPPROPRIATING SAID FUNDS TO JUAN AND KARLA BALBASTRO IN ORDER TO FULLY FUND THE SHIP-FUNDED REHABILITATION OF THEIR HOME AS APPROVED BY THE MAYOR AND COUNCIL VIA RESOLUTION 2021-065, AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO EXECUTE ANY AND ALL NECESSARY AGREEMENTS IN FURTHERANCE OF THE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City is a recipient of funds from the State of Florida as awarded through the Florida Housing Finance Corporation; and

**WHEREAS**, the Mayor and City Council approved funding in the amount of \$100,000.00 to Juan and Karla Balbastro via the City’s SHIP Safe Home Project Program as memorialized in Resolution 2021-065 and attached herein as Exhibit 1; and

**WHEREAS**, the scope of work needed to properly rehabilitate the Balbastro home, located at 1060 West 53 Terrace, exceeds the originally allocated amount; and

**WHEREAS**, the City had previously awarded \$125,000.00 to Jose Vizcaino for the rehabilitation of his home through the City’s SHIP Safe Home Project Program but it was subsequently declined by the applicant as reported in Exhibit 2; and

**WHEREAS**, subsequent to Mr. Vizcaino’s voluntary withdrawal from the program, the City issued a Release of SHIP Program Loan Mortgage and Note as reflected in Exhibit 3; and

**WHEREAS**, the City holds a balance of \$118,906.75 in unexpended funds that will remain unused because of Mr. Vizcaino’s withdrawal from the program; and

**WHEREAS**, the City consulted with Florida Housing Coalition regarding the Balbastro rehabilitation project and was counseled that the Mayor and Council could award funds in excess of those limits established by the City’s Local Housing Assistance Plan (“LHAP”) to ensure sufficient funding so that the home is rehabilitated to meet the Florida Building Code; and

**WHEREAS**, the City is requesting that the remaining funds available from the voluntary termination of the Vizcaino project be reallocated to the Balbastro project so that rehabilitation scope can ensure meeting Florida Building Code.

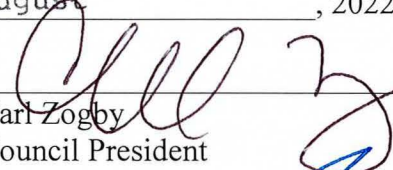
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

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

**Section 2:** The City of Hialeah, Florida hereby approves the recapture of funds originally allocated to Jose Vizcaino and the subsequent re-appropriation of said funds to Juan and Karla Balbastro to fully fund the rehabilitation of their home to meet Florida Building Code standards.

**Section 3:** This Resolution shall become effective when passed by 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.

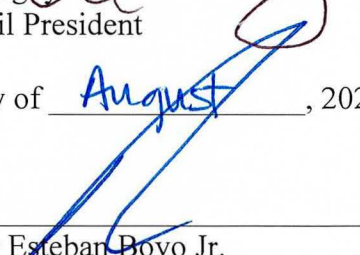
PASSED AND ADOPTED this 9 day of August, 2022.

  
\_\_\_\_\_  
Carl Zogby  
Council President


Attest:

Approved on this 17 day of August, 2022.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

  
\_\_\_\_\_  
Mayor Esteban Bovo Jr.

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Lorena E. Bravo, City Attorney

Resolution was adopted by 5-0-2 vote with Councilmembers Calvo, Garcia-Roves, Perez, Tundidor and Zogby voting "Yes" and with Councilmember Casáls-Muñoz and Rodriguez absent.