



SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

2022-2023, 2023-2024, 2024-2025



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I. Program Details:

A. LG(s)

Name of Local Government	City of Miami Beach
Does this LHAP contain an interlocal agreement?	No

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: 2022-2023, 2023-2024, 2024-2025

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, local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and 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:

Very-Low Special Needs Low-income Special Needs Special Needs



Essential Services Personnel

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.

Additionally, the City of Miami Beach Human Rights Ordinance, as codified in Chapter 62 of the City Code, prohibits discrimination in employment, housing, public accommodations, or public services, on the basis of actual or perceived race, color, national origin, religion, sex, intersexuality, sexual orientation, gender identity, familial and marital status, age, ancestry, height, weight, domestic partner status, labor organization membership, familial situation, political affiliation, or disability.

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 can be lower but may not exceed 90% of the average 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 more than 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 this 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 30 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), Florida Statutes, 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	Income certification of applicants, annual reporting, fiscal management, marketing and outreach.	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:** In addition to the administrative costs listed above, the City will charge reasonable project delivery costs to cover project estimates/construction estimates, title searches and project inspections,



which will be performed by independent contractors for construction projects. The fee will not exceed five (5) percent of the project cost and will be included in the loan amount, evidenced by a promissory note (“Note”), and secured by a recorded Mortgage and Security Agreement (“Mortgage”) and Declaration of Restrictive Covenants.

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.

1. Educators and those employed in the education institutions; and
2. Artists and those employed in artist organizations; and
3. Accommodations and Food Services (including arts, entertainment, and recreation); and
4. Retail Trade; and
5. Public Administration (including City of Miami Beach employees); and
6. Healthcare; and
7. Skilled building trades; and
8. First Responders

U. Describe efforts to incorporate Green Building and Energy Saving products and processes: The City is committed to making the housing stock more energy efficient. Therefore, the City will require the use of the following features when economically feasible in the construction/rehabilitation of homes:

1. Low or No-VOC paint for all interior walls (low-VOC means 50 grams per liter or less for flat; 150 grams per liter or less for non-flat paint);
2. Low-flow water fixtures in bathrooms- WaterSense labeled products or the following specifications:
Toilets: 1.28 gallons/ flush or less,
Urinals: 0.5 gallons/ flush,
Lavatory Faucets: 1.5 gallons/minute or less at 60 psi flow rate,
Showerheads: 2.0 gallons/minute or less at 80 psi flow rate;
3. Energy Star certified refrigerator;
4. Energy Star certified dishwasher;
5. Energy Star certified ventilation fan in all bathrooms;
6. Water heater minimum efficiency specifications:
 - Residential Electric:
 - Up to 55 gallons= .95 EF or .92 UEF; or
 - More than 55 gallons= Energy Star certified; or
 - Tankless= Energy Star certified;
7. Energy Star certified ceiling fans with lighting fixtures in bedrooms;
8. Air conditioning (choose in-unit or commercial):
≥8.5 HSPF/ ≥15 SEER/ ≥12.5 EER for split systems
Central Air Conditioners- Energy Star certified:
≥15 SEER/ ≥12.5 EER for split systems
9. Efficient lighting on both the interior and exterior of homes; and
10. Caulk, weather-strip, or otherwise seal all holes, gaps, cracks, penetrations and electrical receptacles in building envelope; and



11. Insulate heating and cooling system ducts and seal airtight in accordance with §403.29 of the Florida Building Code-Energy Conservation.

V. Equity Sharing Policy (for Purchase Assistance with Rehabilitation; Owner-Occupied Rehabilitation):

If, during the Affordability Period, the Premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner permitted in), the Owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises. If the net Proceeds from such sale, conveyance or transfer are less than the principal amount, Owner shall retain the amount of the deposit and the cost of any capital improvements to the Pproperty which were provided/authorized by the City, and the City will recapture the remaining balance of the proceeds for use in other eligible SHIP Program activities. **Net proceeds shall mean the fair market value of the property minus the senior mortgage and customary closing costs.**

Additionally, part of the profit realized from the sale, conveyance or transfer of the Premises shall also be paid to the City (“Profit Recapture Provision”) as follows: if the sale, conveyance or transfer occurs between the first and fifth year, the City shall be paid a percentage of the profit, based upon the percentage of the City’s contribution to the purchase of the Premises; to wit: if the sales price for the Premises was \$100,000 and the City provided a \$50,000 mortgage, the City shall also be paid 50% of the profit; If the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid forty percent (40%) of the profit; and if the sale, conveyance or transfer occurs between the eleventh and fifteenth year, the City shall be paid twenty-five percent (25%) of the profit. The profit is defined as the fair market value at the time of the sale, conveyance or transfer, minus the sales price of the Premises at the time the homeowner acquired it with the assistance of the SHIP funds. If the homeowner had equity in the property before the City’s awarded funds, the City will prorate the rate based on the City’s contribution.

W. Describe efforts to meet the 20% Special Needs set-aside:

The City will prioritize the following strategies for Special Needs categories:

- Purchase Assistance with Rehabilitation
- Owner-occupied Rehabilitation
- Disaster Repair

The City will add Special Needs qualification questions to its program eligibility application and utilize the City’s various communications resources (including its website, Facebook, Twitter, and e-newsletter) to advise the community of these resources.

In addition, the Office of Housing and Community Services (City department responsible for SHIP Program administration) operates the Success University Program, All Stars Program and the Parent Child Home Program. These programs are comprehensive family support programs that assist low-income families with various needs, including housing and food. The programs partner with more than 30 community-based human services and support agencies, and offer an increased opportunity for identification and referral of eligible households.

The City also serves as a Department of Children and Families ACCESS Center and will provide referral information to households receiving SSI/ SSDI and other benefits. Staff collaborates with the City’s American



Disability Agency (ADA) Coordinator to promote services to vulnerable populations. Additionally, staff works with Miami Beach Police Department when encountering victims of domestic violence seeking services.

X. Describe efforts to reduce homelessness:

The Office of Housing and Community Services is the City department responsible for the Homeless Outreach Program. As such, it has direct contact with individuals who are homeless and living in the streets, as well as individuals/families that are facing the threat of homelessness. The City's Homeless Outreach Services Program provides the following services: shelter beds, family reunification services, identification document replacement services, and rent assistance to serve its homeless population. The current efforts balance accountability, compassion and efficacy while expecting the same from those the City serves.

Our community is one of the leaders in the County in its municipal efforts to address homelessness and curb its impacts. As one of only two municipal teams in the County, our City is the only municipality that operates a walk-in center where the homeless population can seek services in person. The City is leading local efforts to move away from the traditional case management model that centralizes services through a third party (not the client) to a care coordination model that empowers clients to take charge of their lives and creates the culture and skill-set to discourage the return to homelessness.

The City has created a comprehensive homeless strategy that emphasizes personal accountability, intradepartmental collaboration and innovation that responds to our community's unique needs and assets while firmly founded upon compassion, integrity and efficacy. We have:

- Increased the number of shelter beds bought by the City and engaged more shelters to ensure that we can offer the appropriate, culturally-competent support to any homeless persons or families seeking to end their homelessness.
- Trained our emergency shelter partners on care coordination services so that clients take ownership of their personal success while having the supports and knowledge at their disposal to leave homelessness with an expectation – and the skills – not to return to the streets.
- The City is the only outreach team in the County that employs the homeless it places in shelter to serve as ambassadors to engage the homeless that remain on the streets. Through this program piloted in FY 16/17, the homeless are able to strengthen their engagement skills and transition back into an employment culture while looking for full-time employment and earning much-needed money to buy interview clothes and personal items. In turn, the City obtains the insight and knowledge base familiar with living in the streets and identifies the places and mindsets of those who remain for us to engage. This win/win model has also succeeded in shortening the length of time between placement in shelter and the securing of permanent employment.
- Encouraged intradepartmental collaboration between Police and the Homeless Outreach Services Program so that the first approach to those who are breaking our laws because they see themselves as homeless is to offer them shelter and the opportunity to end their homelessness -- rather than encourage a passive acceptance of their circumstances as an intractable fate.
- The Lazarus Project is a specialized, multi-disciplinary mobile outreach team that works to engage, assess, treat, and secure supportive permanent housing for service-resistant chronically homeless individuals who are severely mentally ill.

The City has entered into an agreement with the Miami Dade County Homeless Trust to subcontract a comprehensive outreach team that provides specialized care for homeless individuals that suffer from substance abuse and/or co-occurring disorders.



Section II. LHAP Strategies:

A. Purchase Assistance with Rehabilitation	Code 1
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a. **Summary:** Down payment, closing cost and rehabilitation assistance for the purchase of new or existing housing unit, and the rehabilitation of those properties, for first-time homebuyers. The rehabilitation assistance may include, without limitation, performing minor needed repairs or upgrades to existing appliances or fixtures, as determined by the City pursuant to an inspection report or by a visual inspection. Minimal rehabilitation of the unit is coordinated after the closing, based on the needs identified by the homeowner or based on the property inspection report. The SHIP Program can be combined with the City’s HOME Investment Partnership Program (HOME) funds for households earning up to 80% AMI, contingent upon funding availability.

b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025

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

d. **Maximum award:**

1. \$50,000 (Moderate-Income)
2. \$100,000 (Low and Very Low-Income)
3. \$150,000 (Extremely Low-Income)

e. **Terms:**

1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
2. Interest Rate: 0 %
3. Years in loan term: Fifteen (15) years
4. Forgiveness: The loan will be forgiven at the end of the term.
5. Repayment: **None required if the loan is in good standing.**
Refinance: owner will be permitted to refinance a senior mortgage to improve the payment terms, without the ability to receive additional cash.
6. Default:

If, during the Affordability Period, the Premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner), the Owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises. If the net proceeds from a sale, conveyance or transfer are less than the principal amount, owner shall retain



the deposit and the cost of a capital improvement.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value, (the “Right of First Refusal”), for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner’s death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

- f. Recipient/Tenant Selection Criteria: Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households as defined in 420.0004 (13) will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population. Essential Services Personnel will also be given priority.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in [first](#) or second lien position.

B. Owner-Occupied Rehabilitation	Code 3
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| <ul style="list-style-type: none"> a. Summary: Rehabilitation/Repair of single-family (including condominiums), owner-occupied housing. “Rehabilitation” will be defined as repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, structural or systems faults, or the creation of additional living space. Cosmetic items may be included on projects if funds are available after completing all required repairs. The SHIP Program can be combined with HOME Investment Partnership Program funds for households earning up to 80% AMI, contingent upon funding availability. b. Homeowner’s Insurance is required once the project is approved, and a vendor is selected from a pool of City-approved SHIP contractors. The City can make an exception for elderly and extremely-low-income households. c. A project must receive a minimum of three bids before being funded. If there are not enough bids received, the project will be cancelled until staff receives additional approved vendors and reissues the bid. If the homeowner’s certification expires during this time, they |
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will have to complete the income certification again.

- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- c. **Income Categories to be served:** Very low-, low- and moderate
- d. **Maximum award:** \$70,000
- e. **Terms:**
 - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
 - 2. Interest Rate: 0 %
 - 3. Years in loan term: Fifteen (15) years
 - 4. Forgiveness: The loan will be forgiven at the end of the term.
 - 5. Repayment: **None required if the loan is in good standing.**
 - 6. Default:

If, during the Affordability Period, the Premises are leased, rented, sold, conveyed, transferred (other than in the manner permitted), the Owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises.

If the net proceeds from such sale, conveyance or transfer are less than the principal amount, owner shall retain the down payment and the cost of any capital improvements to the property, and the City will recapture the remaining balance of the proceeds for use in other eligible SHIP Program activities.

Additionally, part of the profit realized from the sale, conveyance or transfer of the Premises shall also be paid to the City ("Profit Recapture Provision") as follows: if the sale, conveyance or transfer occurs between the first and fifth year, the City shall be paid a percentage of the profit, based upon the percentage of the City's contribution to the purchase of the property; to wit: if the sales price for the property was \$100,000 and the City provided a \$50,000 mortgage, the City shall also be paid 50% of the profit; If the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid forty percent (40%) of the profit; and if the sale, conveyance or transfer occurs between the eleventh and fifteenth year, the City shall be paid twenty-five percent (25%) of the profit.. If the homeowner had equity in the property before the City's awarded funds, the City will prorate the rate based on the City's contribution.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.



If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the “Right of First Refusal”) for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner’s death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

- f. **Recipient/Tenant Selection Criteria:** Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.
- g. **Sponsor Selection Criteria:** N/A
- h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in second lien position.

C. Foreclosure Prevention	Code 7
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a. Summary: Funds will be provided to assist qualified homeowners with retaining their home and preventing foreclosure action of their first mortgage. Applicants must be delinquent at least two full monthly mortgage payments, in receipt of a letter from the mortgage lender notifying the applicant of delinquency and/or intent to foreclose. Eligible expenses include delinquent mortgage payments (principal, interest, taxes and insurance), special assessment fees from condominium and/or neighborhood associations, late fees and other customary fees associated with delivery costs (excluding brokerage fees.)
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- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- 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 deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
 - 2. **Interest Rate:** 0%
 - 3. **Years in loan term:** Fifteen (15) years



- 4. Forgiveness: The loan will be forgiven at the end of the term.
- 5. Repayment: **None required if the loan is in good standing.**
- 6. Default: Pursuant to the Declaration of Restrictive Covenants:

If, during the Affordability Period, the Premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner permitted), the Owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

- f. **Recipient/Tenant Selection Criteria:** Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.
- g. **Sponsor Selection Criteria:** N/A
- h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in second lien position.

D. New Construction	Code 10
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a. **Summary:** To develop homeownership opportunities to assist eligible buyers to purchase affordable housing in Miami Beach. Funds will be provided to developers to be used to finance the costs associated with site acquisition/development, and hard and soft construction costs. The property must be sold to an income-eligible homebuyer. Upon sale, the benefit of the SHIP Program funding will be passed on as down payment assistance, closing costs and gap financing to the homebuyer.

- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- c. **Income Categories to be served:** Very low-, low- and moderate



d. **Maximum award:** Sponsor \$400,000 per property; Homeowner: \$40,000

Terms:

Sponsor:

Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms. The developer can charge a reasonable of developer fee not to exceed fifteen (15) percent.

2. Interest Rate: 0%
3. Years in loan term: Two (2) Years
4. Forgiveness: The loan is not forgiven.
5. Repayment: The loan must be repaid when sold to an income-eligible buyer.
6. Default:

If, during the Loan Term, the developer fails to complete the project or sell the property to an income-eligible buyer, they must repay the City the loan amount.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

Homebuyer:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.

1. Interest Rate: 0%
2. Years in loan term: Fifteen (15) years
3. Forgiveness: The loan will be forgiven at the end of the term.
4. Repayment: **None required if the loan is in good standing.**
5. Default:

If, during the Affordability Period, the Premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner permitted), the Owner shall repay to the City the full Principal Amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.



If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the “Right of First Refusal”) for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner’s death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

f. **Recipient/Tenant Selection Criteria:** Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.

g. **Sponsor Selection Criteria:** An eligible sponsor is an entity that applies for an award from the City through a local government solicitation and is awarded SHIP funds to construct affordable housing units. Sponsors will be selected through a publicly advertised competitive application process. This process involves a thirty (30) day public notification of the availability of funding, a written application delineating program requirement, a request for proposal (RFP) and an open and objective evaluation process and a formal award through a written contract. Sponsor selection outside of the advertised competitive application may be encumbered by the City when funding is being requested as a match for Florida Housing Finance Corporation or Federal funding cycles. Eligible sponsors, will at minimum, meet the following criteria:

- Eligible sponsors will be a for-profit organized and established under the laws of the State of Florida or non-profit community-based organization having obtained official designation as a 501 c(3)
- Eligible sponsors will have an established record of construction and/or rehabilitation of affordable housing.
- Eligible sponsors will be required to provide substantial evidence of its ability to construct or otherwise deliver a completed project within a reasonable timeframe.
- The non-profit or for-profit corporation must have financial accountability standards that permit the City of Miami Beach’s SHIP Program to account for and audit SHIP funds.

h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in first or second lien position.

E. Rental Development	Code 14
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a. **Summary:** Funds will be provided to for-profit and non-profit developers to be used to finance the costs of acquisition and/or the hard and soft costs of rehabilitating multi-family buildings in conjunction with funding from Florida Housing Finance Corporation or other federal funding allocations. Funds will also be utilized for the acquisition and/or rehabilitation of multi-family buildings owned and operated by the City. The City will monitor the rent limits and tenant income limits for the duration of the affordability period.



- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- c. **Income Categories to be served:** Very low-, low- and moderate
- d. **Maximum award:** \$40,000 per unit/\$400,000 per property
- e. **Terms:**
 - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
 - 2. Interest Rate: 0 %
 - 3. Years in loan term: Thirty (30) years
 - 4. Forgiveness: The loan will be forgiven at the end of the term.
 - 5. Repayment: **Not required if the loan is in good standing.**
 - 6. Default:
If, during the Affordability Period, the Premises are sold, conveyed, transferred (other than in the manner permitted), the Owner shall repay to the City the full Principal Amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.
- f. **Recipient/Tenant Selection Criteria:** All tenants of properties assisted with SHIP funds must meet the eligibility requirements as stipulated in the applicable Florida Statutes, SHIP Rule, and this Plan on a first qualified, first served basis. Rent limits must be consistent with those published by Florida Housing Finance Corporation, for the duration of the loan term.
- g. **Sponsor/Sub-recipient Selection Criteria:** An eligible sponsor is an entity that applies for an award from the City through a local government solicitation and is awarded SHIP funds to construct affordable housing units. Sponsors will be selected through a publicly advertised competitive application process. This process involves a thirty (30) day public notification of the availability of funding, a written application delineating program requirement, a request for proposal (RFP) and an open and objective evaluation process and a formal award through a written contract. Sponsor selection outside of the advertised competitive application may be encumbered by the City when funding is being requested as a match for Florida Housing Finance Corporation or Federal funding cycles. Eligible sponsors, will at minimum, meet the following criteria:



1. Eligible sponsors will be a for-profit organized and established under the laws of the State of Florida or non-profit community-based organization having obtained official designation as a 501 c(3)
 1. Eligible sponsors will have an established record of construction and/or rehabilitation of affordable housing.
 2. Eligible sponsors will be required to provide substantial evidence of its ability to construct or otherwise deliver a completed project within a reasonable timeframe.
 3. The non-profit or for-profit corporation must have financial accountability standards that permit the City of Miami Beach’s SHIP Program to account for and audit SHIP funds.

- h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits.

With respect to acquisitions or rehabilitations for City-owned affordable housing facilities, the City will execute and record a Declaration of Restrictive Covenants, reflecting that the property has to remain for use as affordable housing during the Affordability Period.

F. Disaster Repair	Code 5, 16
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a. Summary: Emergency Assistance to eligible households after the occurrence of a disaster declared by Executive Order (President of the United States or Governor of the State of Florida). In the event of a disaster, the City will commit available unencumbered SHIP funds, as well as other disaster funds that may become available through the Florida Housing Finance Corporation or any other emergency funding sources. Disaster funds may be used for, but not limited to, the following:

- 1. Home Repair:**
 - a) Purchase of emergency supplies, weatherproofing a damaged home.
 - b) Interim repairs to prevent further damage; tree and debris removal to make the housing unit habitable.
 - c) Payment of insurance deductibles for rehabilitation of homes covered under homeowners’ insurance policies; and
 - d) Other activities as proposed by the Federal Government, counties and eligible municipalities and approved by Florida Housing Finance Corporation.
- 2. Mortgage and Rent Assistance:**

Three (3) months of rent and mortgage payments for households affected by a disaster.

- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- c. **Income Categories to be served:** Very low-, low- and moderate
- d. **Maximum award:** Home Repair \$40,000; Mortgage and Rent Assistance: \$5,000



e. **Terms:**

Home Repair:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
2. Interest Rate: 0%
3. Years in loan term: Fifteen (15) years
4. Forgiveness: The loan will be forgiven at the end of the term.
5. Repayment: **Not required if the loan is in good standing.**

6. Default:

If, during the Affordability Period, the Premises are sold, conveyed, transferred (other than in the manner permitted), the Owner shall repay to the City the full Principal Amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the Premises

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

Rent/Mortgage Assistance:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant, evidenced by an approved application and proof of payment issued to the landlord, contingent upon their registration and approval through the City's vendor registration system. The household cannot apply for more than once per funding cycle and/or disaster period.
2. Interest Rate: 0%
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 selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in second lien position.

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. Name of the Strategy: **Expedited Permitting**

Permits as defined in s. 163.3177 (6) (f) (3) for affordable housing projects are expedited to a greater degree than other projects.

On February 10, 2021, the Mayor and City Commission approved Resolution No. 2021-31581, to expedite Building Permit review for affordable housing projects.

B. Name of the Strategy: **Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption. Staff continuously reviews policies with the Affordable Housing Advisory Committee.

C. Name of the Strategy: **Fee Waiver or Modification**

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

Ordinance 2020-4361 was adopted on October 14, 2020, to waive training and technology fees for Affordable Housing units and Workforce Housing units.

D. Name of the Strategy: **Density**

On October 19, 2011, the Mayor and City Commission adopted Ordinance No. 2011-3744, which determined the allowance of increased density levels/flexibility for affordable housing.



E. Name of the Strategy: **Accessory Dwelling Units**

On October 16, 2019, the Mayor and City Commission adopted Ordinance 2019-4304, which amended City Code to allow for accessory and conditional uses as provided for in the land development regulations; provided that accessory dwelling units do not count towards maximum density limits; and provided for the development of accessory dwelling units to encourage the development of housing at an attainable rate.

F. Name of the Strategy: **Reducing Parking and Setback**

On October 18, 2017, the Mayor and Commission adopted Ordinance No. 2017-4148, to reduce parking requirements for newly constructed affordable housing developments and workforce housing developments.

On October 27, 2021, the Mayor and Commission adopted Ordinance No. 2021-4451, to reduce the fees associated with the removal of on-street parking spaces associated with affordable housing projects.

IV. 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 Amending the Affordable Housing Advisory Committee.
- G. Resolution approving SHIP contractors for the Homeowner Rehabilitation Programs.

City of Miami Beach

Fiscal Year: 2022-2023	
Estimated SHIP Funds for Fiscal Year:	\$ 505,842.00
Salaries and Benefits	\$ 45,000.00
Office Supplies and Equipment	\$ 1,584.00
Travel Per diem Workshops, etc.	\$ 2,000.00
Advertising	\$ 2,000.00
Other*	
Total	\$ 50,584.00
Admin %	10%
	OK

Fiscal Year 2023-2024	
Estimated SHIP Funds for Fiscal Year:	\$ 505,842.00
Salaries and Benefits	\$ 45,000.00
Office Supplies and Equipment	\$ 1,584.00
Travel Per diem Workshops, etc.	\$ 2,000.00
Advertising	\$ 2,000.00
Other*	
Total	\$ 50,584.00
Admin %	10%
	OK

Fiscal Year 2024-2025	
Estimated SHIP Funds for Fiscal Year:	\$ 505,842.00
Salaries and Benefits	\$ 45,000.00
Office Supplies and Equipment	\$ 1,584.00
Travel Per diem Workshops, etc.	\$ 2,000.00
Advertising	\$ 2,000.00
Other*	
Total	\$ 50,584.00
Admin %	10%
	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:

Exhibit B
Timeline for SHIP Expenditures

___The City of Miami Beach___ affirms that funds allocated for these fiscal years will meet the following deadlines:

Fiscal Year	Encumbered	Expended	Interim Report	Closeout Report
2022-2023	6/30/2024	6/30/2025	9/15/2024	9/15/2025
2023-2024	6/30/2025	6/30/2026	9/15/2025	9/15/2026
2024-2025	6/30/2026	6/30/2027	9/15/2026	9/15/2027

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

Fiscal Year	Funds Not Expended	Closeout AR Not Submitted
2022-2023	3/30/2025	6/15/2025
2023-2024	3/30/2026	6/15/2026
2024-2025	3/30/2027	6/15/2027

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 cameka.gardner@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 cameka.gardner@floridahousing.org when you are ready to “submit” the AR.

Other Key Deadlines:

AHAC reports are now due annually by December 31. Local governments receiving the minimum (or less) allocation may choose not to report.

FLORIDA HOUSING FINANCE CORPORATION												
HOUSING DELIVERY GOALS CHART												
2022-2023												
Name of Local Government:			City of Miami Beach									
Estimated Funds (Anticipated allocation only):			\$ 505,842									
Code	Strategies	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	Construction	Without Construction	Total	Units
	Homeownership											
1	Purchase Assistance with Rehabilitation	Yes	1	\$100,000	1	\$100,000	2	\$50,000	\$300,000.00	\$0.00	\$300,000.00	4
3	Owner-Occupied Rehabilitation	Yes		\$70,000	1	\$70,000		\$70,000	\$70,000.00	\$0.00	\$70,000.00	1
7	Foreclosure Prevention	No		\$15,000		\$15,000		\$15,000	\$0.00	\$0.00	\$0.00	0
10	New Construction	Yes		\$40,000		\$40,000		\$40,000	\$0.00	\$0.00	\$0.00	0
16	Disaster Repair	No		\$40,000		\$40,000		\$40,000	\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
	Total Homeownership		1		2		2		\$370,000.00	\$0.00	\$370,000.00	5
Purchase Price Limits:			New	\$ 610,000	Existing	\$ 610,000						

OK OK

Code	Rental	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	Construction	Without Construction	Total	Units
14	Rental Development	Yes	2	\$40,000		\$40,000		40000	\$80,000.00	\$0.00	\$80,000.00	2
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
	Total Rental		2		0		0		\$80,000.00	\$0.00	\$80,000.00	2
	Administration Fees					0%		OK				
	Home Ownership Counseling		\$	-								
Total All Funds			\$	450,000	OK							

Set-Asides

Percentage Construction/Rehab (75% requirement)		89.0%	OK
Homeownership % (65% requirement)		73.1%	OK
Rental Restriction (25%)		15.8%	OK
Very-Low Income (30% requirement)	\$ 180,000	35.6%	OK
Low Income (30% requirement)	\$ 170,000	33.6%	OK
Moderate Income	\$ 100,000	19.8%	

FLORIDA HOUSING FINANCE CORPORATION												
HOUSING DELIVERY GOALS CHART												
2023-2024												
City of Miami Beach												
Estimated Funds (Anticipated allocation only):			\$ 505,842									
Code	Strategies	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	Construction	Without Construction	Total	Units
	Homeownership											
1	Purchase Assistance with Rehabilitation	Yes	2	\$100,000	1	\$100,000	2	\$50,000	\$400,000.00	\$0.00	\$400,000.00	5
3	Owner-Occupied Rehabilitation	Yes		\$70,000	1	\$70,000		\$70,000	\$70,000.00	\$0.00	\$70,000.00	1
7	Foreclosure Prevention	No		\$15,000		\$15,000		\$15,000	\$0.00	\$0.00	\$0.00	0
10	New Construction	Yes		\$40,000		\$40,000		\$40,000	\$0.00	\$0.00	\$0.00	0
16	Disaster Repair	No		\$40,000		\$40,000		\$40,000	\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
	Total Homeownership		2		2		2		\$470,000.00	\$0.00	\$470,000.00	6
Purchase Price Limits:			New	\$ 610,000	Existing	\$ 610,000						

OK OK

Code	Rental	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	Construction	Without Construction	Total	Units
14	Rental Development	Yes							\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
	Total Rental		0		0		0		\$0.00	\$0.00	\$0.00	0
	Administration Fees		\$ -		0%		OK					
	Home Ownership Counseling		\$ -									
Total All Funds			\$	470,000	OK							

Set-Asides

Percentage Construction/Rehab (75% requirement)		92.9%	OK
Homeownership % (65% requirement)		92.9%	OK
Rental Restriction (25%)		0.0%	OK
Very-Low Income (30% requirement)	\$ 200,000	39.5%	OK
Low Income (30% requirement)	\$ 170,000	33.6%	OK
Moderate Income	\$ 100,000	19.8%	

FLORIDA HOUSING FINANCE CORPORATION												
HOUSING DELIVERY GOALS CHART												
2024-2025												
Name of Local Government:			City of Miami Beach									
Estimated Funds (Anticipated allocation only):			\$ 505,842									
Code	Strategies	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	Construction	Without Construction	Total	Units
	Homeownership											
1	Purchase Assistance with Rehabilitation	Yes	2	\$100,000	1	\$100,000	1	\$50,000	\$350,000.00	\$0.00	\$350,000.00	4
3	Owner-Occupied Rehabilitation	Yes		\$70,000	1	\$70,000		\$70,000	\$70,000.00	\$0.00	\$70,000.00	1
7	Foreclosure Prevention	No		\$15,000		\$15,000		\$15,000	\$0.00	\$0.00	\$0.00	0
10	New Construction	Yes		\$40,000		\$40,000		\$40,000	\$0.00	\$0.00	\$0.00	0
16	Disaster Repair	No		\$15,000		\$15,000		\$15,000	\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
	Total Homeownership		2		2		1		\$420,000.00	\$0.00	\$420,000.00	5
Purchase Price Limits:			New	\$ 610,000	Existing	\$ 610,000						

OK OK

Code	Rental	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	Construction	Without Construction	Total	Units
14	Rental Development	Yes		\$40,000	1	\$40,000		40000	\$40,000.00	\$0.00	\$40,000.00	1
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
									\$0.00	\$0.00	\$0.00	0
	Total Rental		0		1		0		\$40,000.00	\$0.00	\$40,000.00	1
	Administration Fees		\$ -		0%		OK					
	Home Ownership Counseling		\$ -									
Total All Funds			\$	460,000	OK							

Set-Asides

Percentage Construction/Rehab (75% requirement)		90.9%	OK
Homeownership % (65% requirement)		83.0%	OK
Rental Restriction (25%)		7.9%	OK
Very-Low Income (30% requirement)	\$ 200,000	39.5%	OK
Low Income (30% requirement)	\$ 170,000	33.6%	OK
Moderate Income	\$ 50,000	9.9%	

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

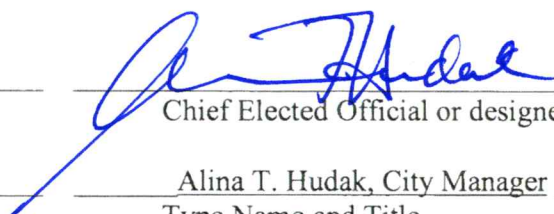
Local Government or Interlocal Entity: City of Miami Beach, Florida

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 Finance Corporation ("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 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 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), Florida Statutes. 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, Florida Statutes, 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



Chief Elected Official or designee


Witness

Alina T. Hudak, City Manager

Type Name and Title

Date

OR



Attest: Rafael E. Granado, City Clerk

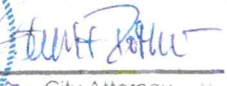
JUN 23 2022

(Seal)

2



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

03/17/22

Date

RESOLUTION NO: 2022-32187

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF MIAMI BEACH LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FOR FY 22/23, 23/24 AND 24/25, AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SECTIONS 420.907 - 420.9079, FLORIDA STATUTES; AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE ANY NECESSARY CERTIFICATIONS; AND FURTHER AUTHORIZING THE ADMINISTRATION TO SUBMIT THE LHAP TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND APPROVAL.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, that allocates 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, § 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 (LHAP) 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, the Administration has prepared a draft for the FY 22/23, 23/24, 24/25, pursuant to the requirements of the Act and the SHIP Program Rule, issued by the Florida Housing Finance Corporation (FHFC); and

WHEREAS, the Administration has submitted the draft Plan for review to the Affordable Housing Advisory Committee (AHAC); and

WHEREAS, the Administration will publish the Plan for public comment from March 31, 2022 to April 30, 2022; and

WHEREAS, on April 6, 2022, the Mayor and City Commission approved the LHAP and the City subsequently submitted it to the FHFC for approval; and

WHEREAS, the FHFC's SHIP Review Committee reviewed the Plan and provided comments regarding the new construction strategy and recapture provision for the purchase assistance strategy; and

WHEREAS, the Administration recommends enhancing the language to further clarify the new construction strategy for developers and homebuyers that are interested in developing vacant lots or new construction; and

WHEREAS, the Administration sought technical assistance from the FHC regarding the recapture provisions, which define the penalties for first time homebuyers that rent, sell or refinance the property before the expiration of the affordability period of fifteen (15) years; and

WHEREAS, the current profit share provision of the LHAP reads as follows: "If the sale, conveyance or transfer occurs between the first and fifth year, the City shall be paid a percentage of the profit, based upon the percentage of the City's contribution to the purchase of the Premises; to wit: if the sales price for the Premises was \$100,000 and the City provided a \$50,000 mortgage, the City shall also be paid 50% of the profit; If the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid fifty percent (50%) of the profit; and if the sale, conveyance or transfer occurs between the eleventh and fifteenth year, the City shall be paid twenty-five percent (25%) of the profit."; and

WHEREAS, Administration recommends that the tier for the period between the sixth and tenth year be modified to read as follows: "If the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid forty percent (40%) of the profit"; and

WHEREAS, the Administration recommends that the Mayor and City Commission approve the amended LHAP in the form attached to the City Commission Memorandum accompanying this Resolution, which will have to be submitted by the City Manager to the FHFC for final review by July 1, 2022.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve an amendment to the City's Local Housing Assistance Plan (LHAP) for the State Housing Initiatives Partnership (SHIP) Program for FY 22/23, 23/24 and 24/25, as required by the State Housing Initiatives Partnership Program Act, Sections 420.907 - 420.9079, Florida Statutes; and authorize the City Manager and City Clerk to execute any necessary certifications; and further authorize the Administration to submit the LHAP to the Florida Housing Finance Corporation for its review and approval.

PASSED and ADOPTED this 22 day of June, 2022.



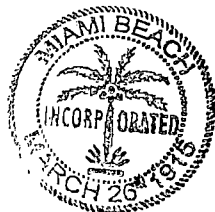
DAN GELBER, MAYOR

ATTEST:

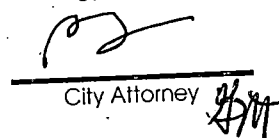


JUN 23 2022

RAFAEL E. GRANADO, CITY CLERK



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

6-1-22
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: June 22, 2022

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF MIAMI BEACH LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FOR FY 22/23, 23/24 AND 24/25, AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SECTIONS 420.907 - 420.9079, FLORIDA STATUTES; AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE ANY NECESSARY CERTIFICATIONS; AND FURTHER AUTHORIZING THE ADMINISTRATION TO SUBMIT THE LHAP TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND APPROVAL.

RECOMMENDATION

The Administration recommends adopting the Resolution.

BACKGROUND/HISTORY

The State Housing Initiatives Partnership Program (SHIP), administered through the Florida Housing Finance Corporation (FHFC), was established in 1992 by the William E. Sadowski Affordable Housing Act to stimulate the production of affordable housing statewide. SHIP Program funds are derived from documentary stamp levies on real estate transactions and held in the SHIP Program Trust Fund. Annually, FHFC allocates SHIP program funds among entitlement communities on a formula basis. All entitlement jurisdictions must have an approved Local Housing Assistance Plan ("LHAP") that describes the expenditure plan for housing strategies for the next three (3) years, from 2022 thru 2025.

SHIP program funds serve to increase access to affordable housing for income-eligible participants. The LHAP is intended to increase the availability of affordable residential units by combining local resources and cost-saving measures into a local housing partnership using public and private funds to reduce the cost of housing.

The LHAP must be approved by the Affordable Housing Advisory Committee (AHAC), the Mayor and City Commission, and the Florida Housing Finance Corporation (FHFC) by July 1, 2022 to implement the new strategies by October 1 of the same year. The City's draft FY 22-25

LHAP was reviewed and approved by the AHAC on March 15, 2022. On April 6, 2022, the Mayor and City Commission approved the LHAP for submission to the FHFC via Resolution No. 2022-32096. Subsequently, the City submitted the Plan for review and approval to the FHFC's SHIP Review Committee. The FHFC conditionally approved the Plan, contingent upon the incorporation of requested revisions before the final submission deadline. The Administration further reviewed various sections in the Plan for consistency, including the New Construction housing strategy and the current equity sharing policy for first time homebuyers.

ANALYSIS

The Administration is proposing to continue utilizing strategies for the broadest range of income-eligible households. The Administration is proposing the adoption of the following strategies in the FY 22-25 LHAP:

- A. Purchase Assistance with Rehab
- B. Owner-Occupied Rehabilitation
- C. Foreclosure Prevention
- D. New Construction
- E. Rental Development
- F. Disaster Repair

Following the receipt of the SHIP Review Committee's comments, the Administration requested technical assistance from the Florida Housing Coalition to ensure the new construction strategy was in compliance with FHFC standards. The Administration recommends incorporating the changes to define the strategy as the following:

"Summary: To develop homeownership opportunities to assist eligible buyers to purchase affordable housing in Miami Beach. Funds will be provided to developers to be used to finance the costs associated with site acquisition/development, and hard and soft construction costs. The property must be sold to an income-eligible homebuyer. Upon sale, the benefit of the SHIP Program funding will be passed on as down payment assistance, closing costs and gap financing to the homebuyer."

The updated language will provide further clarification to possible applicants during the Request for Proposal process. The City has not implemented the strategy thus far, as all prior funding has been committed to the Purchase Assistance with Rehab and Owner-Occupied Rehab strategy. The City currently has over 80 persons on the waitlist for first time homebuyer assistance and six (6) persons for the Owner-Occupied strategy.

Additionally, the Administration sought technical assistance for the equity sharing provision related to the Purchase Assistance with Rehabilitation housing strategy, also known as the First-Time Homebuyer Program. The Florida Housing Coalition provided examples from three different municipalities that have tiered approaches to their equity sharing provision.

The City's current equity sharing policy in the LHAP and the loan documents states: if the sale, conveyance or transfer occurs between the first and fifth year, the City shall be paid a percentage of the profit, based upon the percentage of the City's contribution to the purchase of the Premises; to wit: if the sales price for the Premises was \$100,000 and the City provided a \$50,000 mortgage, the City shall also be paid 50% of the profit; If the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid fifty percent (50%) of the profit; and if the sale, conveyance or transfer occurs between the eleventh and fifteenth year, the City shall be paid twenty-five percent (25%) of the profit. The profit is defined as the sales price at the time of the sale, or fair market value (in the case of a conveyance or transfer), minus the sales price of the Premises at the time the homeowner acquired it with the assistance of the SHIP funds. If the homeowner had equity in the property before the City's awarded funds, the

City will prorate the rate based on the City's contribution. Fair Market Value shall be determined pursuant to an appraisal, prepared by an appraiser who is licensed in the State of Florida, which shall be procured by the City and paid by the Owner.

Based on the information provided, the Administration does not recommend further reductions to the equity sharing policy and recommends amending the language in the LHAP relating to the period between the sixth and tenth year as follows:

"If the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid forty percent (40%) of the profit; and if the sale, conveyance or transfer occurs between the eleventh and fifteenth year, the City shall be paid twenty-five percent (25%) of the profit."

The revised language would provide a tiered approach, yet it will continue to disincentivize homebuyers from leaving their unit of residence before fifteen (15) years. Once the LHAP is approved by the Mayor and City Commission, City Administration will submit the final LHAP to the FHFC by July 1, 2022.

SUPPORTING SURVEY DATA

Not applicable.

FINANCIAL INFORMATION

The award amounts for each fiscal year are contingent upon the Florida Housing Finance Corporation approval.

Amount(s)/Account(s):

152-0530-000349-00-404-534-00-00-00-57210

CONCLUSION

The Administration recommends approval and adoption of the amendment to the City of Miami Beach Local Housing Assistance Plan (LHAP) for the State Housing Initiatives Partnership (SHIP) Program for FY 22/23, 23/24 and 24/25, as required by the SHIP Program Act, subsections 420.907 - 420.9079; authorizing execution of any necessary certifications by the Mayor and the City Clerk; and further authorizing the Administration to submit the LHAP to the Florida Housing Finance Corporation (FHFC) for its review and approval.

Applicable Area

Not Applicable

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Support affordable, compatible workforce housing.

Legislative Tracking

Housing and Community Services

ATTACHMENTS:

Description

- Resolution
- CMB 2022-2025 LHAP



City of Miami Beach
MIAMIBEACH

SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

2022-2023, 2023-2024, 2024-2025



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I. Program Details:

A. LG(s)

Name of Local Government	City of Miami Beach
Does this LHAP contain an interlocal agreement?	No

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: 2022-2023, 2023-2024, 2024-2025

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, local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and 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:

Very-Low Special Needs Low-income Special Needs Special Needs

Essential Services Personnel

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.

Additionally, the City of Miami Beach Human Rights Ordinance, as codified in Chapter 62 of the City Code, prohibits discrimination in employment, housing, public accommodations, or public services, on the basis of actual or perceived race, color, national origin, religion, sex, intersexuality, sexual orientation, gender identity, familial and marital status, age, ancestry, height, weight, domestic partner status, labor organization membership, familial situation, political affiliation, or disability.

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 can be lower but may not exceed 90% of the average 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 more than 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 this 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 30 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), Florida Statutes, 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	Income certification of applicants, annual reporting, fiscal management, marketing and outreach.	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:** In addition to the administrative costs listed above, the City will charge reasonable project delivery costs to cover project estimates/construction estimates, title searches and project inspections,



which will be performed by independent contractors for construction projects. The fee will not exceed five (5) percent of the project cost and will be included in the loan amount, evidenced by a promissory note ("Note"), and secured by a recorded Mortgage and Security Agreement ("Mortgage") and Declaration of Restrictive Covenants.

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.

1. Educators and those employed in the education institutions; and
2. Artists and those employed in artist organizations; and
3. Accommodations and Food Services (including arts, entertainment, and recreation); and
4. Retail Trade; and
5. Public Administration (including City of Miami Beach employees); and
6. Healthcare; and
7. Skilled building trades; and
8. First Responders

U. Describe efforts to incorporate Green Building and Energy Saving products and processes: The City is committed to making the housing stock more energy efficient. Therefore, the City will require the use of the following features when economically feasible in the construction/rehabilitation of homes:

1. Low or No-VOC paint for all interior walls (low-VOC means 50 grams per liter or less for flat; 150 grams per liter or less for non-flat paint);
2. Low-flow water fixtures in bathrooms- WaterSense labeled products or the following specifications:
Toilets: 1.28 gallons/ flush or less,
Urinals: 0.5 gallons/ flush,
Lavatory Faucets: 1.5 gallons/minute or less at 60 psi flow rate,
Showerheads: 2.0 gallons/minute or less at 80 psi flow rate;
3. Energy Star certified refrigerator;
4. Energy Star certified dishwasher;
5. Energy Star certified ventilation fan in all bathrooms;
6. Water heater minimum efficiency specifications:
 - Residential Electric:
 - Up to 55 gallons= .95 EF or .92 UEF; or
 - More than 55 gallons= Energy Star certified; or
 - Tankless= Energy Star certified;
7. Energy Star certified ceiling fans with lighting fixtures in bedrooms;
8. Air conditioning (choose in-unit or commercial):
≥8.5 HSPF/ ≥15 SEER/ ≥12.5 EER for split systems
Central Air Conditioners- Energy Star certified:
≥15 SEER/ ≥12.5 EER for split systems
9. Efficient lighting on both the interior and exterior of homes; and
10. Caulk, weather-strip, or otherwise seal all holes, gaps, cracks, penetrations and electrical receptacles in building envelope; and



11. Insulate heating and cooling system ducts and seal airtight in accordance with §403.29 of the Florida Building Code-Energy Conservation.

V. Equity Sharing Policy (for Purchase Assistance with Rehabilitation; Owner-Occupied Rehabilitation):

In connection with a Purchase Assistance with Rehabilitation or an Owner-Occupied Rehabilitation strategy, part of the profit realized from the sale, conveyance or transfer of the premises shall also be paid to the City ("Profit Recapture Provision") as follows: if the sale, conveyance or transfer occurs between the first and fifth year, the City shall be paid a percentage of the profit, based upon the percentage of the City's contribution to the purchase of the premises; to wit: if the sales price for the premises was \$100,000 and the City provided a \$50,000 mortgage, the City shall also be paid 50% of the profit; if the sale, conveyance or transfer occurs between the sixth and tenth year, the City shall be paid forty percent (40%) of the profit; and if the sale, conveyance or transfer occurs between the eleventh and fifteenth year, the City shall be paid twenty-five percent (25%) of the profit. The profit is defined as the fair market value at the time of the sale, conveyance or transfer, minus the sales price of the premises at the time the homeowner acquired it with the assistance of the SHIP funds. If the homeowner had equity in the property before the City's awarded funds, the City will prorate the rate based on the City's contribution.

W. Describe efforts to meet the 20% Special Needs set-aside:

The City will prioritize the following strategies for Special Needs categories:

- Purchase Assistance with Rehabilitation
- Owner-occupied Rehabilitation
- Disaster Repair

The City will add Special Needs qualification questions to its program eligibility application and utilize the City's various communications resources (including its website, Facebook, Twitter, and e-newsletter) to advise the community of these resources.

In addition, the Office of Housing and Community Services (City department responsible for SHIP Program administration) operates the Success University Program, All Stars Program and the Parent Child Home Program. These programs are comprehensive family support programs that assist low-income families with various needs, including housing and food. The programs partner with more than 30 community-based human services and support agencies, and offer an increased opportunity for identification and referral of eligible households.

The City also serves as a Department of Children and Families ACCESS Center and will provide referral information to households receiving SSI/ SSDI and other benefits. Staff collaborates with the City's American Disability Agency (ADA) Coordinator to promote services to vulnerable populations. Additionally, staff works with Miami Beach Police Department when encountering victims of domestic violence seeking services.

X. Describe efforts to reduce homelessness:

The Office of Housing and Community Services is the City department responsible for the Homeless Outreach



Program. As such, it has direct contact with individuals who are homeless and living in the streets, as well as individuals/families that are facing the threat of homelessness. The City's Homeless Outreach Services Program provides the following services: shelter beds, family reunification services, identification document replacement services, and rent assistance to serve its homeless population. The current efforts balance accountability, compassion and efficacy while expecting the same from those the City serves.

Our community is one of the leaders in the County in its municipal efforts to address homelessness and curb its impacts. As one of only two municipal teams in the County, our City is the only municipality that operates a walk-in center where the homeless population can seek services in person. The City is leading local efforts to move away from the traditional case management model that centralizes services through a third party (not the client) to a care coordination model that empowers clients to take charge of their lives and creates the culture and skill-set to discourage the return to homelessness.

The City has created a comprehensive homeless strategy that emphasizes personal accountability, intradepartmental collaboration and innovation that responds to our community's unique needs and assets while firmly founded upon compassion, integrity and efficacy. We have:

- Increased the number of shelter beds bought by the City and engaged more shelters to ensure that we can offer the appropriate, culturally-competent support to any homeless persons or families seeking to end their homelessness.
- Trained our emergency shelter partners on care coordination services so that clients take ownership of their personal success while having the supports and knowledge at their disposal to leave homelessness with an expectation – and the skills – not to return to the streets.
- The City is the only outreach team in the County that employs the homeless it places in shelter to serve as ambassadors to engage the homeless that remain on the streets. Through this program piloted in FY 16/17, the homeless are able to strengthen their engagement skills and transition back into an employment culture while looking for full-time employment and earning much-needed money to buy interview clothes and personal items. In turn, the City obtains the insight and knowledge base familiar with living in the streets and identifies the places and mindsets of those who remain for us to engage. This win/win model has also succeeded in shortening the length of time between placement in shelter and the securing of permanent employment.
- Encouraged intradepartmental collaboration between Police and the Homeless Outreach Services Program so that the first approach to those who are breaking our laws because they see themselves as homeless is to offer them shelter and the opportunity to end their homelessness – rather than encourage a passive acceptance of their circumstances as an intractable fate.
- The Lazarus Project is a specialized, multi-disciplinary mobile outreach team that works to engage, assess, treat, and secure supportive permanent housing for service-resistant chronically homeless individuals who are severely mentally ill.

The City has entered into an agreement with the Miami Dade County Homeless Trust to subcontract a comprehensive outreach team that provides specialized care for homeless individuals that suffer from substance abuse and/or co-occurring disorders.



Section II. LHAP Strategies:

A. Purchase Assistance with Rehabilitation	Code 1
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a. **Summary:** Down payment, closing cost and rehabilitation assistance for the purchase of new or existing housing unit, and the rehabilitation of those properties, for first-time homebuyers. The rehabilitation assistance may include, without limitation, performing minor needed repairs or upgrades to existing appliances or fixtures, as determined by the City pursuant to an inspection report or visual inspection. Minimal rehabilitation of the unit is coordinated after the closing, based on the needs identified by the homeowner or based on the property inspection report. The SHIP Program can be combined with the City's HOME Investment Partnership Program (HOME) funds for households earning up to 80% AMI, contingent upon funding availability.

b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025

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

d. **Maximum award:**

1. \$50,000 (Moderate-Income)
2. \$100,000 (Low and Very Low-Income)
3. \$150,000 (Extremely Low-Income)

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
2. **Interest Rate:** 0 %
3. **Years in loan term:** Fifteen (15) years
4. **Forgiveness:** The loan will be forgiven at the end of the term.
5. **Repayment: None required if the loan is in good standing.**
6. **Refinance:** owner will be permitted to refinance a senior mortgage to improve the payment terms, without the ability to receive additional cash.

7. **Default:**

If, during the Affordability Period, the premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner), the owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the premises. If the net proceeds from a sale, conveyance or transfer are less than the principal amount, owner shall retain the deposit and the cost of any capital improvements made to the premises, and the City will recapture the remaining balance of the proceeds for use in other eligible SHIP Program activities. Net



proceeds shall mean the fair market value of the property minus the senior mortgage and customary closing costs.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value, (the "Right of First Refusal"), for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

- f. Recipient/Tenant Selection Criteria: Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households as defined in 420.0004 (13) will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population. Essential Services Personnel will also be given priority.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in first or second lien position.

B. Owner-Occupied Rehabilitation	Code 3
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- a. **Summary:** Rehabilitation/Repair of single-family (including condominiums), owner-occupied housing. "Rehabilitation" will be defined as repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, structural or systems faults, or the creation of additional living space. Cosmetic items may be included on projects if funds are available after completing all required repairs. The SHIP Program can be combined with HOME Investment Partnership Program funds for households earning up to 80% AMI, contingent upon funding availability.
- b. Homeowner's Insurance is required once the project is approved, and a vendor is selected from a pool of City-approved SHIP contractors. The City can make an exception for elderly and extremely-low-income households.
- c. A project must receive a minimum of three bids before being funded. If there are not enough bids received, the project will be cancelled until staff receives additional approved

vendors and reissues the bid. If the homeowner's certification expires during this time, they will have to complete the income certification again.

- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- c. **Income Categories to be served:** Very low-, low- and moderate
- d. **Maximum award:** \$70,000
- e. **Terms:**
 - 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
 - 2. **Interest Rate:** 0 %
 - 3. **Years in loan term:** Fifteen (15) years
 - 4. **Forgiveness:** The loan will be forgiven at the end of the term.
 - 5. **Repayment: None required if the loan is in good standing.**
 - 6. **Default:**

If, during the Affordability Period, the premises are leased, rented, sold, conveyed, transferred (other than in the manner permitted), the owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the premises.

If the net proceeds from such sale, conveyance or transfer are less than the principal amount, owner shall retain the down payment and the cost of any capital improvements made to the premises, and the City will recapture the remaining balance of the proceeds for use in other eligible SHIP Program activities.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.



- f. **Recipient/Tenant Selection Criteria:** Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.
- g. **Sponsor Selection Criteria:** N/A
- h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in second lien position.

C. Foreclosure Prevention	Code 7
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a. **Summary:** Funds will be provided to assist qualified homeowners with retaining their home and preventing foreclosure action of their first mortgage. Applicants must be delinquent at least two full monthly mortgage payments, in receipt of a letter from the mortgage lender notifying the applicant of delinquency and/or intent to foreclose. Eligible expenses include delinquent mortgage payments (principal, interest, taxes and insurance), special assessment fees from condominium and/or neighborhood associations, late fees and other customary fees associated with delivery costs (excluding brokerage fees.)

- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- 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 deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
 2. **Interest Rate:** 0%
 3. **Years in loan term:** Fifteen (15) years
 4. **Forgiveness:** The loan will be forgiven at the end of the term.
 5. **Repayment:** **None required if the loan is in good standing.**
 6. **Default:** Pursuant to the Declaration of Restrictive Covenants:

If, during the Affordability Period, the premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner permitted), the owner shall repay to the City the full principal amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the premises

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

f. **Recipient/Tenant Selection Criteria:** Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in second lien position.

D. New Construction	Code 10
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a. **Summary:** To develop homeownership opportunities to assist eligible buyers to purchase affordable housing in Miami Beach. Funds will be provided to developers to be used to finance the costs associated with site acquisition/development, and hard and soft construction costs. The property must be sold to an income-eligible homebuyer. Upon sale, the benefit of the SHIP Program funding will be passed on as down payment assistance, closing costs and gap financing to the homebuyer.

b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025

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

d. **Maximum award:** Sponsor \$400,000 per property; Homeowner: \$40,000

Terms:

Sponsor:

Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms. The developer can charge a reasonable of developer fee not to exceed fifteen (15) percent.



2. Interest Rate: 0%
3. Years in loan term: Two (2) Years
4. Forgiveness: The loan is not forgiven.
5. Repayment: The loan must be repaid when sold to an income-eligible buyer.
6. Default:

If, during the Loan Term, the developer fails to complete the project or sell the property to an income-eligible buyer, they must repay the City the loan amount.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

Homebuyer:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.

1. Interest Rate: 0%
2. Years in loan term: Fifteen (15) years
3. Forgiveness: The loan will be forgiven at the end of the term.
4. Repayment: **None required if the loan is in good standing.**
5. Default:

If, during the Affordability Period, the premises are leased, rented, sold, conveyed, transferred or refinanced (other than in the manner permitted), the owner shall repay to the City the full Principal Amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the premises.

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.



f. **Recipient/Tenant Selection Criteria:** Applicants will be selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.

g. **Sponsor Selection Criteria:** An eligible sponsor is an entity that applies for an award from the City through a local government solicitation and is awarded SHIP funds to construct affordable housing units. Sponsors will be selected through a publicly advertised competitive application process. This process involves a thirty (30) day public notification of the availability of funding, a written application delineating program requirement, a request for proposal (RFP) and an open and objective evaluation process and a formal award through a written contract. Sponsor selection outside of the advertised competitive application may be encumbered by the City when funding is being requested as a match for Florida Housing Finance Corporation or Federal funding cycles. Eligible sponsors, will at minimum, meet the following criteria:

- Eligible sponsors will be a for-profit organized and established under the laws of the State of Florida or non-profit community-based organization having obtained official designation as a 501 c (3)
- Eligible sponsors will have an established record of construction and/or rehabilitation of affordable housing.
- Eligible sponsors will be required to provide substantial evidence of its ability to construct or otherwise deliver a completed project within a reasonable timeframe.
- The non-profit or for-profit corporation must have financial accountability standards that permit the City of Miami Beach’s SHIP Program to account for and audit SHIP funds.

h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in first or second lien position.

E. Rental Development	Code 14
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a. **Summary:** Funds will be provided to for-profit and non-profit developers to be used to finance the costs of acquisition and/or the hard and soft costs of rehabilitating multi-family buildings in conjunction with funding from Florida Housing Finance Corporation or other federal funding allocations. Funds will also be utilized for the acquisition and/or rehabilitation of multi-family buildings owned and operated by the City. The City will monitor the rent limits and tenant income limits for the duration of the affordability period.

b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025

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

d. **Maximum award:** \$40,000 per unit/\$400,000 per property

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a



Declaration of Restrictive Covenants, delineating the recapture period and terms.

2. Interest Rate: 0 %

3. Years in loan term: Thirty (30) years

4. Forgiveness: The loan will be forgiven at the end of the term.

5. Repayment: **Not required if the loan is in good standing.**

6. Default:

If, during the Affordability Period, the premises are sold, conveyed, transferred (other than in the manner permitted), the owner shall repay to the City the full Principal Amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the premises

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

f. **Recipient/Tenant Selection Criteria:** All tenants of properties assisted with SHIP funds must meet the eligibility requirements as stipulated in the applicable Florida Statutes, SHIP Rule, and this Plan on a first qualified, first served basis. Rent limits must be consistent with those published by Florida Housing Finance Corporation, for the duration of the loan term.

g. **Sponsor/Sub-recipient Selection Criteria:** An eligible sponsor is an entity that applies for an award from the City through a local government solicitation and is awarded SHIP funds to construct affordable housing units. Sponsors will be selected through a publicly advertised competitive application process. This process involves a thirty (30) day public notification of the availability of funding, a written application delineating program requirement, a request for proposal (RFP) and an open and objective evaluation process and a formal award through a written contract. Sponsor selection outside of the advertised competitive application may be encumbered by the City when funding is being requested as a match for Florida Housing Finance Corporation or Federal funding cycles. Eligible sponsors, will at minimum, meet the following criteria:

1. Eligible sponsors will be a for-profit organized and established under the laws of the State of Florida or non-profit community-based organization having obtained official designation as a 501 c(3)

1. Eligible sponsors will have an established record of construction and/or rehabilitation of affordable housing.

2. Eligible sponsors will be required to provide substantial evidence of its ability to construct or otherwise deliver a completed project within a reasonable timeframe.

3. The non-profit or for-profit corporation must have financial accountability standards that permit the City of Miami Beach's SHIP Program to account for and audit SHIP funds.



- h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties must be located within the City of Miami Beach corporate limits.

With respect to acquisitions or rehabilitations for City-owned affordable housing facilities, the City will execute and record a Declaration of Restrictive Covenants, reflecting that the property has to remain for use as affordable housing during the Affordability Period.

F. Disaster Repair	Code 5, 16
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<p>a. Summary: Emergency Assistance to eligible households after the occurrence of a disaster declared by Executive Order (President of the United States or Governor of the State of Florida). In the event of a disaster, the City will commit available unencumbered SHIP funds, as well as other disaster funds that may become available through the Florida Housing Finance Corporation or any other emergency funding sources. Disaster funds may be used for, but not limited to, the following:</p> <ul style="list-style-type: none">1. Home Repair:<ul style="list-style-type: none">a) Purchase of emergency supplies, weatherproofing a damaged home.b) Interim repairs to prevent further damage; tree and debris removal to make the housing unit habitable.c) Payment of insurance deductibles for rehabilitation of homes covered under homeowners' insurance policies; andd) Other activities as proposed by the Federal Government, counties and eligible municipalities and approved by Florida Housing Finance Corporation.2. Mortgage and Rent Assistance:<ul style="list-style-type: none">Three (3) months of rent and mortgage payments for households affected by a disaster.
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- b. **Fiscal Years Covered:** 2022-2023, 2023-2024, 2024-2025
- c. **Income Categories to be served:** Very low-, low- and moderate
- d. **Maximum award:** Home Repair \$40,000; Mortgage and Rent Assistance: \$5,000
- e. **Terms:**

Home Repair:

- 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan, evidenced by a Note, and secured by a subordinate (unless the City is the sole lender) Mortgage and a Declaration of Restrictive Covenants, delineating the recapture period and terms.
- 2. **Interest Rate:** 0%
- 3. **Years in loan term:** Fifteen (15) years



4. Forgiveness: The loan will be forgiven at the end of the term.

5. Repayment: **Not required if the loan is in good standing.**

6. Default:

If, during the Affordability Period, the premises are sold, conveyed, transferred (other than in the manner permitted), the owner shall repay to the City the full Principal Amount at the time of any such lease, rental, sale, conveyance, transfer, or refinance of the premises

In the event that a foreclosure proceeding is commenced against the property by a senior 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.

If the owner sells or transfers the property during the Affordability Period, the City shall be given the first right to purchase the property based upon the current fair market value (the "Right of First Refusal") for continued occupancy by eligible persons.

In the event that title to the property is transferred by the death of the owner to a surviving heir, and said heir occupies the property as a principal residence, within six (6) months from the date of the owner's death and meets the SHIP Program eligibility requirements, as determined by the City Manager, in his reasonable discretion, the City will approve the transfer.

Rent/Mortgage Assistance:

1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant, evidenced by an approved application and proof of payment issued to the landlord, contingent upon their registration and approval through the City's vendor registration system. The household cannot apply for more than once per funding cycle and/or disaster period.

2. Interest Rate: 0%

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 selected from a waiting list on a first-qualified, first-served basis. Special Needs households will be given priority funding until the City fulfills the minimum SHIP Program requirements for assistance to this target population.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:** Mobile homes and trailers are not eligible for this strategy. Assisted properties

must be located within the City of Miami Beach corporate limits. The City of Miami Beach must be in second lien position.

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. Name of the Strategy: **Expedited Permitting**

Permits as defined in s. 163.3177 (6) (f) (3) for affordable housing projects are expedited to a greater degree than other projects.

On February 10, 2021, the Mayor and City Commission approved Resolution No. 2021-31581, to expedite Building Permit review for affordable housing projects.

B. Name of the Strategy: **Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption. Staff continuously reviews policies with the Affordable Housing Advisory Committee.

C. Name of the Strategy: **Fee Waiver or Modification**

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

Ordinance 2020-4361 was adopted on October 14, 2020, to waive training and technology fees for Affordable Housing units and Workforce Housing units.

D. Name of the Strategy: **Density**

On October 19, 2011, the Mayor and City Commission adopted Ordinance No. 2011-3744, which determined the allowance of increased density levels/flexibility for affordable housing.

E. Name of the Strategy: **Accessory Dwelling Units**

On October 16, 2019, the Mayor and City Commission adopted Ordinance 2019-4304, which amended City Code to allow for accessory and conditional uses as provided for in the land development regulations; provided that accessory dwelling units do not count towards maximum density limits; and provided for the development of accessory dwelling units to encourage the development of housing at an attainable rate.

F. Name of the Strategy: **Reducing Parking and Setback**

On October 18, 2017, the Mayor and Commission adopted Ordinance No. 2017-4148, to reduce parking requirements for newly constructed affordable housing developments and workforce housing developments.



On October 27, 2021, the Mayor and Commission adopted Ordinance No. 2021-4451, to reduce the fees associated with the removal of on-street parking spaces associated with affordable housing projects.

IV. 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 Amending the Affordable Housing Advisory Committee.
- G. Resolution approving SHIP contractors for the Homeowner Rehabilitation Programs.

ORDINANCE NO. 2020-4355

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 12.5, ENTITLED "AFFORDABLE HOUSING ADVISORY COMMITTEE," BY AMENDING SECTION 2-167 THEREOF, ENTITLED "ESTABLISHED; PURPOSE; POWERS AND DUTIES; COMPOSITION," TO AMEND THE COMPOSITION OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE TO INCLUDE A MEMBER OF THE CITY COMMISSION, AND TO REDUCE THE NUMBER OF COMMITTEE MEMBERS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, in 1992, the Florida Legislature enacted the William E. Sadowski Affordable Housing Act, creating a dedicated source of revenue for housing from a portion of documentary stamp taxes on the transfer of real estate; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Program, which is administered by Florida Housing Finance Corporation (FHFC), provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing; and

WHEREAS, in 2007, the Florida Legislature passed House Bill 1375 which, in pertinent part, required cities and counties receiving SHIP funds to appoint an Affordable Housing Advisory Committee (AHAC); and

WHEREAS, on May 14, 2008, the Mayor and City Commission adopted Ordinance No. 2008-3605, amending Chapter 2 of the Miami Beach City Code, to create the City's "Affordable Housing Advisory Committee" (the "Committee"); and

WHEREAS, on February 12, 2014, the Mayor and City Commission adopted Ordinance No. 2014-3841, expanding the purpose and duties of the Committee; and

WHEREAS, following the 2020 session of the Florida Legislature, the Governor signed House Bill 1339 into law which, in pertinent part, amended statutory requirements on SHIP annual reporting, Affordable Housing Advisory Committees (AHACs), the State Apartment Incentive Loan (SAIL) program, accessory dwelling units, and fees/set-asides; and

WHEREAS, specifically, House Bill 1339 amended Section 420.9076(2), Florida Statutes, to require that "one locally elected official from each . . . municipality" be appointed to each AHAC; and

WHEREAS, additionally, in order to comply with existing requirements in Section 420.9076(2), Florida Statutes, the Administration recommends that the City Commission reduce the number of Committee members from 18 to 11 voting members.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Section 2-167 of Division 12.5, of Article III, of Chapter 2 of the City Code, entitled "Administration," is hereby amended as follows:

CHAPTER 2
ADMINISTRATION

* * *

ARTICLE III. AGENCIES, BOARDS AND COMMITTEES

* * *

Division 12.5. Affordable Housing Advisory Committee

Sec. 2-167. Composition.

The affordable housing advisory committee shall consist of ~~48~~ 11 voting members, with each of whom shall have a two-year terms. ~~Seven members of the affordable housing advisory committee shall be direct appointments, one made by the mayor and each commissioner. The direct appointees shall either be:~~

~~(1) A resident of a locally designated community development target area for a minimum of six months; or~~

~~(2) Demonstrate ownership/interest for a minimum of six months in a business established in a locally designated community development target area for a minimum of six months.~~

One member of the committee shall be the mayor or a member of the city commission, appointed at-large by a majority vote of the mayor and city commission. The remaining ~~44~~ 10 members shall be appointed at-large by a majority vote of the mayor and city commission. ~~The at-large appointees, and must include~~ members from at least six (6) of the following categories:

- (1) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (2) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (3) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (4) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (5) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (6) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (7) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (8) One citizen who actively serves on the local planning agency pursuant to F.S. § 163.3174.

- (9) One citizen who resides within the jurisdiction of the local governing body making the appointments.
- (10) One citizen who represents employers within the jurisdiction.
- (11) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If the City, due to the presence of a conflict of interest by prospective appointees, or other reasonable factor, is unable to appoint a citizen actively engaged in these activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed.

* * *

SECTION 2. CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 3. REPEALER

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY


If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the 26 day of September, 2020.

PASSED AND ADOPTED this 16 day of September, 2020.


ATTEST:


9/24/2020
 Rafael E. Granado, City Clerk

(Sponsored by Commissioner Michael Gongora)


 Dan Gelber, Mayor

APPROVED AS TO FORM AND LANGUAGE AND FOR EXECUTION


 City Attorney NK Date 07/22/2020



MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: September 16, 2020

9:20 a.m. Second Reading Public Hearing

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 12.5, ENTITLED "AFFORDABLE HOUSING ADVISORY COMMITTEE," BY AMENDING SECTION 2-167 THEREOF, ENTITLED "ESTABLISHED; PURPOSE; POWERS AND DUTIES; COMPOSITION," TO AMEND THE COMPOSITION OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE TO INCLUDE A MEMBER OF THE CITY COMMISSION, AND TO REDUCE THE NUMBER OF COMMITTEE MEMBERS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

Approve the Ordinance

BACKGROUND/HISTORY

In 1992, the Florida Legislature enacted the William E. Sadowski Affordable Housing Act, creating a dedicated source of revenue for housing from a portion of documentary stamp taxes on the transfer of real estate. The State Housing Initiatives Partnership (SHIP) program, which is administered by the Florida Housing Finance Corporation (FHFC), provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The SHIP program operates under the governance of Chapter 420, part 7 F.S., and Rule Chapter 67-37 of the Florida Administrative Code. In 2007, the Florida Legislature passed House Bill 1375, requiring Cities and Counties that receive SHIP funds to appoint an Affordable Housing Advisory Committee (AHAC).

On May 14, 2008, the Mayor and City Commission adopted Ordinance No. 2008-3605 amending Chapter 2 of the Miami Beach City Code, to create the City's "Affordable Housing Advisory Committee". On February 12, 2014, the Mayor and City Commission adopted Ordinance No. 2014-3841, expanding the purpose and duties of the Committee.

A population-based formula determines the City's SHIP allocation. The distribution of funds to eligible communities occurs quarterly into the local government Housing Trust Fund when documentary

stamp revenues are collected. In FY 19/20, the City received a total of \$78,057 in SHIP funding.

Following the 2020 session of the Florida Legislature, the Governor signed House Bill 1339 into law which, in pertinent part amended statutory requirements on SHIP annual reporting, Affordable Housing Advisory Committees (AHAC), the State Apartment Incentive Loan (SAIL) program, accessory dwelling units, and fees/ set-asides. In order to comply with existing requirements in Section 420.9076(2), Florida Statutes, the Administration recommends that the City Commission reduce the number of Committee members from 18 voting to 11 voting members.

The Ordinance was approved at First Reading on July 29, 2020.

ANALYSIS

AHAC is statutorily required to engage in certain specific activities. AHAC must: 1) review established policies and procedures, ordinances, and land development regulations; 2) create exceptions applicable to affordable housing; 3) adopt new policies or amendments to the local comprehensive plan and local housing assistance plan of the appointing local government and recommend specific actions or initiatives to encourage or facilitate affordable housing.

Section 420.9076(2), F.S. stipulates that AHAC must have at least eight (8) members representing at least six (6) categories of experience identified in the statute. However, local governments may elect to have up to eleven (11) committee members. Currently, the ordinance authorizing AHAC states that the committee is comprised of 18 voting members. The Administration recommends reducing membership to 11 voting members, the maximum stipulated in the revised statute. One member of the Committee shall be the Mayor or a member of the City Commission, appointed at-large by a majority vote of the Mayor and City Commission.

The remaining ten (10) members shall be appointed at-large by a majority vote of the Mayor and City Commission and must include members from at least six (6) of the following categories:

- (a) Citizen who is actively engaged in the residential home building industry in connection with affordable housing;
- (b) Citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing;
- (c) Citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing;

- (d) Citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing;

- (e) Citizen who is actively engaged as a for-profit provider of affordable housing;

- (f) Citizen who is actively engaged as a not-for-profit provider of affordable housing;
- (g) Citizen who is actively engaged as a real estate professional in connection with affordable housing;
- (h) Citizen who is actively serving on the local planning agency pursuant to Florida Statutes, Sec. 163.3174;
- (i) Citizen who is residing within the jurisdiction of the local governing body making the appointments;
- (j) Citizen who represents employers within the jurisdiction; and
- (k) Citizen who represents essential services personnel, as defined in the local housing assistance plan.

House Bill 1339 requires that effective October 1, 2020, each AHAC contain one locally elected official from each County or Municipality. More so, the elected official's participation is critical to the City's allocation and program compliance. The local elected official or elected designee must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program. If the locally elected official or designee fails to attend three (3) consecutive regional workshops, the corporation may withhold funds pending the person's attendance at the next regularly scheduled biannual meeting.

Additionally, House Bill 1339 amends reporting requirements and replaces the triennial report with an annual report. At a minimum, this report, which is compiled in conjunction with the City's AHAC and approved by the City Commission, is subsequently submitted to FHFC, and includes recommendations on the implementation of affordable housing incentives in our community.

CONCLUSION

The changes incorporated by House Bill 1339 must be implemented by the City by October 1, 2020 in order to remain complaint. The City's report must reflect that these changes were adopted by the City Commission and accepted by FHFC by December 30, 2020. These changes must also be reflected in the City's Local Housing Assistance Plan.

Applicable Area

Not Applicable

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Housing and Community Services

Sponsor

Commissioner Michael Gongora

ATTACHMENTS:

Description

▫ AHAC Ordinance

RESOLUTION NO. 2018-30136

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING A POLICY GOVERNING THE SELECTION OF CONTRACTORS FOR CONSTRUCTION PROJECTS AWARDED BY THE CITY PURSUANT TO THE STATEWIDE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; APPROVING AND AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ), AT A MINIMUM, ONCE A YEAR, IN ORDER TO ESTABLISH AND MAINTAIN A POOL OF QUALIFIED CONTRACTORS; AND AUTHORIZING THE CITY MANAGER TO APPROVE BIDS AND EXECUTE AGREEMENTS WITH THE PRE-QUALIFIED CONTRACTORS FOR PROJECT SUMS EXCEEDING \$50,000, BUT NOT TO EXCEED THE TOTAL PROJECT AWARD LIMIT AUTHORIZED BY THE CITY'S LOCAL HOUSING ASSISTANCE PLAN (LHAP); AND FURTHER REQUIRING THE CITY MANAGER TO ISSUE A LETTER TO COMMISSION EACH FISCAL QUARTER, DELINEATING ANY APPROVED BIDS/AGREEMENTS THAT EXCEED THE \$50,000 THRESHOLD.

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, memorialized in § 420.907-420.9079, Florida Statutes (1992) (The Act), and the SHIP program rule, issued by the Florida Housing Finance Corporation (FHFC), memorialized in Chapter 67-37, Florida Administrative Code (the Rule), require local governments to develop a one to three-year Local Housing Assistance Plan (LHAP) outlining how the SHIP funds will be used; and

WHEREAS, the Mayor and City Commission approved and adopted changes to the City's LHAP for FY 14/15 through 15/16 via Resolution No. 2017-29929, which, among other things, increased the award limit for owner-occupied rehabilitation projects, from \$40,000 to \$70,000; and

WHEREAS, the Mayor and City Commission approved and adopted the City's LHAP for Fiscal Years 16/17 through 18/19 via Resolution No. 2016-29663, pursuant to the requirements of the Act and the Rule, which LHAP currently provides an award limit of \$70,000 for owner-occupied rehabilitation projects; and

WHEREAS, the Office of Housing and Community Services (HCS) currently administers the bid process for eligible SHIP program rehabilitation projects, serving as the intermediary between the applicant and the contractor and ensuring that the funds are properly expended by following the program guidelines;

WHEREAS, HCS determines the eligibility of participants based on Housing and Urban Development (HUD) income requirements and updates the income limits annually; and

WHEREAS, SHIP funds require that 75 percent of a local government's total allocation must be used towards construction-related activities, including rehabilitation and emergency repairs; and

WHEREAS, HCS and the Procurement Department developed a policy with the goal of expediting the procurement process and ensuring that: 1) homeowners have access to qualified

contractors for all owner-occupied repairs; 2) projects are awarded in a competitive manner that maximizes available funds; 3) homeowners have a platform for performance evaluation of contractors; 4) contractors have clear guidelines to complete work and receive timely payments; 5) vendors comply with Building Department, Code Compliance and insurance requirements; and

WHEREAS, pursuant to Citywide Procedure P.O. 16.02, the City's threshold for a department to procure goods and services is limited to \$50,000 and there must be a formal competitive solicitation (ITB, RFP, RFQ, ITN) approved by the City Commission and the Procurement Department; and

WHEREAS, HCS would like to administer the bid process for the award of project sums exceeding \$50,000 (subject to the award limits set forth in the City's LHAP), by establishing a pool of qualified contractors through the use of a Request for Qualifications (RFQ) process, to be issued at least once a year; and

WHEREAS, the established list of qualified contractors can be used by the City and the eligible homeowners in connection with rehabilitation projects or disaster relief projects awarded through the SHIP program; and

WHEREAS, contractors seeking to participate in the City's SHIP program must be pre-qualified through the City's SHIP contractor prequalification process, through an RFQ process, and must maintain licensing, insurance and other qualifications required by the City; and

WHEREAS, the City contracts a third-party consultant for project management services via RFP #2014-325-JR to assist in the following: drafting a specification of work for the bid process, monitoring the project during construction and assisting with the closeout of the project; and

WHEREAS, the HCS SHIP Program Coordinator shall seek at least three written quotes from pre-qualified contractors and shall make reasonable efforts to maximize competition and if three quotes cannot be obtained, the approval of the City Manager shall be required; and

WHEREAS, The SHIP program prioritizes the repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, structural or systems faults, or the creation of additional living space; and

WHEREAS, Once HCS selects the lowest and most responsive bidder, a task order (including a scope of work and payment schedule) shall be executed between the City, the selected contractor and the homeowner; and

WHEREAS, any purchase order above \$50,000 will require the City Manager's approval; and

WHEREAS, the Administration recommends approving (in the form attached to the City Commission Memorandum accompanying this Resolution) a policy governing the selection of contractors for SHIP housing projects, as developed by the Office of Housing and Community Services and the Procurement Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt a policy governing the selection of contractors for construction projects awarded by the City pursuant to the Statewide Housing Initiatives Partnership Program (SHIP) program; approve


and authorize the Administration to issue a Request for Qualifications (RFQ), at a minimum, once a year, in order to establish and maintain a pool of qualified contractors; and authorize the City Manager to approve bids and execute agreements with the pre-qualified contractors for project sums exceeding \$50,000, but not to exceed the total project award limit authorized by the City's Local Housing Assistance Plan; and further requiring the City Manager to issue a Letter to Commission each fiscal quarter, delineating any approved bids/agreements that exceed the \$50,000 threshold.

Passed and adopted this 17 day of January, 2018.

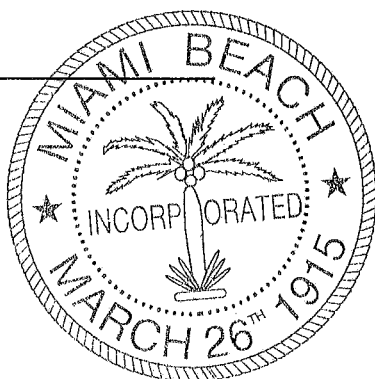


Dan Gelber, Mayor

ATTEST:



Rafael E. Granado, City Clerk



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1/4/18
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: January 17, 2018

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING A POLICY GOVERNING THE SELECTION OF CONTRACTORS FOR CONSTRUCTION PROJECTS AWARDED BY THE CITY PURSUANT TO THE STATEWIDE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; APPROVING AND AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ), AT A MINIMUM, ONCE A YEAR, IN ORDER TO ESTABLISH AND MAINTAIN A POOL OF QUALIFIED CONTRACTORS; AND AUTHORIZING THE CITY MANAGER TO APPROVE BIDS AND EXECUTE AGREEMENTS WITH THE PRE-QUALIFIED CONTRACTORS FOR PROJECT SUMS EXCEEDING \$50,000, BUT NOT TO EXCEED THE TOTAL PROJECT AWARD LIMIT AUTHORIZED BY THE CITY'S LOCAL HOUSING ASSISTANCE PLAN (LHAP); AND FURTHER REQUIRING THE CITY MANAGER TO ISSUE A LETTER TO COMMISSION EACH FISCAL QUARTER, DELINEATING ANY APPROVED BIDS/AGREEMENTS THAT EXCEED THE \$50,000 THRESHOLD.

RECOMMENDATION

Adopt the resolution.

ANALYSIS

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. The State Housing Initiatives Partnership (SHIP) Act, §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 (LHAP) outlining the strategies jurisdictions will use to utilize funding. The LHAP also establishes the maximum SHIP funds allowable for each programmatic strategy.

The Office of Housing and Community Services (HCS) administers SHIP funds, participant eligibility, contractor eligibility and program compliance. HCS determines the eligibility for all applicants by assessing income and property standards. All awards are disbursed via a deferred payment loan, secured by a mortgage agreement with restrictive covenant and promissory note. Resolution No. 2016-29663 approved the maximum award amounts for purchase assistance and rehabilitation assistance.

The Mayor and City Commission approved and adopted the City's LHAP for Fiscal Years 16/17 and 18/19 via Resolution No. 2016-29663, pursuant to the requirements of the Act and the Rule, which

LHAP currently provides an award limit of \$70,000 for owner-occupied rehabilitation projects.

Pursuant to the Citywide Procedure P.O. 16.02, the City's threshold for a department to procure goods and services is limited to \$50,000 and there must be a formal competitive solicitation (ITB, RFP, RFQ, ITN) approved by the City Commission and the Procurement Department. HCS would like to administer the bid process for the award of project sums exceeding \$50,000 (subject to the award limits set forth in the City's LHAP), by establishing a pool of qualified contractors through the use of a Request for Qualifications (RFQ) process, to be issued at least once a year. The established list of qualified contractors can be used by the City and the eligible homeowners in connection with rehabilitation projects or disaster relief projects awarded through the SHIP program. Any purchase order above \$50,000 will require the City Manager's approval.

HCS disburses funds to the eligible contractor via a purchase order and payments are disbursed in three installments and a final payment.

HCS and the Procurement Department drafted a policy that is intended to:

- Ensure homeowners have access to qualified contractors for all owner-occupied repairs;
- Ensure that projects are awarded in a competitive manner that maximizes available funds;
- Ensure homeowners have a platform for performance evaluation of contractors;
- Ensure contractors have clear guidelines to complete work and receive timely payments;
- Ensure vendors comply with Building Department, Code Compliance and insurance requirements.

This policy is in accordance with State and Federal requirements and seeks to expedite the procurement process for projects. This policy seeks to streamline the expenditure process, by creating a list of eligible contractors and improving the quality control of rehabilitation projects. Contractors seeking to participate in the City's Housing Rehabilitation Program must be prequalified through the City's SHIP Contractor Prequalification Process. Annually, the City will issue a Request for Qualifications (RFQ) for those contractors interested in being prequalified to submit their statements of qualification for the City's consideration. At a minimum, contractors must maintain the licensing, insurance, and qualifications required by the City to be prequalified for future projects awarded through this procedure. The Procurement Department will administer the application process on an annual basis.

In addition, the City contracts a third-party consultant for project management services. The Project Manager will assist the SHIP coordinator in drafting the Specification of Work, project monitoring/evaluation and project closeout. The Project Manager will assist SHIP coordinator and any other City staff in the evaluation of the bids submitted by the General Contractor. The Building Department can be provided with a copy of the Specification of Work for their review and any other applicable documents, in order to facilitate the expediting of applicable building permits.

The City's SHIP Coordinator shall seek at least three written quotes from pre-qualified contractors and shall make reasonable efforts to maximize competition, including seeking quotes from all pre-qualified contractors. In rare cases when three quotes cannot be obtained, the approval of the City Manager shall be required.

Once HCS selects the lowest and most responsive bidder, a purchase order shall be executed between the City, the selected contractor and the homeowner. At a minimum, the purchase order shall state the payment schedule, scope of work, and schedule of work. Additionally, the homeowner will execute the permit application and the notice of commencement. The Contractor must record the Notice of Commencement.

Progress and final payments to the Contractor shall be approved by the City only after the work has been inspected by the Project Manager and determined to comply with the contract and the project bid specifications. The request for payments shall be in three installments, according to the duration of the project. The Contractor will provide his/her invoice to the SHIP Coordinator. If there are pending change orders that do not increase the project amount greater than the amount stipulated herein, they may be approved administratively by the Department.

The policy also defines the role of HCS in the case of a dispute between a Contractor and the homeowner. All disputes not resolved by program staff should be reported to Florida Housing Finance Corporation for possible resolution before the move to arbitration. All unsettled claims or disputes between the Property Owner and the Contractor arising out of or related to the work shall be submitted to arbitration under the laws governed by the State of Florida. Notice of the demand for arbitration shall be filed in writing with the other party to this agreement, and shall be made within a reasonable time after a dispute has arisen.

Once the project is completed, City staff will coordinate the closeout, along with the Project Manager. If all program requirements are met, the final release of retainage will be processed. If, at any time during the project, HCS finds that a Contractor fails to meet his/her obligations with the homeowner and/or the City, and does not remedy the situation as stipulated by the Department, the Contractor will receive a default notice and opportunity to cure. If the violation is not remedied, the Contractor will be removed from the list and will be prohibited from participating for one year in the City's Housing Rehabilitation Program.

CONCLUSION

The Administration recommends approving the resolution to authorize the City Manager to approve bids and execute agreements with the prequalified contractors for project sums in excess of \$50,000, and further require the City Manager to issue a Letter to Commission each fiscal quarter delineating any approved bids/ agreements which exceed the \$50,000 threshold.

KEY INTENDED OUTCOMES SUPPORTED

Ensure Workforce Housing For Key Industry Workers Is Available In Suitable Locations

FINANCIAL INFORMATION

N/A

Legislative Tracking

Housing and Community Services

ATTACHMENTS:

Description

- ▣ SHIP Procurement Policy
- ▣ Resolution

MIAMI BEACH

Policy for the Selection of Contractors for Projects Awarded Pursuant to the State Housing Initiatives Partnership (SHIP) Program

I. Purpose

The purpose of this policy is to establish internal controls for the selection and award of contractors for projects awarded by the City of Miami Beach, Florida (the City), pursuant to the State Housing Initiatives Partnership (SHIP) program for owner-occupied construction projects funded by the Florida Housing Finance Corporation (FHFC)'s SHIP program. Pursuant to the Local Housing Assistance Plan (LHAP), previously approved by the City Commission, the City may provide income eligible homeowners with SHIP funds in connection with repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, or the creation of additional living space (Rehabilitation) or disaster mitigation repairs (collectively, City's Housing Rehabilitation Program).

This Policy is intended to:

- Ensure compliance with State of Florida requirements for the selection and award of contractors for State Housing Initiatives Partnership (SHIP) program projects funded by the Florida Housing Finance Corporation (FHFC)'s SHIP program
- Ensure homeowners have access to prequalified contractors for all owner-occupied repairs;
- Ensure that projects are awarded in a competitive manner that maximizes available funds;
- Ensure homeowners have a platform for performance evaluation of contractors;
- Ensure contractors have clear guidelines to complete work and receive timely payments; and
- Ensure vendors comply with Building Department, Code Compliance and insurance requirements.

II. Definitions.

- A. Project Manager.** Third-party consultant responsible for conducting site inspections, drafting scope of work inclusive of projects specifications that will form the basis for the bid documents that will be submitted to the List of General Contractors.
- B. SHIP Program Coordinator.** Office of Housing and Community Services (HCS, the Department) staff, responsible for seeing day-to-day operations of the SHIP program, including program monitoring, homeowner certifications, contractor qualifications approving payments and reporting data to the Florida Finance Housing Corporation.

III. Contractor Qualifications. Contractors seeking to participate in the City's Housing Rehabilitation Program must be prequalified through the City's SHIP Contractor Prequalification Process.

- A. Annually (at a minimum), the City will issue a Request for Qualifications (RFQ) for those contractors interested in being prequalified to submit their statements of qualification for the City's consideration. Once prequalified, contractors must maintain the required licensing and insurance to be eligible for future projects awarded through this policy.
- B. The City Manager, in his sole discretion, may approve or reject any contractor to be added to the list of prequalified SHIP contractors. Additionally, the City Manager may remove any contractor that has failed to maintain the qualification requirements or for which the City has documented unresolved or a history of performance issues. Any contractor wishing to appeal the City Manager's decision to not prequalify or to remove from prequalification, shall submit its reasons for the appeal directly to the City Manager.
- C. Any party who has been suspended or debarred by U.S. HUD or any other Federal Executive Branch Agency and is listed on the Current Exclusion List will not be accepted to participate in the program until at least six (6) months after the expiration of the applicable suspension or debarment. HCS will maintain a current listing of prequalified contractors that will be utilized to seek bids for the Housing Rehabilitation Program. The list will also be made available to City residents on the Department's website. Contractors are responsible for maintaining insurance and licensing information current; and providing updates to the City. All prequalified contractors will be invited to attend Pre-Bid meetings held by a HCS SHIP program staff at the project site. Contractors will be provided with the approved Specification of Work Report that will detail the work to be completed for that particular project. Contractors will be given a deadline to submit questions and bids.

IV. Scope of Work and Specifications. The City contracts a third-party consultant (Project Manager) for project management services. The Project Manager will assist the SHIP coordinator in drafting the Specification of Work, project monitoring/evaluation and project closeout.

- A. The Project Manager will attend a walk through at the eligible homeowner's residence to assess needed repairs and will provide HCS with the Specification of Work that can be completed within the available project budget. Once the scope of work is approved by the homeowner, the SHIP coordinator will prepare the bid document.
- B. The bid document will include the Specification of Work and any other applicable documents, (e.g. floor plans, demolition plans, sketches, product specifications).
- C. The Project Manager will assist SHIP coordinator and any other City staff in the evaluation of the bids submitted by the Contractor. The Building Department may be provided with a copy of the Specification of Work for their review and any other applicable documents, in order to facilitate the expediting of applicable building permits.

V. Required Competition. HCS SHIP Coordinator shall seek at least three written quotes from pre-qualified contractors and shall make reasonable efforts to maximize competition, including seeking quotes from all pre-qualified contractors.

- A. Upon the expiration of the established Bid Deadline, the bids will be reviewed and itemized on a bid tabulation. The HCS Director may approve awards to lowest responsive, responsible bidders for projects up to \$50,000. Projects above \$50,000 require the approval of the City Manager. In determining an award, the factors outlined in Section 2-369 of the City Code shall be considered. In rare cases when three quotes cannot be obtained, the approval of the City Manager shall be required regardless of the value of the project.
- B. Once the contractor is selected, a contract shall be executed between the City, the selected contractor and the homeowner. At a minimum, the contract shall state the payment schedule, scope of work, and schedule of work. Additionally, the homeowner will execute the permit application and the Notice of Commencement. Contractor must record the Notice of Commencement.
- C. Contractors will only be awarded one project until they have completed a project that is in compliance with all project requirements, including no change orders or delays, and is satisfactory to the Owner and Department staff. Contractors may be awarded a maximum of two projects concurrently, as recommended by the State funder. If a contractor has two active projects, they will not be awarded any additional projects, unless the Contractor's performance is satisfactory in current or previous awards. Contractors are encouraged to participate in the bidding process regardless of the number of projects awarded.

VI. Permits. The SHIP program prioritizes the repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, structural or systems faults, or the creation of additional living space. The work performed must be compliant with the City's building requirements.

- A. Once contractor is issued a contract, Notice of Commencement and permit application, they must follow the City's Building Permit procedures.
- B. The City will offer expedited permitting, as per the Local Housing Assistance Plan (LHAP), previously approved by the City Commission.
- C. The Contractor will provide all plans required by the Building Department with no typos or errors.
- D. The Contractor is responsible for ensuring that the project is compliant with requests, recommendations or suggestions provided by the Building Official/Inspector.

VII. Payments. Progress and final payments to the contractor shall be approved by the City only after the work has been inspected by the housing inspector and determined to comply with the contract and the project bid specifications.

- A. The City will retain a percentage of all approved Draws, as allowed by Florida Statute, until final inspection and project completion. If a Contractor fails to complete the project and does not comply with the Specification of Work, that Contractor will not have the retainage released.
- B. There shall be a maximum of three (3) progress payments and final release of retainage once all permits are closed and final work product is approved by HCS.
- C. Upon completion of a project, a final inspection must be requested by the Contractor. The request must include a copy of the Final Draw Form and copy of all Permit cards with final approval from the Building Department Inspectors. The request is made by the contractor and requested from the independent inspector.
- D. All Draw Requests must be approved by the SHIP Program Coordinator and Department Director. The SHIP Program Coordinator may reasonably request releases and waivers of lien in connection with the application of any progress payments. The Finance Department will only process any Draw Requests once they are reviewed and approved by the Director or his/her designee.
- E. If the homeowner does not receive satisfaction from the Contractor, the Department may withhold payment and/or retainer if deemed necessary, until a resolution is achieved. Likewise, the Department reserves the right to intervene on the Contractor's behalf if the homeowner is refraining from approving a Draw request without just reason. The Department could proceed to pay the Contractor for the work completed as required without the Homeowner's approval.

VIII. Change Orders. Any change order that does not increase the project amount greater than the amount stipulated herein may be approved administratively by the City Manager. The HCS Director may approve changes that increase the project value up to \$50,000. Change orders for projects above \$50,000 require the approval of the City Manager, in an amount not to exceed \$200,000.

IX. Dispute Resolution. If a problem arises between the homeowner and contractor, the City may intercede in order to ensure the project's completion.

- A. If a complaint relating to post-construction work deficiencies is received, the SHIP Program Coordinator will evaluate the complaint within ten (10) working days.
- B. If the complaint is determined to be valid and the contractor has not addressed the complaint in accordance with the construction contract, the contractor shall be suspended from further program participation pending corrective action.

- C. Corrective repair work through a different approved contractor may be initiated by the SHIP Program Coordinator if any emergency or extremely hazardous conditions exist or if the contractor fails to show good faith at correcting the problem within the specified time limit.
- D. If the complaint is not valid, the homeowner will be so notified in writing. Owners are to be encouraged to contact the contractor directly in an attempt to resolve construction concerns prior to contacting the City.
- E. If a complaint relating to processing, policy, or procedures is received, the City staff will respond in writing. The staff response will explain applicable policy when necessary and specify corrective action if any is required.
- F. Under the terms of the construction agreement, the City has the authority to decide all questions relative to the interpretation of any contract documents and fulfillment of the construction contract as to the character, quality, amount and value of any work and materials furnished under the contract. City decisions regarding all claims, questions and disputes shall be final.
- G. In the event that the need for arbitration should arise, the Department may use the Construction Housing Inspector as an arbiter. The City's contracted Housing Inspector is an impartial and neutral third party.
- H. All disputes not resolved by program staff should be reported to Florida Housing Finance Corporation for possible resolution before the move to arbitration. All unsettled claims or disputes between the homeowner and the contractor arising out of related to the work shall be submitted to arbitration under the laws governed by the State of Florida. Notice of the demand for arbitration shall be filed in writing with the other party to this agreement, and shall be made within a reasonable time after a dispute has arisen.

X. Project Closeout. Once project checklist is completed, final inspections are conducted by the Building Department and the City's housing inspector, the final draw request will be reviewed.

- A. The contractor must provide all warranties, the Contractor's Final Payment Affidavit and final unconditional releases of lien from all contractors, subcontractors and suppliers before the payment is processed. Any and all extended warranties beyond one year shall be provided to the homeowner at the completion of the contract.
- B. If the contractor fails to respond to and remedy a warranty issue, they will be disqualified from the program for one year and must reimburse the Department for any work contracted to and correct the warranted work.
- C. If the contractor fails to reimburse the City for work covered under the Contractor's warranty, the contractor will be permanently removed from the

Active Contractor List and will be reported to the Florida Department of Business and Professional Regulation.

- D. The project must meet property standards, as discussed in the pre-bid meeting and in the contract. Final payment will include release of retainage.

XI. Vendor Performance. If, at any time during the project, the HCS finds that a contractor fails to meet his/her obligations with the homeowner and/or the City, and does not remedy the situation as stipulated by the HCS, the contractor will be removed from the list and will be unable to participate in the City's Housing Rehabilitation Program, until resolution of any issue that caused the removal.

- A. HCS staff will conduct an evaluation at the conclusion of each project which shall be retained in the contractor's records. Prior to each award of a project, the following shall be considered: there shall be considered the following:
 - (1) The ability, capacity and skill of the bidder to perform the contract.
 - (2) Whether the bidder can perform the contract within the time specified, without delay or interference.
 - (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
 - (4) The quality of performance of previous contracts.
 - (5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract.

ADDENDUM NO. 2

SOLICITATION TITLE: ITB-2020-101-WG For Future Citywide Rehabilitation Projects In Accordance With The State Housing Initiatives Partnership (Ship)

The following amendments have been incorporated into Exhibit "A" dated 3.28.22.

Contractors added to the pool:

- 1) Management & Consulting, Inc. DBA M&C Contractors
- 2) Poinciana Development Group, Inc.
- 3) Conengineers Builders LLC
- 4) Persons Services Corp.
- 5) Fikon Corp.

ALL OTHER INFORMATION REMAINS THE SAME

ADDENDUM NO. 1

SOLICITATION TITLE: ITB-2020-101-WG For Future Citywide Rehabilitation Projects In Accordance With The State Housing Initiatives Partnership (Ship)

The following amendments have been incorporated into Exhibit "A" dated 11.19.20.

Contractors added to the pool:

- 1) The Bannerman Group, Inc.

ALL OTHER INFORMATION REMAINS THE SAME

**SECTION 1:
GENERAL INFORMATION**

SOLICITATION TITLE: FOR FUTURE CITYWIDE REHABILITATION PROJECTS IN ACCORDANCE WITH THE STATE HOUSING INITIATIVES PARTNERHSIP (SHIP)

CONTRACT # ITB 2020-101-WG

Commodity Code: 91200

CONTRACT TERM:

Initial Term: March 18, 2020 through March 17, 2023

The contract may be renewed for up to two (2), one (1) year renewal options at the City Manager's sole option. In the event that this contract is renewed or amended the Procurement Department will issue an addendum to this Contract Award Memo.

CONTRACT MANAGER:

The primary Contract Manager is Marcela Rubio, HOME/SHIP Projects Coordinator, Housing Development (305) 673-7000 Ext. 26182, or marcelarubio@miamibeachfl.gov

Purpose:

The award of the ITB resulted in the establishment of a prequalified pool of contractors to be eligible to provide services to the City for future citywide rehabilitation projects in accordance with the State Housing Initiatives Partnership Program (SHIP) policy.

**SECTION 2:
UTILIZING THIS CONTRACT**

1. **Awarding Work.** When the need for services arises, all prequalified contractors may be invited to submit statements of work (SOW) and costs based on an Invitation to Quote (ITQ) issued by the City. Each SOW prepared by the contractor shall include a clear description of the work to be performed (with specifics and timed deliverables) and the related costs by deliverable. The City will select the prequalified contractor that offers the best combination of services and cost, solely at the discretion of the City. **The policy for the selection of contractors for projects awarded pursuant to the SHIP program are hereby incorporated by reference, as fully set forth in Appendix B of the ITB.**

2. Projects awarded pursuant to this ITB shall not exceed the TOTAL PROJECT AWARD LIMIT AUTHORIZED BY THE CITY'S LOCAL HOUSING ASSISTANCE PLAN (LHAP), current at \$70,000. The user department will request an encumber contract from the Procurement Department. Service orders shall be approved in accordance with Contract Approval Authority Procedure 03.02 section F. Projects that exceed \$50,000 shall be reported to Commission each fiscal quarter via LTC.

3. **Open Pool.** At any time, the City, through the approval of the City Manager, may accept applications and add additional contractors to the list of prequalified contractors, provided such contractors meet the requirements of the ITB. Exhibit A attached hereto will be amended and uploaded to the Procurement Sharepoint (<https://miamibeach.sharepoint.com/dept/proc/Prequalification%20Pool%20Contracts/Forms/AllItems.aspx>) each time additional contractors are added or removed from the list of prequalified contractors. The requesting department is responsible for checking the Procurement Sharepoint to ensure that all prequalified vendors are reached for quotes. All other information will remain the same.

EXHIBIT A

Contractor Contact Information as of 3.28.22

Delcons Inc.

7750 W 24th Ave #27
Hialeah, FL 33016
Attn: Oscar Diaz
Ph: 786.210.6041
information@delconsinc.com

One General Contractors, LLC.

2060 NE 155th Street
North Miami Beach, FL 33162
Attn: Alan Ahmad Mourad
Ph: 305.934.1966
alan@trianguloconstruction.com

Doubleday Engineering, LLC.

95 Merrick Way, 3rd Floor
Coral Gables FL 33134
Attn: Rodobaldo Duarte
Ph: 305.310.1566
rduartes@doubledayengineering.com

The Bannerman Group, Inc.

3760 NW 172 Terrace
Miami, FL 33035
Attn: Andre Bannerman
Ph: 786-568-0672
thebannermangroup@gmail.com

Management & Consulting, Inc. DBA M&C Contractors

960 Arthur Godfrey Rd. Suite 206
Miami Beach, FL 33140
Attn: Nadia Subirats Carrera
Ph: 1.888.515.3107 Ext. 200
Nadia@mccontractors.us

Conengineers Builders LLC

1930 N Commerce Pkwy, Suite 1
Weston, FL 33326
Attn: Jaime Ocampo
Ph: 954.849.7322
info@conengineers.com

Fikon Corp.

1145 NW 28 street
Miami, FL 33127
Attn: Omar Gutierrez
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