

**AMENDMENT #1
INTERLOCAL AGREEMENT BETWEEN THE ESCAMBIA COUNTY
BOARD OF COUNTY COMMISSIONERS AND THE CITY OF PENSACOLA
RELATING TO THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM**

THIS AMENDMENT is made and entered into by and between **ESCAMBIA COUNTY**, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners (the "County"), and the **CITY OF PENSACOLA**, a municipal corporation created and existing under the laws of the State of Florida, acting by and through its City Council (the "City").

WITNESSETH:

WHEREAS, on or about April 4, 2019, the parties previously entered into an Interlocal Agreement for the purpose of jointly implementing funds received via the William E. Sadowski Affordable Housing Act (Chapter 92-317, Laws of Florida, incorporated herein by reference) created §§420.907-420.9079 Florida Statutes, the "State Housing Initiatives Partnership Program" ("SHIP") (CSFA #40.901), which authorizes funds in the Local Government Housing Trust Fund (the "Fund") to be distributed to approved counties and eligible municipalities within the county pursuant to an Interlocal Agreement; and

WHEREAS, the County and City now wish to amend the Agreement to update the composition of the Affordable Housing Advisory Committee as required by State Law; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein and of the mutual benefits and for other good and valuable consideration the County and City hereby agree to amend the Interlocal Agreement for the SHIP Program dated April 4, 2019, as previously amended, as follows:

SECTION 1. The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2. EXHIBIT I of the Interlocal Agreement is replaced in its entirety with the attached **REVISED EXHIBIT I**.

SECTION 3. All other provisions of the Interlocal Agreement, that are not in conflict with the amendments and modifications contained herein shall remain in full force and effect.

SECTION 4. This Amendment shall become effective, after being properly executed by the parties, when filed with the Office of the Clerk of the Circuit Court of Escambia County. The County shall be responsible for such filing after such execution by both parties.

SECTION 5. The Interlocal Agreement and any amendment thereto shall be governed by and construed in accordance with the laws of the State of Florida, and the parties stipulate that venue for any state or federal court action or other proceeding relating to any matter which is the subject of this Agreement shall be in Escambia County, Florida.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Amendment on the respective dates under each signature:

ESCAMBIA COUNTY, a political subdivision of the State of Florida, by and through its BOARD OF COUNTY COMMISSIONERS

BY: _____
Steven Barry, Chairman

Attest: Pam Childers
Clerk of the Circuit Court

By: _____
Deputy Clerk

BCC Approved: August 20, 2020

Escambia County Legal Department Approval:

SEAL

Approved as to form and legal
sufficiency: _____
By/Title: _____
Date: 8/6/2020

CITY OF PENSACOLA, a municipal corporation chartered in the State of Florida

ATTEST:

By: _____
Grover C. Robinson, IV, Mayor

Ericka L. Burnett, City Clerk

(SEAL)

APPROVED AS TO CONTENT:

Marcie Whitaker
Marcie Whitaker, Pensacola Housing

LEGAL IN FORM AND VALID
AS DRAWN:

Vanessa Moore for
Vanessa Moore
Assistant City
Attorney
2020-08-14 11:11:24
City Attorney

**REVISED EXHIBIT I
TERMS AND CONDITIONS
SHIP PROGRAM IMPLEMENTATION**

1. **AFFORDABLE HOUSING ADVISORY COMMITTEE:** The County and the City agree to jointly establish and staff the Affordable Housing Advisory Committee (AHAC) in accordance with the provisions of §420.907-9079, Florida Statutes. Each local government will appoint an elected official to serve on the AHAC. The City also shall solicit and appoint a representative from the City of Pensacola Planning Board and a citizen who resides in the City of Pensacola. All other appointees to the AHAC shall be solicited by the County. The City Council may nominate appointees for the remaining representative positions through the County's solicitation process. All appointments will be jointly approved by the Board of County Commissioners and the City Council.

2. **MORTGAGE/LIEN RELEASES:** Requests for payoffs and mortgage/lien cancellations should be directed to the County if the property is located within the unincorporated areas of the County or to the City if the property is located within the City limits. The preparation of mortgage/lien cancellations shall be prepared by the local jurisdiction in which the property is located and signed by the chief elected official. Any funds to be returned to the SHIP program shall be deposited into the Local Fund. All program income shall be used in accordance with SHIP program guidelines.

3. **MONITORING:** The City will provide files to the County as requested and required for monitoring of the SHIP Program by County auditors and/or the Florida Housing Finance Corporation or its agents.

4. **ANNUAL REPORTS:** The County will serve as the primary agent for preparation and submission of online annual report to Florida Housing Finance Corporation. The City will provide supporting information as required for the County to complete the annual report.

5. **PROJECT SELECTION:** County and City staff will jointly identify projects for funding in accordance with the strategies presented in the Local Housing Assistance Plan. Projects will be solicited and awarded in accordance with through the County's Purchasing Department procedures with City representation on selection committees as appropriate. Agreements will be presented to the County for approval.

6. **LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION:** If approved by Board action, the County Administrator will sign the Local Government Verification of Contribution forms certifying the commitment of local SHIP funds for applicants responding to Request for Applications through the Florida Housing Finance Corporation for housing development project financing.

7. **HOUSING STRATEGY ADMINISTRATION:**

a. The County and the City will administer the replacement housing and housing repair strategies for their respective jurisdictions. The City may choose to have the County reimburse for eligible SHIP expenses within the City limits or may directly pay the contractor provided that all County/LHAP requirements have been met.

b. The City will serve as primary administrator for the homebuyer program county-wide. Applications will be submitted to the City Housing Division and complete application packets will be submitted to the County for review and processing of checks for closing.