



Florida Small Cities Community Development Block Grant (CDBG)

Application for Funding

Applicant: St. Lucie County
(Name of Local Government)

- Commercial Revitalization Housing Rehabilitation
 Neighborhood Revitalization Economic Development

Federal Fiscal Year 2019

Application Due Date: October 5, 2020

Mailing Address: Department of Economic Opportunity
Bureau of Community Revitalization
107 East Madison Street – MSC 400
Tallahassee, Florida 32399-6508

Telephone: (850) 717-8405
Fax: (850) 922-5609
Web: <http://www.floridajobs.org/SmallCitiesCDBG>

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Left click on the appropriate check boxes to indicate which parts of the application form are included in this application package.

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St. Lucie County
Florida Small Cities Community Development Block Grant
Housing Rehabilitation FFY 2019 Application for Funding

Part 2

**Application Profile and General
Scoring Criteria**

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Part 2 – Application Profile and General Scoring Criteria

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**Application Profile
Table G-1**

Local Government Contact Information:

Local Government Name: St. Lucie County		
Street Address: 2300 Virginia Avenue		
Mailing Address (if different): 437 North 7 th Street, Fort Pierce, FL 34950		
City: Fort Pierce	Zip Code: 34982	County: St. Lucie County
Main Telephone: 772-462-1777	Main Facsimile: 772-462-2855	Federal ID Number: 59-6000835
DUNS Number: 072215403	Local Government's Name in DUNS: St. Lucie, County of	
Chief Elected Official: Cathy Townsend		Title: Chair, Board of County Commissioners
Telephone: 772-462-1407		Facsimile: 772-462-2131
E-mail Address: townsendC@stlucieco.org		
Local Government Financial Officer: Francis Shai		Title: COO of Financial Services
Telephone: 772-462-1482		Facsimile: 772-462-1614
E-mail Address: franciss@stlucieclerk.com		
Local Government Project Contact: Jennifer Hance		Title: Housing Division Manager
Street Address: 437 N 7th Street		
City: Fort Pierce		Zip Code: 34950
Direct Telephone: 772-462-2376		Facsimile: 772-462-2855
E-mail Address: hancej@stlucieco.org		

Application Profile – Table G-1 (Continued)

Application Preparer Information		
Preparer's Name: Mark Brewer	Organization Preparing Application: <input type="checkbox"/> Local Government <input checked="" type="checkbox"/> Private Company <input type="checkbox"/> RPC	
Street Address: 9080 58 th Drive East, Suite 200		
City: Bradenton	State: FL	Zip Code: 34202
Telephone: 941-756-5800	Facsimile:	
E-mail Address: president@angiebrewer.com		

Consultant Information		
Consultant's Name: Mark Brewer	<input checked="" type="checkbox"/> Private Company <input type="checkbox"/> RPC	
Street Address: 9080 58th Drive East, Suite 200		
City: Bradenton	State: FL	Zip Code: 34202
Telephone: 941-756-5800	E-mail Address: president@angiebrewer.com	

Demographics		
U.S. Congressional District Number: 18	Florida Senate District Number: 25	Florida House District Number: 54, 55, 83, 84
Service Area Census Tract(s) and Block Group(s): N/A		

Application Type: Indicate the application category. A completed application must include the appropriate section as listed below.	
<input type="checkbox"/> Commercial Revitalization (Part 4)	<input type="checkbox"/> Economic Development (Part 5)
<input checked="" type="checkbox"/> Housing Rehabilitation (Part 6)	<input type="checkbox"/> Neighborhood Revitalization (Part 7)

Application Profile – Table G-1 (Continued)

Citizen Participation – Public Hearings Documentation of the citizen participation activities must be included in Appendix D of Part 9.	
List the date that the public notice for the first public hearing was published: 08/20/2020	List the date when the first public hearing was held: 09/01/2020
List the date that the public notice for the second public hearing was published: 09/02/2020	List the date when the second public hearing was held: 09/15/2020

Subgrant Funding Request: The maximum funding request for Neighborhood Revitalization, Commercial Revitalization and Housing Rehabilitation subgrants is based on the jurisdiction's LMI population as determined by HUD. Please see the table below. The maximum subgrant funding request for Economic Development subgrants is \$1,500,000, and the cost per job created must be less than \$35,000. At the bottom of the left column, enter the actual LMI population. (Data available on CDBG website.) At the bottom of the right column, enter the actual subgrant amount being requested.	
LMI Population	Maximum Subgrant Request
1 – 499	\$600,000.00
500 – 1,249	\$650,000.00
1,250 – 3,999	\$700,000.00
4,000 – and above	\$750,000.00
Local Government's LMI Population: 28,395	Subgrant Funds Being Requested: \$ 750,000

**Application Profile
Table G-1 (Continued)**

Answer the following questions by clicking on the correct check box.		
<p>Historic Preservation Will the project impact a building, public improvement or planned open space that is 50 or more years old? If yes, documentation must be provided in Appendix L of Part 9. (See instructions.)</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>Interlocal Agreement Will project activities require an interlocal agreement? If yes, the interlocal agreement(s) must be provided in Appendix J of Part 9. (See instructions.)</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>State of Financial Emergency Is the local government currently identified as being in a State of Financial Emergency pursuant to Section 218.50 – 218.504, Florida Statutes? Check at http://www.leg.state.fl.us/cgi-bin/View_Page.pl?File=financial-emergencies.cfm&Directory=committees/joint/Jcla/&Tab=committees</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>Grant Preparation Costs The applicant may request subgrant funds for the cost of application preparation. See instructions if funds are requested. Does the applicant wish to request subgrant funds for the cost of application preparation? If yes, documentation must be included in Appendix F of Part 9. Amount: \$N/A _____</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>National Flood Insurance Program Is the applicant currently participating in the National Flood Insurance Program?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Project Narrative — G-2

Describe the proposed project using the guidelines in the instructions. Specific directions for Commercial Revitalization and Economic Development application narratives can be found in the instructions. Use additional pages as needed.

St. Lucie County is submitting this application to request \$750,000 in CDBG-Housing Rehabilitation funding for the FFY 2019 cycle. The County will use these funds to assist a number of qualifying residents in unincorporated St. Lucie County to rehabilitate or demolish and replace their existing housing units. The County intends to identify at a minimum 11 units for use with these funds. It is anticipated that at least 5 units will be for those qualifying as Low-Income and at least 2 units will be for those qualifying as Very Low-Income. All rehabilitations or demolitions/replacements will be consistent with the County's adopted housing code. Temporary housing assistance will be provided as needed.

This application is requesting:

- \$626,500 for housing rehabilitation or demolition/replacement costs
- \$ 11,000 for temporary housing assistance
- \$112,500 for administration costs

The County has pledged \$50,000 of SHIP funding as leverage for this project and will be used to provide additional funding for project related costs. No SHIP funds allocated to this project will be spent prior to execution of a grant agreement, if awarded.

All housing units rehabilitated or demolished/replaced with these funds will meet the National Objective to benefit low and moderate income persons.

General Scoring Criteria — Table G-3

1. Community-Wide Needs Score (CWNS) The CWNS for each non-entitlement local government is posted on the Department’s website at: http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/florida-small-cities-community-development-block-grant-program/downloads-and-information-for-applicants (Transfer this score to line 1. of the Application Scoring Summary page – Part 8, page 4.)		Score: <u>61.71</u>
2. Special Designation Score Check all applicable designations below and enter a score of 20 points if all CDBG activities will be conducted within any of the boundaries of the special designation areas checked. Documentation must be included in Appendix M of Part 9. (See instructions.) (Transfer this score to line 3a. of the Application Scoring Summary page.)		Score: <u>0</u>
<input type="checkbox"/> Rural Area of Opportunity (RAO)	<input type="checkbox"/> Rural Community as defined by §288.0656, F.S.	
<input type="checkbox"/> Area of Critical State Concern pursuant to §380.05, F.S.	<input type="checkbox"/> Florida Enterprise Zone pursuant to §290.0065, F.S.	
3. Grant History Score: If the applicant has not had an open CDBG contract in the NR, CR, or HR categories within five years of application deadline, claim 100 points. (Transfer this score to line 3b. of the Application Scoring Summary page.)		Score: <u>0</u>
4. CATF Score: The applicant can score a maximum of 10 points if it has appointed a Citizen Advisory Task Force (CATF) to provide input on all phases of the Small Cities CDBG Program process and the CATF met to discuss community needs and make recommendations to the local governing body before the application was drafted. The task force must be comprised of residents of the applying jurisdiction, and at least 51% of the members must be from LMI households. None of the members can be an elected official of the jurisdiction, and only one member can be an employee of the applicant. The CATF shall have at least five members, and at least 51% members must participate in the meeting to claim CATF points. Documentation must be included in Appendix D of Part 9. (See instructions.)		
4a. If the CATF met before the first public hearing was conducted and before a draft application was developed to discuss community needs and make recommendations to the local governing body as to the program area and activities that should be considered when drafting a Small Cities CDBG application, score 10 points, or		Score: <u>10</u>
4b. If the CATF met before the notice for the second public hearing was published and before a draft application was finalized to make recommendations to the local governing body as to the program area and activities that should be included in its Small Cities CDBG application, score 5 points. (Transfer this score to line 3c. of the Application Scoring Summary page.)		
If applicable, list the date that the public notice for the CATF meeting was published: 08/20/2020	If applicable, list the date when the CATF meeting was held: 08/31/2020	

General Scoring Criteria — Table G-3 (Continued)

5. Outstanding Performance in Equal Employment Opportunity (EEO)						
M/WBE Contracting: The applicant may claim up to 20 points for achievement in Minority-/Women-Owned Business Enterprises (M/WBE) contracting in the most recent Small Cities CDBG subgrant that was administratively closed not more than four years before application deadline date. Review the M/WBE reports submitted to DEO for that subgrant and enter a score based on the achievement reported.						
Most Recent Administratively Closed Small Cities CDBG Contract Number:			15DB-OJ-10-66-01-H 01			
\$867,180.73 Amount Awarded to M/WBE firms	÷	\$867,180.73 Total Prime Contracts Amount	X 100 =	100 M/WBE %		
M/WBE %		Points		5a. M/WBE Contracting Score: <u>20</u> (Maximum 20 points)		
0.0 – 4.99%		0				
5.0 – 14.99%		5				
15.0 – 19.99%		10				
20.0 – 24.99%		15				
25.00%+		20				
If the applicant has not administratively closed a Small Cities CDBG subgrant within four years of the application deadline date, score 5 points.						
Local Government Minority Employment: The applicant may claim up to 60 points for meeting minority employment goals. Complete the table below to calculate the applicant's percentage of minority employees. See instructions for calculations.						
Number of Permanent Full-time Equivalent Minority Applicant Employees 198	÷	Number of Permanent Full-time Equivalent Applicant Employees 709	=	Applicant's Percentage of Minority Employees 27.93%		
Enter percentage of minorities in the applicant's county: 24.6%						
If the "Prorated 60 Points Score" is claimed, complete the following equation:						
Applicant's Percentage of Minority Employees _____	÷	Percentage of Minorities in Applicant's County _____	=	Applicant's Percentage of Minority Employees _____	X 60 =	Points Claimed _____

If the applicant has three or less employees, 40 points may be claimed.		
5b. Local Government Minority Employment Score (60 Points Maximum):		<u>60</u>
6. Outstanding Performance in Fair Housing		
The applicant may claim five points for adopting a Fair Housing Ordinance prior to the application deadline and five points for conducting a Fair Housing workshop in the 12 months prior to the application deadline. See instructions for guidelines and documentation requirements.		
	Date	Score
6a. Date Fair Housing Ordinance Adopted:	<u>01/23/1992</u>	<u>5</u>
6b. Date of Fair Housing Workshop:	<u>TBD</u>	<u>5</u>
6c. Total Fair Housing (6a+6b) Score (10 Points Maximum):		<u>10</u>

Outstanding Performance in EEO and Fair Housing (5a+5b+6c) Score: 90
(Transfer this score to line 2. on the Application Scoring Summary page – Part 8, page 4.)
(90 points maximum)

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**St. Lucie County
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Part 3

Sources and Uses of Non-CDBG Funds

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Part 3 – Sources and Uses of Non-CDBG Funds

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Sources and Uses of Non-CDBG Funds
Private, Participating Party, Public Leverage from Non-Local and Local Funding Sources
Table L-1

Activity #	Source	Amount Claimed for Scoring	Amount Not Claimed for Scoring	Type (Participating Party, Loan, Grant, Local Government Funds, Donated Land, or Other Leverage)
14A	St. Lucie County SHIP Funds	\$50,000	\$0	Grant
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
	Totals	\$50,000	\$0	
	Total Funds Claimed for Leverage Scoring	\$50,000		

Use the preceding totals to compute the number of points you are claiming for leverage scoring on the next page.

Leverage Score Summary

Leverage Points Calculation for NR, CR, and HR

Communities with a LMI Population of 1,249 or Less

$$\underline{\quad \$ \quad} \div \$1,000 = \underline{\quad} \text{ Points}$$

(25 Points Maximum)

Leverage Points Calculation for NR, CR, and HR

Communities with a LMI Population of 1,250 or More

$$\underline{\quad \$50,000 \quad} \div \$2,000 = \underline{\quad 25 \quad} \text{ Points}$$

(25 Points Maximum)

Leverage Points Calculation for ED

$$\underline{\quad \$ \quad} \div \$10,000 = \underline{\quad} \text{ Points}$$

(125 Points Maximum)

Leverage Score: 25

(Transfer this score to line 3d. on the Application Scoring Summary page in Part 8.
25 Points Maximum for NR, HR, and CR. 125 Points Maximum for ED.)

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St. Lucie County
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Part 6

Housing Rehabilitation

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Part 6 – Housing Rehabilitation

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**Category Impact
CDBG Funds and Activity Goals Score — Table H-1**

	A	B	C	D	E	F
Activity #	Activity Name	Enter CDBG Activity \$	% of CDBG Project Cost (B ÷ 1)	Goal Points	Activity Goal Score (C x D)	# of Housing Units To be Addressed by Activity
01	Acquisition (in support of)	\$	%	*		
01	Acquisition in 100 Year Floodplain	\$	%	75		
04	Clearance	\$	%	35		
15	Code Enforcement	\$	%	45		
04A	Demolition (without subsequent construction)	\$	%	50		
16A	Historic Preservation - Residential	\$	%	35		
14A	Housing Rehab/Demolition/Replacement	\$626,500	98.27%	75	73.71	11
08	Permanent Relocation as a part of Hazard Mitigation	\$	%	75		
08	Permanent Relocation – Other	\$	%	50		
14A	Potable Well Installation**	\$	%	70		
14A	Removal of Housing Architectural Barriers	\$	%	75		
14A	Septic System Installation**	\$	%	70		
14A	Sewer Hookups**	\$	%	70		
08	Temporary Relocation	\$11,000	1.73%	75	1.29	11
14A	Utility Hookups, Other**	\$	%	60		
14A	Water Hookups**	\$	%	70		
1. Add Column B to get the CDBG Project Cost		\$637,500	4. Add Column E to get the Total Activity Goal Score: 75			Total Unduplicated Number of Housing Units to be Addressed by All Activities <u>11</u>
2. Enter CDBG Administrative Funds (Maximum of 15% of Total CDBG Funds Requested)		\$112,500	* Goal points for this activity are same as the activity supported by the acquisition. ** Use only if no housing rehabilitation is required. Otherwise, treat as complementary activity to housing rehabilitation activity.			
3. Add 1 and 2 for Total CDBG Funds Requested		\$750,000				

Low Income and Very Low Income Beneficiary Impact Score

Option 1: Housing Rehabilitation (Housing Rehab/Demolition/Replacement)	
5a. Number of homes to be addressed whose occupants qualify as “low income:” (Note: “low income” (LI) means the household income is between 30.01% - 50% of median income for your county)	
“Low income” beneficiary impact points: 3 homes* X 50 = 150points (150 Points Maximum)	
5b. Number of homes to be addressed whose occupants qualify as “very low income:” (Note: “very low income” (VLI) means the household income does not exceed 30% of median income for your county) 1 home: score = 55 points; 2 homes: score = 85 points:	
“Very low income” beneficiary impact points: 2 home(s) = 85 points (85 Points Maximum)	
Option 2: Hookups Only (Sewer, Water or Other Utility)	
5c. Number of households to be hooked up whose occupants qualify as “low income:”	
“Low income” beneficiary impact points:	homes* X 7 = points (175 Points Maximum)
5d. Number of households to be hooked up whose occupants qualify as “very low income:”	
“Very low income” beneficiary impact points:	home(s) X 6 = points (60 Points Maximum)
5e. Total “Low Income” and “Very Low Income” Beneficiary Impact Score (5a+5b) or (5c+5d): <u>235</u> (235 Points Maximum)	
* If a Recipient serves more “very low income” homes than scored on this application, those additional homes can be counted to meet the number of “low income” homes that the Recipient committed to serve.	

Average CDBG Cost per LMI Housing Unit

6a. Use the CDBG Funds and Activity Goal Score Spreadsheet to calculate the average CDBG LMI housing unit cost:

$$\frac{\$637,500}{\text{CDBG Project Cost}} \div \frac{11}{\text{Total Number of LMI Housing Units}} = \frac{\$57,954.55}{\text{Average CDBG LMI Housing Unit Cost}}$$

Enter the appropriate score from the chart below on line 6b.

Option 1. Rehab - Average CDBG Cost Per LMI HU		Score	Option 2. Hookups - Average CDBG Cost Per LMI HU		Score
Less than \$62,250		120	Less than \$2,200		100
\$62,250 to \$65,000		105			
\$65,000 to \$66,999		90	\$2,200 to \$3,099		80
\$67,000 to \$68,999		75			
\$69,000 to \$70,999		60	\$3,100 to \$3,999		60
\$71,000 to \$72,999		45			
\$73,000 to \$74,999		30	\$4,000 to \$4,899		40
\$75,000 to \$76,999		15			
\$77,000 to \$77,999		0	\$4,900 and above		20
\$78,000 to \$78,999		-50			
\$79,000 and above		-100			

6b. Average CDBG Cost per LMI Housing Unit Score: 120

“Green” Rehabilitation Standards

7a. If the Housing Assistance Plan (HAP) requires all the minimum “green” standards identified in the instructions, score 45 points:	<u>45</u>
7b. If the HAP requires all the supplemental “green” standards identified in the instructions, score 30 points:	<u>30</u>
7c. “Green” Rehabilitation Standards (7a + 7b) Score:	<u>75</u>

Category Summary Score (4+5e+6b+7c=): 505

(Transfer this score to line 3e. in the HR column on the Application Scoring Summary page – Part 8, page 4.)
(Cannot exceed 505 points.)

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**St. Lucie County
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Part 8

Certification and Score Summary

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Part 8 – Certification and Score Summary

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I, the undersigned chief elected official or authorized representative of the Applicant, certify that, to the best of my knowledge, this Florida Small Cities Community Development Block Grant Application for Funding was prepared in accordance with state and federal rules and regulations, contains information that is true and correct, and has been approved by the local governing body.

I also certify that the Applicant:

Has met all citizen participation requirements contained in Chapter 73C-23, Florida Administrative Code:

Following public notice, hearings were conducted by a member of the local governing body or a duly authorized employee;

- The first public hearing was conducted to obtain citizen views about community development needs and potential uses of CDBG funding;
 - The notice for the second public hearing was published following the first public hearing. The notice included a summary of the activities that would be conducted with CDBG funds, the specific locations where those activities would take place, a line item budget, and the time and place where a copy of the draft application would be available for review; and
 - A second public hearing was conducted to obtain citizen comments on the CDBG application prior to submission.
2. Has properly conducted surveys of service areas to document LMI benefit, if applicable.
 3. Will not attempt to recover, through special assessments, capital costs of public improvements funded in whole or in part with CDBG funds.
 4. Will ensure that upon completion of housing structures addressed with CDBG funds, each housing structure will meet the local housing code.
 5. Will administer the subgrant in conformity with the Civil Rights Act of 1964 and the Fair Housing Act.
 6. Will affirmatively further fair housing and undertake one fair housing activity each quarter.
 7. Has adopted or will adopt a Community Development Plan or has adopted the Local Comprehensive Plan as its Community Development Plan.
 8. Will adopt an Anti-Displacement and Relocation Policy and will minimize the displacement of persons.
 9. Has presented accurate information and has documentation on file and readily accessible to the Department of Economic Opportunity.
 10. Has authorized the submission of this application by vote of the local governing body.
 11. Will adopt a CDBG Procurement Policy that conforms to 2 CFR 200.317 – 200.326, Sections 255.0525 and 287.055, Florida Statutes, and Rule 73C-23.0051(4), Florida Administrative Code.
 12. Has implemented a financial management system that complies with Section 218.33, Florida Statutes, and 2 CFR 200.302.

13. Will complete a self-evaluation of its facilities related to the Americans with Disabilities Act and adopt a Transition Plan, if applicable.
14. Will meet a National Objective for each funded activity other than administration and engineering prior to the administrative closeout of the subgrant.

Signature of Chief Elected Official or Designee
Signature: _____
Typed Name and Title:
Date:
If signed by a person other than the chief elected official, a copy of the resolution authorizing the person to sign the application must be included in Appendix B.

Signature of Application Preparer if not an employee of the Local Government
Signature: _____
Typed Name and Title: Mark Brewer
Name of Firm or Agency: Angie Brewer & Associates, LC

Application Scoring Summary

This form is the Applicant's evaluation of the application score. Use the "scores" identified in the application to complete this form when you have finished filling out the application. Enter the scores or other information in the appropriate columns. When all of the scores have been transferred to this form, add the scores and enter the total.

Applicant Name: St. Lucie County			(For DEO Use Only) Application Number: _____			
Enter Type of Application:		<input type="checkbox"/> Commercial Revitalization	<input type="checkbox"/> Economic Development			
		<input checked="" type="checkbox"/> Housing Rehabilitation	<input type="checkbox"/> Neighborhood Revitalization			
Title/Score	Part	Page	CR	ED	HR	NR
1. Community-Wide Needs Score (250 Points Maximum)	2				61.71	
2. Outstanding Performance in Equal Employment Opportunity and Fair Housing (90 points maximum)	2				90	
3. Program Impact:						
3a. Special Designation Score (20 Points Maximum)	2				0	
3b. Grant History Score (100 Points Maximum)	2				0	
3c. CATF Score (10 Points Maximum)	2				10	
3d. Leverage (25 Points Maximum for CR, NR and HR) (125 Points Maximum for ED)	3				25	
3e. Category Summary Score	6				505	
3f. Total Program Impact Score (3a+3b+3c+3d+3e) (660 Points Maximum)	8				540	
4. Total Application Score (1+2+3f) (1000 Points Maximum)					691.71	
Less Penalties Assessed (For DEO Use Only)						
Final Score (For DEO Use Only)						

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St. Lucie County
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Part 9

Supporting Documentation

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Part 9 –Supporting Documentation

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Place all supporting documentation in this section. Separate the documents with a titled tab or titled colored paper. Include only those appendices that are required for the application.

Appendix	Title
A	Maps (Required)
B	Local Governing Body's Resolutions for Signature Delegation and Application Submission (Required)
C	Comprehensive Plan Documents (Required)
D	Public Hearing/CATF Documentation (Required)
E	Leverage Documentation
F	Grant Application Preparation Cost Documentation
G	Readiness to Proceed Documentation
H	VLI/LMI Worksheets and Survey Documentation or Census Data and Maps
I	Documentation Related to Health and Safety Impact Score
J	Joint Agreements, Contingency Funding Documentation and/or Interlocal Agreements
K	Housing Assistance Plan (Required for all Housing Rehabilitation Applications)
L	Historic Preservation Documents
M	Special Designation Documentation
N	Documentation for Economic Development Applications
O	Documentation for Other Community Development Activities Score (Commercial Revitalization)
P	Documentation for Demolition of Vacant Dilapidated Structures (Commercial Revitalization)
Q	Local Government Minority Contracting and Fair Housing Score Documentation
R	Commercial Rehabilitation Policy (Required for all Commercial Revitalization Applications that will utilize CDBG funds to rehabilitate commercial buildings)
S	

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**St. Lucie County
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Part 9

Supporting Documentation

Appendix A

Maps

To be inserted into the Final Application.

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**St. Lucie County
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Part 9

Supporting Documentation

Appendix B

**Local Governing Body's Resolution for
Signature Delegation and Application
Submission**

To be inserted into the Final Application.

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**St. Lucie County
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Part 9

Supporting Documentation

Appendix C

Comprehensive Plan Documents

To be inserted into the Final Application.

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D

**St. Lucie County
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Part 9

Supporting Documentation

Appendix D

**Public Hearing / CATF Meeting
Documentation**

To be inserted into the Final Application.

**St. Lucie County
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Part 9

Supporting Documentation

Appendix D

Public Hearing / CATF Meeting

Documentation

1st Public Hearing Documentation

To be inserted into the Final Application.

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Part 9

Supporting Documentation

Appendix D

Public Hearing / CATF Meeting

Documentation

2nd Public Hearing Documentation

To be inserted into the Final Application.

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Supporting Documentation

Appendix D

Public Hearing / CATF Meeting

Documentation

CATF Meeting Documentation

To be inserted into the Final Application.

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Supporting Documentation

Appendix E

Leverage Documentation

To be inserted into the Final Application.

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K

**St. Lucie County
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Housing Rehabilitation FFY 2019 Application for Funding**

Part 9

Supporting Documentation

Appendix K

Housing Assistance Plan



ST. LUCIE COUNTY
Community Development Block Grant (CDBG)
Housing Assistance Plan (HAP)

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1. INTRODUCTION

This manual is a guide for operating the housing rehabilitation related aspects of the St. Lucie County Community Development Block Grant (CDBG) Program. The responsibilities of St. Lucie County, the homeowner, and construction contractor are specifically addressed in this manual. The major focus of this manual is on housing rehabilitation, and replacement of dwellings. Relocation of households is also covered to a limited extent. The Anti-displacement Policy should be consulted if displacement or permanent relocation becomes necessary.

The goal for the CDBG program is to rehabilitate substandard units located in St. Lucie County and to bring them up to a minimum acceptable living standard. This standard is the HUD Section 8 Minimum Housing Quality Standard and the Florida Building Code. This goal will be achieved through the use of CDBG funds to contract for the required rehabilitation construction. The rehabilitation units to be assisted shall be owner-occupied.

2. HOUSING REHABILITATION OBJECTIVES AND POLICIES

A. Objectives

The objectives of the St. Lucie County Housing Rehabilitation Program are:

1. To encourage the revitalization of very low to low-to-moderate income neighborhoods through a Housing Rehabilitation Deferred Payment Loan (DPL) Program.
2. To remove unhealthy or hazardous conditions in low-to-moderate income households.
3. To use Community Development Block Grant rehabilitation grant funds as a catalyst to encourage residents of low-to-moderate income neighborhoods to improve their community.
4. To preserve existing housing stock and to replace substandard housing.
5. To enable low-to-moderate income families to rehabilitate their homes by providing financial and technical assistance to those unable to obtain private financing.
6. To reduce utility costs and to improve the comfort of very low to low-to-moderate income families through weatherization aspects of rehabilitation.
7. To improve the property tax base in low-to-moderate income neighborhoods.
8. To increase employment and training opportunities for local residents and minority persons through the provision of funds for the rehabilitation of homes.
9. To make homes accessible to elderly/handicapped occupants as may be required by code, accessibility requirements, and as good judgment may dictate.
10. To minimize impact of program participation on recipients and to limit direct costs encountered because of program participation.

B. Rehabilitation Policies

It is the policy of the St. Lucie County Rehabilitation Program to:

1. Assure that the program is administered in strict conformance with the community development and rehabilitation rules and all applicable local, state and federal requirements (including equal opportunity, conflict of interest, etc.)
2. Treat all participating property owners, residents, and contractors fairly, with sensitivity and respect for their needs, and in accordance with program rules.

3. Provide all program participants any reasonable assistance necessary to carry out the objectives of the program, bearing in mind:
 - a) That property owners hold the primary responsibility for maintaining their property and personal finances;
 - b) That contractors are primarily responsible for the quality of their work and their obligations to suppliers, creditors, subcontractors, and employees; and
 - c) That any assistance provided must be authorized at the proper level.
4. Assure that no member of the Congress of the United States, the Citizen Advisory Task Force, or the St. Lucie County Board of County Commissioners shall share in proceeds or benefits of CDBG funded rehabilitation work.
5. Allow some flexibility in administering the program in order to meet the program's goals and objectives of rehabilitating each addressed dwelling to attain HUD Section 8 Minimum Housing Quality Standards and the Florida Building Code. The St. Lucie County Board of County Commissioners may waive program rules only when the result will be consistent with established goals and objectives and applicable federal, state, or local regulations.
6. Housing rehabilitation will be the first priority, with housing replacement units being addressed when program funds are available.
7. St. Lucie County will not convert LMI housing to non-LMI housing.

C. Identification of Units

Housing Rehabilitation will take place only on units approved by St. Lucie County and in accordance with grant requirements established by the State of Florida. Alternate units may be provided to replace any primary units that may become ineligible. St. Lucie County will solicit applications by advertising in publicly circulated publications and on its website. St. Lucie County will review applications received using the following selection criteria:

1. A former recipient cannot be assisted for 5 years and, in any event, will not be served again until all other eligible recipients have received assistance.
2. Number of persons in the family and the family income.
3. Type of construction (i.e., block, manufactured home, wood frame, etc.), state of deterioration of the residence, and estimated cost to rehabilitate as compared to 1) average residence cost calculated in the application and 2) the value of the residence after rehabilitation.
4. Location of the residence with reference to defined areas, i.e., floodplain, zoning, incompatible use, etc.
5. Compatibility (consistency) of the proposed residence rehabilitation with the local comprehensive plan and/or land development regulations.
6. Recipient current on payments to the local government and mortgage/lien holders.
7. Recipients' willingness to maintain reasonable standard of care and maintenance to protect and enhance the investment by meeting local nuisance, trash, and other environmental or health codes.
8. Recipient must have clear title to the property.
9. The applicant shall indicate on the application form whether to his/her knowledge the structure is older than 50 years old. If he/she answers yes or if other evidence suggests the structure is more than 50 years old, St. Lucie County must notify the State Bureau of Historic Preservation and receive written approval for the rehabilitation. Property appraiser, tax records, or other government agencies records will be researched to verify the age of the structure.

11. This program will not assist in the rehabilitation or replacement of rental housing structures.

D. Approval of Ranking, and Removal of Units from the Program

Housing staff shall review and rank the applications based on the criteria attached as Appendix A. The application process will have a noticed cutoff date for the receipt of applications. Applications received after that date shall be considered on a first come, first served basis after the primary list of applicants has been considered.

Housing staff may remove a housing unit from the program for a change in household income, approved selection criteria, or for not complying with the minimum qualification procedures. If it is determined that it is necessary to remove an applicant from the program, a certified letter will be sent to the applicant stating the reasons for the removal. The applicant will have the right to appeal the decision as identified in the Citizen Participation Plan.

3. CONFLICT OF INTEREST

Although addressed in other places in this Policy, adherence to rules and regulations on this matter is mandatory. All applicants that may have a business or familial relationship with a member of the St. Lucie County Board of County Commissioners (BOCC), Citizen Advisory Task Force (CATF) Committee, Community Services Department, or participating construction contractors must fully disclose this relationship on the Application and definitely before a construction contract is executed. Before an applicant with a potential or real conflict is given final approval for participation, St. Lucie County must notify the Department of Economic Opportunity (DEO) in writing. Prior to any rehabilitation, St. Lucie County must receive written notification of DEO's approval of the application, in accordance with 24 C.F.R. Section 570.489. If this process is not followed the local government and/or the applicant may be liable for returning the funds to the program.

4. HOUSING REHABILITATION FINANCING

The Housing Rehabilitation Program provides financing to homeowners in the form of 100% Deferred Payment Loans, the amount of which shall include the accepted bid amount.

A. Deferred Payment Loans (DPL)

Deferred Payment Loans are conditional grants, and are provided to homeowners who are unable or unlikely to obtain conventional financing due to their income limits. The Deferred Payment Loan (DPL) involves a security instrument (lien) requiring repayment of the loan only if the homeowner sells or transfers ownership of the rehabilitated home, ceases to use it as his/her primary residence within ten years of the date of the DPL, or fails to maintain reasonable required standards of care and maintenance. The County will agree to subordinate the loan in cases where the homeowner wishes to refinance the first loan for more favorable terms and the refinance does not result in cash received by the homeowner. During the ten-year period, the principal is "forgiven" or subtracted from the principal balance in equal yearly amounts, so that at the end of the tenth year of owner occupancy (by at least one of the recipients if owned jointly), the loan is fully amortized. There is no interest charged during the ten years.

In the event that the sole owner dies or both/all owners die within the ten-year loan period, repayment of the loan will not be required.

If repayment of a DPL becomes due, the prorated principal balance will be due in full within thirty (30) days of the sale/transfer of ownership or the owner's cessation of primary residence at the property. If the owner is unable to make such payment, the St. Lucie County BOCC may, at their discretion, allow repayment of the DPL over a term not to exceed ten (10) years, at a yield of not more than six percent (6%) interest per annum.

Homeowners whose household incomes do not exceed the HUD Section 8 low-to-moderate income limit will receive a Deferred Payment Loan for 100% of the cost of rehabilitation paid from CDBG funds.

The maximum DPL for an owner-occupied single family dwelling is \$100,000 unless approved by the St. Lucie BOCC.

If rehabilitation costs require more than \$100,000 and the owner is unable to finance the additional cost or the St. Lucie BOCC does not approve an increase for the maximum dollar amount allowable then the dwelling unit may be disqualified unless alternative funding is available. Grant application scoring indicates an average rehabilitation amount that is to be attained. Very high costs frequently adversely impact other units planned for rehabilitation. Therefore, the ability to maintain the necessary average must enter into the decision process.

As a general policy, a contingency amount of about 5% should be placed on reserve for change orders. Exceptions may be made to this rule if the owner provides a firm commitment to pay for all required changes exceeding the authorized loan limit or if the Administrator determines that the situation does not require a contingency fund.

5. SCOPE OF REHABILITATION ASSISTANCE

CDBG financing of housing rehabilitation is available for the following purposes:

1. Correcting local housing code (Florida Building Code) and Section 8 standard violations;
2. Providing cost effective energy conservation features;
3. Provide reasonable repairs and modifications to make the dwelling accessible to handicapped and elderly occupants as necessary and technically feasible; and
4. correcting health and/or safety violations that may be present, including replacement of dilapidated or malfunctioning stoves or refrigerators and interim controls or abatement of lead-based paint hazards;

New construction (adding a room or closing in a carport, etc.) is eligible for rehabilitation financing only to eliminate over-crowding or to provide bathroom or laundry hook ups. General property improvements are eligible for program funds when necessary to obtain an accurate level of utility, to decrease high maintenance costs, or the elimination of blight. Examples of eligible general property improvements include installation of cabinets and linen closets, functional changes in room layout, replacement of unapproved or damaged floor covering, and enclosure of a porch for use as a bathroom where the dwelling does not have adequate interior space.

Some general property improvements may be provided at the owner's expense. Other additional improvements, above those required to achieve minimum standards, are optional and at owner expense. The cost for any such improvements shall be borne totally by the owner who must deposit the funds with

the local government before the improvements begin if the improvements are to be a part of the rehabilitation contract.

General property improvements that are paid for by the property owner must be included in the Contract for Rehabilitation that is developed and administered by the Housing Rehabilitation Program. However, ineligible new construction must be contracted separately. The property owner must also deposit the necessary funds to cover the additional improvements into the local government's program account. This must be done prior to construction. Otherwise, the addition items will not be included in the construction. Furthermore, any construction not covered in the construction contract will be inspected by the local Building Inspector but will not be inspected by Housing staff.

All housing rehabilitation and new construction will incorporate "green" standards including, but not limited to:

- Any appliances replaced or installed shall be Energy Star;
- Any door and/or window replaced or installed shall be Energy Star;
- Any lighting fixture replaced or installed shall be Energy Star.

Weatherization shall be incorporated into all homes rehabilitated, including but not limited to weatherization of the attic, floor insulation, if appropriate, and sealing of all exterior walls. New construction is presumed to meet the minimum insulation and sealing requirements. Any replaced or new HVAC unit shall have a SEER rating of at least 16.

6. QUALIFICATIONS

A. General

In order for a homeowner to be eligible for rehabilitation assistance, the following criteria must be met:

1. Total Household income must not exceed the low-to-moderate limits set for the HUD Section 8 program at the time assistance is provided.
2. The owner must possess and provide clear title to the property. Although, it may be jointly owned, and the property may be mortgaged. Ownership through life estate, heir property, or other legal satisfactorily documented ownership is considered satisfactory for program participation. Providing proof of title is an owner responsibility and expense.
3. Property tax, mortgage payments, and utility bills must be current; and ownership must not be jeopardized by any other threat of foreclosure, default or clouded title.
4. The property must be fully insured for flood insurance if the home is in the 100-year flood plain. Flood insurance must remain in effect for the entire period of the Deferred Payment Loan Agreement. Any unit to be addressed with rehabilitation funds must be elevated to at least 1' above base flood elevation (or to local code) whichever is greater.
5. All applicants that may have a business or familial relationship with a member of the St. Lucie County BOCC, the CATF, Community Services Department, and participating construction contractors must fully disclose this relationship at the time of the application, at the point in time in which the conflict occurs, and definitely before a construction contract is executed.
6. If a boundary survey is required, the owner is responsible for providing necessary proof or documentation at the owner's expense.
7. Residents and owners of rental property are not eligible to participate in the program.

B. Household Income

The following rules are applicable in determining household income:

1. The gross income of all household members occupying the dwelling is included in calculating household income. However, wages earned by dependent minor children (under 18) are not included in total.
2. Rent or other household support contributed by non-household occupants of a dwelling is included in household income.
3. The owner's assets, with the exception of the home in which he/she resides and personal property such as an automobile, will be considered in determining eligibility. The actual annual income from the asset will be calculated as part of the total household income. Inclusion of such assets, if any, will be in strict accordance with 24 CFR 813.106 and any current modification thereof.

C. Case File Requirements

Each case file will document the completion of construction by containing the following information.

1. A statement from the contractor that all items on the initial work write-up as modified through change orders have been completed;
2. An acknowledgment that the housing unit meets the applicable local code and Section 8 Housing Quality Standards, signed and dated by the local building inspector or the local government's housing rehabilitation specialist;
3. A signed statement by the housing unit owner, or his or her representative, that the work has been completed based on the work write-up and change orders. Should all requirements be fulfilled and the homeowner or their representative refuse to acknowledge completion of the work, the housing unit case file shall be documented with a statement detailing the stated reason for said refusal;
4. This documentation shall be completed prior to the submission of the administrative closeout package and shall accompany the administrative closeout package when submitted to the Department.

7. STRUCTURAL REQUIREMENTS

A. General

In addition to owner eligibility requirements for participation in the Housing Rehabilitation Program, the dwelling must be:

1. Below Section 8 Minimum Housing Quality Standards; and
2. Feasible for rehabilitation.

In order for a house to be considered feasible for rehabilitation, proposed construction must:

- a) Correct all violations of the local housing code and Section 8 standards;
- b) Provide interim controls or abatement for lead-based paint hazards as required by HUD and EPA for structures constructed prior to 1978 that will be assisted by the program. All houses built prior to 1978 will be tested for lead based paint. If lead based paint is found, interim control procedures will be used for all houses rehabilitated at or below \$25,000. Houses above \$25,000 will be rehabilitated using abatement procedures. The occupants will be notified of the hazards of lead-based paint, the symptoms and treatment of lead poisoning, how to avoid poisoning, lead level screening requirements, and appropriate abatement procedures;
- c) Meet applicable local zoning requirements, as well as local, state, and federal housing code requirements for rehabilitation work;
- d) Not exceed the program costs noted in this plan;
- e) Be made reasonably accessible to handicapped/elderly occupants, when the unit is occupied by such; and
- f) substantial improvement of any residential building located within the 100 year flood plain shall have the lowest floor including basement elevated no lower than (1) foot above the base flood elevation (or per local code). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided.

B. Cost Feasibility

As an additional means of guarding against program penalties for substantial reconstruction of a dwelling, the following cost limits are applicable to all rehabilitation areas. These limits are above the allowable CDBG financing limits and assume requirements for owner contributions or leveraging. The limits may be exceeded for rehabilitation costs when alternative funds are available for leveraging but must be specifically approved by the St. Lucie County BOCC as exceeding \$100,000 per single family detached house

8. PROCEDURES

A. Application and Inspection

Each property owner who applies for rehabilitation assistance is initially screened to determine whether he/she is eligible for a 100% Deferred Payment Loan. A preliminary inspection is then conducted to determine feasibility of rehabilitation.

If either the owner or the structure does not meet eligibility requirements for program participation, Housing staff will reject the application. A written rejection notification will be sent to the owner via certified mail and the local government designated representative within ten (10) days stating the reason for rejection.

If both the owner and the house appear to be eligible for program participation, the application/verification process continues. A work write-up with cost estimate is developed by Housing staff and approved by the property owner. The cost estimate for the job is considered confidential information until bid opening.

If special financing arrangements (such as the owner covering excessive costs or general property improvements) are required or anticipated, arrangements must be made prior to bidding to prevent

soliciting bids on a case that cannot be financed. When the case receives preliminary approvals, bids are solicited for the job.

B. Bidding

Bidding of potential cases is conducted by the County in accordance with St. Lucie County Purchasing Manual. No housing unit owner or occupant, or employee or immediate relative of the same, either personally or corporately, shall serve as a contractor or sub-contractor to be paid with CDBG funds for the rehabilitation of said building nor shall they be paid for their own labor with CDBG funds for the rehabilitation of said building.

Request for Contractor Qualifications will be advertised in local newspapers and through the County's Purchasing Department. Selected Contractors will be utilized for all CDBG housing rehabilitation projects. All selected contractors will be notified of available projects to submit bids.

Each contractor must attend a pre-bid conference held at the house to be rehabilitated. Failure to do so will result in automatic rejection of his/her bid(s) for the house(s). The County may waive this requirement.

Sealed bids will be opened at a public bid opening. Housing staff will generally recommend that the contract be awarded to the lowest responsive responsible bidder.

St. Lucie County reserves the right to reject any and all bids and to award in the best interest of the owner and St. Lucie County. No contractor will be allowed to have more than two (2) jobs under construction at one time without consent of the local government designated representative unless:

- 1) The anticipated date of commencement is after the scheduled and estimated date of completion of current jobs; or
- 2) The contractor has demonstrated, through past performance, his/her ability to satisfactorily complete multiple contracts in a timely manner thereby causing no impact on project and program completions.

This rule may be waived by the St. Lucie County BOCC if it is determined that there is an inadequate pool of qualified bidders, if the other bids are excessive, or if other extenuating circumstances arise.

C. Contracting and Rehabilitation

Housing staff presents each case to the St. Lucie County designated representative before the DPL and contract are signed. The DPL amount, contract amount, contractor, and owner eligibility are all approved by the designated representative.

The rehabilitation contract is executed between the homeowner and the contractor when the rehabilitation DPL is closed, with the three (3) day rescission period running simultaneously for both legal agreements. Rehabilitation Agreements (for DPL's) are executed by the designated representative authorized to act on behalf of the St. Lucie County Board of County Commissioners.

The DPL and the Notice of Commencement are recorded immediately. The program pays for recording of the Agreement. The filing of the Notice of Commencement shall be the responsibility of the Contractor.

The Notice to Proceed is issued to the contractor as soon as possible after the rescission period elapses. When temporary relocation of the occupants is required, the Notice to Proceed will be delayed until the house is vacated. The contract time of performance begins with issuance of the Notice to Proceed.

D. Inspections

Periodic inspections of the rehabilitation construction are performed by St. Lucie County throughout the contract period. These inspections are conducted to assure compliance with the contract standards for workmanship and materials, to detect any unauthorized deviations and to identify necessary changes to the contract work in its early stages.

Inspection and approval of completed work must be conducted by Housing staff and the rehabilitation Specialist prior to the contractor's receiving partial or final payment. The owner's acceptance of the work is also required before payment is received.

E. Change Orders

Any additions to, deletions from, or changes in the rehabilitation contract work, time, or price must be approved in a written change order before the additional work is started. The change order is executed by the owner and contractor and is approved by the Program Administrator and the designated representative. Change orders may be issued to correct code deficiencies or to obtain any other desired change in the work. CDBG funds can only be for change orders that correct code violations as documented by the local building official, a bonafide code violation report, or to meet Section 8 housing quality standards found after construction begins. Other changes will be at the owner's expense.

F. Payment

Contracts of \$10,000 or less will not be paid until the contractor has completed the job. Contracts in excess of \$10,000 allow a partial payment upon satisfactory completion of 20%, 20%, 20% and 20% of the work, with a retainage of 20% of the total contract amount paid upon acceptance by the Building Official, homeowner and the St. Lucie Housing Staff. This draw schedule may be adjusted at the discretion of the Housing Manager.

Construction Completion	Payment Schedule	Percentage of Funds Paid
20%	1	20%
40%	2	20%
60%	3	20%
80%	4	20%
100% *	5 (retainage)	20%

*After Certificate of Occupancy is issued and all punch list items are 100% completed.

Approval of a partial payment requires:

1. A determination by Housing staff and the designated representative that the claimed percentage of completion of the work has been satisfactorily completed. Payment will be issued

for the amount claimed depending on the physical progress as long as the contract funds remaining are sufficient to complete the work in the event of default by the contractor;

2. Approval of the work by the owner; and
3. An affidavit from the contractor stating that either:
 - (a) there are no claims for unpaid goods and/or services connected with the job and all laborers, suppliers and subcontractors have received just compensation for their goods and services up to the date of the request (as evidenced by full or partial waiver of lien from subcontractors); or
 - (b) A list of all unpaid parties and the amounts owed to each has been submitted with the request.

The final payment approval requires:

1. Acceptance of all work by the property owner, and Housing staff;
2. Submission of all manufacturers' and other warranties (i.e., appliances, roofing, extermination, contractor's warranty covering the entire job for one year, etc.);
3. Waivers of liens from all subcontractors, all parties who were not paid when the contractor received partial payment, and from any other party supplying notice;
4. A certificate of occupancy or final approval from the Building Inspector to show compliance of the rehabilitation work with the locally adopted building (and other applicable) code requirements;
5. Completion of all punch list items; and
6. An affidavit from the contractor stating that all bills have been paid and there are no claims for subcontracted jobs or materials, or any outstanding Notice to Owner.

If the owner refuses to authorize payment due to a dispute with the contractor, the Program Administrator may recommend disbursement without the owner's approval if the claim is shown to be without merit or inconsistent with policies and the goal of the program. Such disbursement shall be issued only after the Program Administrator has reviewed the facts and circumstances involved in the dispute and has determined that the owner's refusal to issue payment is without just cause. An appeal of the local determination/decision made by the St. Lucie County BOCC should be filed with the Department of Economic Opportunity, as set forth in the St. Lucie County policies and procedures. Sufficient documentation to this effect shall be placed in the case file.

G. Disputes and Contract Termination

Disputes, the owner's right to stop work, and termination of the contract by the owner or contractor shall be as authorized in the Contract for Rehabilitation.

H. Follow-Up

After completion of the contract, it is the owner's responsibility to notify the contractor in writing of any defect in the work or material. The owner is also requested to notify the Housing Rehabilitation Specialist or the Program Administrator of any complaints to the contractor so assistance in follow-up can be provided. If the contractor does not respond to the owner's written complaint within a reasonable time frame and in a satisfactory manner, the Administrator will verify the complaint. If the Program Administrator judges the complaint to be valid, he/she will send written request for warranty service to the contractor and a copy to the designated representative. The contractor will then take action as monitored by the owner and the Housing Rehabilitation Specialist. Upon receiving notice from the owner that the complaint has been satisfied, the Housing Rehabilitation Specialist will inspect the work and

make such note in the case file. Failure to resolve complaints shall be justification for removing a contractor from participation with the program.

9. CLEARANCE/PERMANENT RELOCATION/DEMOLITION RELOCATION

A. General

Permanent Relocation and/or Demolition Relocation are synonymous terms used in the rehabilitation program when a home is unsound and not suitable for rehabilitation based on the structural integrity criteria. Homeowner eligibility requirements are the same as for rehabilitation. Further policies are included in the local Anti-displacement and Relocation Policy.

B. Clearance

Requirements are identified by the Housing Rehabilitation Specialist and are included in the replacement unit bid package. In this way, the same contractor is responsible for site cleanup and preparation as for provision of the replacement unit. Disposal of debris and associated activities are also included if this method is utilized. When demolition or clearance is conducted separately, bid packages are prepared with procedures following those identified for rehabilitation in this manual.

C. Permanent Relocation/Demolition Relocation

This activity involves replacement of an eligible owner occupied unit that is beyond economic repair. The St. Lucie County BOCC will decide with the Housing Rehabilitation Specialist on a case-by-case basis whether to utilize a slab "site built" replacement unit, a prefabricated unit, or a modular home. Decision items will include budget, zoning, replacement requirements, cost estimates, and a number of other items that may vary case-by-case.

Once the decision is made, the Housing Rehabilitation Specialist prepares bid specifications based on owner input from review of available plans from the contractors. Bidding contracting and inspections then proceed as in the rehabilitation process.

D. Differences

1. No partial payment is provided for modular replacement units, as the time frame to complete the transaction is relatively brief. The contractor is paid in full upon satisfactory completion of work and providing of warranties. Partial payments are utilized for site built homes along the same lines as for rehabilitation work.
2. Program disbursements are made from the local CDBG operating account. As a result, attention must be paid to the ordering and receipt of funds, to ensure that disbursements are made in a timely manner and that the federal three-day rule is not violated.
3. Cost feasibility limits are based on number of bedrooms to be provided for site built homes. These limits that may not be exceeded without approval from the St. Lucie County Board of County Commissioners are:

- (a) Four or more bedrooms - \$155,000
- (b) Three bedrooms - \$145,000
- (c) Two bedrooms - \$135,000

In the case of replacement of existing mobile/manufactured homes, the limit will be based upon the acceptable bid price of a replacement home of comparable size. If the existing home is inadequately sized, the replacement home will be sized to include the appropriate bedrooms needed to meet Section 8 and/or local housing code requirements for occupancy. In no case will the total assistance be greater than those limits listed above.

Necessary site improvements, including water supply, sewage disposal, and clearance, will also be provided along with the actual dwelling replacement.

Budgetary and scoring constraints, as well as priorities for assisting other households, may dictate that some homeowners will be offered less than the maximum amounts shown hereto, even if their demolition and replacement housing costs are above the offered amount. In these cases, homeowners must provide non-CDBG funds from other sources, or they may decline the offer and withdraw from the program. If the offer is declined, no CDBG funded demolition will occur.

10. CONTRACTOR LISTING

The Housing Rehabilitation Program will establish and maintain a current listing of eligible contractors for bidding on all phases of the program. Only those contractors who are so listed will be considered for work on this program. Establishment of this list will include maximum effort to utilize local and minority contractors.

A. Recruiting

Contractors residing or maintaining offices in the local area will be recruited through public notice to all such contractors, as part of the local government's compliance with Federal Section 3 requirements. This special effort will be based upon the list of contractors licensed in the jurisdiction including residential, building and general contractors. Letters sent to contractors, or advertisements placed soliciting them, will be placed in the appropriate program file.

The contractor listing will include all local contractors who apply and are determined eligible based upon program qualification standards.

If the pool of local contractors is inadequate to provide a sufficient pool of contractors willing and qualified to perform the rehabilitation work at prices that are considered reasonable and comparable to the prepared estimate, other contractors will be solicited. Maintenance of a pool of competitive, qualified, and capable contractors is essential to program completion.

The existing purchasing policy of St. Lucie County will be used to determine eligibility of the contractors.

B. Contractor Eligibility

In order to participate in the Housing Rehabilitation Program, a contractor must be certified as eligible by the Administrator of Housing Rehabilitation.

Basic contractor qualifications include:

1. Currently licensed by the State of Florida Department of Business and Professional Regulation.
2. A satisfactory record regarding complaints filed against the contractor at the state, federal or local level;
3. Insurance meeting Type "A" requirements as established by the St. Lucie County Risk Management division including: Contractor's Public Liability Insurance in an amount not less than \$1,000,000 aggregate coverage. A certificate evidencing Worker's Compensation insurance in statutory limits in accordance with Florida law. A certificate evidencing Auto Insurance including bodily injury in an amount not less than \$1,000,000 per accident and in the aggregate. A certificate evidencing General Liability insurance covering bodily injury, including death and property damage, in an amount not less than \$1,000,000 combined single limit per occurrence. Copies of certificates shall be provided to the County. The Contractor shall provide the County with a certificate of insurance from the insurer guaranteeing ten (10) day notice to the Housing Rehabilitation Program before discontinuing coverage.
4. A satisfactory credit record, including:
 - (a) References from two (2) suppliers who have done business with the contractor involving credit purchases; and
 - (b) References from three (3) subcontractors who have subcontracted with the contractor; and
 - (c) The ability to finance rehabilitation contract work so all bills are paid before requesting final payment;
4. Satisfactory references from at least three (3) parties for whom the contractor has done construction;
5. Absence from any list of debarred contractors issued by the Federal or State DOL, HUD or DEO.

The Housing Rehabilitation Specialist will assure that current and past performance of the contractor are satisfactory based upon readily available information and reserves the right to check any reliable source in establishing such determination.

The Housing Rehabilitation Specialist will explain the contractor's obligations under Federal Equal Opportunity regulations and other contractual obligations at the pre-bid conference. Program procedures, such as bidding and payment, are also explained to the contractor.

C. Disqualification

Contractors may be prohibited or removed from program participation for:

1. Poor workmanship or use of inferior materials;
2. evidence of bidding irregularities such as low balling, bid rigging, collusion, kickbacks, and any other unethical practice;
3. Failure to abide by the work write-up, failure to complete work write-up (and bid) accomplishments, and any attempts to avoid specific tasks in attempts to reduce costs;
4. Failure to pay creditors, suppliers, laborers or subcontractors promptly and completely and by falsely submitting Lien waivers for to unpaid parties.
5. Disregarding contractual obligations or program procedures;
6. Loss of license(s), insurance or bonding;

7. Lack of reasonable cooperation with owners, rehabilitation staff or the others involved in the work;
8. Abandonment of a job;
9. Failure to complete work in a timely manner;
10. Inability or failure to direct the work in a competent and independent manner;
11. Failure to honor warranties;
12. Ineligibility to enter into federally or state assisted contracts as determined by the U.S. Secretary of Labor, HUD or DEO;
13. Other just cause that would expose the Program or owner to unacceptable risk;
14. Failure to respond to consecutive requests for bids; or at the contractor's request.

11. RELOCATION/DISPLACEMENT

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 does not apply to displacement under the St. Lucie County Community Development Program since St. Lucie County does not acquire the vacated (demolished or rehabilitated) property and residents participate voluntarily. Therefore, relocation services will be provided in the St. Lucie County Anti-Displacement and Relocation Policy which covers specific situations in great detail.

Household/property owners previously approved for proposed housing assistance may voluntarily withdraw their application for assistance, which must be confirmed in writing. If the Administrator determines the applicant to be ineligible for assistance, the Administrator shall send written notification to the applicant, stating that the application has been rejected and the reason for the rejection.

12. APPEALS/COMPLAINTS

The Housing Rehabilitation Specialist, the designated representative and the Program Administrator are authorized by St. Lucie County to make all determinations of eligibility for assistance and level of assistance, scheduling of rehabilitation, demolition and relocation, and contract management. Citizens and/or contractors should issue complaints to the Housing Rehabilitation Specialist or the Program Administrator. For a complaint to be considered valid, it must be issued in writing within a period of 45 days of its occurrence. Responses also should be issued in writing. St. Lucie County shall notify DEO upon receipt of the original complaint.

If the complainant is not satisfied with the Program Administrator's response, the issue must be presented in writing to the County Manager or his designee in accordance with the Complaint Procedures set forth in St. Lucie County's CDBG Complaint and Grievance Procedures. If the complaint cannot be resolved by the County Manager or his designee, he or his designee will notify the Chair of the Community Advisory Task Force who will make a recommendation to the County Manager's office within 10 days. Any appeals will be made according to the St. Lucie County CDBG Complaint and Grievance Procedures. Further appeals, if necessary, must be addressed to the Florida Department of Economic Opportunity.

13. PROGRAM INCOME

No program income is planned to result from this program. Deferred Payment Loans will be monitored by the Housing Rehabilitation Specialist during the CDBG period of agreement. After the expiration of the agreement between St. Lucie County and the State, the monitoring will be performed by the designated representative.

If repayment of a DPL or program income is received during the CDBG agreement period, it will be used for additional rehabilitation as authorized by the Department of Economic Opportunity. Program income or DPL payment received subsequent to closeout will be returned to the Department of Economic Opportunity unless the state's program income regulations are changed.

14. PROPERTY ACQUISITION POLICY

A. Voluntary

St. Lucie County may purchase property with Community Development Block Grant funds for use in the Community Development Program. While most property acquisition must follow the procedures outlined in the Uniform Relocation and Real Property Acquisition Act, residential property to be used for relocation purposes shall be purchased on a voluntary basis.

The County shall determine the property features needed and the budget available for the purchase defined in the contract agreement. A request for proposals will then be published in a local newspaper. The request will state the specifications and budget and indicate that the purchase is voluntary.

No displacement of renters may occur as a result of the program. Owners will not receive any relocation assistance, so owner-occupants must waive the Uniform Act Rights.

A voluntary acquisition occurs when real property is acquired from an owner who has submitted a proposal to the recipient for purchase of their property in response to a public invitation or solicitation of offers. The St. Lucie County BOCC is committed to this mode of acquisition to the maximum practicable extent.

Voluntary acquisition shall be permitted only if the property being acquired is not site specific and at least two properties in the community meet the criteria established by the local government for usage, location, and/or interest to be acquired. The St. Lucie County BOCC, prior to publication of a public notice or attendance of any local government representative at a property auction, must approve all voluntary acquisitions in principle.

A public notice must be published inviting offers from property owners. This notice must:

1. Accurately describe the type, size and approximate location of the property it wishes to acquire;
2. Describe the purpose of the purchase;
3. Specify all terms and conditions of sale, including maximum price;
4. Indicate whether or not an owner-occupant must waive relocation benefits as a condition of sale;
5. Announce a time and place for offers to be accepted; and
6. Announce that local powers of condemnation shall not be invoked to acquire any property offered for which a mutually agreed to sale price cannot be reached.

Property may also be acquired at auction. The Uniform Relocation Act does not apply to voluntary acquisitions.

In each voluntary acquisition, a public solicitation shall occur. Offers shall be sealed and opened at the same time, in the same place, by a responsible official. Records of offers shall be kept. Appraisals are not required for purchases less than \$2,500 if a mutually agreed to sales price can be reached. Clear title must be present in every transaction. The St. Lucie County BOCC must decide at the time of approving

the acquisition whether or not appraisals and review appraisals will be necessary and what the maximum permissible sales price will be. The decision to acquire will rest with the St. Lucie County BOCC which can reject or accept any and all offers. Written records shall be maintained documenting decisions and rationale for selected courses of action.

B. Non-Voluntary Acquisition Plan

Acquisition of property (including easements and right-of-way) using federal funds shall occur in accordance with the Uniform Relocation Act of 1970 (as amended) and with any State and Federal regulations that may apply.

Fundamental steps that occur in each purchase may vary case by case. However, in general terms, the following should take place: (1) source of funds and authority to acquire confirmed, (2) property/site identified and suitable, (3) legal description/survey/preliminary title search performed (services procured as necessary), (4) notice of intent to acquire sent owner, (5) appraisal and review appraisal services solicited and appraiser retained, (6) appraisal received and sent for review, (7) title companies solicited and retained after review received (title insurance amount and necessity determined in advance), (8) offer to purchase and notice of just compensation sent owner, (9) owner contacted by attorney or other representative and contract formalized, (10) settlement costs calculated and closing date set, (11) closing conducted with funds changing hands and, (12) records of proceedings retained.

The Uniform Relocation Act requires certain specific procedures such as some letters being sent certified. The CDBG Implementation manual provides a checklist that may be utilized in following each transaction to successful conclusion. In no case will CDBG funds be utilized which would create involuntary displacement. See St. Lucie County separate policy on this subject.

C. Timing/Planning

Properties necessary for easements or acquisition shall be identified as early in the planning stage as is practicable. Every attempt shall be made to effect a design that is not wholly site dependent, that is, where two or more sites are suitable for the project. It is recognized this may not always be possible. However, a policy of minimizing single site alternatives is emphasized.

In general terms, the voluntary acquisition process shall be utilized to identify possible sites early in the project. Sites shall be evaluated for suitability prior to the final design phase to the maximum practicable extent. As soon as alternative sites are identified and evaluated, applicable acquisition procedures should commence.

Projects shall not normally be sent out for bids unless properties to be acquired or utilized for easements have been formally acquired or a commitment exists which is sufficiently firm and binding to be considered safe for the project to proceed with startup. The St. Lucie County BOCC shall make the determination as to whether or not bidding, award and start up may proceed to closing on the property.

In those cases where need for easements and/or acquisition is not identified until after the project is underway, procedures shall be expedited to the maximum practicable extent and utilization of funds, the value of which would be unrecoverable if the transaction did not occur.

15. ADMINISTRATIVE CLOSEOUT

A. Beneficiary Data Collection

The following data will be provided by housing unit and summarized by activity as part of the administrative closeout for each activity providing direct benefit (i.e., housing rehabilitation, temporary relocation, hookup, etc.):

- Address of each housing unit rehabilitated with CDBG funds, the date the construction was completed on the housing unit, and the amount of CDBG funds spent on that housing unit;
- Whether the household includes handicapped persons or family members;
- The LMI, LI, or VLI status of the household;
- The gender of the head of household; and
- The racial demographics of the head of household by number (White, African America, Asian, American Indian or Alaskan Native, Native Hawaiian/Pacific Islander, American Indian/Alaskan Native and African American, Asian and White, African America/Alaskan Native and White, African American and White, and Other Multi-Racial.)

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APPENDIX A

Applicants will be ranked giving first priority to households qualifying as Special Needs households. These applicants will further be ranked with priority given to very-low income, then low, then moderate. After serving enough Special Needs households to meet set-asides, all applicants deemed eligible will be considered equally with priority given to very-low, then low, then moderate income groups.

Ranking Priority:

1. Special Needs Households

- a. Very low
- b. Low
- c. Moderate

2. After Special Needs Set-asides

- a. Very Low
- b. Low
- c. Moderate

DRAFT

RESOLUTION NO. 19-067

**A RESOLUTION AMENDING THE ST. LUCIE COUNTY
HOUSING ASSISTANCE PLAN FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, on October 2, 2012, St. Lucie County adopted the St. Lucie County Community Development Block Grant (CDBG) Local Housing Assistance Plan; and,

WHEREAS, it is the intent of the County, to the greatest extent feasible, to provide as much flexibility as possible in the administration of the CDBG Housing Program so that improvements to the housing standards for the very low and low-to-moderate income residents of the County may be achieved through the use of CDBG and other County Housing programs; and,

WHEREAS, the County has determined that certain amendments to the St. Lucie County CDBG Local Housing Assistance Plan will better serve the residents of the County in meeting the goals of the CDBG Housing Program; and,

WHEREAS, the County has discussed the amendments with the Florida Department of Economic Opportunity to ensure that the language changes comply with the CDBG Housing Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, St. Lucie County, Florida, as follows:

- A. Amendment V to the St. Lucie County CDBG Local Housing Assistance Plan for the CDBG Program, a copy of which is attached hereto and incorporated herein as Exhibit "A", is hereby adopted.
- B. The County Administrator and/or designee is hereby directed to coordinate the implementation of said amendments.

This resolution shall become effective immediately upon adoption.

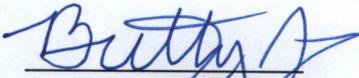
After motion and second, the vote on this resolution was as follows:

Chair Linda Bartz	AYE
Vice Chair Cathy Townsend	AYE
Commissioner Chris Dzadovsky	AYE
Commissioner Sean Mitchell	AYE
Commissioner Frannie Hutchinson	AYE

PASSED AND DULY ADOPTED this 16TH day of April, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA


DEPUTY CLERK

BY: 
CHAIR



APPROVED AS TO FORM AND
CORRECTNESS:


COUNTY ATTORNEY

DRAFT

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

March 25, 2019

The Honorable Christopher Dzadovsky
Chairman, St. Lucie County Board of County Commissioners
2300 Virginia Avenue
Fort Pierce, Florida 34982

Re: Housing Assistance Plan Update Acceptance Letter
Small Cities Community Development Block Grant (CDBG) Program
Contract Number: 18DB-OM-10-66-01-H01

Dear Chairman Dzadovsky:

The Department of Economic Opportunity (DEO) has conducted a review of the updated Housing Assistance Plan (HAP), adopted by the County on February 15, 2019, and submitted to DEO for review and acceptance on March 25, 2019. The review indicates that the HAP appears to comply with program requirements and is accepted.

Please be aware that DEO's acceptance of the HAP does not relieve your jurisdiction of its obligation to administer the grant according to federal and state administrative rules and regulations, and sound management practices.

Please contact Ronondo Parker at Ronondo.Parker@deo.myflorida.com or call (850) 717-8409 if there are any questions related to this letter.

Sincerely,

A handwritten signature in cursive script that reads "Sherri Martin".

Sherri Martin, Bureau Chief
Bureau of Small Cities and Rural Communities

SM/rp

cc: Mr. Howard Tipton, County Administrator, St. Lucie County
✓ Ms. Diana Wesloski, Housing Manager, St. Lucie County

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

DRAFT

**St. Lucie County
Florida Small Cities Community Development Block Grant
Housing Rehabilitation FFY 2019 Application for Funding**

Part 9

Supporting Documentation

Appendix Q

**Local Government Minority Contracting and
Fair Housing Score Documentation**

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Florida Small Cities Community Development Block Grant
Housing Rehabilitation FFY 2019 Application for Funding**

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**Local Government Minority Contracting and
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Local Government Minority Contracting

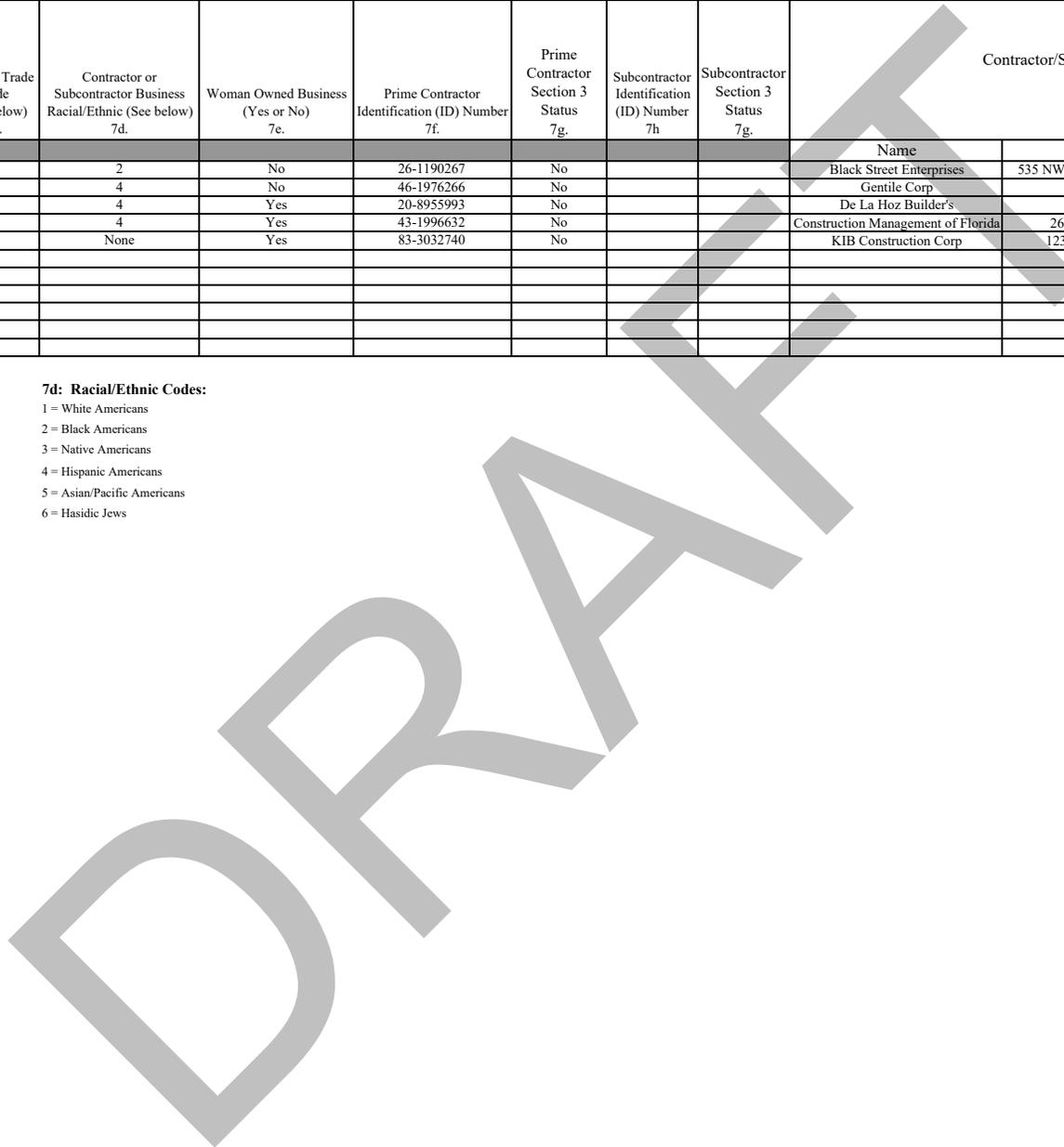
1. St. Lucie County/H2307				2.10/1/2019 through 4/1/2020									
Grant/Project Number 7a.	Amount of Contract or Subcontact 7b.	Type of Trade Code (See below) 7c.	Contractor or Subcontractor Business Racial/Ethnic (See below) 7d.	Woman Owned Business (Yes or No) 7e.	Prime Contractor Identification (ID) Number 7f.	Prime Contractor Section 3 Status 7g.	Subcontractor Identification (ID) Number 7h.	Subcontractor Section 3 Status 7g.	Contractor/Subcontractor Name and Address 7j.				
									Name	Street	City	State	Zip
15DB-OJ-10-66-01-H 01	\$349,097	1	2	No	26-1190267	No			Black Street Enterprises	535 NW Mercantile Place, Unit 107	Port Saint Lucie	FL	34986
15DB-OJ-10-66-01-H 01	\$196,165.00	1	4	No	46-1976266	No			Gentile Corp	3160 Turtle Cove	West Palm Beach	FL	33411
15DB-OJ-10-66-01-H 01	\$110,530.00	1	4	Yes	20-8955993	No			De La Hoz Builders	258 Del Monte Rd	Sebastian	FL	32958
15DB-OJ-10-66-01-H 01	\$179,353.73	1	4	Yes	43-1996632	No			Construction Management of Florida	2655 49th Street Suite 1	Vero Beach	FL	32967
15DB-OJ-10-66-01-H 01	\$32,035.00	1	None	Yes	83-3032740	No			KIB Construction Corp	1232 SW ABACUS AVE	Port Saint Lucie	FL	34953

7c. CPD Type of Trade Code

- 1 = New Construction
- 2 = Education/Training
- 3 = Other (professional etc.)

7d: Racial/Ethnic Codes:

- 1 = White Americans
- 2 = Black Americans
- 3 = Native Americans
- 4 = Hispanic Americans
- 5 = Asian/Pacific Americans
- 6 = Hasidic Jews



**St. Lucie County
Florida Small Cities Community Development Block Grant
Housing Rehabilitation FFY 2019 Application for Funding**

Part 9

Supporting Documentation

Appendix Q

**Local Government Minority Contracting and
Fair Housing Score Documentation**

Fair Housing Score Documentation

**Fair Housing Workshop documentation to be inserted
into the Final Application.**

1160506

ORDINANCE NO. 92-06
(Formerly No. 91-28)

Pre-Fee	\$ 60.00	DOUGLAS DIXON
Assump	\$	St. Lucie County
Doc Tax	\$	Clerk Circuit Court
Inf Tax	\$	By: <i>[Signature]</i>
Total	\$ 60.00	Deputy Clerk

AN ORDINANCE AMENDING THE ST. LUCIE COUNTY CODE OF ORDINANCES AND COMPILED LAWS BY AMENDING CHAPTER 1-10.5 ("HOUSING") TO CREATE ARTICLE III ("FAIR HOUSING"); PROVIDING FOR A DECLARATION OF POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, HANDICAP, FAMILIAL STATUS, OR RELIGION; PROVIDING DEFINITIONS; DESIGNATING DISCRIMINATORY HOUSING PRACTICES IN THE SALE OR RENTAL OF HOUSING, IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO HOUSING; PROVIDING FOR CERTAIN EXEMPTIONS AND EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR; AUTHORIZING THE PROMULGATION OF COMPLAINT FORMS; MAKING PROVISION FOR THE FILING OF COMPLAINTS, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES, AND INFORMATION; PROVIDING FOR A PENALTY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND PROVIDING FOR ADOPTION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. It is in the best interest of the economic and social development of St. Lucie County to provide the opportunity for each person to obtain housing of that person's choice in St. Lucie County, without regard to race, color, national origin, sex, handicap, familial status, or religion.

2. The State of Florida and the United States of America have enacted Sections 760.20 - 760.37, Florida Statutes and 42 U.S.C. Sections 3604 - 3614a, respectively, to prohibit housing

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discrimination based on race, color, national origin, sex, handicap, familial status, or religion. This legislation also provides procedures to process complaints of housing discrimination at the state and federal level.

4. The enactment of a St. Lucie County Fair Housing Ordinance to prohibit housing discrimination will augment the state and federal legislation to provide the citizens of St. Lucie County with a procedure for processing complaints of such housing discrimination at the local level.

5. In order to enact a St. Lucie County Fair Housing Ordinance it is necessary to amend to St. Lucie County Code of Ordinances and Compiled Laws.

6. On January 8, 1992, the Local Planning Agency/St. Lucie County Planning and Zoning Commission held a public hearing on the proposed ordinance after duly publishing notice in The Fort Pierce Tribune and The Port St. Lucie News, newspapers of general circulation within St. Lucie County, and made its recommendations to this Board.

7. On January 9, 1992, this Board held its first public hearing on the proposed ordinance, after duly publishing a notice of such hearing in The Fort Pierce Tribune and The Port St. Lucie News.

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8. On January, 1992, this Board held its second public hearing on the proposed ordinance, after duly publishing a notice of such hearing in The Fort Pierce Tribune and The Port St. Lucie News.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

PART A. CREATION OF ARTICLE III (FAIR HOUSING) OF CHAPTER 1-10.5 (HOUSING) OF THE ST. LUCIE COUNTY CODE OF ORDINANCES AND COMPILED LAWS.

Article III (Fair Housing) of Chapter 1-10.5 of the St. Lucie County Code of Ordinances and Compiled Laws is hereby created to read as follows:

ARTICLE III. FAIR HOUSING

Sec. 1-10.5-25. Declaration of policy.

It is hereby declared to be the policy of the Board of County Commissioners of St. Lucie County, in keeping with the laws of the United States of America and the laws and Constitution of the State of Florida, to promote through fair, orderly and lawful procedure the opportunity for each person so desiring to obtain housing of such person's choice in St. Lucie County, without regard to race, color, national origin, sex, handicap, familial status, or religion and, to that end, to prohibit discrimination in housing by any person.

Sec. 1-10.5-26. Definitions.

For the purposes of this article, the following definitions shall apply:

Administrator means the St. Lucie County Administrator or his designee.

Board means the St. Lucie County Board of County Commissioners.

Discriminatory housing practice means an act which is unlawful under Sections 1-10.5-27 through 1-10.5-29 hereof.

Familial status is attained when one or more individuals who have not attained the age of eighteen (18) years are domiciled with

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a parent or other person having legal custody of such person(s) or a designee of a parent or other person having legal custody, with the written permission of such parent or other such person.

Family means one or more natural persons living together as a single house keeping unit in a residential dwelling.

Handicap means a person who has a physical or mental impairment which substantially limits one or more major life activities, or has a record of having, or is regarded as having, such mental or physical impairment.

Housing for older persons means housing:

1. Provided under any state or federal program that the Administrator determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program;
2. Intended for, and solely occupied by, persons sixty two (62) years of age or older; or
3. Intended and operated for occupancy by at least one (1) person fifty five (55) years of age or older per unit. In determining whether housing qualifies as housing for older persons under this subparagraph, the Administrator shall consider at least the following factors:
 - a. The existence of significant facilities and services specifically designed to meet the physical or social needs of older persons, or if providing such facilities and services is not practicable, such housing is necessary to provide important housing opportunities for older persons; and
 - b. At least 80 percent of the units are occupied by at least one person 55 years of age or older per unit; and
 - c. The publication and adherence to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.
4. Housing shall not fail to be considered housing for older persons if:
 - a. A person who resides in such housing on or after October 1, 1989, does not meet the age requirements of this subsection, provided that any new occupant meets such age requirements; or

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- b. One or more units are unoccupied, provided that any unoccupied units are reserved for occupancy by persons who meet the age requirements of this subsection.

Lending institution means any bank, insurance company, savings and loan association or any other person or organization whose business consists, in whole or part, of making commercial real estate loans.

Owner means any person, including but not limited to a lessee, sublease, assignee, manager, or agent, having the right of ownership or possession or the authority to sell or lease any residential dwelling.

Person means one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mortgage companies, joint stock companies, trusts, unincorporated organizations, public corporations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

Real estate broker or salesman means a person, whether licensed or not, who for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself or herself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication, or a person employed by or acting on behalf of any of these.

Rent means lease, sublease, assignment or rental, including any contract to do any of the foregoing, or otherwise granting for consideration the right to occupy premises that are not owned by the occupant.

Residential dwelling means any building, structure, or portion thereof, mobile home or trailer, or other facility which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof, mobile home or trailer or other facility.

Residential real estate transaction means the making or purchasing of loans or providing other financial assistance for purchasing, construction, or maintaining a residential dwelling or secured by residential real estate or the selling, brokering, or appraising of residential real property.

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Respondent means any person against whom a complaint is filed pursuant to this article.

Sale means any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to, or a beneficial interest in real property.

Sec. 1-10.5-27. Discriminatory housing practices.

Except as provided in section 1-10.5-30 hereof, it shall be unlawful and a discriminatory housing practice:

- (a) To refuse to sell or rent after the making of a bona fide offer or, to refuse to negotiate for the sale of rental of, or otherwise to make unavailable or deny a residential dwelling to any person because of race, color, national origin, sex, handicap, familial status, or religion.
- (b) To discriminate against any person in the terms, conditions or privileges of sale or rental of a residential dwelling, or in the furnishing of facilities or services in connection therewith, because of race, color, national origin, sex, handicap, familial status, or religion.
- (c) To make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a residential dwelling that indicates any preference, limitation, or discrimination because of race, color, national origin, sex, handicap, familial status, or religion or an intention to make such preference, limitation, or discrimination.
- (d) To represent to any person that a residential dwelling is not available for inspection, sale, rental, or lease when in fact it is so available to persons who are financially qualified, or to fail to bring a property listing to such person's attention, or to refuse to permit him or her to inspect the residential dwelling because of race, color, national origin, sex, handicap, familial status, or religion.
- (e) For profit, to induce or attempt to induce any person to sell or rent any residential dwelling by a representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race,

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color, national origin, sex, handicap, familial status, or religion.

Sec. 1-10.5-28. Discrimination in the financing of housing.

- (a) It shall be unlawful and a discriminatory housing practice for any lending institution, as defined herein, to deny a loan or other financial assistance to a person applying for the loan for the purpose of purchasing, constructing, improving, repairing, or maintaining a residential dwelling, or to discriminate against him or her in the fixing of the amount, interest rate, duration, or other term or condition of such loan or other financial assistance, because of the race, color, national origin, sex, handicap, familial status, or religion of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or because of the race, color, national origin, sex, handicap, familial status, or religion of the present or prospective owners, lessees, tenants, or occupants of the residential dwelling or residential dwellings in relation to which such loan or other financial assistance is to be made or given.
- (b) It shall be unlawful and a discriminatory housing practice for any person or entity whose business includes engaging in residential real estate transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, national origin, sex, handicap, familial status, or religion.

Sec. 1-10.5-29. Discrimination in the provision of brokerage services.

It shall be unlawful and a discriminatory housing practice to deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting residential dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, national origin, sex, handicap, familial status or religion.

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Sec. 1-10.5-30. Exemptions.

- (a) Nothing contained in this article shall apply to:
- (1) Any single-family house sold or rented by an owner, provided that such private individual owner does not own more than three (3) such single-family houses at any one time. In the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four (24) month period. In addition, the bona fide private individual owner shall not own any interest in, nor shall there be owned or reserved on such owner's behalf, under any express or voluntary agreement, title to or any rights to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any single family house shall be exempted from the application of this article only if the house is sold or rented:
- a. Without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesperson, or such facilities or services of any person in the business of selling or renting a residential dwelling, or of any employee or agency of any such broker, agent, salesperson, or person but this shall not prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title; and
- b. Without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of this article.

For the purpose of this subsection a person shall be deemed to be in the business of selling or renting residential dwellings if:

- a. He has, within the preceding twelve (12) months, participated as principal, other than in the sale of his own personal residence, in providing sales

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or rental facilities or sales or rental services in three (3) or more transactions involving the sale or rental of any residential dwelling or any interest therein; or

b. He has, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any residential dwelling or any interest therein; or

c. He is the owner of any residential dwelling designed or intended for occupancy by, or occupied by, five (5) or more families.

(2) Rooms or units containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other, if the owner actually maintains and occupies one (1) of such living quarters as such owner's residence.

(3) A religious organization, association, or society, or any nonprofit charitable or educational institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, in advertising the sale, rental or occupancy of a residential dwelling which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons.

(4) A private club, not in fact open to the public, which as an incident to its primary purpose or purposes provides lodging which it owns or operates for other than a commercial purpose, in limiting the rental or occupancy of such lodging to its members or from giving preference to its members.

(b) Any provision of this article regarding familial status does not apply with respect to housing for older persons as defined herein.

(c) Nothing in this article:

1. Prohibits a person engaged in the business of furnishing appraisals of real property from taking

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into consideration factors other than race, color, national origin, sex, handicap, familial status, or religion.

2. Limits the applicability of any reasonable restriction regarding the maximum number of occupants permitted to occupy a residential dwelling.
3. Requires that a residential dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
4. Prohibits conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined under Chapter 893, Florida Statutes.

Sec. 1-10.5-31. Administrator - authority and responsibilities.

(a) The authority and responsibility for administering this article shall be vested in the Administrator.

(b) The Administrator shall:

- (1) Receive written complaints as hereinafter provided relative to alleged unlawful acts under this article.
- (2) Upon receiving a written complaint, he shall refer the matter to the appropriate state or federal authorities for legal action.
- (3) Establish, administer or review programs at the request of the Board and make reports on such programs to the Board.
- (4) Bring to the attention of the Board items that may require the Board's notice or action to resolve.
- (5) Cooperate with federal, state, local, and other public and private agencies, organizations and institutions which are formulating or carrying on programs to prevent or eliminate the unlawful discriminatory practices covered by the provisions of this article.

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Sec. 1-10.5-32. Complaints.

(a) A person who claims that another person has committed a discriminatory housing practice against him may report that offense to the Administrator by filing a complaint.

(b) A complaint must be in writing, verified or affirmed, on a form to be supplied by the Administrator and shall contain the following:

- (1) Identity of the respondent;
- (2) Date of the offense and date of filing the complaint;
- (3) General statements of facts of the offense including the basis of the discrimination (race, color, national origin, religion, sex, familial status, or handicap) and, if applicable, the location of the dwelling involved;
- (4) Name, address and signature of the complainant.

(c) Each complaint shall be held in confidence by the Administrator unless and until the complainant and the respondent(s) consent in writing that it shall be public.

Sec. 1-10.5-33. Additional remedies.

The procedures prescribed by this article do not constitute an administrative prerequisite to another action or remedy available under other law. Further, nothing in this article shall be deemed to modify, impair or otherwise affect any right or remedy conferred by the Constitution or laws of the United States or the State of Florida, and the provisions of this article shall be in addition to those provided by such other laws.

Sec. 1-10.5-34. Education and public information.

The Administrator may conduct educational and public informational activities that are designed to promote the policy of this article.

Sec. 1-10.5-35. Penalty.

Any person who violates any provisions of this article shall be subject, upon conviction, to the appropriate state or federal penalty.

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PART B. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART C. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

PART D. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout unincorporated St. Lucie County.

PART E. FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to send a certified copy of the ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART F. EFFECTIVE DATE.

This ordinance shall take effect on February 1, 1992.

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PART G. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Chairman Jim Minix	AYE
Vice Chairman Jack Krieger	ABSENT
Commissioner Judy Culpepper	AYE
Commissioner Havert L. Fenn	AYE
Commissioner R. Dale Trefelner	AYE

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PART H. CODIFICATION.

FILED AND RECORDED
DOUGLAS DIXON CLERK
ST. LUCIE COUNTY, FL

Provisions of this ordinance shall be incorporated in the County code and the word "ordinance" may be changed to "section", "article" or other word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that parts B to H shall not be codified.

PASSED AND DULY ADOPTED THIS 23rd day of January, 1992.

ATTEST:

[Signature]
DEPUTY CLERK

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

[Signature]
CHAIRMAN

**APPROVED AS TO FORM AND
CORRECTNESS:**

[Signature]
COUNTY ATTORNEY

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