

**9. CONSENT AGENDA**

- a. Approval of an Interlocal Agreement between the City of Sanibel and Lee County for Community Development Block Grant (CDBG) in the amount of \$43,260 for identifying single-family/multi-family housing repair and mitigation activities and authorize the City manager to execute same

**INTERLOCAL COOPERATION AGREEMENT**

**THIS INTERLOCAL COOPERATION AGREEMENT**, entered into this \_\_\_\_\_ day of \_\_\_\_\_ by and between LEE COUNTY, a political subdivision of the State of Florida through its governing body, the Board of County Commissioners (hereinafter referred to as the “County”); and City of Sanibel, Florida, a municipal corporation of the State of Florida (hereinafter referred to as the (“City”).

**WITNESSETH**

**WHEREAS**, the State of Florida Department of Community Affairs has made provision whereby counties may enter into cooperation agreements with certain units of government to carry out activities which will be funded from the Department of Housing and Urban Development, Community Development Block Grant (CDBG) funds. These funds are being provided to the State of Florida due to the destruction of the 2005 hurricanes and in accordance with Federal Register, Volume 71, No. 209; and

**WHEREAS**, the City of Sanibel will be responsible for the identifying single-family/multi-family housing repair and mitigation activities that are allowable costs for the CDBG funds; and

**WHEREAS**, the City of Sanibel will hold Lee County harmless for any expenditure of funds not in compliance with the Department of Community Affairs criteria for reimbursement and will repay any funds received that are deemed by the State to be unallowable expenditures; and

**WHEREAS**, the City of Sanibel assumes all responsibility for monitoring and or auditing funds expended for the purposes of this grant; and

**WHEREAS**, the City of Sanibel has not received reimbursement from any other source of funds for the repair of the properties listed below;

**NOW, THEREFORE, IN CONSIDERATION** of the premises set forth above and the covenants below, acknowledged by each party to be full and sufficient consideration received by each party, the County and the City hereby agree as follows:

Community Housing and Resources, Inc. (CHR) is a private not for profit organization since 1978 and is designated as the Housing Foundation for the City of Sanibel. The agency has developed and manages sixty-four units of Below Market Rate Housing on Sanibel Island. The agency will be purchasing ten additional units scheduled for 2/25/08 that are in need of rehabilitation.

This Agreement will not exceed \$43,260 in supplemental funding dedicated to mitigation of future storm damage. The funding requested will be applied to thirty-two units and will be matched by SHIP and/or internal funds toward comprehensive renovation improvements at the targeted locations. The locations include:

Woodhaven (12 units, constructed 2005, flood zone A13, elevation EL 11') located at 800 Casa Ybel Drive;

Woodridge (10 units, constructed 1964, flood zone A13, elevation EL 11') located at 1517 Periwinkle Way;

Sanibel Highlands (3 units, constructed 1990, flood zone A12, elevation EL 12') located at 455-465 Whitehall Road;

The mitigation funds will be applied to the installation of hurricane resistant windows, accordion shutters, and installation of a baffled ridge vent.

Twenty-three (or 92%) of the twenty-five units targeted are occupied by persons/households earning less than 80% of area median income establishing benefit to low and moderate income households. The rents charged for all CHR units are 30% of monthly income with a utility allowance. Rents are maintained affordable as a result of an on-going subsidy contract with the City

of Sanibel that equates to approximately \$260,000 annually of local funding. All CHR units are designated as affordable housing in perpetuity. The Woodridge location could also be considered in blighted and deteriorating condition that will be addressed in the utilization of the funds requested and the funds matched.

The timeline for the mitigation actions will be February through May 2008 in preparation for hurricane season. Cost estimates for 34 hurricane resistant windows is \$28,000, 5 accordion shutters is \$7,500 and the installation of a baffled ridge vent is \$4,000. The difference in the total listed costs and the total funding of \$43,260 is allocated to miscellaneous and unanticipated costs associated with the repairs. Costs above the grant amount will be borne by the agency.

The terms and provisions of this Agreement are fully authorized under State and local law. This Agreement provides full legal authority for Lee County to undertake, or assist in undertaking, essential community development and housing assistance activities, specifically urban renewal and publicly-assisted housing.

**IN WITNESS WHEREOF**, the County and the City have executed this

Interlocal Cooperation Agreement as of the date first written above.

**CITY: CITY OF SANIBEL**

**COUNTY: LEE COUNTY**

**BY:** \_\_\_\_\_  
Mick Denham

**BY:** \_\_\_\_\_  
Name

\_\_\_\_\_  
Signature of Authorized Officer

\_\_\_\_\_  
Signature of Authorized Officer

\_\_\_\_\_  
Title Mayor

\_\_\_\_\_  
Board of County Commissioners  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**ATTEST:**


**ATTEST: CLERK OF CIRCUIT COURT**

**BY:** \_\_\_\_\_  
Pamela Smith, City Clerk

**BY:** \_\_\_\_\_

**APPROVED AS TO FORM:** \_\_\_\_\_

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Kenneth B. Cuyler, City Attorney

**BY:** \_\_\_\_\_  
County Attorney's Office

**FINANCIAL SUFFICIENCY APPROVED**  
  
\_\_\_\_\_  
Renee M. Lynch, FINANCE DIRECTOR