

THIS INTERLOCAL AGREEMENT made and entered into this 21st day of November, 1995, by and between Charlotte County, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners (the "County") and the City of Punta Gorda, a municipal corporation created and existing under the laws of the State of Florida, acting by and through its City Council (the "City"):

WITNESSETH:

WHEREAS, Section 420.9072(4), Florida Statutes, the "State Housing Initiatives Partnership Act" ("SHIP") authorizes monies in the Local Government Housing Trust Fund (the "FUND") to be distributed to approved counties and eligible municipalities within the County pursuant to an Interlocal Agreement; and

WHEREAS, the SHIP legislation anticipates intergovernmental cooperation between approved counties and eligible municipalities to consider intergovernmental cooperation; and

WHEREAS, Charlotte County is an approved County and the City of Punta Gorda is an eligible municipality within the County; and

WHEREAS, the County and City desire to distribute SHIP allocations pursuant to the Interlocal Agreement; and

WHEREAS, the County and City have determined that the monies can be more effectively and efficiently utilized and managed through the execution of this Interlocal Agreement.

NOW THEREFORE, for and in consideration of mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. The County and City do hereby agree that the monies in the Fund which are to be distributed to the County and the City as provided in 420.9073, Florida Statutes shall be deposited in the Local Housing Assistance Trust Fund established by the Charlotte County Board of County Commissioners.
2. An annual Housing Assistance Plan will be recommended by the Charlotte County Affordable Housing Advisory Committee, and approved by the Board of County Commissioners. Said plan will identify affordable housing projects to be undertaken using funds in the Local Housing Assistance Trust Fund. The County agrees that its use of such funds will not exclude City participation. Eligible residents of the City shall qualify, without limitation, for assistance and benefit from the programs included in the Housing Assistance Plan. The County further agrees to consider in the Housing Assistance Plan projects recommended by the City of Punta Gorda, or its residents of the City of Punta Gorda.

** NOTE: This was approved by City Council on May 3rd, 1995

3. The County, as administrative agent, shall be eligible to receive administrative funds to the maximum extent allowed under the SHIP program.
4. Unless earlier terminated pursuant to the provisions of this Interlocal Agreement, the term of this agreement shall run concurrent with the distribution of monies in the fund which are to be allocated between the County and the City, with each fiscal year's allocation as a new contract term.
5. The County and City direct the Florida Housing Finance Agency ("The Agency") to distribute and allocate the monies in the fund in accordance with this Interlocal Agreement and authorize the Agency to rely on their stated intent and their authority to execute the Interlocal Agreement.
6. The monies distributed will be deposited in the below listed depository account:

LOCAL HOUSING ASSISTANCE TRUST FUND
CHARLOTTE COUNTY FUND 119

The Agency will be notified of any changes. The County agrees to have such account or accounts audited annually as required by statute and Agency Rule. The County agrees to pay for the cost of such audits with funds available for the administration of the program.

7. The County and the City agree that one report will be prepared as required by 9I-37.016, F.A.C.
8. The parties to this Agreement understand that the SHIP Program Rules require an incentive plan for providing affordable housing. The Charlotte County Affordable Housing Advisory Committee shall make recommendations to the Charlotte County Board of County Commissioners and the Punta Gorda City Council regarding a Local Affordable Housing Incentive Plan in accordance with 9I-37.010, F.A.C. It shall be the sole responsibility of each governing body to adopt the Local Affordable Housing Incentive Plan for their respective jurisdiction.
9. If at any time during the term of this Interlocal Agreement, the County or the City believe that the intent of the parties as set forth herein is not being accomplished, or that the terms of the Interlocal Agreement are not fair, such entity may, upon the giving of ninety days written notice, renegotiate the terms and provisions of this Interlocal Agreement to be effective on the first day of the next fiscal year. If the parties are unable to so renegotiate the terms and provisions of this Interlocal Agreement prior to the commencement of the next fiscal year, the noticing party shall cease to be a party to this Interlocal Agreement and this Interlocal Agreement shall terminate and be of no further force or effect as to such party and the funds shall be allocated according to population.

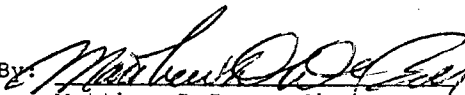
10. If either party shall cease to be eligible for allocation and distribution, such party's allocation of the funds shall remain in the Fund to be used by the Agency.
11. For all purposes of this Interlocal Agreement, the term "Interlocal Agreement" shall mean this Interlocal Agreement and amendments hereto approved in writing by both parties.

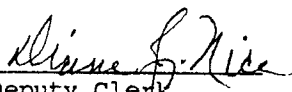
IN WITNESS WHEREOF, this Interlocal Agreement has been executed by the parties this 21st day of November, 1995.

Attest:

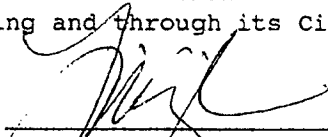
CHARLOTTE COUNTY
BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA

Barbara T. Scott
Clerk of Circuit Court
and ex-officio
Clerk to the Board of
County Commissioners

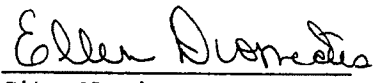
By: 
Matthew DeBoer, Chairman
11-21-95

By: 
Deputy Clerk

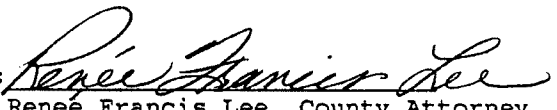
CITY OF PUNTA GORDA
Acting and through its City Council

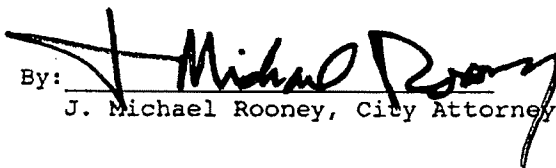
By: 
Lindsay M. Harrington, Mayor

Attest:
Ellen Diomedes
City Clerk

By: 
City Clerk

Approve as to Form and Legal
Sufficiency

By: 
Renee Francis Lee, County Attorney MB

By: 
J. Michael Rooney, City Attorney