

RESOLUTION NO. 2009 - \_\_\_\_\_

**A RESOLUTION OF THE COUNTY COUNCIL OF THE COUNTY OF VOLUSIA, FLORIDA AUTHORIZING THE COUNTY TO UTILIZE NEIGHBORHOOD STABILIZATION PROGRAM (NSP) TITLE III OF THE FEDERAL HOUSING AND ECONOMIC RECOVERY ACT (HERA) OF 2008; DIRECTING COUNTY MANAGER TO ADMINISTER THE COUNTY'S PARTICIPATION IN THE NSP; DELEGATING AUTHORITY TO COUNTY MANAGER TO ACQUIRE FORECLOSED REAL PROPERTY FOR PUBLIC FACILITIES AND IMPROVEMENTS, PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE HOME BUYERS TO ACQUIRE AND REHABILITATE FORECLOSED REAL PROPERTY, OR TO ACQUIRE, REHABILITATE, AND MAINTAIN FORECLOSED PROPERTY PRIOR TO CONVEYING TO ELIGIBLE HOME BUYERS OR QUALIFIED COMMUNITY AFFORDABLE HOUSING PARTNER; AUTHORIZING COUNTY CHAIR TO CONVEY TITLE TO NSP REAL PROPERTY ON BEHALF OF THE COUNTY OF VOLUSIA IN ACCORDANCE WITH FEDERAL RULES, REGULATIONS AND GUIDELINES; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Title III of the federal Housing and Economic Recovery Act (HERA) of 2008 appropriates funding for emergency acquisition, rehabilitation and sale of abandoned and foreclosed homes and residential properties; and

**WHEREAS**, the grant program is commonly referred to as the Neighborhood Stabilization Program (NSP); and

**WHEREAS**, the purpose of the NSP is to provide financial assistance to areas of greatest need that are affected or likely to be affected by foreclosed and abandoned properties; and

**WHEREAS**, the County of Volusia has received a special allocation of Five Million Two Hundred Twenty Two Thousand Eight Hundred Thirty One and no/100 Dollars (\$5,222,831.00) from the U.S. Department of Housing and Urban Development

under the NSP to stabilize neighborhoods negatively impacted by foreclosed and abandoned properties; and

**WHEREAS**, the NSP regulations set forth restrictions on the use of these grant funds which, among other things, specify the area(s) in which foreclosed homes are to be purchased, contain restrictions on the price to be paid, set forth rules establishing home buyers' income qualification criteria, and restrict the maximum price for which NSP homes may be sold by the county; and

**WHEREAS**, the NSP funds are made available to the County of Volusia for the purpose of making affordable housing available in accordance with NSP guidelines and restrictions; and

**WHEREAS**, the federal government has provided NSP funds to the County of Volusia on the condition that the county will utilize NSP funds in the target areas of greatest need, as identified in the NSP Substantial Amendment, to i) acquire, rehabilitate and sell foreclosed homes to NSP income-qualified homebuyers, ii) provide financial assistance to NSP income-qualified homebuyers to acquire and rehabilitate foreclosed homes, iii) acquire, rehabilitate and sell foreclosed homes to NSP-qualified community affordable housing partners as rental properties for NSP income-qualified renters, and iv) acquire and demolish foreclosed, blighted homes for the purpose of redevelopment of the area for NSP eligible purposes (public infrastructure, public facility, etc.); and

**WHEREAS**, in accordance with NSP rules, regulations and guidelines, some properties purchased for the NSP will be held by the County of Volusia for a short period of time for the purpose of rehabilitation of such properties and then sold to

eligible low to moderate income home buyers or eligible community affordable housing partners as defined in the controlling NSP rules, regulations and guidelines; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA IN OPEN MEETING DULY ASSEMBLED IN THE COUNCIL CHAMBERS AT THE THOMAS C. KELLY ADMINISTRATION CENTER, DELAND, FLORIDA, THIS 4th DAY OF June, 2009, AS FOLLOWS:**

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

**SECTION 2:** Acceptance and utilization of the federal grant requires adherence to federal law, grant rules, regulations and guidelines which take precedence over otherwise applicable provisions of state law for acquisition and disposal of real property.

**SECTION 3:** The county manager or his designee is hereby authorized to develop and implement procedures to effectively manage and administer the NSP in accordance with federally-established guidelines, rules and regulations for the program.

**SECTION 4:** In accordance with those procedures to be established by the county manager or his designee for such program, the county manager or his designee is hereby authorized and delegated the power and authority, in accordance with NSP rules, regulations and guidelines, to i) purchase and rehabilitate real property for utilization in the NSP, ii) provide financial assistance to income-eligible homebuyers, as defined in NSP rules and regulations, to purchase and rehabilitate properties in the NSP, and iii) purchase and demolish blighted, foreclosed, and NSP-qualified real property for the purpose of redevelopment in areas eligible for NSP funding for the creation of and/or improvement to public facilities and improvements (public infrastructure, public facility, etc.).

**SECTION 5:** Except for properties to be used for public facilities and improvements, title to real property purchased by the county for the NSP shall be held in the name of the county for the sole purpose of resale as affordable housing in accordance with the NSP rules, regulations and guidelines.

**SECTION 6:** For those properties purchased under the NSP for the purpose of sale to NSP income-qualified home buyers, the county manager, or his designee, is hereby authorized and directed to rehabilitate and maintain all such properties in accordance with federal NSP rules, regulations and guidelines.

**SECTION 7:** For those properties purchased under the NSP for the purpose of i) sale to NSP income-qualified home buyers and ii) use as NSP-qualified affordable rental housing, the county chair is hereby authorized to either i) convey said properties to NSP-qualified low-to-moderate-income home buyers, or ii) convey said properties to NSP-qualified community affordable housing partners for use as rental properties for NSP-qualified income-qualified individuals, as the case may be.

**SECTION 8:** All fee-simple conveyances of NSP real property shall be to NSP qualified income-eligible homebuyers or NSP qualified community affordable housing partners via county deed with the formalities set forth in Section 125.411, Florida Statutes (2008).

**SECTION 9:** The delegations of authority contained herein shall expire at the completion of the NSP.

**SECTION 10:** This resolution shall take effect immediately upon its adoption.

**DONE AND ORDERED IN OPEN MEETING.**

**COUNTY COUNCIL  
VOLUSIA COUNTY, FLORIDA**

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**By: Frank T. Bruno, Jr.  
County Chair**

**ATTEST:**

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**James T. Dinneen  
County Manager**