



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4454430 07/05/2018 10:17:23 AM
OR BOOK 4153 PAGE 205 - 220 Doc Type: AGR
RECORDING: \$137.50

C07-07-753

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT CONCERNING
HUD HOME INVESTMENT PARTNERSHIP ACT PROGRAM CONSORTIUM**

THIS FIRST AMENDMENT is made and entered into by and between Indian River, Martin and St. Lucie Counties, political subdivisions of the State of Florida, hereinafter referred to collectively as the "Counties", the City of Port St. Lucie, a Florida municipal corporation, hereinafter referred to as "Port St. Lucie", the Village of Indiantown, a Florida municipal corporation, hereinafter referred to as "Indiantown", and the City of Fellsmere, a Florida municipal corporation, hereinafter referred to as "Fellsmere".

WHEREAS, the National Affordable Housing Act of 1990 has authorized the HOME Program to provide financial assistance through the U.S. Department of Housing and Urban Development, hereinafter referred to as "HUD", to local governments for the production of affordable housing; and

WHEREAS, in 2007 the Counties entered into an Interlocal Agreement to create a consortium under the HOME Investment Partnerships Act for the purpose of becoming a participating jurisdiction in the HOME Program in order to increase the availability of affordable housing for their respective residents, hereinafter referred to as the "Interlocal Agreement"; and

WHEREAS, Port St. Lucie, Indiantown, and Fellsmere desire to be added to the HOME Consortium in order to increase the availability of affordable housing for their respective residents; and,

WHEREAS, the Counties are willing to amend the Interlocal Agreement in order for Port St. Lucie, Indiantown, and Fellsmere to become members of the HOME Consortium for the benefit of their residents.

NOW THEREFORE, in consideration of the foregoing and mutual covenants hereinafter contained, the Interlocal Agreement is hereby amended to read as follows:

1. SECTION 2, MEMBERS OF CONSORTIUM, is hereby amended to read as follows:

SECTION 2. MEMBERS OF CONSORTIUM

Indian River County, Martin County, St. Lucie County, the City of Port St. Lucie, the Village of Indiantown, and the City of Fellsmere are the members of the Consortium and upon mutual execution of this Agreement by the parties, the "Treasure Coast HOME Consortium", hereinafter referred to as "Consortium", shall be formed. The members shall remain bound by the terms and conditions of this Agreement for its duration and shall be prohibited from withdrawing from the Consortium during such period, except as provided for in Section 8 of this Agreement. The Consortium Agreement remains in effect until the HOME funds from each of the Federal fiscal years of the qualification period are expended for eligible activities. No consortium member may withdraw from the Agreement while the Agreement remains in effect.

2. SECTION 5. CONSOLIDATED PLAN, is hereby amended to read as follows:

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SECTION 5. CONSOLIDATED PLAN

The parties shall cooperate in the preparation of the Consolidated Plan which shall apply to the parties and which shall meet the requirements of applicable Federal Regulations.

3. SECTION 6. ALLOCATION OF FUNDING, is hereby amended to read as follows:

SECTION 6. ALLOCATION OF FUNDING

Allocation of HOME funds allowed for administration shall be based on the existing HOME funds percentage allocation process with respect to the annual HOME allocation provided by the U.S. Department of Housing and Urban Development for the Consortium, except that St. Lucie County as lead entity shall be entitled to up to 20% of the HOME funds allowed for administration. The implementation of the Consolidated Plan and the allocation of Federal HOME funding associated therewith shall be established by written memoranda issued by St. Lucie County through its authorized representative. The parties shall be responsible for administering, respectively, the HOME Program funds distributed to each. The Consortium members reserve the right to alter the distribution of funds between the jurisdictions by mutual written approval should such alteration be deemed in best interest of all parties to this Agreement.

4. SECTION 7. CERTIFICATIONS, is hereby amended to read as follows:

SECTION 7. CERTIFICATIONS

The parties certify that each will cooperate with the other to undertake or aid in undertaking housing assistance activities for the HOME Investments Partnerships Program and that each will affirmatively further fair housing. Further, the parties will comply with the requirement of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, implementing regulations of 49 CFR Part 24, and the requirements governing the residential antidisplacement and relocation assistance plan under section 104(d) of the Housing and Community Development Act of 1974.

5. SECTION 11. NOTICES, is hereby amended to read as follows:

SECTION 11. NOTICES

Formal notices issued under the terms of this Agreement shall be sent, by U.S. Mail as follows:

Indian River County

County Administrator
1840 25th Street
Vero Beach, FL 32960

With a Copy to:

County Attorney
1840 25th Street
Vero Beach, FL 32960

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Martin County:

County Administrator
2401 SE Monterey Road
Stuart, FL 34996

With a Copy to:

County Attorney
2401 SE Monterey Road
Stuart, FL 34996

St. Lucie County:

County Administrator
2300 Virginia Avenue
Fort Pierce, FL 34982

With a Copy to:

County Attorney
2300 Virginia Avenue
Fort Pierce, FL 34982

City of Port St. Lucie:

City Manager
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984

With a Copy to:

City Attorney
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984

Village of Indiantown:

Village Manager
16550 S.W. Warfield Boulevard
Indiantown, FL 34956

With a Copy to:

Village Attorney
16550 S.W. Warfield Boulevard
Indiantown, FL 34956

City of Fellsmere:

City Manager
22 S. Orange Street
Fellsmere, FL 32948

With a Copy to:

City Attorney
22 S. Orange Street
Fellsmere, FL 32948

IN WITNESS WHEREOF, the parties have caused the execution by their duly authorized officials.

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ADDENDUM TO EXHIBIT I

AUTHORIZING RESOLUTIONS
FROM PORT ST. LUCIE, INDIANTOWN AND FELLSMERE
(ATTACHED)

Unofficial Copy

RESOLUTION NO. 2018-14**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, AUTHORIZING EXECUTION OF THE TREASURE COAST HOME CONSORTIUM AGREEMENT; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the National Affordable Housing Act of 1990 and implementing regulations found at 24 CFR part 92.101 provide for the establishment of consortia of local governments for purposes of implementing various HOME Program activities; and

WHEREAS, Indian River, Martin and St. Lucie Counties, Florida have contiguous boundaries thereby necessitating the coordination of housing assistance planning and activities; and

WHEREAS, Indian River County, Martin County, St. Lucie County, City of Fellsmere, City of Port St. Lucie, and Village of Indiantown desire to enter into a HOME Consortium to provide mutual advantages for the residents of the local area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fellsmere, Indian River County, Florida, that:

1. The City Manager is authorized to execute the Indian River County HOME Consortium Agreement and all other HOME related documents; and
2. The submission of the Treasure Coast HOME Consortium Agreement shall encompass Federal Fiscal Years 2019-2021 and allow for subsequent three year qualification periods, if all parties exercise the renewal clause in the agreement; and
3. City of Fellsmere accepts the appointment of St. Lucie County as lead agency for the Treasure Coast HOME Consortium.

All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

This Resolution shall take effect immediately upon its adoption.


The foregoing Resolution was moved for adoption by Council Member Salgado. The motion was seconded by Council Member Savage and, upon being put to a vote, the vote was as follows:

Mayor Joel Tyson
Vice Mayor Sara Savage
Councilman Fernando Herrera
Councilwoman Inocencia Hernandez
Councilwoman Jessica Salgado


ayes
ayes
ayes
absent
ayes

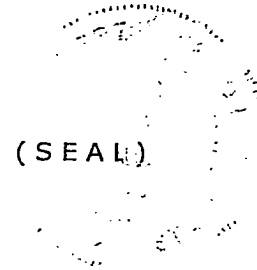
The Mayor there upon declared this Resolution duly passed and adopted this 7th day of June, 2018.

CITY OF FELLSMERE, FLORIDA


Joel Tyson, Mayor

ATTEST:


Deborah C. Krages CMC, City Clerk
R-2018-14_HOME Consortium.DOC



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RESOLUTION 18-R38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ADOPTING THE 2007 INDIAN RIVER, MARTIN AND ST. LUCIE COUNTIES INTERLOCAL AGREEMENT CONCERNING HUD HOME INVESTMENT PARTNERSHIP ACT PROGRAM CONSORTIUM AND THE FIRST AMENDMENT THERETO.

THE FIRST ADMENDMENT is made and entered into by and between Indian River, Martin and St. Lucie Counties, political subdivisions of the State of Florida (hereinafter referred to collectively as the "Counties"), the City of Port St. Lucie, a Florida municipal corporation (hereinafter referred to as "Port St. Lucie"), the Village of Indiantown, a Florida municipal corporation (hereinafter referred to as "Indiantown"), and the City of Fellsmere, a Florida municipal corporation (hereinafter referred to a "Fellsmere").

WHEREAS, the National Affordable Housing Act of 1990 has authorized the HOME Program to provide financial assistance through the U.S. Department of Housing and Urban Development to local governments for the production of affordable housing; and

WHEREAS, in 2007 the Counties entered into an Interlocal Agreement to create a consortium under the HOME Investment Partnership Act for the purpose of becoming a participating jurisdiction in the HOME Program in order to increase the availability of affordable housing for their respective residents, hereinafter referred to as the "Interlocal Agreement"; and

WHEREAS, Port St. Lucie, Indiantown, and Fellsmere desire to be added to the HOME Consortium in order to increase the availability of affordable housing for their respective residents; and:

WHEREAS, the Counties are willing to amend the Interlocal Agreement in order for Port St. Lucie, Indiantown, and Fellsmere to become members of the HOME Consortium for the benefit of their residents..

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port St. Lucie, Florida, that:

Section 1. The City Manager is authorized to execute the Treasure Coast HOME Consortium Interlocal Agreement and all other HOME related documents;

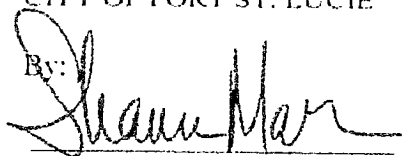
Section 2. The City of Port St. Lucie accepts the appointment of St. Lucie County as lead agency for the Treasure Coast HOME Consortium.

Section 3. The City Council of the City of Port St. Lucie, Florida, hereby adopts the terms and conditions of the Interlocal Agreement attached hereto as EXHIBIT "1", and authorizes its participation therein through this FIRST AMENDMENT.

RESOLUTION 18-R38

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida,
this 11th day of June, 2018.

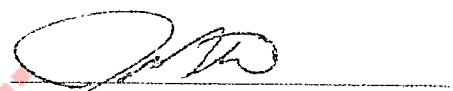
CITY COUNCIL
CITY OF PORT ST. LUCIE

By: 
Shannon Martin, Vice Mayor

ATTEST:


Karen A. Phillips, City Clerk

APPROVED AS TO FORM:


James Stokes, Interim City Attorney



RESOLUTION No. 024-2018

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING A THAT CERTAIN FIRST AMENDMENT TO INTERLOCAL AGREEMENT CONCERNING HUD HOME INVESTMENT PARTNERSHIP ACT PROGRAM CONSORTIUM; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO ADMINISTER THE PROGRAM ON BEHALF OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Martin County has participated in the "Treasure Coast Home Consortium" (the "Consortium") which has funded various housing initiatives in the greater Indiantown community for several years; and

WHEREAS, the Village Council understands and agrees the Consortium serves a vital function within the community, and it is an important means of assisting those with underserved housing needs; and

WHEREAS, the Village Manager recommends participation in the HUD Home Investment Partnership Act Program Consortium.

NOW, THEREFORE BE IT RESOLVED, by the Village Council of the Village of Indiantown, Florida, as follows:

SECTION 1. The above recitals are true and correct and incorporated herein.

SECTION 2. The Village Council authorizes the Mayor to execute that certain First Amendment to Interlocal Agreement Concerning HUD HOME Investment Partnership Act Program Consortium, a copy of which is on-file with the Village Clerk.

SECTION 3. The Village Manager is hereby directed to administer the Contract and is also authorized to expend public funds pursuant to the Contract.

SECTION 4. This Resolution shall take effect immediately upon adoption.

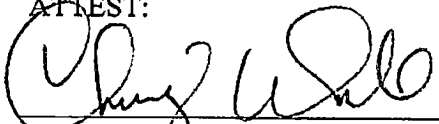
RES. 024-2018 APPROVING FIRST AMENDMENT TO INTERLOCAL AGREEMENT
CONCERNING HUD HOME INVESTMENT PARTNERSHIP ACT PROGRAM CONSORTIUM

Council Member DOWLING offered the foregoing resolution and moved its adoption. The motion was seconded by Council Member HERNANDEZ, and upon being put to a vote, the vote was as follows:

VILLAGE COUNCIL	YES	NO	ABSENT	ABSTAIN
SUSAN GIBBS THOMAS, MAYOR	X			
GUYTON STONE, VICE MAYOR	X			
JACKIE GARY CLARKE, COUNCIL MEMBER	X			
ANTHONY J. DOWLING, COUNCIL MEMBER	X			
JANET HERNANDEZ, COUNCIL MEMBER	X			

ADOPTED this 24th day of May, 2018.

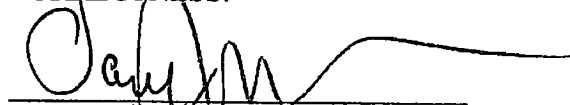
ATTEST:


CHERIE WHITE
VILLAGE CLERK

VILLAGE OF INDIANTOWN, FLORIDA


SUSAN GIBBS THOMAS
MAYOR

REVIEWED FOR FORM AND
CORRECTNESS:


PAUL J. NICOLETTI
VILLAGE ATTORNEY



C07-07-753

ATTEST:

Karen A. Phillips
City Clerk

CITY OF PORT ST. LUCIE

BY: *[Signature]*
Mayor

DATE: _____

APPROVED AS TO FORM AND
CORRECTNESS:

BY: *[Signature]*
City Attorney

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C07-07-753

ATTEST:

Cheryl White
Deputy Clerk

VILLAGE OF INDIANTOWN

BY: *Susan Y. Thomas*
Mayor

DATE: 6/19/18



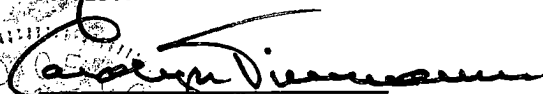
APPROVED AS TO FORM AND
CORRECTNESS:

BY: *[Signature]*
Village Attorney

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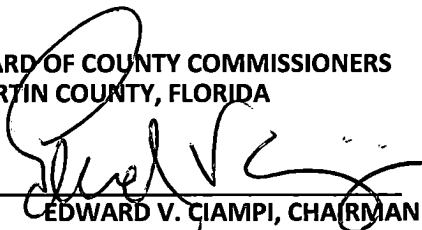
ATTEST:



CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT AND
COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY:

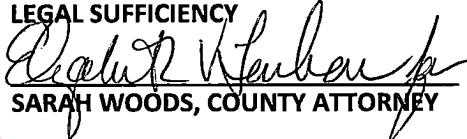


EDWARD V. CIAMPI, CHAIRMAN

DATE:

6/18/18

APPROVED AS TO FORM &
LEGAL SUFFICIENCY



SARAH WOODS, COUNTY ATTORNEY

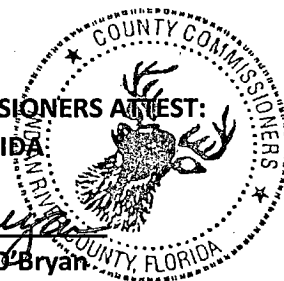
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ATTEST: Jeffrey R. Smith, Clerk of
Court and Comptroller

BY: *Shonda S. Zivile*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS ATTEST:
INDIAN RIVER COUNTY, FLORIDA

BY: *Peter D. O'Bryan*
Chairman – Peter D. O'Bryan



DATE: June 12, 2018

APPROVED AS TO FORM AND
CORRECTNESS:

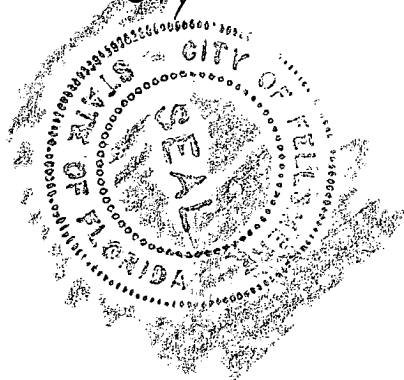
[Signature]
County Attorney – Dylan Reingold

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C07-07-753

ATTEST:

Deborah O'Keefe
City Clerk



CITY OF FELLSMERE

BY: Joel Tyson
Mayor

DATE: June 8, 2018

APPROVED AS TO FORM AND
CORRECTNESS:

BY: Wendy Delf
City Attorney

Unofficial Copy

C07-07-753

ATTEST:

Betty J.
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY:

Shannice L. Lutz
Chair

DATE: June 5, 2018



APPROVED AS TO FORM AND
CORRECTNESS:

BY:

Mark J. [Signature]
Asst. County Attorney

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