

**RESOLUTION NO. 2024-\_\_**

**A RESOLUTION OF THE HOUSING FINANCE AUTHORITY OF LEON COUNTY, FLORIDA AUTHORIZING THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT HEREIN DESCRIBED; PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, as amended (the "Interlocal Cooperation Act"), "public agencies," as defined in the Interlocal Cooperation Act, are authorized to enter into agreements with one another in order to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, the Interlocal Cooperation Act provides that a public agency may, pursuant to contract, exercise jointly with any other public agency any power, privilege, or authority which such public agencies share in common which each might exercise separately; and

**WHEREAS**, pursuant to the Housing Finance Authority Law, Chapter 159, Part IV, Florida Statutes, as amended (the "Act"), the Board of County Commissioners of Leon County, Florida (the "Board"), enacted on June 10, 1980, Ordinance No. 80-39, creating the Housing Finance Authority of Leon County, Florida (the "Authority"), as amended and supplemented from time to time, and as particularly amended by Ordinance No. 2017-02 enacted on February 7, 2017; and

**WHEREAS**, the Authority and Leon County, Florida (the "County") are public agencies and previously entered into the Interlocal Agreement, dated as of May 14, 2021 (the "Original Agreement"), to authorize the Authority and the County to coordinate and collaborate on affordable housing efforts in the community, including, but not limited to, the collaboration on the investment of any funds recaptured from the Down Payment Assistance Loans funded by the County during the period of October 1, 1998, through September 30, 2008, through the State Housing Initiative Partnership ("SHIP") funds; and

**WHEREAS**, the Original Interlocal Agreement is set to expire on May 14, 2024; and

**WHEREAS**, pursuant to the terms of the Original Interlocal Agreement, the Authority and the County desire to renew the Original Interlocal Agreement for an additional three-year term through May 14, 2027, by the execution and delivery of the First Amendment to Interlocal Agreement, between the Authority and the County (the "First Amendment"); and

**WHEREAS**, in addition, the Authority desires to amend the Interlocal Agreement to reflect the inclusion of the additional strategic aim of the Authority to promote the development of affordable rental units for individuals or families exiting homelessness, as more specifically set forth in the First Amendment; and

**WHEREAS**, the Authority desires to enter into the First Amendment with the County, and execute and deliver the First Amendment in connection herewith and as incorporated herein.

**NOW THEREFORE, BE IT RESOLVED BY THE HOUSING FINANCE AUTHORITY OF LEON COUNTY, FLORIDA:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION.** This resolution (the "Resolution") is adopted pursuant to the Act, the Interlocal Cooperation Act, and Chapter 2, Article III, Division 3, Sections 2-71 et seq., Leon County Code of Laws.

**SECTION 2. APPROVAL OF FIRST AMENDMENT.** The First Amendment, substantially in the form attached hereto as Exhibit A, is hereby approved and authorized with such changes, modifications, insertions, and deletions as may be approved by the Authority and the County, such approval to be evidenced conclusively by execution thereof as described below. The Authority hereby authorizes the Chair, Vice Chair, or any member of the Authority to execute and deliver, and the Secretary or the Assistant Secretary of the Authority to attest, the First Amendment on behalf of the Authority.

**SECTION 3. NO THIRD PARTY BENEFICIARIES.** Unless specifically noted, nothing in this Resolution or in the First Amendment, express or implied, is intended or shall be construed to confer upon any person other than the Authority and the County any right, remedy, or claim, legal or equitable, under and by reason of any provision of this Resolution or of the First Amendment. This Resolution and the First Amendment are for the sole and exclusive benefit of the Authority and the County.

**SECTION 4. SEVERABILITY.** In case any one or more of the provisions of this Resolution or the First Amendment shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Resolution or the First Amendment, as the case may be, and they shall be construed and enforced without consideration of such illegal or invalid provisions.

**SECTION 5. NO PERSONAL LIABILITY.** No covenant, stipulation, obligation, or agreement contained in this Resolution or the First Amendment, or any instrument contemplated by each shall be deemed to be a covenant, stipulation, obligation, or agreement of any officer, member, agent, or employee of the Authority in his or her individual capacity, and no member of the Authority executing the First Amendment as approved by this Resolution shall be liable personally for such documents or the obligations under each, or be subject to any personal

accountability by reason of his or her delivery or execution of such documents on behalf of the Authority.

**SECTION 6. REPEALER.** All provisions of resolutions of the Authority in conflict with the provisions of this Resolution are, to the extent of such conflict, superseded and repealed.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** this 15th day of March, 2024.

**HOUSING FINANCE AUTHORITY  
OF LEON COUNTY, FLORIDA**

By: \_\_\_\_\_  
Chair

ATTEST:

By: \_\_\_\_\_  
Secretary

**EXHIBIT A**

**FORM OF FIRST AMENDMENT TO INTERLOCAL AGREEMENT**