

HILLSBOROUGH COUNTY SECTION 8  
TRANSITION TO TAMPA HOUSING AUTHORITY

1. **Why are Hillsborough County and the Tampa Housing Authority considering a merger of their Section 8 programs to be administered under one organization?**

Hillsborough County must examine opportunities to consolidate services with other governmental entities where it can be determined that the result will enhance delivery to customers and save taxpayer dollars. The separate agencies providing administration of Section 8 voucher rental assistance have documented that duplication occurs on waiting lists for rental assistance; confusion exists with customers as to who they should talk to about service; and landlords providing rental units in both the City and the County have reported differing policy requirements for operation and inspection. One unified agency administration of the Section 8 program should eliminate duplication and confusion.

Presently, Hillsborough County Section 8 is provided approximately \$575,000 in support services from the Clerk of the Court, Payroll, Real Estate, Management and Budget, Civil Service, Human Resources and Public Information. Currently, the budget charges to the federal funds supporting Section 8 are approximately \$269,000. The difference in cost, comes from the general tax funds. The transfer to the Tampa Housing Authority should eliminate the need for general tax dollars to support the operation of Section 8 by the County.

2. **Effective Date:** October 1, 2011, effective date of FY 12 County Budget (County Staff will be released from County positions by September 24 at which time Federal funds will be released to Tampa Housing Authority for administration of Voucher Program)
3. **What happens to persons and families currently being provided with rental assistance from Hillsborough County?**

Rental assistance will continue to the approximate 2000 voucher tenants in Hillsborough County's program by Tampa Housing Authority in addition to the approximate 5000 voucher tenants in the Housing Authority program. **There will be no lapse in assistance.**

4. What happens to **landlords** and their contracts with Hillsborough County Section 8 to provide rental units?  
Tampa Housing Authority will maintain and honor all contracts for Section 8 rental units countywide including those established with Hillsborough County.
5. **Employees** with Hillsborough County Section 8 will be noticed formally on July 28 with Reduction in Force notices. If the Board of County Commissioners approves the consolidation of the Section 8 program with Tampa Housing Authority, the draft Interlocal Agreement states: "all employees now assigned to work in the County Housing Choice Voucher Program shall be given first preference for consideration for employment by the Housing Authority in the Consolidated Housing Choice Voucher Program, if they choose to apply for employment with the Housing Authority."
6. **Waiting lists** for housing choice vouchers are presently maintained by both Hillsborough County and Tampa Housing Authority. The lists will be purged by Tampa Housing Authority for duplication of names and for validation that rental vouchers are still needed. The lists will be integrated in the most equitable method to provide housing preferences for the families on the waiting lists. The County and THA are still examining the best method to merge the lists to ensure the integrity of the order of names intact on both lists and to not increase waiting time for any individual.
7. An **interlocal agreement** between Hillsborough County and the Tampa Housing Authority must be finalized and approved by both jurisdictions in order for the transition to occur. The THA Board of Commissioners approved the Interlocal agreement on July 20, 2011. It is planned to bring the interlocal agreement as approved by THA to the Board of County Commissioners for their consideration and approval in August. If amendments are needed by the Board of County Commissioners, the amendments will be sent to THA for further action and approval before final action is taken by the BOCC.
8. The actual transfer of the Hillsborough County Section 8 program to the Tampa Housing Authority must also be **approved by the U.S. Department of Housing and Urban Development**. HUD has already expressed that they are "looking forward to getting this done as quickly as possible." HUD has previously approved the transfer of Sarasota County Section 8 to the Sarasota Housing Authority. If there are delays in the actual transfer of the program to the Tampa Housing Authority, the transfer of funds and employees will have to be delayed to coincide with final approvals. At this time, such delays are not anticipated.

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PG 372-384 08/05/2011 at 02:30:06 PM,  
DEPUTY CLERK: ADANIEL Pat Frank, Clerk of  
the Circuit Court Hillsborough County

**RESOLUTION NO. R11-079**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA APPROVING AN INTERLOCAL AGREEMENT PROVIDING FOR THE VOLUNTARY TRANSFER OF THE COUNTY'S SECTION 8 HOUSING CHOICE VOUCHER PROGRAM TO THE HOUSING AUTHORITY OF THE CITY OF TAMPA CONTINGENT UPON THE APPROVAL FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Upon motion by Commissioner Sharpe, seconded by Commissioner Crist, the following resolution was adopted by a vote of 5 to 2, with Commissioners Beckner and Miller voting No.

**WHEREAS**, as a public housing agency, Hillsborough County (the "County") receives funding from the United States Department of Housing and Urban Development ("HUD") to administer a Housing Choice Voucher ("HCV") Program in Hillsborough County, Florida; and

**WHEREAS**, the City of Tampa Housing Authority ("Housing Authority") also receives funding from HUD to administer a HCV Program within the City of Tampa and within ten (10) miles of the corporate limits of the City of Tampa; and

**WHEREAS**, HUD has issued a policy notice (NOTICE PIH 2010-39) which outlines the process and procedures by which a public housing agency may voluntarily transfer its HCV Program to another public housing agency; and

**WHEREAS**, pursuant to NOTICE PIH 2010-39, as part of the process of a voluntary transfer, a resolution approving the transfer must be approved by each agency's board and submitted to HUD for review; and

**WHEREAS**, on July 20, 2011, the Housing Authority's Board of Commissioners approved Resolution 2011-3739, which approved the attached Interlocal Agreement to transfer and consolidate the Hillsborough County HCV program with the Housing Authority's HCV program, with the Housing Authority to be the legal entity administering the consolidated program, subject to HUD approval;

**WHEREAS**, upon approval of the attached Interlocal Agreement by the County, the Interlocal Agreement and this Resolution shall be transmitted to HUD.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Hillsborough County, Florida, this 3rd day of August, 2011 that the voluntary transfer of the HCV Program from Hillsborough County to the City of Tampa Housing Authority is hereby approved, subject to the terms and conditions set forth in the

attached Interlocal Agreement, which is also approved, and contingent upon the approval of the transfer by HUD.

**STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH**

I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of August 3,  
2011, as the same appears of record in Minute Book 423 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 5th day of August, 2011.

PAT FRANK,  
CLERK OF CIRCUIT COURT

By: Beverly Anne Miller  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]  
Assistant County Attorney



**RESOLUTION 2011-3739**

**A RESOLUTION APPROVING THE INTERLOCAL AGREEMENT THAT PROVIDES FOR THE CONSOLIDATION OF THE HOUSING AUTHORITY OF THE CITY OF TAMPA'S HOUSING CHOICE VOUCHER PROGRAM AND THE HILLSBOROUGH COUNTY'S HOUSING CHOICE VOUCHER PROGRAM.**

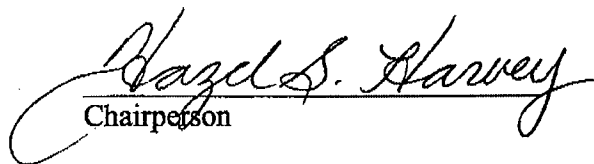
**WHEREAS**, HUD PIH Notice 2010-39 outlines the process for a voluntary transfer of budget authority and corresponding baseline units for the HCV program (including PBVs and PBCs) from the divesting PHA's Consolidated Annual Contributions Contract (CACC) to the receiving PHA(s)' CACC;

**WHEREAS**, as part of the process for the voluntary transfer, a resolution approving the transfer must be approved by each agency's board and submitted to HUD for review;

**WHEREAS**, the attached Interlocal agreement outlines each respective agency's agreement to transfer the Hillsborough County Housing Choice Voucher Program as well as any other rental assistance programs to the Housing Authority of the City of Tampa;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Housing Authority of the City of Tampa hereby approves, in substantial form, this Interlocal agreement to consolidate the Hillsborough County program with the Housing Authority of the City of Tampa in which the Housing Authority of the City of Tampa will administer, subject to HUD approval.

ADOPTED THIS 20<sup>TH</sup> DAY OF JULY, 2011

  
Chairperson

  
Secretary

**INTERLOCAL AGREEMENT PROVIDING FOR THE CONSOLIDATION OF THE HOUSING AUTHORITY OF THE CITY OF TAMPA HOUSING CHOICE VOUCHER PROGRAM AND THE HILLSBOROUGH COUNTY HOUSING CHOICE VOUCHER PROGRAM**

**THIS INTERLOCAL AGREEMENT** is made and entered into at Tampa, Florida this 3rd day of August, 2011 by and between Hillsborough County, a governmental entity organized pursuant to Florida Statutes, hereinafter referred to as "County" and the and the Housing Authority of the City of Tampa, a public body corporate and politic organized pursuant to Chapter 421, Florida Statutes, hereinafter referred to as the "Housing Authority".

**WHEREAS**, the County has received funding from the United States Department of Housing and Urban Development, hereinafter referred to as "HUD" to administer a Housing Choice Voucher Program in Hillsborough County, Florida; and

**WHEREAS**, the Housing Authority has received funding from HUD to administer a Housing Choice Voucher Program within the corporate limits of the City of Tampa and within ten (10) miles of the corporate limits of the City of Tampa, Florida; and

**WHEREAS**, the County and the Housing Authority Housing Choice Voucher Programs operate in similar geographic areas; and

**WHEREAS**, the County and the Housing Authority believe that it would be more efficient to merge these programs and operate one Housing Choice Voucher Program in Hillsborough County, Florida; and

**WHEREAS**, the County and the Housing Authority believe that the Housing Authority is the proper agency to administer this Consolidated Housing Choice Voucher Program in Hillsborough County, Florida; and

**WHEREAS**, it is the intent of the County and the Housing Authority to utilize the powers and authority of the Florida Interlocal Cooperation Act of 1969 by the execution of this Interlocal Agreement; and

**WHEREAS**, this Interlocal Agreement will supersede and void any and all previous memorandums of understanding, contracts and/or agreements between the County and the Housing Authority relative to the respective Housing Choice Voucher Programs referenced herein and their operation and jurisdiction in Hillsborough County.

**NOW, THEREFORE**, in consideration of the foregoing and the mutual covenants hereinafter contained, it is agreed by the County and the Housing Authority as follows:

**Section 1. Effective Date**

This Interlocal Agreement will become effective upon adoption of appropriate resolution by the County Commission and adoption of appropriate resolution by the Housing Authority, and after execution of this Interlocal Agreement by authorized representatives of both parties hereto a certified copy shall be recorded in the official records of Hillsborough County, Florida.

**Section 2. Administration**

- A. Beginning on October 1, 2011 or 30 days after the approval by HUD, whichever is later, the Housing Choice Voucher Programs currently administered by the County and the Housing Authority will be consolidated and the Housing Authority will be the legal entity administering the consolidated program.
- B. After becoming the legal entity administering the consolidated program, the Housing Authority Board of Commissioners will solely establish all policies and procedures for the administration of the Consolidated Housing Choice Voucher Program consistent with the provisions of this Interlocal Agreement.

**Section 3. Assignment of HAP Contracts**

- A. The County Administrator, or designee, is authorized to execute documents necessary to assign all Housing Assistance Payment Contracts between the County and landlords participating in the County's Housing Choice Voucher Program to the Housing Authority, effective October 1, 2011. Thereafter, the Housing Authority shall be solely responsible for complying with the terms of the Housing Assistance Payment Contracts.
- B. The County Administrator, or designee, is authorized to execute documents necessary to assign the Annual Contribution Contract to the Housing Authority and any other documents required by HUD to consolidate the County's Housing Choice Voucher Program with the Housing Authority's Housing Choice Voucher Program.

**Section 4. Transitional Schedule**

- A. Upon the signing of this Interlocal Agreement by authorized representatives of the County and the Housing Authority, the County shall

allow staff of the Housing Authority access to any and all of the County's Housing Choice Voucher Program files, data, documents and/or information at any reasonable time as requested by the Housing Authority staff to facilitate the consolidation of the Housing Choice Voucher Programs. Additionally, upon the signing of this Interlocal Agreement by authorized representatives of the County and the Housing Authority, the County agrees to be cooperative in aiding the Housing Authority staff in transferring and/or converting information contained in the County's Housing Choice Voucher Program's software programs to use and compatibility with the Housing Authority's Housing Choice Voucher Program's software programs.

- B. On or before January 31, 2012, upon written request from the Housing Authority the County will arrange for all Housing Choice Voucher Program files, data and/or other documents in the County's possession as designated in said written request to be delivered to a location that the Housing Authority will indicate. The cost to move the Housing Choice Voucher Program files, data and/or other documents will be paid by the County.
- C. On the same date that the Housing Choice Voucher files, data and/or other documents are transferred from the County to the Housing Authority the County will also transfer all equipment that was purchased with County Housing Choice Voucher funds. This equipment is listed on Exhibit A of this Interlocal Agreement, and by reference made apart hereof.
- D. The County shall allow the Housing Authority to make full use of the leased space where the County operated the Housing Choice Voucher Program, until the Housing Authority relinquishes the leased space, but in no event longer than January 31, 2012. The County shall make this leased space available to the Housing Authority if requested until relinquished by the Housing Authority as provided herein, upon the same terms and conditions as the County directly leases the space, including but not limited to the leasing fee.
- E. On or before October 1, 2011 the County shall arrange for all contractual obligations of the County which affect and/or are utilized by the Housing Choice Voucher Program operated by the County to be terminated, except those that the Housing Authority might indicate they are willing to continue to use in the consolidated Housing Choice Voucher Program. The County agrees to be cooperative with the Housing Authority to facilitate the continuation of any contractual obligations which affect and/or are utilized by the County's Housing Choice Voucher Program.

- F. The Housing Authority's Housing Choice Voucher participants are currently subsidized under a higher payment standard than the County's participants. Upon the signing of this Interlocal Agreement by authorized representatives of the County and the Housing Authority, the Housing Authority shall use its payment standard for the County's Housing Choice Voucher participants at the participants' next scheduled recertification.
- G. All Housing Choice Voucher participants will be subject to the Housing Authority's Utility Allowance schedule at their next annual recertification.

Section 5. Personnel

All employees now assigned to work in the County Housing Choice Voucher Program shall be given first preference for consideration for employment by the Housing Authority in the Consolidated Housing Choice Voucher Program, if they choose to apply for employment with the Housing Authority. Any such employees that may eventually be hired by the Housing Authority will be hired solely pursuant to the Housing Authorities then existing personnel policies and procedures, with no carryover or transfer of any benefits, seniority and/or other aspects of their previous employment with the County. Notwithstanding anything herein that might be construed to the contrary, this section of the Interlocal Agreement does not insure or guarantee employment with the Housing Authority.

Section 6. Administrative Fees and Reserves

- A. All Housing Choice Voucher administrative fees and reserves held by the County as of October 1, 2011 shall transfer to the Housing Authority with the County's Housing Choice Voucher Program, to pay for the future costs of the consolidated Housing Choice Voucher Programs.
- B. All Housing Choice Voucher administrative funds now held by the Housing Authority or earned by the Housing Authority will remain with the Housing Authority to pay for the past, present and future costs of the Housing Authority or the consolidated Housing Choice Voucher Programs.

Section 7. Waiting List

- A. During the period of the effective date of this Interlocal Agreement through October 1, 2011, the County waiting list will be used to fill any vacancies in the County Housing Choice Voucher Program and the Housing Authority Waiting List will be used to fill any vacancies in the Housing Authority Housing Choice Voucher Program.

- B. Effective October 1, 2011 the County will provide to the Housing Authority its waiting list for future participation in the County's Housing Choice Voucher Program. The County and the Housing Authority will work cooperatively to develop the best method to integrate both of their respective waiting lists in a fair and equitable manner. However, if the County and the Housing Authority cannot agree on a fair and equitable method to integrate the respective waiting lists, the Housing Authority shall unilaterally in its sole discretion make the final decision on the consolidation of the two respective waiting lists.

Section 8. Landlord and Tenant notification

The County and the Housing Authority will prepare a letter that will be mailed to all County participants and landlords informing them of the proposed consolidated program. The letter will be mailed no later than September 1, 2011. Additionally, the County and the Housing Authority will update their respective websites, post appropriate notices and notify all partners of the respective programs, social service agencies and/or other relevant organizations that the Housing Authority and/or the County deem necessary, to announce the consolidated program.

Section 9. Reports

All reports that the County shall be obligated to submit to the Housing Authority for the period ending October 1, 2011, on or before October 1, 2011 are listed on Exhibit B of this Interlocal Agreement, and by reference made a part hereof.

Section 10. Program Liabilities

All debts owed to the County or the Housing Authority Housing Choice Voucher programs that are repaid after October 1, 2011 will be retained by the Housing Authority.

Section 11. Dispute Resolution

Should a dispute among the County and the Housing Authority arise out of or pursuant to this Interlocal Agreement, the County and the Housing Authority agree to submit the matter to the Hillsborough County Mediation Program for resolution. The Housing Authority and the County agree to be responsible for their respective costs and reasonable attorneys fees associated with the mediation.

Section 12. Hold Harmless

Neither the County nor the Housing Authority will be responsible for damages or costs incurred by any person arising out the negligence of the other's agents or employees in carrying out this Interlocal Agreement.

Section 13. Filing of the Interlocal Agreement

It will be a condition precedent to the effectiveness of this Interlocal Agreement that a certified copy is filed with the County Clerk as required in 163.01(11) FS.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and delivered as of the date indicated above.

**HOUSING AUTHORITY OF THE CITY OF TAMPA**

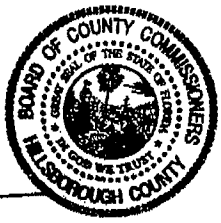
ATTEST:

BY: <u><i>Hazel Harvey</i></u> HAZEL HARVEY Chairperson	<u><i>Jerome D. Ryans</i></u> JEROME D. RYANS President/CEO/Secretary
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**HILLSBOROUGH COUNTY, FLORIDA**

ATTEST: Pat Frank, Clerk

BY: <u><i>Pat Frank</i></u> <del>COUNTY MANAGER</del> Chairman, Board of County Commissioners	<u><i>Beverly Anne Miller</i></u> <del>COUNTY CLERK</del> Deputy Clerk
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APPROVED AS TO LEGAL FORM BY: *[Signature]*  
assistant county attorney

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY FLORIDA  
DOCUMENT NO. 11-0662