

CHAPTER 100. - LOCAL HOUSING ASSISTANCE

Footnotes:

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Editor's note— Ord. No. 08-42, § 1, adopted May 27, 2008, amended former Ch. 100, §§ 100.01—100.09, in its entirety to read as herein set out. Former Ch. 100 pertained to similar subject matter and derived from Ord. No. 93-32, adopted May 10, 1993.

Sec. 100.01. - Short title.

This chapter shall be titled "Local Housing Assistance."

(Ord. No. 08-42, § 1, 5-27-08)

Sec. 100.02. - Definitions.

The definitions enumerated in section 420.9071, Florida Statutes and Rule 67-37.002, Florida Administrative Code shall apply to the terms of this chapter.

(Ord. No. 08-42, § 1, 5-27-08)

Sec. 100.03. - Local housing assistance program; creation and purpose.

- (a) The local housing assistance program is hereby created and established.
- (b) The local housing assistance program shall consist of a local housing assistance plan that has been adopted by resolution pursuant to Chapter 420, Florida Statutes. The local housing assistance plan shall be implemented through one or more local housing partnerships.
- (c) The local housing assistance program's purpose is to implement and further the goals of the State Housing Initiatives Partnership Program at the local level by:
 - (1) Increasing the availability of affordable housing units by combining local resources and cost-saving measures into a local housing partnership and using public and private funds to reduce the cost of housing.
 - (2) Promoting the leveraging of public and private monies to provide affordable housing to eligible persons.

(Ord. No. 08-42, § 1, 5-27-08)

Sec. 100.04. - Local housing assistance trust fund; creation.

- (a) The local housing assistance trust fund is hereby created and established.
- (b) All moneys received by the city from its share of the local housing distribution, program income, recaptured funds, and other funds received or budgeted to implement the local housing

assistance plan shall be deposited into the trust fund; however, local housing distribution moneys used to match federal HOME program moneys may be repaid to the HOME program fund if required by federal law or regulations. Expenditures other than for administration and implementation of the local housing assistance plan may not be made from the fund.

Administration of the local housing assistance trust fund shall comply with Rule 67 of the Florida Administrative Code and shall be subject to the requirements contained in Chapter 420, Florida Statutes, as may be amended.

- (c) The cost of administering the local housing assistance plan may not exceed the thresholds contained in section 420.9075, Florida Statutes, as may be amended.
- (d) Amounts on deposit in the local housing assistance trust fund shall be invested. All investment earnings shall be retained in the local housing assistance trust fund and used for purposes thereof.
- (e) Until utilized for the purposes thereof, moneys in the local housing assistance trust fund shall be held in trust by the city solely for the use pursuant to the local housing assistance program. All local housing assistance program income, including investment earnings, shall be retained in the local housing assistance trust fund and used for the purposes thereof.
- (f) The city agrees that the local housing assistance trust fund shall be separately stated as a special revenue fund in the city's audited financial statements. Copies of such audited financial statements shall be forwarded to the Florida Housing Finance Corporation as soon as such statements are available.

(Ord. No. 08-42, § 1, 5-27-08; Ord. No. 18-32, § 1, 7-9-18)

Sec. 100.05. - Local housing partnership; creation.

- (a) The local housing partnership is hereby created and established.
- (b) The local housing partnership shall include, but is not limited to, city and county representatives, community-based organizations, for-profit housing developers, lending institutions, providers of professional services relating to affordable housing and service organizations working on behalf of persons with special housing needs and homebuilders.
- (c) The local housing partnership shall assist in the implementation of the local housing assistance program. Such implementation shall be consistent with this chapter, Chapter 420, Florida Statutes, and Rule 67-37, Florida Administrative Code.

(Ord. No. 08-42, § 1, 5-27-08)

Sec. 100.06. - Designation of responsibility for administration and implementation of the local housing assistance program and plan.

The neighborhood services department shall be the department responsible for implementing the local housing assistance program and plan in compliance with this chapter and all applicable Florida Statutes and Administrative Code provisions.

(Ord. No. 08-42, § 1, 5-27-08; Ord. No. 18-32, § 2, 7-9-18)

Sec. 100.07. - Affordable housing advisory committee; creation.

- (a) The affordable housing advisory committee is hereby created and established. The members of the advisory committee shall be appointed by resolution of the city council.
- (b) The affordable housing advisory committee shall consist of nine members who reside in the city. Five members shall constitute a quorum. The committee may not take formal action unless a quorum is present, but may meet to hear presentations if duly noticed. The affordable housing advisory committee shall include one locally elected official and one representative from at least six of the following categories, which individuals may overlap with or be part of the local housing partnership:
 - (1) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
 - (2) A citizen who is actively engaged in the banking or mortgage industry in connection with affordable housing.
 - (3) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
 - (4) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
 - (5) A citizen who is actively engaged as a for-profit provider of affordable housing.
 - (6) A citizen who is actively engaged as a not-for-profit provider of affordable housing.
 - (7) A citizen who is actively engaged as a real estate professional in connection with affordable housing.
 - (8) A citizen who actively serves on the local planning agency pursuant to section 163.3174, Florida Statutes, notwithstanding any City ordinance or resolution to the contrary. Only one citizen who actively serves on the local planning agency may serve on the affordable housing advisory committee.
 - (9) A citizen who resides within the jurisdiction of the local governing body making the appointments.
 - (10) A citizen who represents the employers within the jurisdiction.
 - (11) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

- (c) Members shall serve for one-year terms and may be reappointed for subsequent terms.
- (d) In general, meetings shall be held at least monthly during the time period that the committee is carrying out its duties as set forth in section 420.9076, Florida Statutes, as may be amended.
- (e) The affordable housing advisory committee shall comply with the government in the Sunshine Law, the public records law, and the special provisions regarding notice found in section 420.9076, Florida Statutes, as may be amended. Minutes of the meeting shall be kept. Staff, administrative and facility support shall be provided by the city.
- (f) The affordable housing advisory committee shall annually elect a chairperson, vice-chairperson and such other officers as it deems necessary. The chairperson is charged with the duty of conducting meetings in a manner consistent with law.
- (g) Annually, the affordable housing advisory committee shall review the established policies and procedures, ordinances, land development regulations and adopted local comprehensive plan of the city and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, the affordable housing advisory committee shall submit a final report to the city council that includes recommendations on, and triennially evaluates the implementation of affordable housing incentives in the areas outlined in section 420.9076(4), Florida Statutes in compliance, as may be amended.
- (h) Recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations or plan provisions. At a minimum, the affordable housing advisory committee shall make recommendations on affordable housing incentives in the areas outlined in section 420.9076(4), Florida Statutes.
- (i) The affordable housing committee shall make recommendations, which shall be approved by a majority of its membership at a public hearing. Notice of the time, date and place of the public hearing shall comply with section 420.9076(5), Florida Statutes, as may be amended.

(Ord. No. 08-42, § 1, 5-27-08; Ord. No. 18-32, § 3, 7-9-18; Ord. No. 21-12, § 1, 2-8-21)

Sec. 100.08. - Adoption of local housing assistance plan.

- (a) Within 90 days after the date of the receipt of the evaluation and local housing incentive strategies and recommendations from the affordable housing advisory committee, the city council shall adopt an amendment to its local housing assistance plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must

include, at a minimum, the local housing incentive strategies required under section 420.9071(16), as may be amended. The City shall consider the strategies specified in paragraphs 420.9076(4)(a)—(k) as recommended by the advisory committee.

- (b) The city council shall notify the Florida Housing Finance Corporation by certified mail of its adoption of an amendment to its local housing assistance plan to incorporate the local housing incentive strategies. The notice must include a copy of the approved amendment plan.

(Ord. No. 08-42, § 1, 5-27-08; Ord. No. 18-32, § 4, 7-9-18)