

## RESOLUTION NO. 2023-53

### A RESOLUTION OF CITY OF DELTONA, FLORIDA; AMENDING THE AFFORDABLE HOUSING ADVISORY COMMITTEE BY-LAWS, ARTICLE III. MEMBERSHIP, SECTION 1, PROVIDING FOR CONDITIONS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, the State Housing Initiative Partnership (SHIP) Act, Sections 420. 907- 420.9079, Florida Statutes, ( hereinafter referred to as the ` SHIP Act'), and Chapter 67- 37, Florida Administrative Code ( FAC), ( hereinafter referred to as the ` SHIP Rule'), establish the requirements for a local housing assistance program to implement the SHIP Act and Rule; and

**WHEREAS**, the SHIP Act and Rule require to continue to qualify for funding, local governments shall appoint an Affordable Housing Advisory Committee (AHAC). Also, in July 2007, the Florida Legislature passed House Bill ( HB) 1375, that requires local governments receiving SHIP Program Funds to appoint an AHAC; and

**WHEREAS**, pursuant to 420.9076, F. S. and Rule 67- 37.010, FAC, to continue to qualify for affordable housing funding, the City of Deltona adopted Ordinance No. 05- 2013 on March 18, 2013, that granted the authority to re- establish the new AHAC and Resolution No. 2014- 33 on October 6, 2014 to appoint new AHAC committee members and assigned the members the duty to review, evaluate and provide written recommendations to the City Commission regarding the policies, procedures, ordinances, land development regulations and the comprehensive plan pertaining to affordable housing and community development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:**

**Section 1.** The following by-law sections are in underlined and strikethrough format so that the changes are easily identifiable.

#### **Article III. Membership:**

**Section 1.** The Committee shall have eleven members appointed by the City Commission by resolution. Each member shall serve for a term of two years with the term to expire December 31<sup>st</sup>. Appointments shall be ratified by a majority vote of the City Commission. ~~No-elected official and no employee of the city or county government shall be appointed to serve on the Committee.~~ Effective October 1, 2020, the committee must consist of one locally elected official from each county or municipality in the State Housing Initiatives Partnership Program and one representative from at least six of the categories below. The Committee will include:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to § 163.3174.
- (i) One citizen who resides within the City of Deltona.
- (j) One citizen who represents employers within the City of Deltona.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If, due to various reasonable factors, a citizen actively engaged in these activities in connection with affordable housing is not available for appointment to the Committee, a citizen engaged in the activity without regard to affordable housing may be appointed. All members of the Affordable Housing Advisory Committee must be citizens of the City of Deltona.

**Section 2. Conflicts.** All Resolutions or parts of Resolution insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

**Section 3. Severability.** In the event any portion of this Resolution is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portion or sections of the Resolution which shall remain in full force and effect.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
DELTONA, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

BY: \_\_\_\_\_  
Santiago Avila Jr., MAYOR

ATTEST:

\_\_\_\_\_  
Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality  
for use and reliance of the City of  
Deltona, Florida

\_\_\_\_\_  
CITY ATTORNEY