



Legislation Text

File #: 15-4756, Version: 1

TO: Mayor and Commission

AGENDA DATE: 10/19/2020

FROM: Dr. Marc-Antonie Cooper, Interim City Manager

AGENDA ITEM: 8 - A

SUBJECT:

Consideration of the appointment of one (1) Deltona City Commissioner to the Affordable Housing Advisory Committee for a term to expire October 5, 2021, per House Bill 1339 - Joyce Raftery, City Clerk (386) 878-8502.

Strategic Goal: Internal and external communication.

LOCATION:

N/A

BACKGROUND:

House Bill 1339 which was effective July 1, 2020 addresses several issues affecting certain bonding activities; impact fee accounting; building inspections; affordable housing and related linkage fees; and the regulation, ownership, and tenancy related to mobile homes, mobile home parks, and related homeowners' associations. Current City operations do not conflict with any of the changes associated with House Bill 1339. However, the City as an entitlement community receiving State Housing Initiatives Partnership (SHIP) funds is obligated to change the membership of the Affordable Housing Advisory Committee (AHAC). HB 1339 now requires a SHIP entitlement community like Deltona to appoint a member of the Deltona City Commission to the Affordable Housing Advisory Committee. Attached is the current AHAC member list and House Bill 1339. Below are highlighted sections of House Bill 1339 that pertain to the appointment of an elected official.

Section 16. Section 420.531, Florida Statutes, is amended to read:

420.531 Affordable Housing Catalyst Program. -

(Page 38 of 79/Lines 933-949)

(2) In consultation with the corporation, the entity providing statewide training and technical assistance shall convene and administer biannual regional workshops for the locally elected officials serving on affordable housing advisory committees as provided in s. 420.9076. The regional workshops may be conducted through teleconferencing or other technological means and must include processes and programming that facilitate peer-to-peer identification and sharing of best affordable housing practices among the locally elected officials. Annually, calendar year reports summarizing the deliberations, actions, and recommendations of each region, as well as the attendance records of locally elected officials, must be compiled by the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program and must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the corporation by March 31 of the following year.

Section 19. Subsections (2) and (4) of section 420.9076, Florida Statutes, are amended, and subsection (10) is added to that section, to read:

420.9076 Adoption of affordable housing incentive strategies; committees. -

(Pages 40-41 of 79/Lines 998-1035)

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee. Pursuant to the terms of any interlocal agreement, county and municipality may create and jointly appoint an advisory committee. The local action adopted pursuant to s. 420.9072 which creates the advisory committee and appoints the advisory committee members must name at least 8 but not more than 11 committee members and specify their terms. Effective October 1, 2020, the committee must consist of one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Program and one representative from at least six of the categories below:

- (a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) A citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable 1028 in the local planning process.
- (i) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) A citizen who represents employers within the jurisdiction.
- (k) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

(Page 44 of 79/Lines 1092-1099)

(10) The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing

Catalyst Program as provided in s. 420.531(2). If the locally elected official or a locally elected designee fails to attend three consecutive regional workshops, the corporation may withhold funds pending the person's attendance at the next regularly scheduled biannual meeting.

The SHIP Act and Rule requirement has been reinstated per SHIP statute (F.S. 420.9076 and Rule 67-37.010) that in order to continue to qualify for funding, the local government must appoint an Affordable Housing Advisory Committee.

The AHAC Committee shall evaluate and report to the City Commission on established policies, procedures, ordinances, land development regulations, and review the comprehensive plan; to include, recommended changes as established in Section 420.9076, F.A.C.

The City shall transmit an electronic copy of the report, which is presented to the City Commission for consideration to the Florida Housing Finance Corporation.

In the past, the City has been consistent with regard to discouraging dual position holding. For example, a member of the City Commission could not also serve on an advisory board like the Planning and Zoning Board. However, in this case, there is a State mandate to have an elected official serve on an AHAC. Therefore, to comply with State law the appointment of an elected official to the AHAC would be appropriate.

Approval of this item authorizes the necessary budget transfers to facilitate Commission approval and further authorizes the interim City Manager to sign any documents necessary to implement Commission approval of this item.

COST:

N/A

SOURCE OF FUNDS:

N/A

ORIGINATING DEPARTMENT:

City Clerk's Department

STAFF RECOMMENDATION PRESENTED BY:

Joyce Raftery, City Clerk - Staff recommends the Commission members select and appoint a member of the Deltona City Commission to serve on the Affordable Housing Advisory Committee for a term to expire October 5, 2021, per House Bill 1339.

POTENTIAL MOTION:

"I move to confirm the appointment _____ to the Affordable Housing Advisory Committee for a term to expire on October 5, 2021, per House Bill 1339. Approval of this item authorizes the necessary budget transfers to facilitate Commission approval and further authorizes the interim City Manager to sign any documents necessary to implement Commission approval of this item."