



Broward County

Legislation Text

File #: 21-235, Version: 1

Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Division: Intergovernmental Affairs/Board Section

Information

Requested Action

MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending Section 5-557(c) of the Broward County Code of Ordinances, to comply with statutory changes requiring appointment of a County Commissioner to the Affordable Housing Advisory Committee, removing the category of "essential services personnel" and replacing with "banking or mortgage banking industry," and retain the current appointee to the "banking or mortgage banking industry" category.

Why Action is Necessary

Pursuant to Section 18.5(e) of the Broward County Administrative Code, the subject matter of a proposed Ordinance must be considered by the Board prior to the drafting of the proposed Ordinance.

What Action Accomplishes

Allows Section 5-557(c) of the County Code of Ordinances to be amended.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

The Affordable Housing Advisory Committee (AHAC) is established pursuant to Section 420.9076, Florida Statutes. The AHAC was created in Broward County in 2008 through ordinance 2008-23. The AHAC reviews and makes recommendations regarding the local affordable housing incentives, including incentive strategies; evaluates established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and reports to the Board, including recommended changes. Section 420.9076, Florida Statutes, requires at least eight appointees but not more than 11. Furthermore, at least one appointee must represent at least six of the following 11 categories:

- 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 Section 163.3174, Florida Statutes, as amended from time to time;
- i. One citizen who resides within the jurisdiction of the local governing body making the appointments;
- j. One citizen who represents employers within the jurisdiction;
- k. One citizen who represents essential services personnel, as defined in the local housing assistance plan;

Currently, each Commissioner appoints a member to AHAC in one of the above categories. The remaining two (banking or mortgage industry, and citizen who resides within the jurisdiction) are appointed at-large using the methodology outlined in Section 1-233, Code of Ordinances. As a result of statutory changes, one of the categories of the AHAC must be eliminated to accommodate the appointment of a Commissioner. The current composition of the AHAC is part of this agenda item as Exhibit 1.

During the 2020 State Legislative Session, the Legislature passed HB 1339 - Community Affairs which addressed community development zoning, impact fees, affordable housing, and mobile homes and parks. Among the numerous changes under the bill, it amended Section 420.9076 Florida Statutes to modify membership on the AHAC. The bill requires one locally elected official from each participating SHIP county or municipality to serve on the AHAC. The local elected official must attend biannual workshops on affordable housing best practices. Further changes were anticipated during the 2021 State Legislative Session, but none were made.

To comply with current state law, the “essential services personnel” (currently vacant and appointed by District 3) category will be deleted and replaced with the “banking or mortgage banking” category. Furthermore, the current appointee to the “banking or mortgage banking” category will be retained.

Source of Additional Information

Marty Cassini, Manager, Intergovernmental Affairs/Boards Section, (954) 357-7575

Fiscal Impact

Fiscal Impact/Cost Summary

None.