

RESOLUTION 181 - 20

A RESOLUTION OF THE CITY OF CAPE CORAL AMENDING RESOLUTION 23-08, WHICH ESTABLISHED THE AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR PURPOSE AND CREATION; PROVIDING FOR COMPOSITION; PROVIDING FOR POWERS AND DUTIES; PROVIDING FOR VACANCIES; PROVIDING FOR MEETINGS; PROVIDING FOR QUORUM; PROVIDING COMPENSATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 420.9072, Florida Statutes, states that affordable housing is most effectively provided by combining available public and private resources, and that local governments achieve this combination of resources by encouraging active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons, and community groups to produce affordable housing; and

WHEREAS, section 420.9076, Florida Statutes, requires each municipality that participates in the State Housing Incentives Partnership Program (SHIP) to establish an affordable housing advisory committee to recommend monetary and non-monetary incentives for affordable housing; and

WHEREAS, on June 4, 2008, the City Council adopted Resolution 23-08, which established the Affordable Housing Advisory Committee in the City of Cape Coral; and

WHEREAS, the Cape Coral City Council desires to amend Resolution 23-08 to remain in compliance with recent amendments to Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE AND CREATION: The purpose of this Resolution is to comply with the State Housing Initiatives Partnership Program by establishing an Affordable Housing Advisory Committee, combining public and private resources, to recommend monetary and non-monetary incentives to provide affordable housing.

SECTION 2. COMPOSITION: The Affordable Housing Advisory Committee shall be composed of eleven (11) members. All members shall be residents of the City of Cape Coral and all will be appointed by a majority vote of the City Council. ~~The initial committee shall consist of four (4) members to be appointed for three (3) years, four (4) members to be appointed for two (2) years, and three (3) members to be appointed for one (1) year. The City Council shall utilize a random selection process to determine which of such members shall serve a term of one (1) year, two (2) years, or three (3) years as provided herein. Thereafter in~~ Members shall serve for a period of three years from the date of their appointment. The Committee shall include one city council member and one representative from at least six of the categories below:

- (a) ~~One~~ A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) ~~One~~ A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) ~~One~~ A citizen who is a representative of those areas of labor activity engaged in home building in connection with affordable housing.
- (d) ~~One~~ A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) ~~One~~ A citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) ~~One~~ A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) ~~One~~ A citizen who is engaged as a real estate professional in connection with affordable housing.

- (h) ~~One~~ A citizen who actively serves on the local planning agency/planning and zoning commission (pursuant to section 163.3174, Florida Statutes).
- (i) ~~One~~ A citizen who resides within the jurisdiction of the local governing body making the appointments (citizen at large).
- (j) ~~One~~ A citizen who represents employers within the City of Cape Coral.
- (k) ~~One~~ A citizen who represents essential services personnel, as defined in the local housing assistance plan.

~~If, due to the presence of a conflict of interest by prospective appointees, or other reasonable factors, the City is unable to appoint a citizen actively engaged in these activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed.~~

SECTION 3. POWERS AND DUTIES: At a minimum, the Committee shall submit an annual report to the City Council and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program that includes recommendations on, and ~~triennially thereafter~~ evaluates the implementation of, affordable housing incentives in the following areas:

- (a) The processing of approvals of development orders or permits, ~~as defined in section 163.3164 (7) and (8), Florida Statutes,~~ for affordable housing projects is expedited to a greater degree than other projects, as provided in Section 163.3177(6)(f)3, Florida Statutes.
- (b) ~~The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment~~ All allowable fee waivers provided for the development or construction of affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
- (e) ~~The allowance of a~~ Affordable accessory residential units ~~in residential zones.~~
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configuration, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

~~Triennially~~ Annually, the Committee shall review the established policies and procedures, ordinances, land development regulations, and the City's comprehensive plan, 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 Committee may recommend other affordable housing incentives identified by the Committee. The Committee may also perform other duties at the request of City Council.

The city council member serving on the Committee must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in Section 420.531(2), Florida Statutes.

SECTION 4. VACANCIES: ~~Any member of the Committee may be removed, with or without cause, by a majority vote of the City Council. Committee members may be suspended or removed from office as provided in Section 112.501, Florida Statutes, as may be amended.~~ Whenever a vacancy occurs on the Committee, the Council shall fill the vacancy for the remainder of the term in the same manner as the original appointment as soon as practicable after the vacancy occurs. A vacancy in the office of Chairperson or Vice-Chairperson shall be filled at the earliest possible date by the Committee by the election of one of its members to fill the unexpired term.


SECTION 5. MEETINGS: The City of Cape Coral Affordable Housing Advisory Committee shall hold meetings on a quarterly basis, or more often when business requires. Special meetings may be called by the Chairperson when deemed imperative. The Committee shall appoint a Chairperson and Vice-Chairperson to serve for a term of one year. The Vice-Chairperson shall act in the absence of the Chairperson. The Committee may adopt its own rules and regulations as may be deemed necessary, providing such rules shall not be contrary to the spirit and intent of this resolution, the policies and Charter of the City, and Florida Statutes. The Chairman may appoint Ad Hoc Committees when deemed necessary. All meetings are open to the public.

SECTION 6. QUORUM: Six (6) members of the Committee present to conduct official business shall constitute a quorum. No official action shall be taken by the Committee without the concurring vote of a majority of all members present at such meeting.

SECTION 7. COMPENSATION: The members of the City of Cape Coral Affordable Housing Advisory Committee shall serve without compensation.

SECTION 8. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS 31st DAY OF August, 2020.

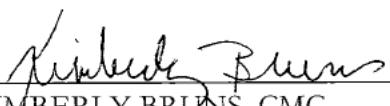


JOE COVIELLO, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

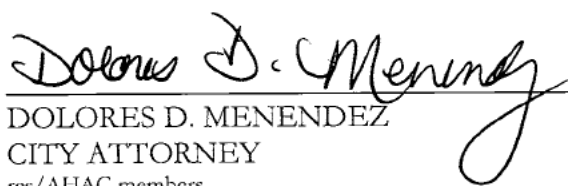
COVIELLO	<u>aye</u>	NELSON	<u>aye</u>
GUNTER	<u>aye</u>	WELSH	<u>aye</u>
CARIOSCIA	<u>aye</u>	WILLIAMS	<u>aye</u>
STOUT	<u>aye</u>	CODEN	<u>aye</u>

ATTESTED TO AND FILED IN MY OFFICE THIS 8th DAY OF September, 2020.



KIMBERLY BRUNS, CMC
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY
res/AHAC members