

RESOLUTION NO. 2019 - 113

**A RESOLUTION OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE
INDIAN RIVER COUNTY AFFORDABLE HOUSING ADVISORY
COMMITTEE MEMBERSHIP AND RESTATING ITS TASKS, POWERS,
AND DUTIES**

WHEREAS, Indian River County adopted Ordinance No. 93 – 13, establishing the Indian River County Local Housing Assistance Program; and

WHEREAS, Ordinance No. 93 - 13 was codified as Chapter 308 of the Indian River County Ordinance Code; and

WHEREAS, an Affordable Housing Advisory Committee was appointed in May 18, 1993 to perform and complete the duties and functions set forth in Section 420.9076, Florida Statutes, and Section 308.07 of the Indian River County Ordinance Code; and

WHEREAS, the 1993 Affordable Housing Advisory Committee performed and completed all tasks referenced above and was eventually dissolved on November 4, 2003; and

WHEREAS, the 2007 Florida Legislature, as part of HB 1375, revised Section 420.9076 Florida Statutes to require all counties in the state to establish Affordable Housing Advisory Committees and to prepare a report every three years that reviews local established policies and procedures, ordinances, land development regulations and comprehensive plan and recommend specific actions or initiatives to encourage or facilitate affordable housing, while protecting the ability of the property to appreciate in value; and

WHEREAS, on March 18, 2008, the Indian River County Board of County Commissioners adopted resolution 2008-038 establishing a new Affordable Housing Advisory Committee as directed by the state to fulfill the requirements of HB 1375; and

WHEREAS, as part of resolution 2008-038, the Board of County Commissioners appointed a total of seventeen members to the Affordable Housing Advisory Committee, consisting of eleven voting members from categories outlined in state statute, five additional voting members consisting of a representative appointed by each of the towns and cities in the County, and one non-voting Board

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of County Commissioners liaison; and

WHEREAS, the Affordable Housing Advisory Committee created and approved the County's first Affordable Housing Advisory Committee Report on November 18, 2008, which was subsequently approved by the Board of County Commissioners on December 9, 2008 and submitted to the Florida Housing Finance Corporation; and

WHEREAS, since approval of that report, three additional Affordable Housing Advisory Committee reports were prepared, recommended for approval by Affordable Housing Advisory Committee, approved by the Board of County Commissioners, and submitted to the Florida Housing Finance Corporation; one in 2011, one in 2014, and the other in 2017; and

WHEREAS, on December 4, 2018 the Board of County Commissioners directed staff, outside of the three year statutorily required time frame, to schedule Affordable Housing Advisory Committee meetings to discuss, study, and review the affordable housing issue within the county; and

WHEREAS, since receiving that direction, the Affordable Housing Advisory Committee has met a total of five times, however, it has been difficult to achieve a quorum of a minimum of nine of the seventeen Affordable Housing Advisory Committee members; and

WHEREAS, Section 420.9076, Florida Statute was recently changed to require Affordable Housing Advisory Committee membership to be between eight and eleven members, with at least six of those members from eleven categories established in statute; and

WHEREAS, on October 22, 2019, the Board of County Commissioners directed staff to prepare an amendment to Chapter 308 of the Indian River County Ordinance Code and a resolution to reduce the Affordable Housing Advisory Committee size from seventeen members to eleven members plus the Board of County Commissioners liaison.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that:

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1. This resolution replaces and repeals Board of County Commissioners resolution 2008-038.
2. The Affordable Housing Advisory Committee voting membership shall be as identified in Exhibit "A" attached to this resolution.
3. The Affordable Housing Advisory committee non-voting membership shall be as identified in Exhibit "B" attached to this resolution.
4. Vacancies in membership shall be filled and approved by majority vote of the Indian River County Board of County Commissioners.
5. The provisions of Chapter 103, Commissions and Boards, of the Indian River County Ordinance Code shall apply to the activities of the Affordable Housing Advisory Committee unless otherwise specified in Section 308.07 of the Indian River County Ordinance Code.
6. The Affordable Housing Advisory Committee shall have no power or authority to commit Indian River County to any policies, incur any financial obligation, or create any liability on the part of the County until approved or adopted by the Board of County Commissioners.
7. Duties of the Affordable Housing Advisory Committee include but are not limited to:
 - Providing advice to the Board of County Commissioners regarding the provision of affordable housing and workforce housing within the county;
 - Assessing new affordable housing strategies;
 - Reviewing and assessing the County's current affordable housing incentives;
 - Reviewing the County's current policies and procedures as related to the provision of affordable housing;
 - Reviewing the Housing Element component of the County's Comprehensive Plan Evaluation and Appraisal Report;
 - Reviewing the County's Land Development Regulations as they relate to the provision of affordable and workforce housing; and
 - Submitting a report to the Board of County Commissioners every three years, to meet

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state mandates, including to recommend specific actions or initiatives to encourage and facilitate affordable housing while protecting the ability of property to appreciate in value.

The foregoing resolution was offered by Commissioner Solari and seconded by Commissioner Zorc, and, being put to a vote, the vote was as follows:

Susan Adams, Chairman	<u>AYE</u>
Joseph E. Flescher, Vice Chairman	<u>AYE</u>
Tim Zorc, Commissioner	<u>AYE</u>
Peter D. O'Bryan, Commissioner	<u>AYE</u>
Bob Solari, Commissioner	<u>AYE</u>

The Chairman thereupon declared the resolution duly passed and adopted this 17th day of December, 2019.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: Susan Adams
Susan Adams, Chairman



ATTEST BY: Jacqueline Ruggs
Jeffrey Smith, Clerk Of Circuit Court and Comptroller

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

William K. DeBraal
William K. DeBraal, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

Roland M. DeBlois
Roland M. DeBlois, AICP; Community Development Director

EXHIBIT "A"

Members of the Indian River County Affordable Housing Advisory Committee Appointed by the Indian River County Board of County Commissioners, pursuant to Section 420.9076(2). F.S. and County Policy.

Voting Members

1. A representative appointed by the City of Fellsmere
2. A representative appointed by the City of Vero Beach
3. A representative appointed by the City of Sebastian
4. A representative appointed by the Town of Indian River Shores
5. A representative appointed by the Town of Orchid

In addition to the five municipal representatives listed above, the Board of County Commissioners shall **select six members from the list below** (as required by Section 420.9076(2) Florida Statutes).

- A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- A citizen who is actively engaged in the banking or mortgage industry in connection with affordable housing.
- A citizen who is a representative of those areas of labor engaged in home building in connection with affordable housing.
- A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- A citizen who is actively engaged as a for-profit provider of affordable housing.
- A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- A citizen who actively serves on the County's local planning agency (Planning and Zoning Commission) pursuant to Section 163.3147 Florida Statutes.
- A citizen who resides within the county.

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- A citizen who represents employers within the county.
- A citizen who represents essential services personnel, as defined in the Local Housing Assistance plan.

EXHIBIT "B"

Non-Voting Liaison

Representational Criteria

1. A member of the Indian River County Board of County Commissioners

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