

**AFFORDABLE HOUSING ADVISORY COMMITTEE
 FORT LAUDERDALE EXECUTIVE AIRPORT
 ADMINISTRATIVE OFFICE - MULTIPURPOSE ROOM
 6000 NW 21 AVENUE, FORT LAUDERDALE, FL
 MONDAY, OCTOBER 6, 2008, 6:30 P.M.**

Board Members	Attendance	Cumulative Attendance 9/08 through 8/09	
		Present	Absent
Chair Peter Henn	P	2	0
Vice Chair Rebecca Jo Walter	P	2	0
Margie Alexander	P	2	0
Tam English	A	1	1
William Isenberg	P	2	0
Carolyn Jones	A	0	2
Jonathan Jordan	P	2	0
Rene Lepine	A	1	1
Janet Riley [7:08]	P	1	1
Greg Stuart	A	0	2

City Staff

Margarette Hayes, Manager, Community Development Division
 Sue Batchelder, Assistant Manager, Community Development Division
 Miriam Carrillo, Housing Programs Supervisor
 Laura Maldonado, Senior Accounting Clerk
 Angela Mahecha, Administrative Aide
 J. Oppertlee, Recording Secretary, ProtoType Inc.

Call to Order

The meeting was called to order at 6:46 p.m.

1. Pledge of Allegiance / Roll Call

The Pledge of Allegiance was recited.

2. Board/Staff Introductions

Board members and City staff introduced themselves in turn.

Ms. Hayes announced that Brad Hubert had resigned from the Board and they must elect a new Vice Chair.

3. Approval of Minutes – September 15, 2008

[This item was heard out of order]

Ms. Walter noted the Board had determined that their report was due to Florida Housing Finance Corporation on May 2, not December 31. Ms. Hayes agreed to confirm this.

Chair Henn stated “Dock” on page 6 paragraph 3 should be “Doc.”

Motion made by Mr. Isenberg, seconded by Mr. Jordan, to approve the minutes of the Board’s 9/15/08 meeting as amended. In a voice vote, all voted in favor.

4. Review of Documentation

Chair Henn distributed copies of the report suggested by Ms. Walter. Ms. Hayes distributed copies of information Mr. Henn had emailed to her, suggestions from Mr. Jordan, the Workforce Housing study completed by a consultant and the Broward County Linkage Fee Study.

5. Discussion of Initiatives/ Strategies

Chair Henn had been encouraged to learn that the Board should submit their report to the City Commission by December 31, but the City Commission was not required to take formal action immediately. Chair Henn suggested the Board do the minimum required by the end of the year to keep the SHIP funds coming in, and then create a more proactive report that could be adopted after the Commission elections in March.

Ms. Hayes agreed with Chair Henn that it might be best to wait to present their report to the new City Commission. Ms. Hayes informed the Board that the City Commission had officially rejected the recommendations of the Workforce Housing Study. Chair Henn requested a summary of recommendations from the Workforce Housing Study so the Board knew what specifics of the recommendations had been rejected by the City Commission. Ms. Hayes agreed to provide this to Board members.

Ms. Walter referred to the information she had provided from the Florida Housing Coalition and drew the Board’s attention to the section on committees. This included a list of items to address and stressed that the only things the City must adopt were expedited permitting, ongoing review and a land bank inventory. Ms. Hayes confirmed that the City offered expedited permitting, and they were utilizing the land bank for infill housing. Ms. Walter requested feedback from staff regarding possible improvements the Board could recommend.

Ms. Walter stated the Broward Housing Partnership and Florida International University had assessed what cities in Broward County were doing and she felt the Board could use this as a guide.

Ms. Walter had mentioned parking in her suggestions, but acknowledged that there were major problems in Fort Lauderdale regarding parking. She had also included a copy of an inclusionary zoning and linkage fee ordinance a municipality in the Keys had implemented. Ms. Walter noted that municipalities that did not have their own linkage fees could adopt Broward County's. Municipalities that had implemented their own could opt of the County linkage fee.

Ms. Hayes confirmed for Ms. Walter that Fort Lauderdale received approximately \$3.7 million from the Housing and Economic Recovery Act, and these funds were set aside for acquisition, rehabilitation and resale.

Ms. Walter also recommended that the Board continue to provide input to the City after the report was complete. Ms. Hayes stated this would be up to the new City Commission.

Chair Henn said he had visited the Florida Housing Coalition website and noted the 11 incentive strategies the Conference suggested Affordable Housing Advisory Committees investigate for their recommendations. He felt the Board should discuss items A through K and weed out those they felt applied from those they felt did not. Ms. Hays informed the Board that these were the original incentive strategies from 1992 when the Sadowski act was approved. Ms. Walter had referred to these in her suggestions as well.

[Ms. Riley arrived at 7:08 and the Board had a quorum]

Ms. Riley introduced herself and explained that she had worked for Broward County Legal Aid for almost 25 years. In the past 10 years she had concentrated on affordable housing advocacy.

Ms. Hayes explained to Ms. Riley Chair Henn's suggestion that the Board make only recommendations with no budget impact to the current City Commission. Once the new Commission was seated, they would move forward with their recommendations.

Chair Henn noted that the Commission was required to adopt the amendments by March 31 and the City Commission elections would be held on March 10. The report must therefore be presented to the new Commission at its first meeting on March 17. Chair Henn and Ms. Hayes agreed this was not feasible. Ms. Hayes advised the Board that Local Housing Assistance Plan must be approved in May for implementation on July 1, and the Board's report would be incorporated into the plan. Chair Henn recommended the Board move forward and decide later how and when to present their report.

Ms. Hayes recapped Ms. Walter's comments: She had requested an update from staff on expedited permitting and land bank inventory, a review of current parking issues, inclusionary zoning, the Coconut Creek Linkage Fee Study, and recommended this Board support the Broward County Linkage Fee Program. Chair Henn noted that the report to the County concluded with a staff recommendation to not move forward with the Linkage Program at this time. Ms. Hayes agreed to investigate this.

Mr. Jordan believed that because building affordable housing was not very profitable, private developers did not have sufficient motivation to build it, and he felt the City must take an aggressive approach on its own. He suggested utilizing Tax Increment Financing [TIF] to develop affordable housing, with the City acting as the owner and developer or landlord. A firm could then be hired to manage the process for a percentage of the cost of development. Mr. Jordan said this had been done before but the City must have the will to make it happen.

Ms. Hayes explained the City had an infill housing program with the Northwest Progresso CRA, in which the City used State SHIP money and acted as developer and construction lender. Private developers bid on the projects and when the units were complete, they worked with the Housing Authority to place first-time home buyers in the units.

Mr. Jordan remarked that none of the 11 incentive items from the Florida Housing Coalition would provide sufficient motivation for a developer to build affordable housing. Chair Henn said without the linkage fees in the workforce Housing Study the City had rejected, they could create a pro-business development approach. Ms. Hayes agreed to provide a summary of the Study for the next meeting.

Mr. Jordan clarified that in his proposal, the sale of bonds would finance the design and construction process. Ms. Hayes stated this would require City staff oversight. She said she was aware of this sort of program in Jacksonville, and said she intended to discuss this with the City Auditor, who had worked on the Jacksonville Housing Commission.

Mr. Jordan stated a recent State Supreme Court ruling had determined that bonds for TIF did not require a referendum.

Ms. Hayes summarized Mr. Jordan's recommendation: Ask the City Commission to set a CRA for TIF funding to be utilized for the development of affordable housing, with the City acting as developer and hiring a company to help manage the process.

The Board then considered each of the 11 Affordable Housing Incentive Strategies listed on the Florida Housing Coalition website:

- A. The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.

Ms. Hayes said the City already had an expedited permit process, and explained how the process worked. Ms. Hayes informed the Board that the process for ongoing review was already in place as well.

Chair Henn suggested a more reliable way of expediting the permits for affordable housing permits, perhaps designating a specific individual(s) to perform the reviews. Ms. Hayes admitted that although there was a procedure that should be followed, this often did not occur, and staff had to ask the Building Official or someone else to intervene. Ms. Carillo agreed to provide input at the Board's next meeting regarding how this process could be improved. Mr. Jordan felt the Board should be making more general recommendations, not getting involved in the minutia of the process.

- B. The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Ms. Hayes remarked that the question that always arose regarding the impact fees was who should pay them, since the City could not waive them. One recommendation from the Work Force Housing Study was that monies from the trust fund to which developers contributed could be used.

Ms. Hayes explained that the City had an impact fee waiver assistance strategy under the SHIP program that reimbursed pre-development costs after they were paid.

Ms. Riley stated Collier County had a deferred fee waiver process, and agreed to bring details of this to the Board's next meeting. Chair Henn suggested the fees could kick in at a certain dollar amount or square footage.

Mr. Jordan suggested the City could re-evaluate the impact fees charged for infrastructure projects that might be needed in the future, not immediately.

- C. The allowance of flexibility in densities for affordable housing.

Ms. Hayes said the Work Force Housing Study had discussed density bonuses to developers in exchange for building affordable units. Ms. Riley noted that when Ship first started, the County had a density bonus plan that was a tiered program. The further down in income level the units were being marketed, the larger the density bonus. She explained that no developer had ever taken advantage of this, and the County now applied the density increase to the market-rate units as well.

Chair Henn suggested that the density bonus could be "bankable" and used anywhere, or in a specified area.

- D. The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

Ms. Hayes agreed to bring a thorough explanation of this item back to the Board.

- E. The allowance of affordable accessory residential units in residential zoning districts.

Ms. Hayes said this related to garage apartments or “mother-in-law quarters.” The Board wanted to know all ordinances pertaining to this. Ms. Batchelder explained that existing units were grand fathered in and could be rented, but if the unit had been converted it could not be rented and no new units could be built. Chair Henn noted that communities on the east side of town would probably oppose this but perhaps it could be offered in new development areas.

- F. The reduction of parking and setback requirements for affordable housing.

Ms. Hayes said currently there was no parking/setback reduction allowance for affordable housing. Ms. Walter suggested the following code amendment: “Parking requirements for affordable housing shall be considered on a case-by-case basis with consideration of availability of mass transit, offsite parking and proximity to downtown Fort Lauderdale.”

Chair Henn explained that owners could “buy down” parking at the beach; the funds were put into a fund that the City would someday use to construct a garage. Mr. Jordan suggested this fee could be deferred for affordable units.

- G. The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Regarding single-family home lots, Mr. Jordan wondered if this would make much of a difference. Ms. Hayes said the City had some lots now that were not buildable because they were not 50 X 100 feet. In those instances, the City was offering the land to adjacent landowners for parking or expansion. Ms. Hayes said this represented 1 to 5% of lots.

Ms. Hayes said she would invite Wayne Jessup, Deputy Director of Planning and Zoning, to attend the board’s next meeting to answer technical questions.

- H. The modification of street requirements for affordable housing.

The Board agreed to include this recommendation.

- 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.

Ms. Riley understood this to mean that anything that could have an impact on affordable housing must be analyzed prior to adoption. She suggested the Board support this recommendation.

Ms. Hayes explained that the Community Services Board was currently responsible for performing this review. Mr. Isenberg suggested that the Community Services Board could present a report to the AHAC with the results of their review.

J. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Ms. Hayes informed the Board that a provision of the foreclosure prevention legislation was land banking. She noted that HUD frowned upon land banking with the CDBG funds, preferring that they dispose of the lots as quickly as possible.

K. The support of development near transportation hubs and major employment centers and mixed-use developments.

Ms. Walter noted that in Ft. Lauderdale, the employment center was downtown, and it should be determined how close to downtown the City wanted to create affordable housing. Chair Henn felt that the City should put a mechanism in place to ensure that if a transportation corridor materialized, that should be a Regional Activity Center with high-density, affordable housing opportunities.

Ms. Hayes asked Ms. Riley to explain her recommendations to the Board.

Ms. Riley said her first suggestion was for the City to work with non-profits to build affordable housing. She believed that the capacity of the non-profits to build and develop and to obtain funding must be increased. Ms. Riley felt this could be accomplished through a partnership between non-profit and for-profit developers. She suggested the City conduct workshops regarding this idea.

Ms. Riley also suggested that the Board discuss ways to use the vacant condo housing.

Ms. Riley was bothered by the term "workforce housing" because she had many clients who did not meet the 80% threshold, and she wanted to include this group in the Board's work.

Chair Henn suggested that a representative of a large-scale affordable housing developer address the Board and provide input. The Board agreed to this idea and Ms. Riley recommended Jim Carras from Carras Community Investment. Chair Henn recommended they invite Michael Wohl from Pinnacle Corporation. Ms. Hayes suggested that if someone could not physically attend, he or she could provide a memo with suggestions the Board could consider.

6. Other Business

Election of Vice Chair

[This item was heard out of order]

Mr. Jordan nominated Ms. Walter for Vice Chair, seconded by Mr. Isenberg. In a voice vote, all voted in favor.

8. Adjournment

There being no further business before the Board, the meeting adjourned at 8:44 p.m.

- Next scheduled meeting date: Monday – October 20, 2008 – 6:30 PM
Location: City Hall

Chair Peter Henn

PLEASE NOTE:

If any persons decide to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.