AGENDA

COMMITTEE MEMBERS:

Ken Rush  
Lindsay Boswell  
Trevor Mallory  
Jillian Bandes  
R.V. DePugh  
Jack D. Humburg  
Scott Macdonald  
Fredric Samson

CITY STAFF SCHEDULED:

Bradley Tennant, City Attorney’s Office  
Joshua Johnson, Housing & Community Dev.  
Stephanie Lampe, Housing & Community Dev.  
Linda Byars, Housing & Community Dev.  
Lynn Farr, Housing & Community Dev.  
Terry Salerno, Housing & Community Dev.  
Tony Fernandez, Housing & Community Dev.  
Derek Kilborn, Planning & Economic Dev.  
Elizabeth Abernethy, Planning & Economic Dev.

1. Introduction of 8 Committee Members and City Staff
2. Purpose and Intent of the AHAC – December deadline
3. Legal Department Comments – regarding Sunshine
4. Nomination and Election of Chair and Vice Chair
5. Review of Draft By-laws
6. Proposed Meeting Schedule – 3rd Tuesdays of the month
7. Building Department Surplus
8. Linkage Fee update
9. CONA/NIMBY (continuation of Community Housing Group discussions)
10. Open Discussion / Questions / Comments / Announcements
11. Adjourn

Next Meeting: Tuesday, March 17th at 3:00 p.m., 2nd Floor, Sunshine Center

For additional information, please telephone 727-892-5563 or visit Housing & Community Development on the third floor of the City of St. Petersburg’s Municipal Services Center located at One Fourth Street North.
AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERS

1. Mr. Lindsay Boswell (Wells Fargo Home Mortgage) representing the banking or mortgage banking industry in connection with affordable housing category with a term of three (3) years (First term expires 1/09/2023).

2. Mr. Trevor Mallory, (Family First Homes) representing those areas of labor engaged in home building in connection with affordable housing category with a term of two (2) years (First term expires 1/09/2022).

3. Mr. Robert V. DePugh (Consultant), as an advocate for low-income persons in connection with affordable housing with a term of two (2) years (First term expires 1/09/2022).

4. Mr. Jack D. Humburg (Boley Centers/Pinellas Affordable Living, Inc.), representing the not-for profit provider of affordable housing category with a term of three (3) years (First term expires 1/09/2023).

5. Mr. Scott Macdonald (Blue Sky Communities), representing a for profit developer who is actively engaged in the development of affordable housing category with a term of three (3) years (First term expires 1/09/2023).

6. Mr. Frederic Samson (Namaste Realty, LLC), Realtor/Builder, representing a citizen who is actively engaged as a real estate professional in connection with affordable housing category with a term of two (2) years (First term expires 1/09/2022).

7. Ms. Jillian Bandes (Bandes Construction), representing an employer within the City of St. Petersburg category with a term of three (3) years (First term expires 1/09/2023).

8. Mr. Kenneth E. Rush (Habitat for Humanity) representing the residential home building industry in connection with affordable housing category with a term of three (3) years (First term expires 1/09/2023).
SECTION 9076 Adoption of affordable housing incentive strategies; committees.

420.9076 Adoption of affordable housing incentive strategies; committees.—
(1) Each county or eligible municipality participating in the State Housing Initiatives Partnership Program, including a municipality receiving program funds through the county, or an eligible municipality must, within 12 months after the original adoption of the local housing assistance plan, amend the plan to include local housing incentive strategies as defined in s. 420.9071(16).
(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, a 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. The committee must consist of 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 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.
(3) All meetings of the advisory committee are public meetings, and all committee records are public records. Staff, administrative, and facility support to the advisory committee shall be provided by the appointing county or eligible municipality.
(4) Triennially, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government 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 recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit a report to the local governing body 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 for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f).
(b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for 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 affordable accessory residential units in residential zoning districts.
(f) The reduction of parking and setback requirements for affordable housing.
(g) The allowance of flexible lot configurations, 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.
(5) The approval by the advisory committee of its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies must be made by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing. Notice of the time, date, and place of the public hearing of the advisory committee to adopt its evaluation and final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation in the county. The notice must contain a short and concise summary of the evaluation and local housing incentives strategies recommendations to be considered by the advisory committee. The notice must state the public place where a copy of the evaluation and tentative advisory committee recommendations can be obtained by interested persons. The final report, evaluation, and recommendations shall be submitted to the corporation.

(6) Within 90 days after the date of receipt of the evaluation and local housing incentive strategies recommendations from the advisory committee, the governing body of the appointing local government shall adopt an amendment to its local housing assistance plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must include, at a minimum, the local housing incentive strategies required under s. 420.9071(16). The local government must consider the strategies specified in paragraphs (4)(a)-(k) as recommended by the advisory committee.

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(a) If the corporation fails to receive timely the approved amended local housing assistance plan to incorporate local housing incentive strategies, a notice of termination of its share of the local housing distribution shall be sent by certified mail by the corporation to the affected county or eligible municipality. The notice of termination must specify a date of termination of the funding if the affected county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies. If the county or the eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies by the termination date specified in the notice of termination, the local distribution share terminates; and any uncommitted local distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer the local government housing program.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after issuance of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9073.

(c) Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting an amended local housing assistance plan to incorporate local housing incentive strategies in the manner and according to the procedure provided in this section and by adopting an ordinance in the manner required in s. 420.9072.

(8) The advisory committee may perform other duties at the request of the local government, including:

(a) The provision of mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.

(b) The creation of best practices for the development of affordable housing in the community.

(9) The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee.

BY-LAWS OF THE
AFFORDABLE HOUSING ADVISORY COMMITTEE
OF THE
CITY OF ST. PETERSBURG

ARTICLE I - Name of Organization

Section 1. The name of this organization shall be the Affordable Housing Advisory Committee of the City of St. Petersburg ("AHAC").

ARTICLE II - Authorization

Section 1. The Affordable Housing Advisory Committee was established as an official City Committee by Resolution No 2020-16 of the City Council of St. Petersburg on January 9, 2020.

ARTICLE III - Purpose

Section 1. The Affordable Housing Advisory Committee shall perform the duties set forth in City Council Resolution 2020-16, City Code Chapters 2 and 175, FL Statute 420.9076, and said other duties as City Council may direct.

ARTICLE IV - Procedures

Section 1. The Affordable Housing Advisory Committee ("AHAC") shall follow Chapter 2, Article VII, Section 2-337 thru Section 2-339 of the City Code regarding Boards and Commissions.

Section 2. Regular meetings shall be held as Executive Sessions. Meetings are open to the public; however, members of the public shall not speak at Executive Sessions unless there is a request for clarification from the Affordable Housing Advisory Committee. The Affordable Housing Advisory Committee may in the course of fulfilling its duties seek the advice and consultation of City Council, the City Administration, the Development Review Commission, the Community Planning & Preservation Commission, the Chamber of Commerce, such experts in housing and community development as can be obtained and such other boards and groups and citizens or other outside agencies or professionals which may have expertise or relevant information pertaining to the subject matter before them. Time limits on such presentations may be set by the Affordable Housing Advisory Committee members in advance of the meeting.

Section 3. A Public hearing shall be held to receive information during the preparation of the Affordable Housing Incentive Plan (AHIP). The date and number of the public hearings shall be determined by the Affordable Housing Advisory Committee when the annual meeting calendar is set in accordance with Article XII. Time limits on speakers may be set by the Affordable Housing Advisory Committee members in advance of each hearing.
Section 4. The Chairman may, with the consent of Affordable Housing Advisory Committee change the order of items on the agenda.

Section 5. Where not otherwise provided in these Bylaws, Roberts’ Rules of Order Newly Revised shall govern the conduct of all meetings of the Affordable Housing Advisory Committee.

Section 6. The Affordable Housing Advisory Committee and its members are subject to Florida Law regarding open meetings and public records.

Section 7. Any item of correspondence sent or received by an Affordable Housing Advisory Committee member, in his or her capacity as an AHAC member, shall be provided to the Housing and Community Development staff to be placed in the public record.

ARTICLE V - Members

Section 1. The members of the Affordable Housing Advisory Committee were most recently appointed by Resolution No 2020-16 of the City Council of St. Petersburg with terms that are staggered.

Section 2. The Affordable Housing Advisory Committee shall consist of up at least eight, but not more than eleven regular members appointed by the Mayor with confirmation of the City Council for an initial term of two or three years and terms shall be 3 years thereafter. The Committee shall be staffed by the Housing and Community Development Department, with the assistance of the Planning and Development Services staff.

Section 3. The Affordable Housing Advisory Committee shall be composed of one representative from at least six of the categories below as required by F.S 420.9076:

(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 in the local planning process.
Affordable Housing Advisory Committee
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(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.

Section 4. Members of the Affordable Housing Advisory Committee shall not represent the Affordable Housing Advisory Committee in public appearances or private conversations. They shall speak only as individual citizens, and their views and opinions shall not be binding upon the Affordable Housing Advisory Committee. A member may only represent the AHAC if voted by a majority of the AHAC to represent the AHAC for an agreed upon specific purpose.

ARTICLE VI - Terms of Office

Section 1. The terms of all members shall be governed by the City Code Chapter 2, Article VII, Section 2-337, which currently provides that no member shall serve more than two consecutive full terms on the same committee unless waived by resolution of City Council receiving an affirmative vote of at least six Councilmembers. Initial terms are staggered under Resolution 2020-16 and shall be for three (3) years thereafter.

ARTICLE VII - Attendance

Section 1. Attendance shall be governed by City Code Chapter 2, Article VII, Section 2-338, which currently provides that if a member of the Affordable Housing Advisory Committee in any 12-month period misses three properly scheduled meetings of the Affordable Housing Advisory Committee without good cause or without contact with the chair of the Affordable Housing Advisory Committee, that office which such member previously held shall be considered immediately vacated.

Section 2. Good cause is defined by City Code Chapter 2, Article VII, Section 2-338, which currently provides that good cause means a cause necessitating a member’s absence, limited to illness of the member, illness of or death in immediate family of the member, inability of the member to attend the meeting due to business or vacation which requires the member to be out of the City, inability of the member to attend the meeting due to causes beyond the member’s control such as an act of God.

Section 3. Notice procedures shall be governed by City Code, Chapter 2, Article VII, Section 2-338, which currently provides that the City Clerk shall give written notice to the member which shall afford the member an opportunity to resign or to request a hearing before the City Council.
ARTICLE VIII - Quorum

Section 1. A quorum shall be 50% of the present membership, plus one. Any vote transmitting recommendations to City Council shall state that a quorum was present and the actual numbers of members voting for and against.

ARTICLE IX - Election of Officers

Section 1. A Chairman and Vice-Chairman shall be elected by a majority vote of the Affordable Housing Advisory Committee in January, or the first meeting of each year.

ARTICLE X - Duties of Officers

Section 1. The Chairman shall preside at all meetings of the Affordable Housing Advisory Committee and is eligible to vote on all matters coming before the Affordable Housing Advisory Committee. The Chairman shall appoint all subcommittees.

Section 2. The Vice Chairman shall perform all the duties and assume all the responsibilities of the Chairman in his absence.

ARTICLE XI - Vacancies

Section 1. Vacancies shall be filled by the Mayor and confirmed by City Council for the unexpired term.

ARTICLE XII - Meetings

Section 1. An annual meeting calendar shall be established by a vote of the Affordable Housing Advisory Committee at the first meeting of each calendar year, but generally meetings shall occur on the 3rd Tuesdays of the month.

Section 2. Unscheduled meetings may be called by the Chairman and may be held only if all members have been advised in writing of the time and place of the meeting at least 48 hours before such meeting.

ARTICLE XIII - Subcommittees

Section 1. The Affordable Housing Advisory Committee shall have the authority to establish such subcommittees as are necessary to carry out its purposes.

ARTICLE XIV - Amendments to Bylaws

Section 1. All Affordable Housing Advisory Committee members shall be furnished a copy of the proposed changes/or amendments to the official Bylaws at least seven calendar days prior to any official vote on said changes and/or amendments.
Section 2. A majority of the members present at a meeting of the Affordable Housing Advisory Committee shall be deemed sufficient to adopt any amendments to the Bylaws of the Affordable Housing Advisory Committee, provided a quorum is present.

Approved by the Affordable Housing Advisory Committee on ______________________
Here is that statute governing the building fund and allowable use of funds:

553.80

(7)(a) The governing bodies of local governments may provide a schedule of reasonable fees, as authorized by s. 125.56(2) or s. 166.222 and this section, for enforcing this part. These fees, and any fines or investment earnings related to the fees, shall be used solely for carrying out the local government’s responsibilities in enforcing the Florida Building Code. When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances shall be carried forward to future years for allowable activities or shall be refunded at the discretion of the local government. A local government may not carry forward an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous 4 fiscal years. For purposes of this subsection, the term “operating budget” does not include reserve amounts. Any amount exceeding this limit must be used as authorized in subparagraph 2. However, a local government which established, as of January 1, 2019, a Building Inspections Fund Advisory Board consisting of five members from the construction stakeholder community and carries an unexpended balance in excess of the average of its operating budget for the previous 4 fiscal years may continue to carry such excess funds forward upon the recommendation of the advisory board. The basis for a fee structure for allowable activities shall relate to the level of service provided by the local government and shall include consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not provided by the local government. Fees charged shall be consistently applied.

1. As used in this subsection, the phrase “enforcing the Florida Building Code” includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.

2. A local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees.

3. The following activities may not be funded with fees adopted for enforcing the Florida Building Code:

   a. Planning and zoning or other general government activities.
   b. Inspections of public buildings for a reduced fee or no fee.
   c. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.
   d. Enforcement and implementation of any other local ordinance, excluding validly adopted local amendments to the Florida Building Code and excluding any local ordinance directly related to enforcing the Florida Building Code as defined in subparagraph 1.

4. A local government shall use recognized management, accounting, and oversight practices to ensure that fees, fines, and investment earnings generated under this subsection are maintained and allocated or used solely for the purposes described in subparagraph 1.

http://www.flsenate.gov/Laws/Statutes/2019/553.80

We cannot use these funds for any type of affordable housing program.
We eliminate plan review and permitting fees for smaller homes, 1,400 a couple of years ago.
This includes ADU’s. They pay a flat fee of $250 for everything our team does (plan review and inspections). Only other fee is for drive-way, as that is through engineering.

I don’t see any other options for assisting in the affordable housing goals...

We are moving forward with a temporary reduction in all fees of 25%, which will be effective for 18-months, through end of FY21 (September 30, 2021).

Thanks!
--Liz

Please note all emails are subject to public records law.
City of St. Petersburg
Committee of the Whole Agenda
February 27, 2020, at 3:00 PM
Sunshine Center Auditorium

Members: Chair Ed Montanari, Vice-Chair Gina Driscoll, and Councilmembers Brandi Gabbard, Darden Rice, Robert Blackmon, Lisa Wheeler-Bowman, Amy Foster, and Deborah Figgs-Sanders

Support Staff: Kayleigh Sagonowsky, City Council Legislative Aide

A. Call to Order and Roll Call
B. Approval of Agenda
C. Approval of January 30, 2020 Minutes
D. New Business
   i. Draft Linkage Fee Ordinance
      1. Rob Gerdes, Neighborhood Affairs Administrator
   ii. Alternative Funding from the Building Permit Special Revenue Fund
      1. Councilmember Robert Blackmon
E. Review Referral List
F. Adjourn

Next Meeting:
   • April 9, 2020, at 8:00 AM
     ○ Potentially Eligible List
     ○ City Initiated Historic Designation
       • Liz Abernethy and Derek Kilborn

Attachments:
   • January 30, 2020 COW Minutes
   • COW Referral List
   • New Business Item Support Material