

PROPOSED ORDINANCE NO. 2020-10

ORDINANCE NO. 1949

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 32, ENTITLED "DEPARTMENTS, BOARDS, AND COMMISSIONS" BY SPECIFICALLY AMENDING THE PROVISIONS RELATED TO THE "AFFORDABLE HOUSING ADVISORY COMMITTEE," BY AMENDED SECTION 32.161 ENTITLED, "COMPENSATION; APPOINTMENT OF MEMBERS; TERMS OF OFFICE," TO INCLUDE A LOCAL ELECTED OFFICIAL TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE AND TO REQUIRE PARTICIPATION IN REQUIRED REGIONAL WORKSHOPS; BY AMENDING SECTION 32.164 ENTITLED, "TRIENNIAL REPORT OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE," TO PROVIDE FOR AN ANNUAL REPORT TO CITY COMMISSION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, HB 1339 was signed by Governor DeSantis on June 9, 2020, and it is now Chapter 2020-27, Laws of Florida, and includes changes to the composition of the City's' Affordable Housing Advisory Committee; and

WHEREAS, Chapter 2020-27, Laws of Florida, which became effective on July 1, 2020, requires that the City's Affordable Housing Advisory Committee must include one locally elected official by October 1, 2020, when that municipality or county participates in the State Housing Initiatives Partnership Program; and

WHEREAS, The City's elected official member of the Affordable Housing Advisory Committee must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program or program funding may be withheld; and

WHEREAS, Chapter 2020-27, Laws of Florida now requires the Affordable Housing Advisory Committee to review established policies and procedures,

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ordinances, land development regulations, and adopted local government comprehensive plan annually instead of triennially ; and

WHEREAS, the City Commission of the City of Pembroke Pines finds amending Chapter 32 to comply with the requirements of Chapter 2020-27, Laws of Florida is in the best interests of the citizens and residents of the City of Pembroke Pines.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. All exhibits attached hereto are hereby incorporated herein by this reference.

Section 2. Chapter 32, entitled "Departments, Boards, and Commissions," of the City of Pembroke Pines Code of Ordinances, is hereby amended by amending Section 32.161, entitled, "Compensation; Appointment Of Members; Terms Of Office," as follows:

§ 32.161 COMPENSATION; APPOINTMENT OF MEMBERS; TERMS OF OFFICE.

(A) Through the adoption of a resolution, the City Commission shall appoint members to the Affordable Housing Advisory Committee (the "Committee") as provided in this section. The Committee shall be comprised of the following individuals:

- (1) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (2) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (3) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

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(4) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

(5) One citizen who is actively engaged as a for-profit provider of affordable housing.

(6) One citizen who is actively engages as a not-for-profit provider of affordable housing.

(7) One citizen who is actively engaged as a real estate professional in connection with affordable housing.

(8) One citizen who actively serves on the local planning agency pursuant to F.S. § 163.3174.

(9) One citizen who resides within the municipal boundaries of the City of Pembroke Pines.

(10) One citizen who represents employers within the City of Pembroke Pines.

(11) One citizen who represents essential services personnel, as defined in the city's local housing assistance plan.

(12) One locally elected official from the City as selected by the City Commission.

(B) The terms of office of the members of the Committee shall be one year. Members may serve consecutive terms. The local elected official shall only serve while holding the elected office.

(C) Appointments to fill any vacancy on the Committee shall be for the remainder of the unexpired term of office.

(D) In addition to automatic removal for the failure of a member to meet the attendance requirements set forth in this chapter, the members of the Committee shall serve at the pleasure of the City Commission and may be removed at any time by a majority vote of the City Commission.

(E) The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program.

Section 3. Chapter 32, entitled "Departments, Boards, and Commissions," of the City of Pembroke Pines Code of Ordinances, is hereby amended by amending Section 32.164, entitled, "Compensation; Appointment Of Members; Terms Of Office," as follows:

§ 32.164 TRIENNIAL ANNUAL REPORT OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE.

~~On or before December 31, 2008, and every three years thereafter, t~~The Committee shall annually submit a report to the City Commission that includes recommendations on, and evaluates the implementation

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of affordable housing incentives as provided in F.S. § 420.9076(4), as may be amended from time to time.

Section 4. It is the intention of the City Commission of the City of Pembroke Pines that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Pembroke Pines, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “ Ordinance” may be changed to “ Section,” “ Article” or such other word or phrase in order to accomplish such intention.

Section 5. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. If any clause, section or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance remaining in full force and effect.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

(REMAINDER INTENTIONALLY LEFT BLANK)

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 5TH DAY OF AUGUST, 2020.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS 16TH DAY OF SEPTEMBER, 2020.

CITY OF PEMBROKE PINES, FLORIDA

By: [Signature]
MAYOR FRANK C. ORTIS

ATTEST:
[Signature]
MARLENE GRAHAM, CITY CLERK

ORTIS AYE

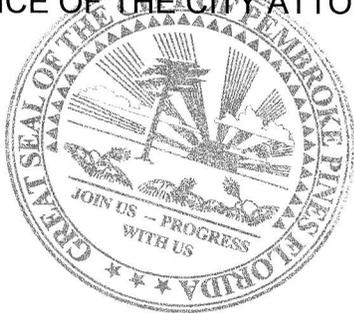
CASTILLO AYE

APPROVED AS TO FORM:
[Signature]
OFFICE OF THE CITY ATTORNEY

SCHWARTZ AYE

GOOD AYE

SIPLE AYE





City of Pembroke Pines, FL

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Agenda Request Form

Agenda Number: 14.

File ID: 2020-10

Type: Ordinance

Status: Second Reading

Version: 2

**Agenda
Section:**

In Control: City Commission

File Created: 07/20/2020

Short Title: Proposed Ordinance 2020-10: AHAC - Chapter 32
Update

Final Action: 09/16/2020

Title: MOTION TO ADOPT PROPOSED ORDINANCE NO. 2020-10 REV 1 ON
SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2020-10 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 32, ENTITLED "DEPARTMENTS, BOARDS, AND COMMISSIONS" BY SPECIFICALLY AMENDING THE PROVISIONS RELATED TO THE "AFFORDABLE HOUSING ADVISORY COMMITTEE," BY AMENDED SECTION 32.161 ENTITLED, "COMPENSATION; APPOINTMENT OF MEMBERS; TERMS OF OFFICE," TO INCLUDE A LOCAL ELECTED OFFICIAL TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE AND TO REQUIRE PARTICIPATION IN REQUIRED REGIONAL WORKSHOPS; BY AMENDING SECTION 32.164 ENTITLED, "TRIENNIAL REPORT OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE," TO PROVIDE FOR AN ANNUAL REPORT TO CITY COMMISSION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***Agenda Date:** 09/16/2020

Enactment Date: 09/16/2020

Agenda Number: 14.

Enactment Number: 1949

Internal Notes:

Attachments: 1. 2020-10 AHAC REV 1 (00387374-2xC4B6A), 2. City Attorney Memo - Overview of HB 1339, 3. HB 1339

Indexes:

1 City Commission 08/05/2020 pass on First Reading Pass

Action Text: A motion was made by Vice Mayor Siple, seconded by Commissioner Good, Jr., to pass Proposed Ordinance 2020-10 on First Reading to amend the provisions relating to the Affordable Housing Advisory Committee. The motion carried by the following vote:

Aye: - 5 Mayor Ortis, Vice Mayor Siple, Commissioner Good Jr., Commissioner Schwartz, and Commissioner Chanzas
Nay: - 0

2 City Commission 09/16/2020 adopt Pass

Action Text: A motion was made by Vice Mayor Siple, seconded by Commissioner Castillo, to adopt Proposed Ordinance 2020-10 amending the provisions related to the Affordable Housing Advisory Committee by amending Section 32.161 of Pembroke Pines City Code. Enactment No. 1949. The motion carried by the following vote:

Aye: - 5 Mayor Ortis, Vice Mayor Siple, Commissioner Good Jr., Commissioner Schwartz, and Commissioner Castillo
Nay: - 0

1. On June 9, 2020, Governor Desantis signed into law the HB 1339. HB 1339 updates the law as it pertains to community development zoning, impact fees, affordable housing, and mobile homes and parks.

2. The adopted bill generally impacts the Affordable Housing Advisory Committee (AHAC) in the following ways:

- Requires **annual** reports of the AHAC in lieu of triennial reports previously required.
- Requires a locally elected official to serve on the AHAC where none had been required before.
- Establishes biannual regional workshops for locally elected officials serving on AHAC's.

3. Biannual regional workshops must be conducted through teleconferencing or other technological means and must keep attendance records of locally elected officials who attend. This training is not conducted by the City or City staff.

4. The proposed Ordinance revises Chapter 32 of the Code of Ordinances as it pertains to the AHAC Board membership and responsibilities to comply with these new Statutory requirements.

5. The City Commission will be required to appoint a locally elected official to the AHAC before October 2020.

6. **Revision 1 of this ordinance provides for the following:**

- **Adjusts the Board committee size to be consistent with State requirements. State law requires a committee size of no less than 8 members and no more than 11 members.**
- **Requires the AHAC Board to meet biannually or as required by State Law. City Commission or State may require the Board to meet more frequently as needed.**
- **Requires The locally elected official serving on an advisory committee, or a designee, to attend biannual regional workshops convened and administered**

under the Affordable Housing Catalyst Program.

7. A related regular agenda item is being heard concurrently tonight to appoint a member of the City Commission to the AHAC.

8. Administration recommends adopting proposed ordinance no. 2020-10 on second and final reading.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None.
- b) **Amount budgeted for this item in Account No:** Not Applicable.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project :**Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.