

RESOLUTION NO. 2015-147

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, ESTABLISHING A LOCAL AFFORDABLE HOUSING ADVISORY COMMITTEE FOR THE CITY OF HIALEAH, CONSISTING OF TEN MEMBERS, TO RECOMMEND TO CITY COUNCIL SPECIFIC LOCAL HOUSING INITIATIVES AND INCENTIVES STRATEGIES DESIGNED TO ENCOURAGE AND FACILITATE AFFORDABLE HOUSING FOR THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM AND TO CARRY OUT THE DUTIES OF AN AFFORDABLE HOUSING ADVISORY COMMITTEE AS SET FORTH IN FLORIDA STATUTE § 420.9076; PROVIDING FOR THE APPOINTMENT OF THE LOCAL AFFORDABLE ADVISORY COMMITTEE MEMBERS; PROVIDING FOR THE TERM OF SERVICE; PROVIDING FOR THE DEFINITION OF "AFFORDABLE HOUSING"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida enacted the State Housing Initiatives Partnership Program ("SHIP Program"), which allocates a portion of new and existing documentary stamp taxes on deeds to local government for development and maintenance of affordable housing; and

WHEREAS, pursuant to Florida Statute § 420.9076, each eligible municipality participating in the SHIP Program and receiving program funds must incorporate local housing incentive strategies into their local housing assistance plan; and

WHEREAS, the City of Hialeah wishes to establish an Affordable Housing Advisory Committee to recommend to City Council specific local housing initiatives and incentives strategies designed to encourage and facilitate affordable housing for the SHIP Program and to carry out the duties of an Affordable Housing Advisory Committee as set forth in Florida Statute § 420.9076.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are incorporated and adopted by reference as if fully set forth herein.

Section 2: The City of Hialeah hereby establishes an Affordable Housing Advisory Committee, consisting of ten (10) members, to recommend to City Council specific local housing initiatives and incentives strategies designed to encourage and facilitate affordable housing for the SHIP Program and to carry out the duties of an Affordable Housing Advisory Committee as set forth in Florida Statute § 420.9076.

Section 3: The City of Hialeah elects to establish an Affordable Housing Advisory Committee consisting of ten (10) members, as the City was unable to find additional representatives who meet the criteria as set forth in Florida Statute §§ 420.9076(2)(a)-(k). The City of Hialeah hereby appoints the following individuals as members of the Affordable Housing Advisory Committee for the SHIP Program:

Lee Marrero
Active Residential Home Builder for Affordable Housing

Michele A. Edwards-Collie
Active Mortgage Banker

Vicente Rodriguez
Representative of Labor Engaged in Affordable Housing

Pedro Rodriguez
Advocate for Low Income Persons in Affordable Housing

Julio Ponce
Actively Engaged for Non-Profit Provider for Affordable Housing

Rosa Ruiz
Real State Professional in connection with Affordable Housing

Deborah Storch
Zoning Planner

Orlando Salvat
Essential Services: Police Commander

Gelien Perez
Represents Employers in the Jurisdiction

Alexis Riveron
Citizens who resides within the Jurisdiction

Section 4: The Affordable Housing Advisory Committee members shall serve for a term of four (4) years commencing on the date of the adoption of this resolution.

Section 5: The City of Hialeah hereby defines "Affordable Housing" to mean housing for which the monthly rent or monthly mortgage payment, including taxes and insurance, does not exceed thirty percent (30%) of an amount representing the percentage of the area median income limits adjusted for family size for the household of very low income, low income and moderate income persons.

Section 6: This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

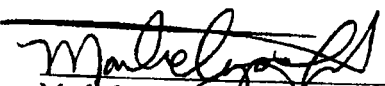
PASSED AND ADOPTED this 10 day of November, 2015.



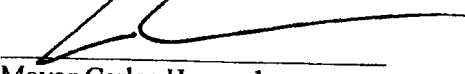
Isis Garcia Martinez
Council President

Attest:

Approved on this 10 day of November, 2015.

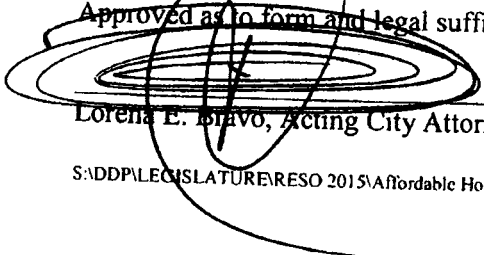


Marbelys L. Fatjo, City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, Acting City Attorney

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Resolution was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Cue-Fuente, Garcia-Martinez, Hernandez, Gonzalez, Lozano and Casáls-Muñoz voting "Yes".

RESOLUTION NO. 2015-155

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AMENDING HIALEAH, FLORIDA RESOLUTION 2015-147 (NOVEMBER 10, 2015), WHICH ESTABLISHED A TEN MEMBER LOCAL AFFORDABLE HOUSING ADVISORY COMMITTEE FOR THE CITY OF HIALEAH, TO INCREASE THE NUMBER OF COMMITTEE MEMBERS TO ELEVEN AND APPOINTING LEONARD GRANDIO JR., AS A MEMBER OF THE LOCAL AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Hialeah Fla. Resolution 2015-147, the City of Hialeah established the Local Affordable Housing Advisory Committee to recommend to the City Council specific local housing initiatives and incentives strategies designed to encourage and facilitate affordable housing for the State Housing Initiatives Partnership Program, appointed ten (10) committee members, provided for their term of service and provided for the definition of "Affordable Housing"; and

WHEREAS, pursuant to Florida Statute § 420.9076, local governments may elect to appoint an Affordable Housing Advisory Committee with fewer than eleven (11) representatives if they are unable to find representatives who meet the criteria set forth in Florida Statute § 420.9076 (2); and

WHEREAS, the City has identified a person who who meets the criteria set forth in Florida Statute § 420.9076 (2) and now wishes to amend the size of the committee and appoint Leonard Grandio Jr. as the eleventh member.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

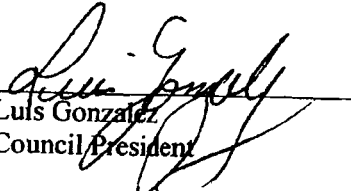
Section 1: The foregoing facts and recitations contained in the preamble to this resolution are incorporated and adopted by reference as if fully set forth herein.

Section 2: The City of Hialeah hereby amends Hialeah, Florida Resolution 2015-147 (November 10, 2015), which established a ten member Local Affordable Housing Advisory Committee for the City of Hialeah, to increase the number of committee members from ten to eleven.

Section 3: The City of Hialeah hereby appoints Leonard Grandio Jr., as a member of the Local Affordable Housing Advisory Committee for the State Housing Initiatives Partnership Program.

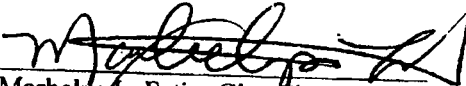
Section 4: This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.


PASSED AND ADOPTED this 8 day of December, 2015.


Luis Gonzalez
Council President

Attest:

Approved on this 14 day of December, 2015.


Marbelys L. Fatjo, City Clerk


Mayor Carlos Hernandez

~~Approved as to form and legal sufficiency:~~


Lorena E. Bravo, Acting City Attorney

Resolution was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Cue-Fuente, Garcia-Martinez, Hernandez, Gonzalez, Lozano and Casáls-Muñoz voting "Yes".

City of Hialeah

Affordable Housing Advisory Committee

2016 Incentive Review and Recommendation Report

I. **Background Information:**

The City of Hialeah Mayor and City Council, ratified the appointment of 10 members to the City's Affordable Housing Advisory Committee (AHAC) on November 10, 2015 by resolution and amended the resolution to add the 11th member on December 8, 2015.

The meeting dates established were as follows:

1/12/16 Regular Public Hearing Meeting

2/17/16 Adoption of AHAC Report

2/23/16 City Council review of AHAC Report

Implement approved AHAC Report in Upcoming LHAP due prior to 5/2/16.

II. **Public Hearing Meeting:**

Date of First Public Hearing: Tuesday, January 12, 2016, 2pm.

Synopsis of Public Input: No one from the public appeared. No public comment were submitted by mail or electronic mail.

Names of AHAC Members Present at Meeting:

1. Michele A. Edwards-Collie
2. Vicente Rodriguez
3. Pedro Rodriguez
4. Julio Ponce
5. Debora Storch
6. Orlando Salvat
7. Gelien Perez
8. Alexis Riveron
9. Leonard Grandio Jr.

Name of AHAC Members Absent from Meeting:

1. Rosa Ruiz
2. Lee Marrero

City Staff Present at Meeting:
Jennifer Suazo, Administrative Assistant

III. Public Hearing Meeting:

Date of Second Public Hearing: Wednesday, February 17, 2016, 2pm.

Synopsis of Public Input: No one from the public appeared. No public comment were submitted by mail or electronic mail.

Names of AHAC Members Present at Meeting:

1. Alexis Riveron
2. Vicente Rodriguez
3. Pedro Rodriguez
4. Julio Ponce
5. Debora Storch
6. Gelien Perez
7. Leonard Grandio Jr.

Name of AHAC Members Absent from Meeting:

1. Rosa Ruiz
2. Lee Marrero
3. Orlando Salvat
4. Michele A. Edwards-Collie

**This Report was formally reviewed by the AHAC members in a Public Hearing on
February 17, 2016 Meeting.**

IV. Existing Incentives Strategies To Remain in New LHAP

A. Name of Strategy: Expedited Permitting

Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

1. Established policy and procedures: Provide Description: *Appointment of an affordable housing expediter.* The City provides a form, with a priority number assigned, to identify and certify the affordable housing status of an application for a development order. A different colored folder will be used for these projects. In order to certify the application as involving affordable housing, a representative from the Dept. of Grants and Human Services will initially review the project to determine whether it meets affordability criteria and contact the Planning and Development Department. The same representative will act as an affordable housing expediter charged with the responsibility of ensuring a consistent, expedited review of the project. In addition, the same staff person will act as an advocate and access person for developers of affordable housing projects if they encounter unexplained delays or problems. The Building Department will perform review in 10 working days for affordable housing residential projects.

- *Permitting process.* Pre-application site inspection for renovation. Grants Inspector shall conduct pre-application site inspections for applications for building permit for renovations, including interior changes, roof and façade alterations but excluding renovations involving structural repairs.

B. Name of Strategy: On-Going Review Process

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

- Housing proposed policies, procedures, ordinances regulations, or plan provisions that increase the cost of housing that are reviewed by the Planning and Zoning Board. Written comments will be solicited and received from the Department of Grants and Human Services regarding the impact on affordable housing with respect to the application under review and consideration. The Department of Grants and Humans Services will in return submit its impact statement to the committee for consideration. This incentive is functioning as intended.

C. Name of Strategy: Impact Fee Exemption

- Exemption from payment of Park, Recreation and Open Space Impact Fees for affordable housing properties developed and owned by the City of Hialeah. See HIALEAH, FLA., CODE § 98-2530(5). Notice is provided to the Planning and Zoning Division stating that the Dept. of Grants and Human Services deems the project eligible for exemption. This incentive is functioning as intended.

D. Name of Strategy: Expansion of Expedited Final Decisions

- The Planning and Zoning Board along with the City Council, has the authority to review limited nonuse variances which have no relation to change of use of property and which relating only to matters concerning setback requirements, landscaping requirements, sign regulations, floor area requirements, yard requirements, lot coverage, parking space requirements, height, width and length limitations for structures of buildings and spacing requirements between principal and accessory buildings. The review of the Planning and Zoning Board and City Council is limited to variance requests on qualified developed individual lots except that the Board and City Council may review requested variances and Final Decisions of undeveloped individual lots intended for development of affordable housing: See HIALEAH, FLA., CODE § 98-258. This incentive is functioning as intended.

E. Name of Strategy: Revision of Parking Requirements for Downtown Development

- Required off-street parking areas are generally required to be located on the same lot, parcel or premises as the use to be served. However, in Commercial-Residential (CR) zoning districts, the maximum distance limitation for off-street parking was extended to a 600-foot radius of the main entrance of the mixed commercial-residential use served. In Central Business District (CBD) zoning districts, the maximum distance limitation was extended to a 900-foot of the main entrance of the mixed commercial-residential use served. This incentive is functioning as intended.

F. Name of Strategy: Expanded Criteria for Granting Adjustments, Variances and Special Use

- Expanded criteria for granting adjustments, variances and special use permits. Zoning variances, adjustments and special use permits are judged by the same

criteria that includes a determination based on whether the development is in harmony with the general purpose and intent of the zoning code and the Hialeah, Fla., Land Development Code and consistent with the Hialeah, Fla., Comprehensive Plan and whether the development will provide substantial justice, not be contrary to the public interest and adversely affect the use and development of neighboring properties. This incentive is functioning as intended.

V. New Recommendation Incentives Strategies to Implement in the New 2016-2019 LHAP

A. Name of Strategy: Land Inventory for Affordable Housing Projects

- At the start of each State Housing Initiatives Partnership (SHIP) fiscal year annually and based on the availability of funds, the Grants Department will contact local and major banks to establish an inventory list of locally owned property that would be suitable for Affordable Housing Projects. This list will be made available to the public and non-profit organizations. The list will be available at the City of Hialeah, City Clerk's Office, around the start of the City of Hialeah's Fiscal Year in October.

B. Name of Strategy: Development Near Transportation Hubs and Major Employment Centers and Mixed-use Developments

- The City will support the possible development near transportation hubs, major employment centers and mixed-use developments, when land is available to do so. Any possible development, will require the developer to get in contact with the Director of Planning and Zoning to see what type of development can be done on the land in these areas and if any Variances or Final Decisions need to be done on the land.

Board Action:

The Committee recommends that along with the six existing Incentive Strategies, that for the new LHAP to include two new Incentive Strategies of having a Land Inventory for Affordable Housing Projects and Development Near Transportation Hubs and Major Employment Centers and Mixed-use Developments. Debora Storch motion to approve, and Julio Ponce seconds. (7 in favor 0 opposed)

Attachments:

AHAC Appointment Membership Resolution
Public Hearing Advertisement

City of Hialeah

Affordable Housing Advisory Committee

2016 Incentive Review and Recommendation Report

I. **Background Information:**

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The meeting dates established were as follows:

1/12/16 Regular Public Hearing Meeting

TBD Adoption of AHAC Report

TBD City Council review of AHAC Report

Implement approved AHAC Report in Upcoming LHAP due prior to 5/2/16.

II. **Public Hearing Meeting:**

Date of First Public Hearing: Tuesday, January 12, 2016, 2pm.

Synopsis of Public Input: No one from the public appeared. No public comment were submitted by mail or electronic mail.

Names of AHAC Members Present at Meeting:

1. Michele A. Edwards-Collie
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City Staff Present at Meeting:
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**This Report was formally reviewed by the AHAC members in a Public Hearing at
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- *Permitting process.* Pre-application site inspection for renovation. Grants Inspector shall conduct pre-application site inspections for applications for building permit for renovations, including interior changes, roof and façade alterations but excluding renovations involving structural repairs.

B. Name of Strategy: On-Going Review Process

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

- Housing proposed policies, procedures, ordinances regulations, or plan

provisions that increase the cost of housing that are reviewed by the Growth Management Advisory Committee (GMAC), written comments will be solicited and received from the Department of Grants and Human Services regarding the impact on affordable housing with respect to the application under review and consideration. The Department of Grants and Human Services will in return submit its impact statement to the committee for consideration. This incentive is functioning as intended.

C. Name of Strategy: Impact Fee Exemption

- Exemption from payment of Park, Recreation and Open Space Impact Fees for affordable housing properties developed and owned by the City of Hialeah. See HIALEAH, FLA., CODE § 98-2530(5). Notice is provided to the Planning and Zoning Division stating that the Dept. of Grants and Human Services deems the project eligible for exemption. This incentive is functioning as intended.

D. Name of Strategy: Expansion of Expedited Final Decisions

- The Planning and Zoning Board along with the City Council, has the authority to review limited nonuse variances which have no relation to change of use of property and which relating only to matters concerning setback requirements, landscaping requirements, sign regulations, floor area requirements, yard requirements, lot coverage, parking space requirements, height, width and length limitations for structures of buildings and spacing requirements between principal and accessory buildings. The review of the Planning and Zoning Board and City Council is limited to variance requests on qualified developed individual lots except that the Board and City Council may review requested variances and Final Decisions of undeveloped individual lots intended for development of affordable housing: See HIALEAH, FLA., CODE § 98-258. This incentive is functioning as intended.

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- Required off-street parking areas are generally required to be located on the same lot, parcel or premises as the use to be served. However, in Commercial-Residential (CR) zoning districts, the maximum distance limitation for off-street parking was extended to a 600-foot radius of the main entrance of the mixed commercial-residential use served. In Central Business District (CBD) zoning

districts, the maximum distance limitation was extended to a 900-foot of the main entrance of the mixed commercial-residential use served. This incentive is functioning as intended.

F. Name of Strategy: Expanded Criteria for Granting Adjustments, Variances and Special Use

- Expanded criteria for granting adjustments, variances and special use permits. Zoning variances, adjustments and special use permits are judged by the same criteria that includes a determination based on whether the development is in harmony with the general purpose and intent of the zoning code and the Hialeah, Fla., Land Development Code and consistent with the Hialeah, Fla., Comprehensive Plan and whether the development will provide substantial justice, not be contrary to the public interest and adversely affect the use and development of neighboring properties. This incentive is functioning as intended.

IV. New Recommendation Incentives Strategies to Implement in the New 2016-2019 LHAP

A. Name of Strategy: Land Inventory for Affordable Housing Projects

- At the start of each State Housing Initiatives Partnership (SHIP) fiscal year annually and based on the availability of funds, the City will contact local and major banks to establish an inventory list of locally owned public land that would be suitable for Affordable Housing Projects. This list will be made available to the public and non-profit organizations. The list can be requested at the City of Hialeah, City Clerk's Office.

B. Name of Strategy: Development Near Transportation Hubs and Major Employment Centers and Mixed-use Developments

- The City will support the possible development near transportation hubs, major employment centers and mixed-use developments, when land is available to do so. Any possible development, will require the developer to get in contact with the Director of Planning and Zoning to see what type of development can be done on the land in these areas and if any Variances or Final Decisions need to be done on the land.

Board Action:

TBD

Attachments:

AHAC Appointment Membership Resolution

Public Hearing Advertisement

CITY OF HIALEAH
DEPARTMENT OF GRANTS AND HUMAN SERVICES
MEMORANDUM

To: Lorena Bravo, City Attorney
From: Annette Quintana, Director
Date: February 18, 2016
Subject: Affordable Housing Advisory Committee (AHAC) Report to get Approval by the City Council to Implement Affordable Housing Incentives for the LHAP 2016-2019

We are forwarding the following documents for above-referenced project for your review and approval.

- Agreement/Contract
- Change orders
- Draft Text
- Claim/Release of Liens
- Final Documents
- Corporate resolution/signed/sealed
- Not a Corporation - signatures and witnesses
- Other: AHAC Report for Council Approval
- Attachments of all necessary exhibits (i.e. previous resolutions).

{X} The above check-marked documents are being forwarded to you for initial Law Department **review and approval for legal sufficiency and form.**

{ } The above check-marked documents are being forwarded to you for seal and signature, as **they have been reviewed and approved as to legal sufficiency and form.**

All original documents are being forwarded to you herewith. If you have any questions, or require additional information, please contact Leonard Grandio Jr., Program Specialist III, extension 5888.