

**ORDINANCE NO. 2015-46**

**AN ORDINANCE AMENDING PART 4, CHAPTER 67 OF THE CODE OF THE CITY OF ORLANDO, ENTITLED “AFFORDABLE HOUSING ADVISORY COMMITTEE,” TO CHANGE CERTAIN PROVISIONS REGARDING COMMITTEE MEMBERSHIP AND PROCEDURES, REPORTING, AND AMENDMENTS TO THE AFFORDABLE HOUSING INCENTIVE PLAN, IN ACCORDANCE WITH THE STATE HOUSING INITIATIVES PARTNERSHIP ACT, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**Whereas**, the City Council finds that the adoption of this ordinance is necessary to be consistent with Florida Statutes, s. 420.907, et seq., which governs the Affordable Housing Advisory Committee.

**NOW, THEREFORE,** BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF ORLANDO, FLORIDA:

**Section One:** Part 4, Chapter 67, Code of the City of Orlando, Florida, is hereby amended as follows:

**Section 67.401. Committee Membership and Officers.**

## Section 67.402. Committee Procedures

### Section 67.404. Committee Reports.

Section 67.406. Amendment of the Affordable Housing Incentive Plan.

**Section 67.401. Committee Membership and Officers.**

1 Membership. The Committee shall be ~~composed~~ comprised of eleven (11)  
2 members who shall be appointed by the Mayor and confirmed by the City Council.  
3 Members of the Committee shall serve without pay but shall be reimbursed by the City  
4 for necessary expenses incurred in connection with their duties. The Mayor shall appoint  
5 at least one member from each of the organizations, professions, or groups set forth in  
6 F.S. § 420.9076.

7 Officers and Terms. This Committee shall meet triennially. Therefore,  
8 Committee members shall serve terms of three (3) years and may serve up to three (3)  
9 consecutive terms. At their first meeting of ~~each~~ the Committee's triennial term,  
10 ~~municipal fiscal year, the appointed~~ Committee members shall elect officers who shall  
11 serve ~~terms of one year~~ during that particular triennial term. Officers shall include a  
12 Chairman and Vice-Chairman. Matters pertaining to ~~the terms of office for the~~  
13 ~~Committee, including but not limited to original~~ appointments, reappointments to a  
14 consecutive term, and vacancies, ~~and attendance,~~ shall, to the extent not specifically  
15 provided for herein, be provided by Chapter 2, Article XV of the City Code of the City of  
16 Orlando. Because this Committee meets triennially, it is exempt from the attendance  
17 requirements provided in s. 2.121 of the City Code.

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19 **Section 67.402. Committee Procedures.**

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21 Meetings. The Committee's ~~shall meet~~ triennial terms shall begin in the month of  
22 June in the year preceding the due date for the Local Housing Assistance Plan (LHAP) as  
23 established by the Florida Housing Finance Corporation. During each term, the

1 Committee shall meet at least once each calendar month or more frequently as necessary  
2 as determined by the call of the Chairman or upon call by a majority of the members. All  
3 meetings of the ~~Board and its eCommittees~~ shall be public meetings.

4 \*\*\*\*

5 Executive Secretary. The Director of the Department of Housing and Community  
6 Development Planning and Development or ~~their~~ his or her designee shall serve as the  
7 Executive Secretary. The Executive Secretary shall serve as the custodian of all  
8 Committee records. The Executive Secretary shall not be entitled to vote.

9 Administrative Support. The Department of Housing and Community  
10 Development and the Planning Division ~~division or department having authority to~~  
11 ~~administer local planning or housing programs~~ shall provide administrative support to the  
12 Committee in its work.

### 13 **Section 67.404. Committee Reports.**

14 Initial Affordable Housing Incentives Recommendations Report. The Committee  
15 shall, within nine months from the date of its initial first meeting, file ~~a final~~ its initial  
16 affordable housing incentives recommendations report with City Council. Such report  
17 must be adopted by affirmative vote of a majority of the Committee at a properly noticed  
18 public hearing. For the purposes of this section properly noticed shall mean that notice of  
19 the time, date and place of such hearing has been published in a newspaper of general  
20 paid circulation in Orange County no less than seven nor more than fifteen days prior to  
21 such hearing. Such notice must contain a concise summary of the recommendations to be  
22 considered by the Committee and must advise the public where a complete copy of the  
23 tentative report may be obtained.

1 Subsequent Recommendations Reports. After filing its initial Recommendations  
2 Report in accordance with the above paragraph, the Committee shall triennially thereafter  
3 file ~~a new~~ subsequent Recommendations Reports of its housing incentive strategies  
4 recommendations and its review of implementation of previously recommended  
5 strategies as directed by City Council in order to comply with the requirements of the  
6 State Housing Incentives Partnership Act or any applicable successor statutes thereto.  
7 Such report must be adopted by affirmative vote of a majority of the Committee at a  
8 properly noticed public hearing. For the purpose of this section properly noticed shall  
9 mean that notice of the time, date and place of such hearing has been published in a  
10 newspaper of general paid circulation in Orange County no less than seven nor more than  
11 fifteen days prior to such hearing. Such notice must contain a concise summary of the  
12 recommendations to be considered by the Committee and must advise the public where a  
13 complete copy of the tentative report may be obtained. The Committee's  
14 Recommendations Report shall require approval by City Council and be submitted to the  
15 Florida Housing Finance Corporation no later than December 31<sup>st</sup> of the year preceding  
16 the due date for the LHAP.

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18 **Section 67.406. Amendment of the Affordable Housing Incentive Plan.**

19 Within ninety (90) days after the date the City Council receives any subsequent  
20 ~~affordable housing incentives~~ Recommendation Reports from the Committee, the City  
21 Council shall adopt an amendment to the City of Orlando Affordable Housing Incentive  
22 Plan to incorporate the Committee's recommendations on housing incentives, including  
23 but not limited to, the incentives specified in s. 67.403 (a) – (k) as recommended by the

Committee. The Florida Housing Finance Corporation shall be notified by certified mail of the adoption of the amendment and provided a copy of the approved amended plan.

**Section Two:** Severability. If any section, subsection, sentence, clause, phrase, or other portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**Section Three:** Effective date. This ordinance shall take effect immediately upon adoption.

READ FIRST: \_\_\_\_\_, 2016.

ADVERTISED: \_\_\_\_\_, 2016.

READ SECOND AND ADOPTED: \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor/Mayor Pro Tem                      Date

Attesting:

\_\_\_\_\_  
Orlando City Clerk                      Date

\*\*[seal]\*\*

Approved as to form and legality for the use and reliance of the City of Orlando, Florida, only.

\_\_\_\_\_  
Assistant City Attorney                      Date