

**COLLIER COUNTY
AFFORDABLE HOUSING ADVISORY COMMITTEE**



AGENDA

Affordable Housing Advisory Committee (AHAC)
5th Floor Meeting Room – Building F
April 2, 2018
8:00 A.M.

AHAC COMMITTEE MEMBERS

Steve Hruby, AHAC Chairman
Taylor McLaughlin, Vice-Chair
John Cowan, AHAC Member
Denise Murphy, AHAC Member
Mary Waller, AHAC Member
Scott Kish, AHAC Member

Joseph Schmitt, AHAC Member
Litha Berger, AHAC Member
Dr. Carlos Portu, AHAC Member
Christina Apostolidis, AHAC Member
Sheryl Soukup, AHAC Member

COLLIER COUNTY STAFF

Kim Grant, Director, Community and Human Services
Cormac Giblin, Housing and Grant Development Manager
Susan Golden, Sr. Housing and Grants Coordinator, CHS
Hilary Halford, Sr. Housing and Grants Coordinator, CHS
Barbetta Hutchinson, Operations Coordinator, CHS
Jason Rummer, Operations Analyst, CHS

NOTICE: ALL PERSONS WISHING TO SPEAK ON ANY AGENDA ITEM MUST REGISTER PRIOR TO SPEAKING. ALL REGISTERED SPEAKERS WILL RECEIVE UP TO THREE (3) MINUTES UNLESS THE TIME IS ADJUSTED BY THE CHAIRMAN. DURING COMMITTEE DISCUSSION, COMMITTEE MEMBERS MAY ASK DIRECT QUESTIONS TO INDIVIDUALS. PLEASE WAIT TO BE RECOGNIZED BY THE CHAIRMAN AND STATE YOUR NAME AND AFFILIATION FOR THE RECORD BEFORE COMMENTING.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS MEETING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE COLLIER COUNTY FACILITIES MANAGEMENT DEPARTMENT. ASSISTED LISTENING DEVICES FOR THE HEARING IMPAIRED ARE AVAILABLE IN THE COUNTY COMMISSIONER'S OFFICE.

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL OF COMMITTEE MEMBERS AND STAFF**
- 3. APPROVAL OF AGENDA AND MINUTES**
 - a. Approval of today's agenda
 - b. Approval of 3-5-18 AHAC Regular meeting minutes
- 4. INFORMATIONAL ITEMS**
 - a. Sunshine Law Briefing

5. PUBLIC COMMENT

- a. Persons wishing to speak must register prior to speaking. All registered speakers will receive up to three (3) minutes unless the time is adjusted by the Chairman.

6. DISCUSSION ITEMS AND PRESENTATIONS

- a. Update on RFI for Housing that is Affordable on County Owned Lands (requested by Dr. Portu)
- b. Housing Plan implementation: phase two – BCC Preview for 4/10/18 meeting

7. STAFF AND COMMITTEE GENERAL COMMUNICATIONS

8. ADJOURN

NEXT AHAC MEETING DATE: May 7, 2018, 8:00AM

MINUTES OF THE COLLIER COUNTY
AFFORDABLE HOUSING ADVISORY COMMITTEE

March 5, 2018
8:00 A.M.
Naples, Florida

LET IT BE REMEMBERED that the Collier County Affordable Housing Advisory Committee met on this date at 8:00 A.M. in a *WORKING SESSION* at 3299 Tamiami Trail East, Building F, 3rd, Board Room, Naples, Florida, with the following Members present:

Present: Sheryl Soukup
John Cowan
Mary Waller
Litha Berger
Scott Kish
Denise Murphy
Carlos Portu
Joseph Schmitt
Christina Apostolidis
Steve Hruby, Chair (arrived at 8:32 a.m.)

Absent: Taylor McLaughlin

ALSO PRESENT: Cormac Giblin – Housing & Grants Development Manager
Barbetta Hutchinson, Operations Coordinator – CHS
Jason Rummer – Operations Analyst – Public Services
Susan Golden – Sr. Grants Coordinator - CHS
Hilary Halford, Sr. Grants Coordinator - CHS

OTHERS PRESENT: George Danz; Barbara Melvin, FFIB; Gabriela Molina, Clerk of Courts; Lenore Meurer; Bernadine Harris

1. CALL TO ORDER

In the absence of the Chair and Vice-Chair, Carlos Portu volunteered to chair the meeting. He called the meeting to order at 8:05 A.M. and read the procedures to be observed during the meeting. He led in the Pledge of Allegiance.

2. ROLL CALL – COMMITTEE MEMBERS AND STAFF

Nine members were in attendance; therefore, a quorum was established.

3. APPROVAL OF AGENDA AND MINUTES

- a. A motion was made to approve the agenda by Mary Waller and was seconded by Denise Murphy. The motion passed by a vote of 9-0.

- b. Joe Schmitt made a motion to approve the minutes from the meeting of February 5, 2018, and Litha Berger seconded. The motion passed by a vote of 9-0.

4. INFORMATIONAL ITEMS

- a. RFI for Housing that is Affordable - Cormac told the group this process started over a year ago when the ULI suggested that all of the county owned lands should be looked at for the possibility of building affordable housing. The BCC gave staff direction to make a list of those properties, analyze and determine which would be best suitable to use to build affordable units. The list was eventually refined down to 2 parcels that would be best suitable based on numerous criteria and Board decisions. An RFI was issued and 10 responses were received from local, regional and national entities that were interested in building in Collier County. These proposals will go to the BCC on March 13th to be reviewed and a decision will be made on which they would like to make further inquiries. Both properties would need to go through the regular planning and permitting process to be developed. Dr. Portu made comments regarding his belief of the over-saturation of low income persons and children all going to the same schools. Joe Schmitt said that he felt like Manatee was not the place to build more affordable housing. He also told the group that a plan for tiny homes came to the planning commission, had a tie vote and hasn't gone anywhere. Public speaker, Bernandine Harris asked about the parcel at the corner of Immokalee and Livingston for affordable housing. Cormac told her there was an FPL easement that made that property unsuitable for this purpose. She said that she doesn't want any more low-income housing in East Naples. Public speaker, Lenore Meurer stressed her belief that there is an over-saturation of low income residences in East Naples and wants them to be distributed throughout the county.
- b. Housing Plan Implementation- BCC Recap: Cormac reviewed the timeline for the implementation of the Community Housing Plan - what has been done and what is upcoming. He told the group the new definition for affordable housing went back to basics following the state statute and federal regulations. It states that affordable housing is any type of housing that requires less than 30% of someone's gross income.
- c. Cormac went over the HUD grant application round and told the group that there was approx. \$1.5 million in CDBG funds and \$5 million in HOME funds that are available. We have received 13 applications which will be sent to the Ranking and Review Committee before March 23rd. After the recommendations are made, they will go to the BCC.

5. PUBLIC COMMENT

COMMENTS WERE ACCEPTED BY THE PUBLIC DURING DISCUSSION OF EACH ITEM.

6. DISCUSSION ITEMS AND PRESENTATIONS

- a. Update on Housing Opportunity Index (HOI) and Apartment Listing – Jason Rummer gave the group a recap of the report he prepared on the housing market. He told the group that there was a 15% increase in rent over the past year. This, with the result of the 14% increase from last year, makes the rental rate increasing 29% over the past two years. All rentals on the survey are over \$1,000 and rent for a 2-bedroom apartment is currently at \$1,200 a month. Occupancies for all rental units are at a 98.6%. In addition, he found that 30% of properties had damage from Hurricane Irma.
- b. Preview of items to be included in Housing Plan Implementation Phase 2 in April – Cormac reviewed the items that will go to the BCC in April as Phase 2 of the Community Housing Plan. He is working closely with Growth Management for the meeting in April.

7. ADJOURN

- a. There being no further business for the good of the County, the meeting was adjourned at 9:48 a.m. after being motioned by Mary Waller, seconded by Scott Kish and having a final vote of 9-0.

NEXT MEETING: APRIL 2, 2018 AT 8:00 A.M.

Location: 5th Floor Training Room, Administration (Building F) located at 3299 Tamiami Trail East.

**COLLIER COUNTY AFFORDABLE HOUSING ADVISORY
COMMITTEE**

Stephen Hruby, Chairman

The foregoing Minutes were approved by Committee Chair on _____, 2018, "*as submitted*"
OR "*as amended*" .

**Sunshine Law & Public Records Law
County Attorney Office Presentation**

Sunshine Law, Section 286.011, Florida Statutes

Welcome to Collier County Government and your important role as an Advisory Board Member. We hope that you will find your service rewarding. Advisory Board Members must be aware of the significance of the Florida Sunshine Law and Public Records Law. The primary rule for you to remember is to not discuss or engage in written correspondence with another Advisory Board Member regarding anything that may foreseeably come before your Advisory Board. Remember any discussion on Advisory Board business must take place in the Sunshine with all elements of the Sunshine Law strictly followed. The County Attorney's Office will hold quarterly seminars to discuss these laws and related issues; and you are encouraged to attend a seminar. Thank you for your service and commitment to Collier County!

History:

Florida's Government-in-the-Sunshine Law was enacted in 1967. Today, the Sunshine Law regarding open government can be found in [Chapter 286](#) of the Florida Statutes. These statutes establish a basic right of access to most meetings of boards, commissions and other governing bodies of state and local governmental agencies or authorities.

Applicability:

The Sunshine Law is applicable to the Collier County Board of County Commissioners and all Collier County Advisory Boards. The Sunshine Law applies to all decision-making committees. The Sunshine Law does not apply to County Staff unless Staff is a member of the Advisory Board.

The Sunshine Law is "applicable to any gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission." *Hough v. Stembridge*, 278 So. 2d 288 (Fla. 3d DCA 1973).

Sunshine Law Requirements:

There are three basic requirements of the Sunshine Law found in Section 286.011, Fla. Stat.:

- (1) meetings of public boards or commissions must be open to the public;
- (2) reasonable notice of such meetings must be given; and
- (3) minutes of the meeting must be taken.

(1) Open to the public. The meeting must be open to the public. No person can be excluded absent extenuating circumstances. The location must be accessible, of sufficient size for turnout, the facility may not discriminate based on a protected class, and the meeting must occur within Collier County.

The public shall be given a reasonable opportunity to be heard on a proposition before a board or commission including an Advisory Board. The Board may establish policies to maintain orderly conduct and proper decorum and may establish time limits similar to those established by the Board of County Commissioners.

(2) Reasonable notice of the meeting must be given. Reasonable is defined to mean approximately 72 hours.

(3) Written minutes of the meeting are required and must be taken and made available promptly. Sound recordings may be used in addition to written minutes but not as a substitute. The minutes (including drafts) are public records. The minutes must record the votes (no “secret ballots”).

The Sunshine Law applies when two or more members of a governing board (such as the BCC) **discuss a matter that may foreseeably come before the governing board.**

Collier County Advisory Board members must strictly adhere to all aspects of the Sunshine Law.

Top Five Reminders!

1. No pre and post meeting discussions;
2. No private conversations on the dais;
3. Avoid texting on the dais;
4. May not use non-members as liaisons between board members;
5. Avoid the appearance of impropriety.

Written Correspondence:

The Sunshine Law applies to all Advisory Board business including written correspondence and emails. Advisory Board Members should not communicate with each other via written or electronic correspondence. Should an Advisory Board Member wish to send information to all other Board members, he or she should send the information through the County Staff Liaison as a one-way communication.

- **Two way communication must be held in the Sunshine.**
- Discussions must occur at the public meeting.
- The Sunshine Law and rules on communication apply only to matters that may foreseeably come before the governing board.
- Social events are of course permissible – be mindful of the Sunshine Law!

Quorum:

In order to hold a public meeting and take action, the Advisory Board must have a quorum of its members physically present in the meeting room. Should an Advisory Board Member wish to appear by phone, the Advisory Board must make a finding of an extraordinary circumstance and vote to approve the attendance by phone. Once approved, the member may participate and vote as he or she would in person.

Inspection Trips:

The County Attorney Office recommends against two or more members taking an inspection trip together. If an inspection trip is required, all elements of the Sunshine Law must be strictly followed. The County Staff Liaison should work with the County Attorney’s Office to coordinate an inspection if one is required.

Penalties for violations of the Sunshine Law:

It is a second degree misdemeanor to knowingly violate the Sunshine Law and may include a fine up to \$500 or 60 days imprisonment, removal from position.

Public Records Law, Chapter 119, Florida Statutes

History:

Florida began its tradition of transparency back in 1909 with the passage of [Chapter 119](#) of the Florida Statutes or the “Public Records Law.” This law provides that any records made or received by any public agency in the course of its official business are available for inspection, unless specifically exempted by the Florida Legislature. Over the years, the definition of what constitutes “public records” has come to include not just traditional written documents such as papers, maps and books, but also tapes, photographs, film, sound recordings and records stored in computers.

What is a public record?

A public record encompasses all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge, regardless of whether such materials are in final form.

Public records include: all documents, paper, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form or means of transmission made or received pursuant to law in connection with the transaction of official business by the agency.

Applicability:

Advisory Board Members are required to adhere to the Public Records law. Any record made or received by the Advisory Board Member in the course of County business is a public record.

Recommendations:

- Should an Advisory Board member need to send a one-way communication to the Advisory Board, he or she should copy the County Staff Liaison (at the County employee’s email address). This will allow the email to be maintained on the County’s network server.
- Advisory Board members may wish to create a notebook to maintain all committee business and once the committee service is over, provide the notebook to the County Staff Liaison to maintain for compliance with the Public Records Law.
- Generally, the document author is the custodian of the record. The Advisory Board member is not required to maintain each agenda. The County Staff Liaison will maintain the agendas and the attached documents.

Statutory exemptions may apply:

Generally all records made or received by an agency in the course of official business are public records. There must be a specific statutory exemption in order for a record to be exempt (or protected) from disclosure.

Exemptions may include:

- Documents prepared for litigation or in anticipation of litigation, however these documents lose the statutory exemption at the close of litigation.
- Social security numbers of employees or former employees.
- Sealed bid or proposals; there is a shade period that applies. Following the shade period, the documents lose the statutory exemption and are public records.

Public Records Requests:

Public Records requests in Collier County are governed by Ch. 119, Fla. Stat., and Collier County Resolution No. 07-327. The Resolution provides:

- Requests may be made verbally or in writing by any person.
- The County cannot require the requestor to provide their request in writing.
- The County has a “reasonable” time to respond; however the County must take action promptly and cannot create an arbitrary time to respond – for example 72 hours. Requests should be processed as received.
- The County may charge for the cost of retrieving the records if the amount requested is voluminous. The County will charge actual staff time for work in excess of one (1) hour to gather and review the records.
- May charge 15 cents per page.
- The County is not required to create records that do not already exist.
- The County is not required to provide explanation of records.

Penalties:

There are both civil and criminal penalties for knowingly violating the Public Records Law.

Social Networking:

The Sunshine Law and Public Records Laws applies to Social Networking for example Facebook, Twitter, and You Tube. This presents unique challenges to document and maintain the records. Advisory Board members should avoid discussing official committee business on these social networking sites – remember there can be no two-communication outside of the Sunshine Law. If you are in a position to use social networking for Advisory Board business, please discuss with your County Staff Liaison.

Ethics Laws – Florida Statutes, County Ordinance, County Policy

Three areas:

Chapter 112, Florida Statutes, Part III

Collier County Ordinance No. 2003-53, as amended

Collier County Manager Administrative Procedures CMA #5311 (employees only)

Ch. 112, Fla. Stat.

Ch. 112, Fla. Stat., provides a **Code of Ethics** for public officers and employees. The Code of Ethics protects against conflict of interest and establishes standards for the conduct of elected officials and government employees in situations where conflicts may exist.

A **conflict of interest** is a situation in which regard for a private interest tends to lead to a disregard of a public duty or interest.

Florida’s Code of Ethics

Applies to: Board, Public Officials, and Employees

Addresses: Standards of Conduct, Voting Conflicts, and Financial Disclosure

Prohibits certain actions or conduct

Requires certain disclosures be made to the public

Standards of Conduct

- **Soliciting and Accepting Gifts**

May not solicit or accept anything of value that is based on an understanding that their vote, official action, or judgment would be influenced by such a gift.

- **Accepting Unauthorized Compensation**

May not accept any compensation, payment, or thing of value that is given to influence a vote or official action.

- **Misusing Public Position**

May not corruptly use official position to obtain a special privilege for yourself or others.

- **Disclosing or Using Certain Information**

May not disclose or use information not available to the public and obtained by reason of the public position for the personal benefit of yourself or others.

Additional Standards of Conduct

Doing business with one's agency - A public officer or employee acting in a private capacity shall not attempt to do business with the County/Agency where he/she serves as an officer or employee. Applies to private business in which public officer, employee, spouse or child has a material interest. (112.313(3)).

Engaging in conflicting employment or contractual relationship - A public officer may not be employed or contract with any business entity regulated by or doing business with his or her public agency. (112.313(7)). May be waived by 2/3 vote of full Board (112.313(12)). Specific exemptions apply.

Voting Conflicts of Interest

Requires that no County, municipal, or other Local Public Officer (including members of Board appointed committees) shall vote in an official capacity upon any measure which would inure to the special private gain or loss of themselves, any principal or entity by whom they are retained, other than an agency as defined in Section 112.312(2), or to any relative or business associate. (Specific exemptions apply.)

Exemptions:

- (1) Remote and speculative test – or “uncertainty at the time of vote”
- (2) Size of class test – “unique gain or loss”

When there is a conflict - Abstain from voting:

- (1) Must announce the nature of the conflict before the vote; abstain from voting; and file a memorandum of voting conflict.
- (2) May not participate in the discussion without first disclosing the nature of their interest.
- (3) May not participate in an attempt to influence the outcome.

Optional Abstention Provision – Section 286.012, Fla. Stat.

Penalties: Civil penalties, fine or removal from office

County Ethics Ordinance No. 2003-53, as amended

- More stringent than Florida Statutes

Statement of Policy

An individual covered by this Ordinance **shall**:

1. Not use his or her position as a public servant for unlawful gain or enrichment;
2. Avoid conduct that gives the appearance of an impropriety in the performance of his/her public duties; and
3. Not accept anything of value if the public servant knows or reasonably should have known that it was given with the intent to reward or influence him/her in the performance or nonperformance of his/her public duties.

NO THANK YOU!

Public officials are prohibited from accepting any gift or any other thing of monetary value from anyone that has an interest that may be substantially affected by the performance or non-performance of duties of a public official.

Limited Exceptions Apply!

- Gifts from relatives
- Unsolicited advertising or promotional materials
- Gifts for participation in a seminar
- Award of nominal commercial value (\$40)
- Food or beverage offered to all attendees at a business meeting (the \$4.00 rule (inflation))

WHEN IN DOUBT, PLEASE ASK!

Standards of Conduct

No public servant shall:

1. Accept a gift knowing that it was given with the intent to reward or influence the public official in the performance or nonperformance of his/her duties;
2. Participate in the selection of a vendor or the approval of a contract if that employee has received a gift from someone;
3. Participate in permitting or inspection decision if that employee has received a gift from the applicant including gifts from relatives;
4. Accept anything of value from a lobbyist; and
5. Solicit a contribution from another person/employee for a gift to an official superior or accept a gift from a subordinate.
6. Exceptions – Holidays or occasions where it is customary to give a gift. (Employees)

Penalties: Violations of County Ethics Ordinance may result in jail as well as fine penalties.

County Manager Administrative Procedures/Code of Ethics/Standards of Conduct

- Prohibited receipt of gifts or items or value by County employees
- Violation may result in disciplinary action up to and including discharge

Questions, please contact the County Attorney's Office:

Jeffrey A. Klatzkow, County Attorney
jeffklatzkow@colliergov.net
Colleen M. Greene, Assistant County Attorney
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3299 Tamiami Trail East, 8th Floor
Naples, FL 34112
(239) 252-8400

EXECUTIVE SUMMARY

Recommendation to authorize staff to initiate the Invitation to Negotiate (ITN) process for two (2) County-owned properties previously identified as suitable for the development of housing that is affordable in accordance with the Community Housing Plan.

OBJECTIVE: To provide housing that is affordable in Collier County and to further the goals set forth in the Housing Element of the Growth Management Plan.

CONSIDERATIONS: On December 12, 2017, the Board of County Commissioners (Board) directed staff to initiate the Request for Information (RFI) process for the two County-owned properties previously identified to be suitable for the development of housing that is affordable. Staff initiated the RFI process on the following two sites:

Property	Folio#	Acreage	Amount Invested
Bembridge PUD	00400246406	5.11	\$410,796 (EMS Impact Fees)
Manatee Site	00736520003	59.3	Acquired in 1973 for unknown amount

The RFI was used to collect comments and obtain input from the marketplace. The process solicited information from potential developers as to the interest and potential for the development of housing that is affordable on each of the two sites.

On February 9, 2018, ten (10) responses to RFI #18-7295 were received. All respondents stated their interests in developing housing that is affordable on the two-specified County-owned properties. Responses were received from the following groups:

- FL Star Construction Ft. Myers, FL
- Flaherty & Collins Indianapolis, IN
- Habitat for Humanity of Collier County Naples, FL
- JHM/RHD Naples, LLC Stamford, CT
- Rural Neighborhoods Florida City, FL
- Related Urban Group Miami, FL
- Salce Companies Naples, FL/Stratford, CT
- V3, LLC Washington, DC
- Vestcor Jacksonville, FL
- Wendover Housing Partners Altamonte Springs, FL

The ten (10) responses received varied greatly in level of detail and vision for both properties. However, there were numerous consistencies which appeared throughout most of the responses. These consistencies included:

- Provision of housing that is affordable for 0-140% AMI (Gap); rental and owner-occupied.
- Utilizing Affordable Housing Density Bonus (AHDB) on both sites.
- The land either being given to the project unencumbered or using a long-term 99-year land lease agreement.
- The use of 4% or 9% state tax credits as potential funding sources. Respondents who discussed the tax credit component stated 4% tax credits would be a more realistic source for various reasons.
- Overwhelmingly, respondents requested that the associated Impact Fees be waived. Approximately half of the respondents stated a significant reduction or deferral could also be an option.

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- The use of Bonds, SAIL, SHIP, HOME, CDBG Sec 108 Loan Guarantee, CDBG funds, and conventional mortgages were also presented as potential funding sources in various combinations.

After review of the RFI submissions, it was clear the visions for these properties were as unique as the respondents themselves. All the responses received are attractive depending on one's perspective. Therefore, it is recommended that an Invitation to Negotiate (ITN) is released to the public at large.

An ITN shall be issued by the Procurement Services Director with public announcement and competition. An ITN is used when it is determined beneficial to issue a written solicitation for competitive sealed replies to select one or more vendors with which to conduct negotiations. Details on the ITN process and procedures will be contained in the solicitation. The ITN will follow the procedure outlined for an RFP [Request for Proposals].

Within the ITN the County should request a more detailed proposal to include:

- Concept drawings for each property.
- Unit type and size including bedroom counts identified.
- Amenities included in development cost.
- Identify target group for each unit type.
- Per unit construction costs.
- Proformas for rental properties and proposed rental rates.
- Per unit market cost for properties to be offered for sale.
- Detailed soft funding incentives required from the County.
- Funding sources proposed to include soft debt items.
- Experience in housing development, financing, and operations as applicable.
- Contingency plan for alternative funding if competitive funds are not forthcoming.
- Requested terms for land acquisition (purchase, long-term lease, donation)
- Provide a comprehensive development timeline including specific rezoning requests to 100% occupancy.
- Concisely explain how the proposed development meets the housing affordability needs as identified in the Collier County Community Housing Plan.
- Describe the project and developer's long-term commitment to housing affordability in Collier County.

Other location specific ITN criteria recommendations for each site may include:

Bembridge

- Senior Housing Component
- Rental Units
- Special Needs Units

Manatee

- Rental and Owner-Occupied Units
- Maintain Park Amenities/ Open Space
- Moderate and Gap Housing Component

These specific criteria recommendations and others will be developed in the ITN based on BCC direction.

FISCAL IMPACT: Any potential fiscal impact will be determined on a property-by-property basis based on Board direction. Reimbursement of original costs may be required if properties were acquired using impact fees.

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LEGAL CONSIDERATIONS: This item is approved for form and legality and requires a majority vote for Board approval. - JAB

GROWTH MANAGEMENT IMPACT: Use of County-owned parcels for the development of housing that is affordable furthers the Goals, Objectives, and Policies of the Growth Management Plan and specifically the Housing Element.

RECOMMENDATION: To authorize staff to initiate the ITN process for two (2) County-owned properties previously identified as suitable for the development of housing that is affordable in accordance with the Community Housing Plan.

Prepared By: Cormac Giblin, Manager, Grant and Housing Development, Community and Human Services Division

ATTACHMENT(S)

1. Florida Star- RFI_18-7295_Development_of_Housing_is_Affordable_on_Collier_County_Land (PDF)
2. [Linked] Flaherty Collins- Collier_County_-_RFI_-_FINAL (PDF)
3. Habitat for Humanity- Collier_County_RFI (DOCX)
4. JHM- Collier_County_RFI_-_Complete_Response (PDF)
5. Rural Neighborhoods- Neighborhoods_Project_Team_Letter_and_Concept_-_Rural_Neighborhoods_Offer_Bid_18-7295 (PDF)
6. Related Group - Proposal_Letter_to_Collier_County_-_2-9-2018(PDF)
7. Salce- RFI_18-7295 (PDF)
8. V3 - RFI_18-7295_Response_V3_20180208 (PDF)
9. Vestcor_RFI_18-7295 (PDF)
10. Wendover - Collier RFI Letter (PDF)

EXECUTIVE SUMMARY

Recommendation to authorize staff to continue implementation of the Community Housing Plan (CHP) by: (1) direct staff to advertise amendments to the Impact Fee Deferral Ordinance; (2) approve a resolution to repeal and replace the Local Housing Trust Fund; (3) direct staff to initiate the process to establish the creation of a Community Land Trust; (4) direct staff to initiate a nexus study to determine appropriate linkage fees on new development of various types as well as the maximum feasible fees development can support in light of existing fees and other factors; (5) direct staff to develop a housing that is affordable marketing, public relations, and communications plan. (Total Fiscal impact: \$245,000 over two (2) years)

OBJECTIVE: To implement new and modified approaches to address Collier County's housing affordability issues as recommended in the 2017 Collier County CHP.

CONSIDERATIONS: Collier County has a statutory obligation to provide for housing for its current and anticipated population, including those that are most vulnerable. Housing that is affordable is part of a community's infrastructure and therefore impacts the entire community. First responders, health care professionals, teachers, and others have been historically priced out of the housing market. A vibrant and sustainable community needs to develop specific strategies to accommodate the housing needs of its citizens.

In response to community concerns, the Board of County Commissioners (Board) commissioned the development of a CHP in March 2016 with a broad cross-section of stakeholders appointed in June 2016.

In 2017, the Urban Land Institute (ULI) performed a panel review of the housing situation in Collier County. Among their conclusions is that Collier County needed to reframe its view of housing to better meet the needs of the 40% of the population (58,685 households) currently living in Collier County that are cost-burdened, spending more than 30% of their income on housing. This large segment of Collier County's population is working and living here un-affordably.

The community stakeholders presented the CHP to the Board on October 25, 2017. The plan includes approximately 30 specific recommendations including housing for seniors and those with special needs. The Board accepted the CHP and staff initiated an implementation schedule. The first set of actions was approved by the Board on February 27, 2018, Agenda Item 11A. This request is the second of the series of implementation actions to be presented to the Board.

Specific recommendations include:

- A. Approval of amendments to the Impact Fee Deferral Ordinance to encourage the development of affordable rental housing by allowing the BCC, on a case-by-case basis, to allow rental impact fee deferrals in excess of the annual allotment of 225 and to allow rental impact fee deferrals of greater than ten (10) years. The amendment will also extend the affordability term of participating rental developments from 15 to 30 years. There are no changes to the owner-occupied program. (Refer to Attachment A - Affordable Housing Impact Fee Deferral Ordinance)
- B. Adoption of a resolution to repeal and replace the Local Affordable Housing Trust Fund such that all revenue generated for affordable housing shall be deposited and all monies disbursed from the Fund. Resolution also specifies what the funds will be allocated for, and outlines the roles and responsibilities for administration. (Refer to Attachment B - Housing Trust Fund Resolution)

- C. Direct staff to create a Community Land Trust in Collier as a legal mechanism for pursuing a partnership with a local nonprofit with the mission of ensuring housing opportunities remain affordable for perpetuity.
- D. Direct staff to initiate the process of engaging in a linkage fee nexus study to determine appropriate linkage fees on new development as well as the maximum feasible fees development can support in light of existing fees and other factors.

Policy 1.9 of the Housing Element of the Collier County Comprehensive Plan specifically tasks the County, with the City of Naples, to explore the development of a fair share affordable housing ordinance that shall require commercial and residential developments to address the lack of affordable housing. This policy supports the primary goal and objective of this Housing Element, which is to provide new affordable housing units in order to meet the current and future housing needs of residents with very-low, low, moderate, and affordable workforce incomes, including households with special needs such as rural and farmworker housing in rural Collier County.

- E. Direct staff to initiate the process of developing a marketing, public relations, and communications plan to continue to educate the public on the issues of housing affordability in Collier County, as well as provide a one-stop shop for housing information and resources.
 - Create an online, near-real-time updated Current Inventory of Affordable Housing Availability (purchase or rental) along with links to information & Resources, outline all available programs.
 - Create an easy to find, one click “housing-focused” website.
 - Develop a Marketing, PR & Communications Plan to continue to educate the community on who needs housing and is having trouble finding it; why we need to address the situation; what’s the impact of no action; and keep the public aware of efforts and impact.
 - Conduct a survey to measure the current baseline understanding of affordable housing issues within the community.
 - Begin a campaign to clarify the meaning of “affordable housing.”
 - Educate residents and “change the narrative” to present affordable housing as a necessity and a shared public responsibility.
 - Create PSA’s, short videos and social media and other vehicles to educate the public on housing affordability issues continually.

FISCAL IMPACT: Community Housing Land Trust startup funding \$100,000 (\$50,000 for two (2) years FY2018/19), Linkage fee study \$65,000 FY2017/18, and Marketing, PR, and Communications plan \$80,000 FY2018/19. Total Fiscal impact \$245,000. Funding for FY2017/18 is available in General Fund Reserves and funding for FY2018/19 will be included in the General Fund Budget.

GROWTH MANAGEMENT IMPACT: Approval of these policies, strategies, ordinances, and amendments will assist Collier County in meeting the goals of the Housing Element of the Comprehensive Plan.

LEGAL CONSIDERATIONS: For those implementation actions that are Board approved, the County Attorney’s Office will work with staff to ensure that the resolutions, amendments to resolutions, ordinances are approved for form and legality. Accordingly, this Item is approved to form and legality and requires a majority vote for Board approval. -

RECOMMENDATION: To authorize staff to continue implementation of the Community Housing Plan (CHP) by: (1) direct staff to advertise amendments to the Impact Fee Deferral Ordinance; (2) approve a resolution to repeal and replace the Local Housing Trust Fund; (3) direct staff to initiate the process to establish the creation of a Community Land Trust; (4) direct staff to initiate a nexus study to determine appropriate linkage fees on new development of various types as well as the maximum feasible fees development can support in light of existing fees and other factors; (5) direct staff to develop a housing that is affordable marketing, public relations, and communications plan. (Total Fiscal impact: \$245,000 over two (2) years)

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