

**REPORT OF CITY COUNCIL ACTION
OFFICE OF THE CITY CLERK**

Date 4/24/2008

Agenda Item: 9D-5

SUBJECT:

**HOUSING DEPARTMENT – A RESOLUTION ESTABLISHING AN INVENTORY LIST OF
CITY OWNED REAL PROPERTY DETERMINED APPROPRIATE FOR USE AS
AFFORDABLE HOUSING**

ORDINANCE #: _____

ACTION TAKEN: ☒ APPROVED BY COUNCIL ☐ MOTION FAILED ☐ FIRST READING ☐ SECOND READING
☐ REFERRED TO: ☐ STAFF ☐ OTHER ☐ COMMITTEE

COUNCIL MEMBER	ACTION				COMMITTEE			
	MOT	SEC	YES	NO		Enterprise	Neighborhood	Economic & Community
					Finance	Oper	Services	Development
JEWEL CANNADA-WYNN			✓		*			*
MIKE DESORBO			absent			VC	VC	
MARTY DONOVAN			✓			*		VC
JOHN FOGG			✓		VC			
SAM HALL			✓				*	*
JOHN JERRALDS		✓	✓		C		*	
JOHN NOBLES	✓		✓		*	C		*
RONALD P. TOWNSEND			✓		*		C	
MICHAEL WIGGINS			✓		*	*		C
P. C. WU			✓			*	*	

C = CHAIRMAN
COPIES:

VC = ☒ VICE CHAIRMAN
COUNCIL FILE

* = MEMBER
MUNICIPAL CODE

**5. SUBJECT: HOUSING DEPARTMENT - A RESOLUTION ESTABLISHING AN
INVENTORY LIST OF CITY OWNED REAL PROPERTY DETERMINED
APPROPRIATE FOR USE AS AFFORDABLE HOUSING**

Reference Material:

Committee Memorandum dated April 21, 2008.

Recommendation:

**That City Council approve a Resolution establishing an inventory list of City
owned real property determined appropriate for use as affordable housing.**

The motion passed unanimously.

COMMITTEE MEMORANDUM

COMMITTEE: Enterprise Operations

FROM: Thomas J. Bonfield, City Manager *TJB*

DATE: April 21, 2008

SUBJECT: Housing Department – A Resolution Establishing an Inventory List of City Owned Real Property Determined Appropriate for Use as Affordable Housing

RECOMMENDATION: That City Council approve a Resolution establishing an inventory list of City owned real property determined appropriate for use as affordable housing.

SUMMARY: Section 166.0451 Florida Statutes provides that by each municipality shall prepare an inventory list of all real property within its jurisdiction to which the City holds fee simple title that is appropriate for use as affordable housing. The statute further provides that the City Council must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The final inventory list is established by resolution. Four (4) parcels have been identified (Exhibit A of Resolution) as suitable for affordable housing, using the criteria that, at a minimum, the parcel is buildable and within a subdivision having direct access to an existing paved or city maintained street.

PRIOR ACTION:

CURRENT ACTION:

FUNDING: None required.

ATTACHMENTS:

- (1) Staff Report
- (2) Resolution
- (3) Florida Statutes Section 166.0451 providing for establishing inventory list

City of
Pensacola



Committee Memorandum

Enterprise Operations

**Housing Department – A Resolution Establishing an Inventory List of City Owned Real Property
Determined Appropriate for Use as Affordable Housing**

April 21, 2008

Page 2

- (4) Florida Statutes Sections 420.0004(3)(8)(10) (11)
(15) defining “affordable” and “very low to
moderate income persons”
- (5) Policy for Disposition of City Owned Real
Property

STAFF CONTACT:

Robert T. Payne, Assistant City Manager, Pat
Hubbard, Director of Housing

PRESENTATION:

None.

MEMORANDUM

TO: Thomas J. Bonfield
City Manager

THRU: Robert T. Payne *RT*
Assistant City Manager

FROM: Pat Hubbard, Director *PH*
Department of Housing

DATE: April 21, 2008

SUBJECT: Housing Department – A Resolution Establishing an Inventory List of City Owned Real Property Determined Appropriate for Use as Affordable Housing

RECOMMENDATION:

That City Council approve a Resolution establishing an inventory list of City owned real property determined appropriate for use as affordable housing.

BACKGROUND:

Section 166.0451 Florida Statutes provides that each municipality shall prepare an inventory list of all real property within its jurisdiction to which the City holds fee simple title that is appropriate for use as affordable housing. The statute further provides that the City Council must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The final inventory list is established by resolution. Four (4) parcels have been identified (Exhibit A of Resolution) as suitable for affordable housing, using the criteria that, at a minimum, the parcel is buildable and within a subdivision having direct access to an existing paved or city maintained street.

It is the City's goal to examine opportunities to increase the number of affordable and attainable housing units, encourage sound attainable housing development and redevelopment, and the preservation of affordable housing within the corporate limits.

Affordable housing is considered to be affordable if the monthly housing costs for rents or mortgage payments including taxes, insurance and utilities do not exceed a certain percentage of a family's monthly income, usually 30%. The term "affordable" is defined under F.S. 420.004(3) (Attachment 4).

This list of parcels identified represents city owned parcels within the corporate limits that, at a minimum, have vested development rights by virtue of the fact they are

Memorandum

Enterprise Operations Committee

**Housing Department – A Resolution Establishing an Inventory List of City Owned Real Property
Determined Appropriate for Use as Affordable Housing**

April 21, 2008

Page 2

buildable and located in residential subdivisions with the appropriate zoning and future land use designations located on existing paved or city maintained streets. These parcels have a high probability of not requiring additional infrastructure in order to build one and two family housing units. This makes the provision of new affordable/attainable housing stock likely due to the development cost savings. By providing this list of parcels, all housing providers will be able to more easily identify parcels available for one and two family infill development and restore them to the tax rolls.

The properties identified as appropriate for use as affordable housing on the adopted inventory list may:

- 1) be offered for sale and the proceeds used to purchase land for the development of affordable housing;
- 2) be offered for sale to increase the local government fund earmarked for affordable housing;
- 3) be donated to a nonprofit housing organization for the construction of permanent affordable housing; or
- 4) be made available for use for the production and preservation of permanent affordable housing.

A recommendation regarding which specific options should be exercised for each of the parcels will be provided to Council at a future date if the current Recommendation in this memorandum is adopted.

FINANCIAL IMPACT:

None.

RESOLUTION
NO.

**A RESOLUTION ESTABLISHING AN
INVENTORY LIST OF CITY OWNED REAL
PROPERTY DETERMINED TO BE
APPROPRIATE FOR USE AS AFFORDABLE
HOUSING**

WHEREAS, Florida Statute 166.0451(1) provides that by July 1, 2007, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within the jurisdiction to which the city holds fee simple title that is appropriate for use as affordable housing; and

WHEREAS, Florida Statute 166.0451(1) further provides that the council must review the inventory list at a public hearing and may revise the list at the conclusion of the public hearing and shall adopt a resolution that includes an inventory list of such property following the public hearing; and

WHEREAS, Florida Statute 166.0451(2) provides that the property identified as appropriate for use as affordable housing on the inventory list adopted by the city may be offered for sale and the proceeds used to purchase land for the development of affordable housing; or to increase the local government fund earmarked for affordable housing; or may be donated to a nonprofit housing organization for the construction of permanent affordable housing; or the city may make the property available for use for the production and preservation of permanent affordable housing.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF PENSACOLA, FLORIDA:**

SECTION 1. That the property described on "Exhibit A", attached hereto and by reference made part hereof, shall be designated as the City of Pensacola inventory list of city owned real property appropriate for use as affordable housing in accordance with the requirements and provisions of Section 166.0451 Florida Statutes.

SECTION 2: This resolution shall take effect immediately upon its adoption by the City Council.

Adopted: _____

Approved: _____
Mayor

Attest:

City Clerk

Legal in form and valid if enacted:

City Attorney

Exhibit A

Exhibit A to Resolution
Establishing an Inventory List of City Owned Real Property
Appropriate for Affordable Housing

Number	Parcel number	Legal Description	Address	Vacant/Improved	Size	Disposition
1	00 0S 00 9010 300 028	Lot 30 Block 28 Belmont Tract	400 Block W. Gadsden Street	Vacant	30 x150	<u>Near Devillers</u>
2	07 1S 29 2001 007 002	Lot 7 Block B Stanford Place S/D	Randwick Road	Vacant	100 x200	<u>S/D lot adjacent to a Park</u>
3	00 0S 00 9020 043 090	Part of Lot 4 Block 90 East King Tract	2420 N 7 th Ave.	Vacant	40 x70	<u>Corner of Scott and & 7th</u>
4	09 1S 29 1200 000 025	Block Y Baywoods Unit 1 S/D	4600 Block Baywoods Drive	Vacant (left over piece of ROW)	105 x 97	<u>Surrounded by single family dwellings</u>

Title XII
MUNICIPALITIES

Chapter 166
MUNICIPALITIES

[View Entire Chapter](#)

166.0451 Disposition of municipal property for affordable housing.--

(1) By July 1, 2007, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be offered for sale and the proceeds may be used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the municipality may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

History.--s. 4, ch. 2006-69.

<u>Title XXX</u> SOCIAL WELFARE	<u>Chapter 420</u> HOUSING	<u>View Entire Chapter</u>
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420.0004 Definitions.--As used in this part, unless the context otherwise indicates:

- (1) "Adjusted for family size" means adjusted in a manner which results in an income eligibility level which is lower for households with fewer than four people, or higher for households with more than four people, than the base income eligibility determined as provided in subsection (8), subsection (10), subsection (11), or subsection (15), based upon a formula as established by the United States Department of Housing and Urban Development.
- (2) "Adjusted gross income" means all wages, assets, regular cash or noncash contributions or gifts from persons outside the household, and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under s. 62 of the Internal Revenue Code.
- (3) "Affordable" means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated in subsection (8), subsection (10), subsection (11), or subsection (15).
- (4) "Corporation" means the Florida Housing Finance Corporation.
- (5) "Community-based organization" or "nonprofit organization" means a private corporation organized under chapter 617 to assist in the provision of housing and related services on a not-for-profit basis and which is acceptable to federal and state agencies and financial institutions as a sponsor of low-income housing.
- (6) "Department" means the Department of Community Affairs.
- (7) "Elderly" describes persons 62 years of age or older.
- (8) "Extremely-low-income persons" means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.
- (9) "Local public body" means any county, municipality, or other political subdivision, or any housing authority as provided by chapter 421, which is eligible to sponsor or develop housing for farmworkers and very-low-income and low-income persons within its jurisdiction.
- (10) "Low-income persons" means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.
- (11) "Moderate-income persons" means one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross

income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

(12) "Student" means any person not living with his or her parent or guardian who is eligible to be claimed by his or her parent or guardian as a dependent under the federal income tax code and who is enrolled on at least a half-time basis in a secondary school, career center, community college, college, or university.

(13) "Substandard" means:

(a) Any unit lacking complete plumbing or sanitary facilities for the exclusive use of the occupants;

(b) A unit which is in violation of one or more major sections of an applicable housing code and where such violation poses a serious threat to the health of the occupant; or

(c) A unit that has been declared unfit for human habitation but that could be rehabilitated for less than 50 percent of the property value.

(14) "Substantial rehabilitation" means repair or restoration of a dwelling unit where the value of such repair or restoration exceeds 40 percent of the value of the dwelling.

(15) "Very-low-income persons" means one or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

History.--s. 2, ch. 88-376; s. 1, ch. 89-121; s. 13, ch. 90-275; s. 72, ch. 2000-153; s. 36, ch. 2004-357; ss. 44, 53, ch. 2006-26; s. 14, ch. 2006-69.