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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(49)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: October 6, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida Legislature to fully restore funding for affordable housing programs from the Sadowski Act Affordable Housing Trust Fund, and not divert any revenues to the state general revenue fund for other purposes; preliminarily identifying this issue as a critical County priority for the 2016 state legislative session

Resolution No. R-917-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.

Abigail Price-Williams
County Attorney

APW/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: October 6, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(49)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(49)
10-6-15

RESOLUTION NO. R-917-15

RESOLUTION URGING THE FLORIDA LEGISLATURE TO FULLY RESTORE FUNDING FOR AFFORDABLE HOUSING PROGRAMS FROM THE SADOWSKI ACT AFFORDABLE HOUSING TRUST FUND, AND NOT DIVERT ANY REVENUES TO THE STATE GENERAL REVENUE FUND FOR OTHER PURPOSES; PRELIMINARILY IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2016 STATE LEGISLATIVE SESSION

WHEREAS, there is a critical shortage of housing for low and moderate income families in Miami-Dade County and across the state; and

WHEREAS, for a period of time, Florida relied solely on federal funds to finance housing programs, but this proved difficult as the need for affordable housing assistance steadily outweighed the supply; and

WHEREAS, in 1992, the Florida Legislature responded to the growing need for affordable housing assistance by enacting the William E. Sadowski Act, which created a dedicated source of revenue for affordable housing; and

WHEREAS, this dedicated source of revenue consists of a 10-cent documentary stamp tax paid on the transfer of real estate, which began in August 1992, and a reallocation of 10 cents of existing documentary stamp tax revenues from general revenue to the Affordable Housing Trust Fund, which began in July 1995; and

WHEREAS, Sadowski Act Affordable Housing Trust Fund revenues are divided between state and local government housing trust funds, with 70 percent of the revenues going into the Local Government Housing Trust Fund and 30 percent going into the State Housing Trust Fund; and

WHEREAS, Affordable Housing Trust Fund revenues support various state and local housing assistance programs, including the State Housing Initiatives Partnership (SHIP) Program and the State Apartment Incentive Loan (SAIL) Program; and

WHEREAS, the SHIP Program serves very low, low and moderate income families and provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing; and

WHEREAS, SHIP funding may be used for emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-down, acquisition of property for affordable housing, homeownership counseling and matching dollars for federal housing grants and programs; and

WHEREAS, the SAIL Program provides low-interest loans on a competitive basis to affordable housing developers, with SAIL funding often serving to bridge the gap between a development's primary financing and the total cost of the affordable housing development; and

WHEREAS, SAIL funds are available to individuals, public entities, not-for-profit and for-profit entities that propose the construction or substantial rehabilitation of multifamily units affordable to very low income individuals and families; and

WHEREAS, both the SHIP and SAIL programs have been successful in assisting Floridians with critical housing needs, including housing for the working poor, low-income seniors, persons with disabilities and children; and

WHEREAS, during the 2005 session, the Florida Legislature capped at $243 million the annual amount of Affordable Housing Trust Fund revenues that could be used for affordable housing and diverted any amount above $243 million to the state general revenue fund; and

WHEREAS, since the 2010 session, the Florida Legislature has swept Affordable Housing Trust Fund revenues from affordable housing programs to the state general revenue fund as part of its effort to address sizable budget deficits; and

WHEREAS, during the 2015 session, it was estimated that the Florida Legislature would have an overall state budget surplus; and

WHEREAS, affordable housing advocates saw the estimated overall budget surplus as an opportunity to end the sweeps of the Affordable Housing Trust Fund revenues during the 2015 session; and

WHEREAS, the total amount of revenues in the Affordable Housing Trust Fund estimated to be available for state fiscal year 2015-16 was approximately $256 million; and

WHEREAS, the Florida Legislature restored approximately 68 percent of the total $256 million to affordable housing programs, sweeping roughly $81 million of the $256 million available in Affordable Housing Trust Fund revenues from affordable housing programs to the state general revenue fund for other purposes; and

WHEREAS, unable to reach an agreement during the 2015 general session, the Florida Legislature passed the General Appropriations Act during the 2015 special session, which appropriated $175 million to fund the SHIP and SAIL programs as well as other homeless and housing projects; and

WHEREAS, the General Appropriations Act appropriated $105 million to the SHIP Program and $48 million to the SAIL Program; and

WHEREAS, current revenue estimates project that the Florida Legislature will again have surplus revenues in fiscal year 2016-17, with Affordable Housing Trust Fund revenues totaling approximately $324 million; and

WHEREAS, the Florida Legislature should fully restore funding for affordable housing programs from the Affordable Housing Trust Fund, and not divert any revenues to the state general revenue fund for other purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to fully restore funding for affordable housing programs from the Sadowski Act Affordable Housing Trust Fund, and not divert any revenues to the state general revenue fund for other purposes.

Section 2. Preliminarily identifies the issue set forth in Section 1 above as a critical County priority for the 2016 state legislative session.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the legislative action set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	**aye**		
Esteban L. Bovo, Jr., Vice Chairman	**aye**		
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. APP

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