

MEMORANDUM

Agenda Item No. 11(A)(33)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

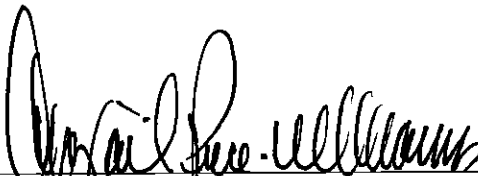
DATE: October 3, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida Legislature to fully restore funding for affordable housing programs through the Sadowski Act Affordable Housing Trust Fund, and not divert any revenues to the state general revenue fund for other purposes; and preliminarily identifying this issue as a County priority for the 2020 session of the Florida Legislature

Resolution No. R-1101-19

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava and Co-Sponsor Chairwoman Audrey M. Edmonson.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 3, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(33)

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
- Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(33)
10-3-19

RESOLUTION NO. R-1101-19

RESOLUTION URGING THE FLORIDA LEGISLATURE TO FULLY RESTORE FUNDING FOR AFFORDABLE HOUSING PROGRAMS THROUGH THE SADOWSKI ACT AFFORDABLE HOUSING TRUST FUND, AND NOT DIVERT ANY REVENUES TO THE STATE GENERAL REVENUE FUND FOR OTHER PURPOSES

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 outpaced 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, beginning in the 2010 session, the Florida Legislature swept Affordable Housing Trust Fund revenues from affordable housing programs to the state general revenue fund as part of its effort to address projected steep declines in state revenues for the upcoming fiscal year; and

WHEREAS, even as the state emerged from the economic downturn and state revenue rose again, the Legislature nonetheless continued to sweep affordable housing funds up to and including the 2019 session; and

WHEREAS, during the 2019 session, the Florida Legislature swept \$125 million of the roughly \$325 million in Affordable Housing Trust Fund revenues from affordable housing programs to the state general revenue fund for other purposes, thus appropriating approximately \$200 million to the Affordable Housing Trust Fund; 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; and

WHEREAS, this Board urges the Florida Legislature to fully restore funding to the Affordable Housing Trust Fund,

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. 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 3. 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 2020 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution are Commissioner Daniella Levine Cava and the Co-Sponsor is Chairwoman Audrey M. Edmonson. It was offered by

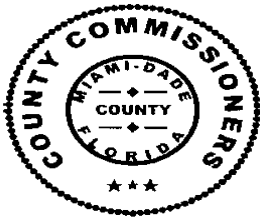
Commissioner **Daniella Levine Cava** , who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	absent	
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose “Pepe” Diaz	absent	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	absent
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of October, 2019. 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



Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APP

Altanese Phenelus