

MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 6, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida Legislature to enact legislation that (1) amends the definition of “workforce housing” set forth in section 420.5095, Florida Statutes, to allow housing projects located throughout the State of Florida that target households with incomes up to 120 percent of area median income (“AMI”) to participate in the Community Workforce Housing Loan Program or, alternatively, (2) amends such definition to allow housing projects that target households whose incomes do not exceed 120 percent of AMI and that are located in counties with large proportions of their population cost-burdened, to participate in the program, subject to approval of such counties’ governing bodies in their sole discretion; waiving the requirements of Resolution No. R-764-13, as necessary, limiting the number of state legislative priorities; including this item as a priority in the 2023 state legislative package; and preliminarily identifying this item as a priority for the 2024 state legislative session

Resolution No. R-1174-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.



Geri Bonzon-Keenan
County Attorney

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MEMORANDUM

(Revised)

TO: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

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Gen Bonzon-Keenan
County Attorney

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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)(7)
12-6-22

RESOLUTION NO. R-1174-22

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT (1) AMENDS THE DEFINITION OF “WORKFORCE HOUSING” SET FORTH IN SECTION 420.5095, FLORIDA STATUTES, TO ALLOW HOUSING PROJECTS LOCATED THROUGHOUT THE STATE OF FLORIDA THAT TARGET HOUSEHOLDS WITH INCOMES UP TO 120 PERCENT OF AREA MEDIAN INCOME (“AMI”) TO PARTICIPATE IN THE COMMUNITY WORKFORCE HOUSING LOAN PROGRAM OR, ALTERNATIVELY, (2) AMENDS SUCH DEFINITION TO ALLOW HOUSING PROJECTS THAT TARGET HOUSEHOLDS WHOSE INCOMES DO NOT EXCEED 120 PERCENT OF AMI AND THAT ARE LOCATED IN COUNTIES WITH LARGE PROPORTIONS OF THEIR POPULATION COST-BURDENED, TO PARTICIPATE IN THE PROGRAM, SUBJECT TO APPROVAL OF SUCH COUNTIES’ GOVERNING BODIES IN THEIR SOLE DISCRETION; WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-764-13, AS NECESSARY, LIMITING THE NUMBER OF STATE LEGISLATIVE PRIORITIES; INCLUDING THIS ITEM AS A PRIORITY IN THE 2023 STATE LEGISLATIVE PACKAGE; AND PRELIMINARILY IDENTIFYING THIS ITEM AS A PRIORITY FOR THE 2024 STATE LEGISLATIVE SESSION

WHEREAS, workforce housing has increasingly entered the forefront of affordable housing policies and programs; and

WHEREAS, with an expanding concept of housing need, this Board established the workforce housing program that targets working families that earn between 60 percent and 140 percent of area median income (“AMI”); and

WHEREAS, this program was designed to supplement the traditional federal housing assistance programs that focus on lower income households, defined as households that earn 80 percent of AMI or less; and

WHEREAS, in 2006, the Florida Legislature created the Community Workforce Housing Initiative Program, which is currently renamed the Community Workforce Housing Loan Program (“loan program”); and

WHEREAS, the Florida Legislature established the loan program because of the rapid increases in the median purchase price of a home and the cost of rental housing have far outstripped the increases in median income in the state, creating the need for innovative solutions for the provision of housing opportunities; and

WHEREAS, the loan program bridges the gap in federal housing programs and aims to assist workforce personnel in high growth or high-cost counties by encouraging innovative land use and financial strategies in order to supply safe, affordable, quality housing; and

WHEREAS, in 2006, the Florida Housing Finance Corporation began administering the loan program, with an emphasis on providing affordable housing to workforce personnel; and

WHEREAS, the loan program requires that projects must be given priority consideration for funding if the local jurisdiction has adopted, or is committed to adopting, appropriate regulatory incentives, local contributions or financial strategies, or other funding sources to promote the development and ongoing financial viability of such projects; and

WHEREAS, local incentives include actions such as expediting review of development orders and permits, supporting development near transportation hubs and major employment centers, and adopting land development regulations designed to allow flexibility in densities, use of accessory units, mixed-use developments, and flexible lot configurations; and

WHEREAS, financial strategies include actions such as promoting employer-assisted housing programs, providing tax increment financing, and providing land; and

WHEREAS, however, the current loan program defines “workforce housing” as “housing affordable to natural persons or families whose total annual household income does not exceed 80 percent of the area median income, adjusted for household size, or 120 percent of area median income, adjusted for household size, in areas of critical state concern designated under section 380.05 [of the Florida Statutes]”; and

WHEREAS, this Board believes that this definition and the requirements to participate in the loan program is too restrictive and do not serve the needs of the residents of Miami-Dade County; and

WHEREAS, according to a recent study, Miami-Dade County is the fifth-least affordable large city to buy a home; and

WHEREAS, recent studies have also shown that the average home price in Miami is currently \$475,000.00, while the median household income is \$53,975.00; and

WHEREAS, according to a University of Miami study, along with rising home prices, monthly rental rates in Miami-Dade County have skyrocketed nearly 60 percent, compared to just 19 percent nationally, leaving those who live on the margins with fewer choices; and

WHEREAS, further, a Florida International University study (“FIU study”) found that six in 10 employed adult residents of Greater Miami are housing cost-burdened, meaning they spend more than 30 percent of their incomes on housing—the highest rate of any large metro area in the nation; and

WHEREAS, the FIU study further found that low-income service workers, who make up more than half of the region’s workforce, bear the greatest burden of all; and

WHEREAS, the FIU study further found that Miami's housing affordability crisis hits black and Hispanic households hardest with African American homeowners having, on average, less than \$4,000.00 in income left over after paying for their housing each year, and Hispanic homeowners having less than \$5,500.00 left over after paying for housing; and

WHEREAS, according to the FIU study, Miami-Dade County's housing stock suffers from a mismatch in that it has a glut of expensive housing and not nearly enough affordable and workforce housing; and

WHEREAS, this Board believes that Miami-Dade County's shortage of affordable housing poses a real and significant threat to its economy and is a major economic development issue for this region; and

WHEREAS, accordingly, this Board believes that section 420.5095, Florida Statutes, should be amended to set the standard for participation in the program for the whole state at 120 percent of AMI; and

WHEREAS, alternatively, this Board believes that that state law should be amended to allow housing projects that target households whose incomes do not exceed 120 percent of AMI, and that are located in counties with large proportions of their population (50 percent or more) cost-burdened, to participate in the program, subject to the approval of such counties' governing bodies, in their sole discretion; and

WHEREAS, by amending the definition of workforce housing, this Board believes that more housing projects located in the County will be able to participate in the loan program; and

WHEREAS, this Board also desires to identify this issue as a priority for the 2023 state legislative session, and to include this issue as a priority for the 2024 state legislative session should it not be adopted during the 2023 session,

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 enact legislation that amends the definition of “workforce housing” set forth in section 420.5095, Florida Statutes, to allow housing projects located throughout the State of Florida that target households with incomes up to 120 percent of area median income (AMI) to participate in the Community Workforce Housing Loan Program. Alternatively, this Board urges the Florida Legislature to enact legislation that amends such definition to allow housing projects that target households whose incomes do not exceed 120 percent of AMI and that are located in counties with large proportions of their population (50 percent or more) cost-burdened, to participate in the program, subject to the approval of such counties’ governing bodies, in their sole discretion.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

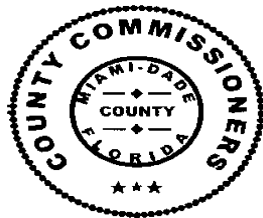
Section 3. Waives the requirements of Resolution No. R-764-13, as necessary, limiting the number of Miami-Dade County state legislative priorities.

Section 4. Directs the County’s state lobbyists to advocate for the actions set forth in section 1 and authorizes and directs the Office of Intergovernmental Affairs to: (1) amend the 2023 State Legislative Package to include this item as a priority; and (2) preliminarily identify this item as a priority when this Board determines its priorities for the 2024 session of the Florida Legislature.

The Prime Sponsor of the foregoing resolution is Senator René García. It was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Interim Chairman	aye		
Raquel A. Regalado, Interim Vice Chairwoman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Anthony Rodríguez	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of December, 2022. 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: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith