

FILED FOR RECORD
R. B. SHORE

ORDINANCE NO. 08-44

2008 MAY 5

CLERK
MANATEE COUNTY

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING THE AFFORDABLE HOUSING ADVISORY COMMITTEE; SETTING FORTH FINDINGS; AMENDING AND RESTATING IN ITS ENTIRETY ARTICLE IV OF CHAPTER 2-17 OF THE MANATEE COUNTY CODE OF ORDINANCES; REVISING THE PROVISIONS RELATED TO THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM AS REQUIRED BY AND TO CONFORM TO FLORIDA STATUTE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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R. B. SHORE

2008 APR 29 4:19:01

2008 MAY 5

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

SECTION 1. Legislative Findings. The Board of County Commissioners hereby adopts the following findings:

A. On March 30, 1993, the Board of County Commissioners (the "Board") adopted Ordinance No. 93-22, which was codified as Article IV of Chapter 2-17 of the Manatee County Code of Laws, and which implemented the provisions of Part VII of Chapter 420, Florida Statutes. On August 26, 1993, the Board adopted Ordinance No. 93-44, adopting minor textual amendments to Ordinance No. 93-22. No other ordinances have been adopted by the Board related to the SHIP Program.

B. In the time since the adoption of the 1993 ordinances, the Florida legislature has enacted numerous amendments to Part VII of Chapter 420, Florida Statutes. Additionally, the Florida Housing Finance Corporation has promulgated administrative rules for the implementation of the statutory provisions.

C. The adoption of this ordinance conforms the County's Code of Ordinances to that amended statute and those administrative regulations.

SECTION 2. Amendment of the Code of Ordinances. Article IV of Chapter 2-17 of the Manatee County Code of Ordinances is amended and restated in its entirety to read as follows:

Article IV. State Housing Initiative Partnership Program

Sec. 2-17-71. Manatee County SHIP Program.

(a) Intent. The local housing assistance program is intended to:

- (1) Increase the availability of affordable housing units by combining local resources and cost-saving measures into a local housing partnership and using private and public funds to reduce the cost of housing;
- (2) Assist in achieving the growth management goals contained in the comprehensive plan by allowing more efficient use of land so as to provide housing units that are affordable to persons who have very low-income, low-income, moderate-income, or special housing needs;
- (3) Promote innovative design of eligible housing that provides cost savings; flexible design options for housing and development such as the combination of architectural styles, building forms, and development requirements; and positive features such as orientation toward the street and pedestrian access, without compromising the quality of the eligible housing; and
- (4) To build the organizational and technical capacity of community-based organizations so as to optimize the role of such organizations in the production of affordable housing.

(b) Construction. For purposes of this article, Part VII of Chapter 420, Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code, as such statute or rule may be amended or renumbered from time to time, shall be referred to collectively as the "SHIP Act and Rules". This article and all provisions hereto are intended to implement, and shall be construed in accordance with, said SHIP Act and Rules.

(c) Establishment of the local housing assistance program. The local housing assistance program is hereby created and established. In accordance with the SHIP Act and Rules, the funds shall be allocated for the following purposes:

- (1) Homeownership activities, include without implied limitation acquisition of improved or unimproved sites; down payment assistance; new construction of owner occupied single-family residents; rehabilitation of owner occupied single-family residence; emergency repairs of owner occupied single-family residences; provision of mortgage financing assistance; provision for relief of county mandated impact or facilities investment fees; and provision of "local match" required under the HOME Investment Partnership Program or other federal or similar state sponsored programs.
- (2) Other affordable housing activities, including without implied limitation the acquisition of improved sites; the construction of new investor-owned affordable housing; the rehabilitation of investor-

owned affordable housing; and the provision of “local match” funds under the State Apartment Incentive Loan (SAIL) Program or other similar federal or state program.

(3) County’s administrative expenses.

(d) Creation of the local housing assistance trust fund. In accordance with and pursuant to the SHIP Act and Rules, the Manatee County Local Housing Assistance Trust Fund is hereby created and established.

(e) Adoption of the local housing assistance plan. The board of county commissioners shall adopt, and as necessary amend, by resolution a local housing assistance plan that meets all applicable requirements of the SHIP Act and Rules, including without implied limitation Section 420.9071(14), Florida Statutes. Such plan shall be implemented through a local housing partnership, in accordance with the SHIP Act and Rules, including without implied limitation Section 420.9071(18), Florida Statutes, and through such other means as are appropriate and available.

(f) Designation of responsibility for administration of the local housing assistance program. The county administrator or his designee shall administer the local housing assistance program. A full-time county employee shall be designated whose responsibilities shall include:

- (1) Working with the local housing partnership to monitor the success of the local housing assistance program, and provide advice and suggestions as to whether and in what ways the local housing assistance program might be improved from year to year.
- (2) Working with the local housing partnership participants to coordinate local programs (including community loan funds, inclusionary housing programs, and linkage programs) with state programs (including the Housing Predevelopment Trust Fund, Homeownership Assistance Program (HAP), Single-Family Mortgage Revenue Bond (MRB) Program, and State Apartment Incentive Loan (SAIL) Program) and federal programs (including the Community Development Block Grant (CDBG) Program, Home Investment Partnership Program (HOME), Low-Income Rental Housing Tax Credit (LIHTC) Program, and Section 8 Rental Assistance) so as to maximize the production of eligible housing through the local housing assistance program.

(g) Establishment of the affordable housing advisory committee. The affordable housing advisory committee is hereby established pursuant to, and is directed to undertake and fulfill all obligations imposed by, the SHIP Act and Rules.

- (1) This committee shall be advisory only and may be abolished, disbanded, or reorganized at any time by the board in accordance with statutory requirements and pursuant to an amendment to this ordinance.
- (2) The board of county commissioners shall appoint members to the affordable housing advisory committee by resolution. The resolution appointing the members shall provide for the initial and regular terms of office of each member such that expiration of terms shall be staggered.
- (3) Open positions for members of the advisory committee shall be advertised. Applicants for such positions shall follow the procedures set by the board regarding advisory board applications and shall assure the board of the lack of conflicts and potential conflicts of interest.
- (4) The affordable housing advisory committee shall follow the meeting procedures adopted by the board of county commissioners. Unless a quorum is present, the committee shall not take formal action but may meet to hear presentations. Meetings shall be scheduled in the discretion of the committee or at the request of the board of county commissioners or the county administrator, provided that the committee shall meet at least as frequently as required pursuant to the SHIP Act and Rules.
- (5) Staff, administrative, and facility support for the affordable housing advisory committee shall be provided by a county department designated by the county administrator, provided that such department shall have authority to administer local planning or housing programs. The Clerk of Circuit Court shall serve as Clerk to the Affordable Housing Advisory Committee as it serves as Clerk to the Manatee County Board of County Commissioners. The county attorney will provide all legal services to the affordable housing advisory committee but only as specifically directed, from time to time, by the board; provided, however, the county attorney shall not be required to undertake or continue representation of the committee where to do so would, in the opinion of the attorney, conflict with his representation of the board of county commissioners or constitute a violation of the Rules Regulating the Florida Bar.
- (6) A member of the affordable housing advisory committee may resign at will or be removed at any time by the board of county commissioners. Should any member of the advisory committee

resign or be removed before completion of his/her term, the board shall appoint a new member for the remainder of such member's term following the procedure included in subparagraphs (2) and (3) above.

(h) Adoption of the affordable housing incentive plan. Within ninety (90) days after receipt of the affordable housing incentive recommendations from the affordable housing advisory committee, the board of county commissioners shall adopt the affordable housing incentive plan.

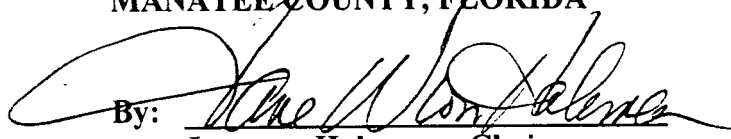
SECTION 3. Codification. The publisher of the County's Code of Laws, the Municipal Code Corporation, is directed to incorporate the amendments included in Section 2 above into the Code of Ordinances.

SECTION 4. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

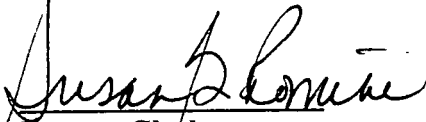
SECTION 5. Effective Date. This Ordinance shall become effective immediately upon filing in the Office of the Secretary of State in Tallahassee, Florida.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 22ND day of APRIL, 2008.

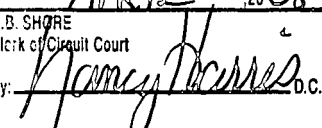
**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: 
Jane von Hahmann, Chairman

**ATTEST: R.B. SHORE
Clerk of the Circuit Court**

By: 
Deputy Clerk



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 22ND day of APRIL, 2008
R.B. SHORE
Clerk of Circuit Court
By:  D.C.

FILED FOR RECORD
R. B. SHORE



2008 MAY -5 AM 9:40

FLORIDA DEPARTMENT of STATE

CLERK OF CIRCUIT COURT
CHARLIE CRIST
Governor
MANATEE COUNTY FLORIDA STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

April 28, 2008

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Ms. Vicki Jarratt

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated April 23, 2008 and certified copy of Manatee County Ordinance No. 08-44, which was filed in this office on April 28, 2008.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

From: no-reply@municode.com
Sent: Thursday, May 29, 2008 11:19 AM
To: Quantana Acevedo
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This is a computer generated email, please do not reply to this message.

Municipal Code Corporation
P.O. Box 2235
1700 Capital Circle SW. (32310)
Tallahassee, FL 32316-2235
850-576-3171
Fax: 850-575-8852
info@municode.com

Manatee County, FL Code of Ordinances - 1981(10428)

Supplement 72

Recorded: **4/10/2008 4:11:02 PM**

We have received the following material through **Hard Copy/Electronic**.

Document	Adoption
Ordinance No. 8-12	3/25/2008
Ordinance No. 08-22	4/3/2008
Ordinance No. 08-44	4/22/2008
Resolution No. R-08-090	4/22/2008

[Click here](#) to see the full list of recorded ordinances for the next supplement.

Or point your browsers at: <http://www.municode.com/disposition/dislist.asp?jobid=88152>

If you are sending the ordinances in electronic form and printed form, we assume the electronic version of the ordinances reflects the ordinances as adopted. We do not proofread against the printed version of the ordinance if the printed copy is submitted. Please contact us if you have questions.

- Update the internet version of your Code more often. We can update the Internet quarterly, monthly, even weekly. For additional information email info@municode.com.
- We can post newly enacted ordinances in the online Code after each meeting. E-mail us for more information at info@municode.com.
- Automating your agenda. We can help make the dream a reality. Visit MCCi for more information. <http://www.mccinnovations.com/products/agenda.asp>
- We can provide a solution for Document and Records Management, imaging or scanning services. Contact us for more information at info@mccinnovations.com or visit [MCCi](#).
- Billing got you down? We can provide invoice and statement printing and processing. For more information email us at info@mccadvantage.com.
- Need a better way to manage your Contracts? Visit MCCi's website to learn more about automating your contract management processes. [MCCi](#)
- Ever need to search in several online Codes for a sample ordinance? Try our Multiple Code Searching. For more information email us at

info@municode.com.

- We can do more than just codes... Please visit our Company On-line Brochure at: <http://www.municode.com/about/brochure.pdf>