

**5E-1**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

-----

**Meeting Date:** September 14, 2010 **[ ] Consent [ X ] Regular**

**Department:** Housing and Community Development

**Submitted By:** Housing and Community Development

-----

**I. EXECUTIVE BRIEF**

**Motion and Title:** **Staff recommends motion to approve:** The Program Guidelines for the Impact Fee Assistance Program for Affordable Housing.

**Summary:** The Impact Fee Assistance Program (Program) was developed to implement direction by the Board of County Commissioners (BCC) to secure a funding source for the creation of affordable housing. On November 17, 2009, the BCC authorized the utilization of impact fee investment earnings on roads, parks, and public buildings to support affordable housing within Palm Beach County (R2009-2013). Beginning in Fiscal Year 2011, unallocated road impact fee "Zone 1" investment earnings of \$1,037,000 accumulated through 2010, will be allocated to affordable housing projects. Under the program, the BCC shall designate during each budget development process, beginning Fiscal Year 2011, for Capital Improvement Program/Capital Improvement Element (CIP/CIE) budget Fiscal Year 2014, fifty percent (50%), but not to exceed a total of \$3,000,000 annually, of the projected investment earnings on roads, parks and public building impact fee fund balances. Beginning in Fiscal Year 2015, the BCC shall designate fifty percent (50%) of the investment earnings realized during the prior year on the roads, parks and public building impact fee fund balances, but not to exceed a total of \$3,000,000 annually. Only those projects that can demonstrate evidence of site control, evidence of infrastructure availability and evidence of appropriate zoning can apply. Approved projects must apply for a building permit with one (1) year of approval and be complete with four (4) years. Funds not contracted/awarded to a project within two (2) years and and not spent within four (4) years will revert back to the original impact fee type and zone for allocation to County projects. The Commission on Affordable Housing (CAH) recommended approval at their regularly scheduled July 23, 2010 meeting. Countywide (TKF)

**Background and Justification:** Beginning in October of 2009, County staff met and worked with local organizations (PEACE, the CAH and the Housing Leadership Council) to develop a dedicated funding source for affordable housing utilizing unallocated investment earnings on roads, parks and public building impact fees. Four (4) options were presented to the BCC regarding funding. Ultimately, the BCC approved Option C which is memorialized in the recommendations above. On November 17, 2009 the Board of County Commissioners (BCC) approved providing unallocated investment earnings on various impact fees to affordable housing projects located within the impact fee zones from where the impact fees are collected )R2009-2013).

**Attachments:**

- A. Impact Fee Assistance Program Guidelines
  - B. BCC Agenda Item (R2009-2013)
- 

**Recommended By:**

*Sharon G. By*  
Department Director

*7/29/10*  
Date

**Approved By:**

*Sharon G. By*  
Assistant County Administrator

*7/29/10*  
Date

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

<u>Fiscal Years</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Capital Expenditures					
Operating Costs:		\$1,037M			
External Revenues:					
Program Income (County)					
In-Kind Match (County):					
NET FISCAL IMPACT:					
		\$1,037M			
# OF ADDITIONAL FTE POSITIONS (Cumulative):					

Is Item Included In Proposed Budget? Yes X No       

Budget Account #: Fund 3531 Dept 820 Unit 9900 Object 9902  
Revenue Account: 3531 800 8000 8163  
Program Code/Program Period \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

No fiscal impact at this time. Funding from investment earnings will not exceed \$3million annually!

### C. Departmental Fiscal Review:

Shairrette Major, Fiscal Manager I

### III. REVIEW COMMENTS

**A. OFMB Fiscal and/or Contract Administration Comments:**

Fiscal impact for 2011 is up to \$1,037,000 and future years cannot be determined but will not exceed \$3 million. Funding from Impact fees only will not have an impact to ad valorem funds.

act to approve funds.

*[Signature]*  
JL  
8/10/10  
MCC OFMB  
8-2-10  
7/10

Contract Dev. and Control

**B. Legal Sufficiency:**

  
Senior Assistant County Attorney

**C. Other Department Review:**

Department Director

## IMPACT FEE ASSISTANCE PROGRAM GUIDELINES

### I. ELIGIBLE APPLICANTS

Eligible applicants for the Impact Fee Assistance Program include For-Profit entities and Non-Profit entities who are seeking to build affordable rental or for-sale housing within identified impact fee benefit zones. Eligible applicants also include individuals or households who are seeking to build a home for use as their principal place of residence.

### II. ELIGIBLE USES OF FUNDING

Only those projects that can demonstrate evidence of site control, evidence of infrastructure availability and evidence of appropriate zoning can apply. The only eligible use of Impact Fee Assistance Program funding is for the payment of impact fees associated with the development of affordable housing. Specifically, these funds may only be used to offset like impact fee types within the same impact fee benefit zones for eligible affordable housing developments. Funding awards to any eligible project shall be recommended by the Commission on Affordable Housing (CAH).

### III. AFFORDABILITY GUIDELINES

"Affordable Rental Housing" projects are defined as housing units with a rent structure that charges the lesser of applicable United States Department of Housing and Urban Development (HUD) Fair Market Monthly Rents or a rental rate which does not exceed 30% of the adjusted gross income of the prospective tenant household. The 2010 HUD Fair Market Monthly rents are illustrated below.

Efficiency .....	\$ 910.00
One Bedroom .....	\$1,066.00
Two Bedroom .....	\$1,259.00
Three Bedroom .....	\$1,780.00
Four Bedroom .....	\$1,834.00

Rental Projects will be required to submit all statements certifying/verifying the affordability of the units annually for a period of fifteen (15) annual years. "Affordable for-sale" housing or "affordable individual homes" are defined as fee simple housing units which are affordable to individuals or households whose incomes do not exceed 120% of Area Median Income. Occupants of detached residential units shall be required to submit annual income certification statements for a period of (15) years.

### IV. NOTICE OF FUNDING AVAILABILITY

Once the Office of Financial Management and Budget (OFMB) has established the amount of Impact Fee Assistance Program funding per the impact fee benefit zones, Housing and Community Development (HCD) staff shall advertise a Notice of Funding Availability. This notice shall provide information detailing: 1) the amount of funding available per the impact fee types; and 2) the eligible impact fee benefit zones. Applications will be accepted year-round as long as funding is available.

### V. APPLICATION REVIEW & FUNDING RECOMMENDATIONS

All applications for Impact Fee Assistance for Affordable Housing program funding must be submitted to HCD. HCD staff shall review the applications for completeness.

Those applications which are found complete shall be presented to HCD's Commission on Affordable Housing for funding recommendations.

**VI. CONCEPTUAL & FINAL APPROVALS**

Those applications and funding requests which receive funding recommendations from HCD's Commission on Affordable Housing, shall be presented to the Board of County Commissioners (BCC) for final approval. Approved projects will receive an "Impact Fee Assistance Certificate" which will stipulate final funding criteria.

All approved affordable housing projects **MUST** acquire all building permits within one (1) year of BCC final approval and construction must be complete within four (4) years.

Agenda Item #: 5A - 1

11:00 A.M. TIME CERTAIN

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

V/m 5-2  
K, S opposed  
R-2009-2013

Meeting Date: 11/17/09

☐

Consent

☒

Regular

☐

Ordinance

☐

Public Hearing

Approve option C  
as Amended

Department Submitted By: County Administration

I. EXECUTIVE BRIEF

**Motion and Title:** Staff request Board direction regarding: the adoption of one of four resolutions of the Board of County Commissioners of Palm Beach County recognizing the need for Affordable Housing and the importance of financially supporting the preservation, redevelopment and creation of affordable housing.

**Summary:** Since the October 20, 2009 BCC meeting, staff has been working with PEACE, Commission on Affordable Housing (CAH) and Housing Leadership Council (HLC) to craft an Affordable Housing Resolution dedicating a percentage of unallocated investment earnings on roads, parks and public building impact fees to support an affordable housing assistance program. The following are four options for BCC consideration regarding a dedicated funding source for affordable housing: (1) Option "A" was the original resolution submitted by staff to the BCC for consideration, with minor modifications. This option provides the BCC with maximum flexibility on whether to allocate anticipated investment earnings of \$1.037Million in road impact fee zone 1 to support road impact fee assistance for an eligible affordable housing development in zone 1. During each budget development process, beginning FY2011, the BCC may determine the percentage of projected unallocated investment earnings on applicable impact fees fund balances for affordable housing assistance program; (2) Option "B" is recommended by CAH; (3) Option "C" is staff's recommended compromise on this issue; and (4) Option "D" is recommended by PEACE and HOUSING LEADERSHIP COUNCIL(HLC).

Options "B," "C," and "D" allocate the anticipated investment earnings of \$1.037Million in road impact fee zone 1 to support the affordable housing road impact fee assistance program. Options "B, C and D" anticipate designating 50% of projected investment earnings on roads, parks, and public building impact fee fund balances for the impact fee assistance program during the FY-2011budget process for FY-2014 of the CIP/CIE. These funds will be allocated at the beginning of FY-2015. All options recognize that the CAH will recommend eligible projects to the BCC for approval of funding. In addition, all options require the transferred funds for affordable housing be contracted within two (2) years and fully expended within four (4) years of being transferred, otherwise the funds revert back to the original impact fee type and benefit zone. **The outstanding issue between Options "B, C and D" is that Option "C" (staff's option) does not recommend a funding source until FY-2014. Option "B" (CAH) request the BCC strongly consider reallocating investment earnings from any project planned in the adopted CIP/CIE (FY 2010-FY-2013) that is unable to move forward to the affordable housing assistance program. Option "D" (PEACE and HLC) specifically request the BCC allocate \$500,000 in FY-2012, \$750,000 in FY-2013, and \$1,000,000 in FY-2014. Upon approval of a resolution, staff will develop the appropriate policies and procedures with the assistance of the CAH that will govern the affordable housing impact fee assistance program.** (Continued on page three)

**Attachment:** Resolutions

Recommended by: \_\_\_\_\_ Date \_\_\_\_\_

Department Director

Approved By:  Date 11/16/09

Deputy County Administrator

## **II. FISCAL IMPACT ANALYSIS**

### A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>Capital Expenditures</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<b>Operating Costs</b>	<u>          </u>	<b><u>\$1,037M</u></b>	<b><u>tbd</u></b>	<b><u>tbd</u></b>	<b><u>tbd</u></b>
<b>External Revenues</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<b>Program Income (County)</b>	<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>
<b>In-Kind Match (County)</b>	<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>
<b>NET FISCAL IMPACT</b>	<u>          </u>	<b><u>\$1,037M</u></b>	<b><u>tbd</u></b>	<b><u>tbd</u></b>	<b><u>tbd</u></b>

# ADDITIONAL FTE

**POSITIONS (Cumulative)**   - 0-            0---            0---            0---            0-----

**Is Item Included In Current Budget**      Yes           No   X  

**Budget Account No.:** Fund-\_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Reporting Category\_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

Investment earnings on roads, parks, and public impact fee fund balances will be the source of funds. The fiscal impact cannot be determined until final decisions are made by the BCC regarding capital budgets and the amount of investment earnings that will be allocated for affordable housing assistance has been determined.

### C. Department Fiscal Review:

### III. REVIEW COMMENTS

**A. OFMB Fiscal and/or Contract Administration Comments:**

me SL 11/13/09  
OFMB CN 11/13/09

Dr. J. Jacobson 11/13/09  
Contract Dev. and Control

**B. Approved as to form and Legal Sufficiency:**

  
Assistant County Attorney 11/13/09

**C. Approved as to Terms and Conditions:**

**Department Director**

**This summary is not to be used as a basis for payment.**

### **Page Three**

**Background and Policy Issues:** On April 7, 2009, the CAH recommended to the BCC that a dedicated funding source be identified to financially assist in the development of affordable housing. On August 18, 2009, at the request of the PEACE Group, the BCC directed staff to bring back a resolution dedicating impact fee interest as a potential funding source to support the preservation, redevelopment and creation of affordable housing. On October 20, 2009, the BCC directed staff to continue discussions with PEACE, CAH and Housing Leadership Council regarding dedicated funding source (s) for affordable housing. Staff has been working with the various groups to develop a compromise on investment earnings on applicable impact fees fund balances as a dedicated funding source and the Fiscal Year in which the funding should begin. The groups have agreed on all points with the exception of potential funding source from FY-2011-FY -2013.

# Document Type



\* P B C 0 9 \*

## Amending R-number

Place Interim Doc  
Label Here →

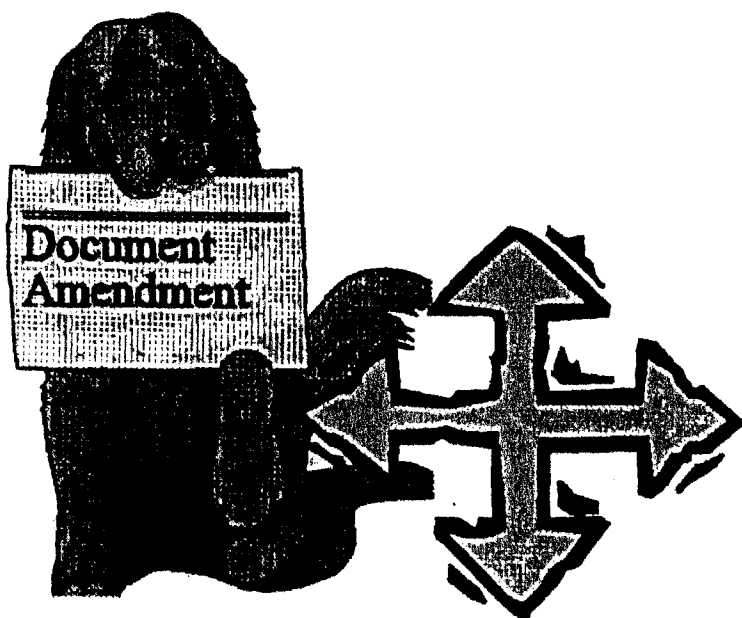


\* P B C I N T O \*

Place Restricted Doc  
Label Here →



\* P B C R D O \*





Option "C"

RESOLUTION NO. R-2009 2013

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RECOGNIZING THE NEED FOR AFFORDABLE HOUSING AND THE IMPORTANCE OF FINANCIALLY SUPPORTING THE PRESERVATION, REDEVELOPMENT AND CREATION OF AFFORDABLE HOUSING.**

**WHEREAS**, it is the intent of the Palm Beach County Board of County Commissioners to ensure decent, safe and affordable housing for all residents in Palm Beach County; and

**WHEREAS**, the County recognizes the importance of assuring a variety of affordable housing types and costs, including homeownership and rental units, are available to our residents; and

**WHEREAS**, the County supports affordable housing through the Countywide Community Land Trust, For-Profits and Not- For- Profit entities; and

**WHEREAS**, the Board of County Commissioners has provided incentives to ensure the redevelopment and new construction of affordable housing in Palm Beach County through the creation of an affordable housing incentive program that provides for bonus density, expedited permitting process, reduced transportation planning process, and modified zoning requirements; and

**WHEREAS**, it is the intent of the Board of County Commissioners to allocate a percentage of future investment earnings, which has not been allocated as of the date of this resolution, on roads, parks and public buildings impact fee fund balances to offset like impact fee types within the same impact fee benefit zone for eligible affordable housing development; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The anticipated \$1.037 Million of unallocated road impact fee investment earnings in road impact fee Zone 1 accumulated through Fiscal Year 2010 shall be available for allocation beginning Fiscal Year 2011 for road impact fee assistance to eligible affordable housing development.
2. During each budget development process beginning Fiscal Year 2011, for Capital Improvement Program/Capital Improvement Element (CIP/CIE) budget FY2014, the Board of County Commissioners shall designate 50%, but not exceed a total of \$3 Million annually or adjusted accordingly, of the projected investment earnings on roads, parks, and public buildings impact fee fund balances for impact fee assistance for eligible affordable housing development.
  1. Beginning FY 2015, budget equal to 50% of the investment earnings realized during the prior year on the roads, parks and public building impact fee fund balances , but not to exceed a total of \$3 million annually or adjusted accordingly, will be appropriated for eligible affordable housing development.
4. Palm Beach County will establish the appropriate funds for each impact fee type and impact fee benefit zone to be used to provide impact fee assistance for eligible affordable housing development.

5. Any investment earnings on impact fee fund balances created to provide impact fee assistance for affordable housing shall only be expended for the purpose collected and within the impact fee benefit zone collected.
6. The Commission on Affordable Housing will review and advise on all policies and procedures for distribution of impact fee assistance and applications requesting impact fee assistance and make recommendations of eligible projects to the Board of County Commissioners.
7. In the event any amounts budgeted exclusively for affordable housing impact fee assistance pursuant to the provisions herein are not allocated to a specific project by contract within two (2) years of budgeting and fully expended within four (4) years, then such funds shall be deemed unallocated and shall be returned to the respective impact fee benefit zone trust fund.
8. The Board of County Commissioners shall prioritize requests for impact fee assistance on eligible affordable housing projects in years 2012 – 2014.
9. This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida.

The foregoing Resolution was offered by Commissioner Vana, who moved for its adoption. The motion was seconded by Commissioner Marcus and upon being put to vote, the motion passed as follows:

Commissioner Burt Aaronson, Chair	Aye
Commissioner Karen T. Marcus, Vice Chair	Aye
Commissioner John F. Koons	Nay
Commissioner Shelly Vana	Aye
Commissioner Steven L. Abrams	Aye
Commissioner Jess R. Santamaria	Nay
Commissioner Priscilla A. Taylor	Aye

The Chairman thereupon declared the Resolution duly passed and adopted

this 17th day of November, 2009.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

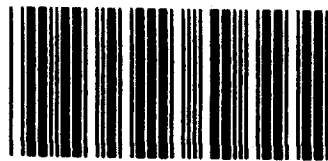
By: [Signature]  
Assistant County Attorney

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS  
SHARON R. BOCK, CLERK & COMPTROLLER

By: [Signature]  
Deputy Clerk

G:\WPDATA\ENG\TKF\CAH\Impact Fee Resolution-11-17-09.docx

# Document Type



\* P B C 0 7 \*

## Agenda Item Backup

Place Interim Doc  
Label Here →

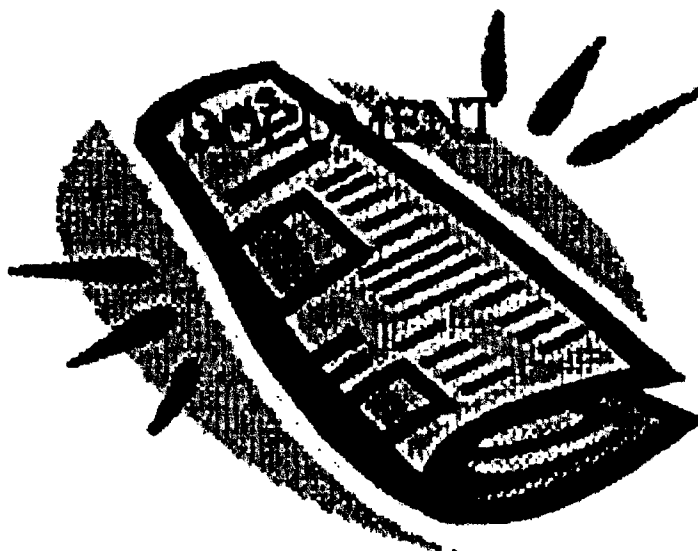


\* P B C I N T O \*

Place Restricted Doc  
Label Here →



\* P B C R D O \*



**Option "A"**

**RESOLUTION NO. R-2009 \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RECOGNIZING THE NEED FOR AFFORDABLE HOUSING AND THE IMPORTANCE OF FINANCIALLY SUPPORTING THE PRESERVATION, REDEVELOPMENT AND CREATION OF AFFORDABLE HOUSING.**

**WHEREAS**, it is the intent of the Palm Beach County Board of County Commissioners to ensure decent, safe and affordable housing for all residents in Palm Beach County; and

**WHEREAS**, the County recognizes the importance of assuring a variety of affordable housing types and costs, including homeownership and rental units, are available to our residents; and

**WHEREAS**, the County supports affordable housing through the Countywide Community Land Trust, For-Profits and Not- For- Profit entities; and

**WHEREAS**, the Board of County Commissioners has provided incentives to ensure the redevelopment and new construction of affordable housing in Palm Beach County through the creation of an affordable housing incentive program that provides for bonus density, expedited permitting process, reduced transportation planning process, and modified zoning requirements; and

**WHEREAS**, it is the intent of the Board of County Commissioners to allocate a percentage of future investment earnings, which has not been allocated as of the date of this resolution, on roads, parks and public buildings impact fee fund balances to offset like impact fee types within the same impact fee benefit zone for eligible affordable housing development; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The anticipated \$1.037 Million of unallocated road impact fee investment earnings in road impact fee Zone 1 accumulated through Fiscal Year 2010 may be available for allocation beginning Fiscal Year 2011 for road impact fee assistance to eligible affordable housing development.
2. During each budget development process, beginning Fiscal Year 2011, for Capital Improvement Program/Capital Improvement Element (CIP/CIE) budget FY-2014, the Board of County Commissioners will determine the percentage of projected investment earnings on roads, parks and public buildings impact fee fund balances for impact fee assistance for eligible affordable housing development.
3. Palm Beach County will establish the appropriate funds for each impact fee type and impact fee benefit zone to be used to provide impact fee assistance for eligible affordable housing development.
4. Any investment earnings on impact fee fund balances created to provide impact fee assistance for affordable housing shall only be expended for the purpose collected and within the impact fee benefit zone collected.

5. The Commission on Affordable Housing will review and advise on all policies and procedures for distribution of impact fee assistance and applications requesting impact fee assistance and make recommendations of eligible projects to the Board of County Commissioners.

6. In the event any amounts budgeted exclusively for affordable housing impact fee assistance pursuant to the provisions herein are not allocated to a specific project by contract within two (2) years of budgeting and fully expended within four (4) years, then such funds shall be deemed unallocated and shall be returned to the respective impact fee benefit zone trust fund.

7. This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to vote, the motion passed as follows:

Commissioner Karen T. Marcus  
Commissioner John F. Koons  
Commissioner Shelly Vana  
Commissioner Steven L. Abrams  
Commissioner Burt Aaronson  
Commissioner Jess R. Santamaria  
Commissioner Priscilla A. Taylor

The Chairman thereupon declared the Resolution duly passed and adopted  
this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS  
SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

**Option "B"**

**RESOLUTION NO. R-2009 \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RECOGNIZING THE NEED FOR AFFORDABLE HOUSING AND THE IMPORTANCE OF FINANCIALLY SUPPORTING THE PRESERVATION, REDEVELOPMENT AND CREATION OF AFFORDABLE HOUSING.**

**WHEREAS**, it is the intent of the Palm Beach County Board of County Commissioners to ensure decent, safe and affordable housing for all residents in Palm Beach County; and

**WHEREAS**, the County recognizes the importance of assuring a variety of affordable housing types and costs, including homeownership and rental units, are available to our residents; and

**WHEREAS**, the County supports affordable housing through the Countywide Community Land Trust, For-Profits and Not- For- Profit entities; and

**WHEREAS**, the Board of County Commissioners has provided incentives to ensure the redevelopment and new construction of affordable housing in Palm Beach County through the creation of an affordable housing incentive program that provides for bonus density, expedited permitting process, reduced transportation planning process, and modified zoning requirements; and

**WHEREAS**, it is the intent of the Board of County Commissioners to allocate a percentage of future investment earnings, which has not been allocated as of the date of this resolution, on roads, parks and public buildings impact fee fund balances to offset like impact fee types within the same impact fee benefit zone for eligible affordable housing development; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The anticipated \$1.037 Million of unallocated road impact fee investment earnings in road impact fee Zone 1 accumulated through Fiscal Year 2010 shall be available for allocation beginning Fiscal Year 2011 for road impact fee assistance to eligible affordable housing development.
2. During each budget development process, beginning Fiscal Year 2011, for Capital Improvement Program/Capital Improvement Element (CIP/CIE) budget FY2014, the Board of County Commissioners shall designate 50%, but not exceed a total of \$3 Million annually or adjusted accordingly, of the projected investment earnings on roads, parks, and public buildings impact fee fund balances for impact fee assistance for eligible affordable housing development. However, in the event that any project planned in the CIP/CIE is unable to move forward, the Board of County Commissioners will give strong consideration to allocating such investment earnings allocated for such project to impact fee assistance for eligible affordable housing development.

3. Beginning FY 2015, budget equal to 50% of the investment earnings realized during the prior year on the roads, parks and public building impact fee fund balances , but not to exceed a total of \$3 million annually or adjusted accordingly, will be appropriated for eligible affordable housing development.
4. Palm Beach County will establish the appropriate funds for each impact fee type and impact fee benefit zone to be used to provide impact fee assistance for eligible affordable housing development.
5. Any investment earnings on impact fee fund balances created to provide impact fee assistance for affordable housing shall only be expended for the purpose collected and within the impact fee benefit zone collected.
6. The Commission on Affordable Housing will review and advise all policies and procedures for distribution of impact fee assistance and applications requesting impact fee assistance and make recommendations of eligible projects to the Board of County Commissioners.
7. In the event any amounts budgeted exclusively for affordable housing impact fee assistance pursuant to the provisions herein are not allocated to a specific project by contract within two (2) years of budgeting and fully expended within four (4) years, then such funds shall be deemed unallocated and shall be returned to the respective impact fee benefit zone trust fund.
8. This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to vote, the motion passed as follows:

Commissioner Karen T. Marcus  
Commissioner John F. Koons  
Commissioner Shelly Vana  
Commissioner Steven L. Abrams  
Commissioner Burt Aaronson  
Commissioner Jess R. Santamaria  
Commissioner Priscilla A. Taylor

The Chairman thereupon declared the Resolution duly passed and adopted  
this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS  
SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

**Option "D"**

**RESOLUTION NO. R-2009 \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RECOGNIZING THE NEED FOR AFFORDABLE HOUSING AND THE IMPORTANCE OF FINANCIALLY SUPPORTING THE PRESERVATION, REDEVELOPMENT AND CREATION OF AFFORDABLE HOUSING.**

**WHEREAS,** it is the intent of the Palm Beach County Board of County Commissioners to ensure decent, safe and affordable housing for all residents in Palm Beach County; and

**WHEREAS,** the County recognizes the importance of assuring a variety of affordable housing types and costs, including homeownership and rental units, are available to our residents; and

**WHEREAS,** the County supports affordable housing through the Countywide Community Land Trust, For-Profits and Not- For- Profit entities; and

**WHEREAS,** the Board of County Commissioners has provided incentives to ensure the redevelopment and new construction of affordable housing in Palm Beach County through the creation of an affordable housing incentive program that provides for bonus density, expedited permitting process, reduced transportation planning process, and modified zoning requirements; and

**WHEREAS,** it is the intent of the Board of County Commissioners to allocate a percentage of future investment earnings, which has not been allocated as of the date of this resolution, on roads, parks and public buildings impact fee fund balances to offset like impact fee types within the same impact fee benefit zone for eligible affordable housing development; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The anticipated \$1.037 Million of unallocated road impact fee investment earnings in road impact fee Zone 1 accumulated through Fiscal Year 2010 shall be available for allocation beginning Fiscal Year 2011 for road impact fee assistance to eligible affordable housing development.
2. Beginning in FY-2012 and ending in FY-2014, the BCC shall budget a fixed amount, which will be exclusively available for eligible affordable housing development. Such fixed amount shall be: \$500,000 in FY-2012; \$750,000 in FY-2013 and \$1,000,000 in FY-2014.
3. During each budget development process, beginning Fiscal Year 2011, for Capital Improvement Program/Capital Improvement Element (CIP/CIE) budget FY-2014, the Board of County Commissioners shall designate 50%, but not exceed a total of \$3 Million annually or adjusted accordingly, of the projected investment earnings on roads, parks, and public buildings impact fee fund balances for impact fee assistance for eligible affordable housing development.



Beginning FY 2015, budget equal to 50% of the investment earnings realized during the prior year on the roads, parks and public building impact fee fund balances , but not to exceed a total of \$3 million annually or adjusted accordingly, will be appropriated for eligible affordable housing development.

5. Palm Beach County will establish the appropriate funds for each impact fee type and impact fee benefit zone to be used to provide impact fee assistance for eligible affordable housing development.

6. Any investment earnings on impact fee fund balances created to provide impact fee assistance for affordable housing shall only be expended for the purpose collected and within the impact fee benefit zone collected.

7. The Commission on Affordable Housing will review and advise all policies and procedures for distribution of impact fee assistance and applications requesting impact fee assistance and make recommendations of eligible projects to the Board of County Commissioners.

8. In the event any amounts budgeted exclusively for affordable housing impact fee assistance pursuant to the provisions herein are not allocated to a specific project by contract within two (2) years of budgeting and fully expended within four (4) years, then such funds shall be deemed unallocated and shall be returned to the respective impact fee benefit zone trust fund.

9. This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to vote, the motion passed as follows:

Commissioner Karen T. Marcus  
Commissioner John F. Koons  
Commissioner Shelly Vana  
Commissioner Steven L. Abrams  
Commissioner Burt Aaronson  
Commissioner Jess R. Santamaria  
Commissioner Priscilla A. Taylor

The Chairman thereupon declared the Resolution duly passed and adopted  
this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS  
SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

5.A.1.  
Additional  
Backup

# AFFORDABLE HOUSING

PALM BEACH COUNTY

## Overview of Existing Programs administered by HCD

- Home Program – Federal Program administered by Housing and Community Development. Provides financial assistance to very low and low income first time home buyers.
- Purchase Assistance Programs – (SHIP and HOME) a second mortgage subsidy program for very low and low income household

# Overview of Existing Programs Administered by HCD

- Multi-Family Competitive Rental Program- low and very low income household. (HOME and SHIP).
- Single Family Rehabilitation Program-provides technical and financial assistance to low and moderate homeowner (CDBG and SHIP).
- Relocation/Replacement Housing Assistance-provides assistance to low and moderate (SHIP). This program will no longer be funded by the State.

# Collaborative Approach to Financing Affordable Housing

- HOME-Federal Funds
- Housing Finance Authority-State Bond Funds
- Countywide Community Land Trust
- Habitat For Humanities
- City/County leveraging of funds
- Affordable Housing Incentives
- Dedication of County owned/purchased lands

# Affordable Housing Expenditures

- Over the last 5 years the County has expended \$48.3 Million funding Affordable Housing Development.
- A total of 2,385 units were built.
- NSPG (Stimulus Funds) -\$27.7 M. (\$13 M home buyers prog.; \$5M to Not-For-Profit and Municipalities;\$7.5M land for homeless assessment Center
- ESP Funds - \$300K annually for homeless activities

# Options

- Option “A” – Original Staff Recommendation
- Option “B” – Commission on Affordable Housing (CAH)
- Option “C” – Staff recommended Compromise
- Option “D” – PEACE and Housing Leadership Council (HLC)

## Agreed Upon Issues

- All parties (Options B, C, and D) agreed to the following:
- Allocate anticipated \$1.037 Million in road impact fees in zone I at the beginning of FY-2011.



## Agreed Upon Issues

- In FY-2014 designate 50% of the projected investment earnings on roads, parks, and public buildings impact fee fund balances, but not to exceed \$3 Million annually, or adjusted accordingly, for impact fee assistance for eligible affordable housing development.
- Beginning FY-2015 allocate designated investment earnings.

## Agreed Upon Issues

- The CAH will review and advise on all policies and procedures governing this new program.
- Designated funds must be committed within two (2) years of budgeting and fully expended with four (4) years, if not, funds will be returned to original impact fee accounts.

# Agreed Upon Issues

- Designated funds shall only be expended for the purposes in which collected and within the zones collected.

## Outstanding Issue

- **Funding allocation for FY-2012, FY-2013 and FY2014**
- Option “B” (CAH) recommends that in the event any project planned in the CIP/CIE is unable to move forward, the BCC will give strong consideration to allocating such investment earnings allocated for such project to impact fee assistance program.

# Outstanding Issue Continued

- Option “C” does not recommend funding during FY-2012, FY-2013, and FY-2014. Existing Federal and State funding should continue to be used.
- Option “D” (PEACE and HLC) specifically request the BCC allocate \$500,000 in FY-2012, \$750,000 in FY-2013 and \$1Million in FY-2014.

## Recommendation of Staff

- Staff recommends Option “C”. We anticipate continuing to utilize the American Recovery and Reinvestment Act (Stimulus Funding), CDBG, Home and Housing Finance Authority funding to support affordable housing.