

**BY-LAWS OF THE
AFFORDABLE HOUSING ADVISORY COMMITTEE
LEON COUNTY**

ARTICLE I - NAME AND AUTHORIZATION

A. NAME

The name of the Committee shall be the Affordable Housing Advisory Committee hereinafter referred to as the "Committee".

B. AUTHORIZATION

The Committee exists by the authority of the Leon County Board of County Commissioners (BCC) pursuant to Ordinance and may be modified or abolished by action of the County Commission.

ARTICLE II - PURPOSE AND FUNCTION

A. PURPOSE

This Committee shall serve in an advisory capacity to the BCC and to the Housing Services on issues presented to the Committee related to affordable housing and to perform functions as provided in Ordinance, as codified in the Leon County Code of Ordinances and amended from time to time, and Chapter 420, Florida Statutes, hereinafter referred to as Regulations.

B. FUNCTION

The functions of the Committee shall be:

1. Review, on a triennial basis, the established policies and procedures, ordinances, land development regulations, and the adopted Tallahassee-Leon County Comprehensive Plan and recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.
2. Prepare a report to the BCC that initially includes recommendations on, and thereafter, by December 31 of the year preceding the BCC's re-adoption of its Local Housing Assistance Plan, evaluates the implementation of, affordable housing initiatives in the following areas:
 - a. The expedited processing of approval of development orders or permits as defined in Section 163.3164(7) and (8), Florida Statutes, for affordable housing projects to a greater degree than other projects.

- b. The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
 - c. The allowance of flexibility in densities for affordable housing.
 - d. The reservation of infrastructure capacity for housing for very low income persons, low income persons, and moderate income persons.
 - e. The allowance of affordable accessory residential units in residential zoning districts.
 - f. The reduction of parking and set back requirements for affordable housing.
 - g. The allowance of flexible lot configurations, including zero lot line configurations for affordable housing.
 - h. The modification of street requirements for affordable housing.
 - i. The establishment of a process by which the local government considers, before adoption, policies, procedures, ordinances, regulations or Comprehensive Plan provisions that increase the cost of housing.
 - j. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
 - k. The support of development near the transportation hubs and major employment centers and mixed use developments.
3. Perform other duties at the request of the BCC , including:
- a. The provision of mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.
 - b. The creation of best practices for development of affordable housing in Leon County.
 - c. The review of long range housing and development plans as requested by the Director of Health and Human Services.
4. Make other recommendations, as identified by the Committee, of other affordable housing incentives.

5. Approve the local affordable housing incentive strategies recommendations and review the County's implementation of previously recommended strategies at a public hearing by affirmative vote of a majority of the membership of the Committee.

ARTICLE III - MEMBERSHIP

A. MEMBERS

The Committee shall be comprised of eleven (11) members appointed by the BCC by resolution. Committee members will be selected based on their qualifications and willingness to serve. Members will be selected without regard to race, creed, national origin, age, gender, or the presence of a disability. As much as possible, the Committee will be made up of an equitable representation of County residents based on race and gender, according to the demographic ratio of the County. In consideration of the Americans with Disabilities Act, efforts should be made to include members with disabilities.

B. ELIGIBILITY

The members of the Committee shall include:

1. One (1) citizen who is actively engaged in the residential home building industry in connection with affordable housing.
2. One (1) citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
3. One (1) citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
4. One (1) citizen who is actively engaged as an advocate for low income persons in connection with affordable housing.
5. One (1) citizen who is actively engaged as a for-profit provider of affordable housing.
6. One (1) citizen who is actively engaged as a not-for-profit provider of affordable housing.
7. One (1) citizen who is actively engaged as a real estate professional in connection with affordable housing.

8. One (1) citizen who actively serves on the Tallahassee-Leon County Planning Commission.
9. One (1) citizen who represents its employers within the jurisdiction of the Leon County.
10. One (1) citizen who represents essential services personnel, as defined in the Leon County Local Housing Assistance Plan.
11. One (1) citizen at large.

If due to some reasonable factor, such as the presence of a conflict of interest by the prospective appointees, or the County is unable to appoint a citizen actively engaged in the referenced activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed.

C. APPOINTMENTS

1. Members shall be appointed initially as follows:
 - a. One citizen in the residential home building industry, one citizen who is an advocate for low income persons, one citizen who serves on the Tallahassee Leon County Planning Commission, one citizen representing employers, and one citizen who represents essential services personnel as defined in the Leon County Local Housing Assistance Plan for three (3) years.
 - b. One citizen engaged in the banking or mortgage banking industry, one citizen engaged as a not-for-profit provider of affordable housing, one citizen engaged as a real estate professional, one citizen who is the representative of those areas of labor actively engaged in home building, one citizen engaged as a for profit provider of affordable housing, and one citizen at large for two (2) years.
2. After the initial appointment, all members shall be appointed for a three-year term. Members shall not serve more than two full consecutive terms.
3. It is the responsibility of the County Administrator or his designee to ensure an appointment is made within thirty (30) days of notification of a vacancy. All appointments shall be confirmed by the County Commission at the next available regular meeting. If a confirmation is not made within thirty (30) days after appointment, the Committee shall have the authority to request an appointment be agendaed for the next available Commission meeting.

D. VACANCIES

1. A member's position shall become vacant when:
 - a. A member is absent from 50% of the regularly scheduled meetings in a given calendar year, regardless if such absence is excused or unexcused. All absences will be duly recorded in the meeting minutes. Absences from emergency or special called meetings will not be recorded against a member in calculating the percent of absences. Special exceptions on the removal of members for absences may be made by the Chairman of the Committee when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the Committee to maintain a quorum, or
 - b. A member no longer meets eligibility requirements, or
 - c. A member's term expires, or
 - d. A member resigns.
2. The Chairman shall immediately, upon receipt of a resignation or when advised of a vacancy, notify County Administration.
3. Should a resignation be submitted to staff, the Chairman and County Administration will be notified immediately.

ARTICLE IV. ORGANIZATION

A. OFFICERS

1. The Committee shall elect from its members a Chairman, Vice-Chairman, and, at the discretion of the Committee, a Secretary.
2. Officers shall be elected for a term of one (1) year in September or October of each year and shall assume office at the next meeting of the Committee.

B. QUORUM

The majority of members present at any meeting shall constitute a quorum and shall be necessary to conduct business or take any official action.

C. VOTING RIGHTS

Each member shall be entitled to one (1) vote and shall cast that vote on each item submitted. Proxy votes and absentee ballots shall not be permitted. Members shall only abstain from a vote when there is a valid conflict of interest addressed to the Committee.

ARTICLE V. OFFICERS AND DUTIES

A. CHAIRMAN

1. The Chairman shall preside over the meetings and shall be a voting member. The Chairman will officially sign any reports or approvals of the Affordable Housing Advisory Committee required by Florida Statutes, Chapter 420, or Ordinance No. 08-O-24.
2. The Chairman shall appoint chairmen for all committees, standing and special.
3. It is the Chairman's responsibility to ensure compliance with the Bylaws. The Chairman will notify members of removal from the Committee for noncompliance. Specific questions of conflict of interest will be addressed by the Committee's Attorney or designee.
4. The Chairman shall immediately, upon receipt of a resignation or when advised of a vacancy, notify County Administration to begin the advertising and appointment process.
5. The Chairman may approve special exceptions on the removal of members for absences at regularly scheduled meetings when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the Committee to maintain a quorum.

B. VICE-CHAIRMAN

The Vice-chairman shall perform the duties in the absence of the Chairman.

C. REMOVAL

When an officer has been absent or has not performed the duties of that office for three consecutive meetings, that officer may be removed from office by the Committee with a majority vote at a regularly scheduled meeting.

ARTICLE VI. COMMITTEE OPERATIONS

- A.** The Committee shall have no authority other than as found in the Regulations, identified herein in Article II, and as provided in the Bylaws and approved by the BCC.
- B.** The Committee will meet routinely, based upon an adopted meeting schedule, which will be provided to the Public Information Office. Meeting dates may be changed by the Chairman, with notification in advance by mail to Committee members, written notice to the Public Information Office, and notice to the public, in compliance with the Florida Sunshine Law. Special meetings may be called by the Chairman or by a majority of the Committee members, with reasonable notice to the public and to the Public Information Office.
- C.** All meetings will be open to the public. The Committee will ensure agendas and minutes of its meetings are available to the public in accordance with the Florida Sunshine Law.
- D.** All meetings shall be conducted in accordance with Robert's Rules of Order and the Bylaws.
- E.** Notice of the time, date, and place of the public meeting of the Committee to adopt final local housing incentive strategies recommendations must be published in a newspaper of general circulation in Leon County. The notice must contain a short and concise summary of the local housing incentive strategies recommendations to be considered by the Committee. The notice must state the public place where a copy of the proposed Committee recommendations may be obtained by interested persons.

ARTICLE VII. STAFF SERVICES

- A.** The Department of Health and Human Services (HHS) shall act as the liaison for the Committee with the BCC and the appropriate appointed official. The Housing Division of HHS and the Land Use Division of the Planning Department will cooperatively provide staff services to the Committee. Staff services will include:
 - 1. Publish notice of meetings as set forth herein, providing a schedule of meetings to the Public Information Office and Committee members; arrange meeting locations; maintain summary of meetings' minutes; prepare and distribute appropriate information related to the meeting agenda; act as secretary for the Committee.

2. Inform the Committee of events, activities, policies, programs, etc. occurring within the scope of the Committee's function and informing the Committee of all BCC or department requests for information or assistance.
 3. Ensure County Administration is informed of all vacancies, expired terms, changes in officers, or any other changes to the Committee, and that all requests for review of applications by the Committee and any subsequent recommendations by the Committee or staff are returned in a timely manner to County Administration to facilitate the appointment process.
 4. Ensure that the Committee is provided legal counsel, if needed.
 5. Responsibility for the continuous flow of information to the appropriate appointed official; including reports, actions, and recommendations of the Committee, and notification of noncompliance by the Committee or its Chairman with the Bylaws or Florida Statutes.
 6. The responsibility for ensuring information provided by the Committee for BCC review is appropriately agendaed for the BCC meetings.
- B.** A standard orientation program will be provided by staff to all new members. The program will address, but not be limited to, the Bylaws, conflict of interest, the Florida Sunshine Law, Code of Ethics, financial disclosure requirements, and legal obligations and responsibilities. Staff will ensure responses to any concerns the new members may have regarding the duties and responsibilities of the Committee and its members are provided.

ARTICLE VIII. BYLAWS AND EFFECTIVE DATE

.Any changes to the Bylaws will be reviewed and approved by the Committee and the BCC and filed with HHS and County Administration.

1. These Bylaws shall become effective upon adoption by the County Commission.
2. These Bylaws were adopted on November _____, 2008.

Adopted by Affordable Housing Advisory Committee:

_____ Date

_____ Chairman

Approved by the Board of Leon County Commissioners on the 18th day of November 2008.

LEON COUNTY, FLORIDA

By: Parwez Alam, County Administrator

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

By:

APPROVED AS TO FORM
Leon County Attorney's Office

By: Herbert W. A. Thiele, Esq.
County Attorney