

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING CHAPTER 39.5 OF THE ALACHUA COUNTY CODE OF ORDINANCES TO ADD NEW SECTION ENTITLED "ALACHUA COUNTY AFFORDABLE HOUSING TRUST FUND"; ESTABLISHING THE ALACHUA COUNTY AFFORDABLE HOUSING TRUST FUND; PROVIDING FOR ALLOCATION AND THE USE OF FUNDS; PROVIDING FOR ADMINISTRATION AND IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners desires to establish a local program for preserving and developing affordable housing that is sufficiently flexible to meet varied and evolving housing needs and priorities while providing housing that is safe, sound, and financially viable; and

WHEREAS, the Alachua County 2019-20 Charter Review Commission (CRC) obtained public input and a ballot item was approved for the creation of an Alachua County Affordable Housing Trust Fund; and

WHEREAS, the Board desires to establish an Alachua County Affordable Housing Trust Fund to be used to create and sustain affordable housing in Alachua County, Florida; and

WHEREAS, it is intended that the Affordable Housing Trust Fund would be administered by the Board of County Commissioners and administrative services would be provided by the Community Support Services, Housing Program of Alachua County; and

WHEREAS, it is intended that revenue sources for this local affordable housing program would be identified during Alachua County's annual budgeting process; and

WHEREAS, the establishment of the Affordable Housing Trust Fund will support affordable housing and will provide a benefit to public health, safety and welfare.

1 **NOW, THEREFORE, BE IT DULY ORDAINED BY THE BOARD OF COUNTY**
2 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:**

3 SECTION 1. Recitals. The foregoing recitals are incorporated herein by reference.

4 SECTION 2. Creation. Chapter 39.5, Section 39.5.10, Alachua County Code, to be
5 entitled “Alachua County Affordable Housing Trust Fund” shall be created to read as follows:

6 **Sec. 39.5.10 – Alachua County Affordable Housing Trust Fund.**

7 (a) Establishment; Purpose. The Alachua County Affordable Housing Trust Fund
8 Program (“Program”) is established and is to be maintained within the accounts of
9 the Board of County Commissioners. The purpose of the Trust Fund is to provide
10 a fund to be used to create and sustain affordable housing and address the needs for
11 affordable housing within Alachua County, Florida.

12 (b) Allocation and Use of Trust Funds. The Affordable Housing Trust Fund may be
13 funded by general revenue, fees from new commercial and residential development
14 and other revenue sources as directed by the Board of County Commissioners,
15 including those referenced in Alachua County Charter Review Commission
16 Resolution 2020-04. All monies placed into the Trust Fund, including any interest
17 earnings on such monies and repayments of loans made from such monies, shall be
18 held in trust by Alachua County for uses provided herein:

- 19 (1) in the development and provision of affordable community housing
20 within Alachua County;
21 (2) to help in the preservation and expansion of the supply of such housing;
22 to ensure that adequate sites for affordable community housing exist and
23 remain available within Alachua County;
24 (3) to assist in the continued elimination of substandard housing conditions
25 in Alachua County;
26 (4) to provide direct financial and technical assistance to qualified housing
27 projects or eligible individuals;
28 (5) to fund approved, eligible operating expenditures related to the provision
29 of and development of affordable community housing; or
30 (6) for any other use that creates or sustains affordable housing in Alachua
31 County, as determined by the Board of County Commissioners.

32 (c) Administration. The Program will be administered by the Board of County
33 Commissioners in a manner consistent with the purposes of the Trust Fund.
34 Alachua County Community Support Services, Housing Program will be
35 responsible for administration and implementation of the Program and it may adopt
36 policies and procedures for operation of the Program.

37 SECTION 2. Severability. If any word, phrase, clause, paragraph, section or provision of
38 this ordinance or the application hereof to any person or circumstance is held invalid or

1 unconstitutional, such finding shall not affect the other provisions or applications of the ordinance
2 which can be given effect without the invalid or unconstitutional provisions or application, and to
3 this end the provisions of this ordinance are declared severable.

4 SECTION 3. Inclusion in the Code. It is the intent of the Board of County Commissioners
5 of Alachua County, Florida, and it is hereby provided that the provisions of this ordinance shall
6 become and be made a part of the Code of Ordinances of Alachua County, Florida; that the section
7 of this ordinance may be renumbered or re-lettered to accomplish such intent and that the word
8 “ordinance” may be changed to “section”, “article”, or other appropriate designation.

9 SECTION 4. Effective Date. A certified copy of this ordinance shall be filed with the
10 Department of State by the Clerk of the Board within ten (10) days after enactment by the Board
11 and shall take effect upon filing with the Department of State.

12
13 **DULY ADOPTED** in regular session, this ____ day of _____, 2021.

14
15 **BOARD OF COUNTY COMMISSIONERS OF**
16 **ALACHUA COUNTY, FLORIDA**

17
18 ATTEST:

19
20 BY: _____
21 Ken Cornell, Chair
22 Board of County Commissioners
23 J.K. “Jess” Irby, Esq.
24 Clerk

APPROVED AS TO FORM

25
26 _____
27 (SEAL) County Attorney