



AGENDA ITEM NO. _____

City of Coral Gables CITY COMMISSION MEETING December 15, 2009

ITEM TITLE:

Resolution. Resolution establishing a Subsidized Housing Impact Fee Deferral Program; providing findings, intent, authority and definitions; providing for application procedures; providing for reporting; providing for recording of restrictive covenants and lien to insure payment of deferred impact fees; providing for reporting on and suspension of impact fee incentives; and providing for an effective date.

RECOMMENDATION OF THE CITY MANAGER:

Approval.

BRIEF HISTORY:

At the 07.07.2009 City Commission meeting, the Commission requested the preparation of supplemental language for insertion into the City Code that would allow for the waiver and/or deferral of City impact fees for the delivery of subsidized housing units. This request was prompted by the Lola B. Walker (LBW) Homeowners Foundation of Coral Gables request to waive all City permit, impact and variance fees for two affordable housing units to be built in the historic McFarland Homestead District. The City Commission via Resolution No. 2009-197 granted “deferring payments of impact fees” for two homes.

The deferral granted by the City Commission applies to 2 single family units (Lot 3 and Lot 21, Block 2-A, Macfarlane Homestead) at a cost of \$13,216.00 per unit or total of \$26,432.00 dollars.

Pursuant to the Commission’s request, City staff and outside legal counsel prepared City Code language to create a subsidized housing impact fee incentive program. To implement the program, two legislative actions are necessary, adoption of an ordinance providing for changes to the City Code, and adoption of a Resolution providing for application procedures, reporting, recording of restrictive covenants, etc. Adoption of these two items will authorize deferral of impact fees due on new subsidized housing units currently under construction by LBW. On 11.17.2009, the Commission approved an Emergency Ordinance providing for changes to the City Code. Consideration of Resolution finalizes this process/request. Outside legal counsels memorandum providing further explanation and copy of the Resolution is attached as Exhibit A.

LEGISLATIVE ACTION:

| Date: | Resolution/Ordinance No. | Comments |
|------------|--------------------------|--|
| 07.07.2009 | Resolution No. 2009-197 | Deferred payments of impact fees for two residences. |
| 11.17.2009 | Ordinance | Approved Emergency Ordinance. |

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

| Date | Board/Committee | Comments (if any) |
|------|-----------------|-------------------|
| N/A | | |

PUBLIC NOTIFICATION(S):

| Date | Form of Notification |
|------------|---|
| 11.06.2009 | Published Agenda Title of Emergency Ordinance in newspaper. |
| 11.13.2009 | Posted City Commission memo and all attachments on City web page. |
| 12.11.2009 | |

APPROVED BY:

| Department Director | City Attorney (If Applicable) | City Manager |
|-------------------------------------|-------------------------------|--------------|
| Eric Riel, Jr. Planning Director | | |

EXHIBIT:

- A. Outside Legal Counsel Memorandum and Proposed Resolution.