ORDINANCE G-2015-26 AMENDED

INTRODUCED BY: CONOR O'DANIEL
COMMITTEE: FINANCE

AN ORDINANCE AMENDING SECTION 3.35.040
OF THE EVANSVILLE MUNICIPAL CODE

WHEREAS, the Common Council of the City of Evansville, Indiana, finds it desirable to amend that section to provide additional structure to the Housing Trust Fund creating a process whereby additional funds may be discovered allowing a greater number of persons access to affordable housing

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Common Council of the City of Evansville, Indiana, that section 3.35.040 of the Evansville Municipal Code is hereby amended by adding sections 3.35.040 (D) and (E).

3.35.040 Affordable Housing Fund Advisory Committee.

(A) There is hereby established an Affordable Housing Fund Advisory Committee consisting of the following 11 members:
(1) One member appointed by the Mayor to represent the interests of low income families.
(2) One member appointed by the Mayor to represent the interests of owners of subsidized, multifamily housing communities.
(3) One member appointed by the Mayor to represent the interests of banks and other financial institutions.
(4) One member appointed by the Mayor to represent the interests of the City.
(5) One member appointed by the Mayor to represent real estate brokers or salespersons. The member appointed under this subsection must be nominated to the Mayor by the local realtors' association.
(6) One member appointed by the Mayor to represent construction trades. The member appointed under this subsection must be nominated to the Mayor by the local building trades council.
(7) Five members appointed by the City Council to represent the community at large. Members appointed under this subsection must be nominated to the City Council after a general call for nominations from township trustees, community development corporations, neighborhood associations, community based organizations, and other social services agencies.
(B) Members of the Affordable Housing Fund Advisory Committee serve for a term of four years, and are eligible for reappointment. If a vacancy exists on the committee, the appointing authority that appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy. A committee member may be removed at any time by the appointing authority that appointed the committee member.

FILED
SEP 28 2015
Laura Windhorst
CITY CLERK

(C) The Affordable Housing Fund Advisory Committee shall make recommendations to the City regarding:
(1) The development of policies and procedures for the uses of the Affordable Housing Fund; and
(2) Long-term sources of capital for the Affordable Housing Fund, including:
(a) Revenue from:
(i) Development ordinances;
(ii) Fees; or
(iii) Taxes;
(b) Financial market based income;
(c) Revenue derived from private sources; and
(d) Revenue generated from grants, gifts, donations, or income in any other form from a:
(i) Government program;
(ii) Foundation; or
(iii) Corporation. [Ord. G-2007-13, passed 10-23-07; Ord. G-2002-9, passed 5-20-02. 1983 Code § 3.30.304.]

3.35.010 Affordable Housing Fund- Definitions

The definitions, terms and conditions found in IC 5-20-5 shall be applicable herein. [1983 Code § 3.30.301.]

3.35.020 Affordable Housing Fund – Establishment

(A) An Affordable Housing Fund is hereby established. The fund shall be administered by the Department of Metropolitan Development subject to the terms of this chapter.
(B) The Affordable Housing Fund consists of:
(1) Payments in lieu of taxes deposited in the fund under IC 35-1-8-14 2;
(2) Gifts and grants to the fund;
(3) Investment income earned on the fund's assets;
(4) Money deposited in the fund under IC 36-2-7-10;
(5) Other funds from sources approved by the commission.
(C) The uses for the Affordable Housing Fund shall be limited to:
(1) Providing financial assistance to those individuals and families whose income is at or below 80 percent of the County's median income for individuals and families, respectively, to enable those individuals and families to purchase or lease residential units within the County;
(2) Paying expenses of administering the fund;
(3) Making grants, loans, and loan guarantees for the development , rehabilitation , or financing of affordable housing for individuals and families whose income is at or below 80 percent of the

County's median income for individuals and families , respectively, including the elderly, persons with disabilities, and homeless individuals and families; and
(4) Providing technical assistance to nonprofit developers of affordable housing. [1983 Code § 3.30.302.J

3._ 35.030 Allocation of money

(A) The Department of Metropolitan Development must allocate at least 50 percent of the money received for the production, rehabilitation, or purchase of housing to the production, rehabilitation, or purchase of housing units to be occupied by very low income households.
(B) The Department of Metropolitan Development must allocate at least 50 percent of the money received in program grants to a nonprofit corporation (as defined under Section 501(c) of the Internal Revenue Code), to a public housing authority (as defined in IC 36-7-18) or to a unit of government (as defined in IC 36-1-2-23). Money received in program grants that is not allocated to a nonprofit corporation, a public housing authority, or a unit of government may be allocated to private developers of housing and other private development entities as determined by the Department of Metropolitan Development. [1983 Code § 3.30.303.]
(C) This ordinance does not pertain to, or impact, the federal entitlement funds received by the city of Evansville annually from the Department of Housing and Urban Development.

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(iii) Corporation. [Ord. G-2007-13, passed 10-23-07; Ord. G-2002-9, passed 5-20-02. 1983

(D) Meetings. Beginning on July 7, 2015, at 6:00pm and on the first Tuesday of every other month thereafter, the Affordable Housing Trust Fund Advisory Committee shall meet in person or via pre-approved telephonic conference to discuss and put forth ideas and recommendations as charged by 3.35.040 of the Evansville Municipal Code. In the event that the Evansville Vanderburgh School Corporation cancels school due to inclement weather or in the event of a city-wide declaration of emergency that falls on the day that the Affordable Housing Trust Fund Advisory Committee is scheduled to meet, no meeting shall occur during that month, and the Affordable Housing Trust Fund Advisory Committee shall meet at the next regularly scheduled meeting. In the event that two consecutive meetings are canceled, the Chair of the meeting shall set a date for the Affordable Housing Trust Fund Advisory Committee to meet in the interim, and the Affordable Housing Trust Fund Advisory Committee shall meet on that day and at that time. The next meeting after the aforementioned meeting called by the chair shall be at the regularly scheduled meeting.

Every meeting shall have a quorum in order constitute a properly called meeting. A quorum shall consist of a majority of the members of the Affordable Housing Trust Advisory Committee.

By a majority vote, the Affordable Housing Trust Fund Advisory Committee may change the time, location, and date of the meeting. However, under no circumstance shall the

Affordable Housing Trust Fund Advisory Committee meet less than six (6) times a calendar year beginning in the year 2016. Additionally, the Affordable Housing Trust Advisory Committee shall not meet more than once a month. If it is necessary for the Affordable Housing Trust Advisory Committee to meet more than once a month, the additional meetings shall not count towards the required six (6) meetings required under this section.

(E) Reports. One month before the end of each fiscal year for the City of Evansville, the Affordable Housing Trust Fund Advisory Committee shall produce a report to be delivered to the mayor of the City of Evansville and each member of the Evansville City Council which sets forth the proposals of the Affordable Housing Trust Fund Advisory Committee regarding the development of policies and procedures for the uses of the Affordable Housing Fund and long-term sources of capital for the Affordable Housing Fund.

EFFECTIVE DATE.

This ordinance shall be in full force and effect following its passage by the Common Council and signing by the Mayor.

Passed by the Common Council of Evansville, Indiana, on this 30 day of September, 2015, and on said day signed by the President of the Common Council and attested by the City Clerk.

H. Dan Adams MD

Dr. H. Dan Adams, President of the Common Council,
City of Evansville, Indiana

ATTEST: Laura Windhorst

Laura Windhorst, City Clerk
City of Evansville, Indiana

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor of said City, the 30 day of September, 2015, at 3 o'clock p.m. for his consideration and action thereon.

Laura Windhorst

Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing Ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance, and return same to the City Clerk this 1st day of October, 2015, at 3:00 o'clock p.m.

Lloyd Winnecke, Mayor
City of Evansville, Indiana