



Legislation Details (With Text)

File #: 070330. **Version:** 1 **Name:** Resolution and Housing Program Establishing the General Fund Displaced Mobile Home Owner/Tenant Assistance Program (B)
Type: Resolution **Status:** Adopted
File created: 12/10/2007 **In control:** City Manager
On agenda: **Final action:** 12/10/2007

Title: Resolution and Housing Program Establishing the General Fund Displaced Mobile Home Owner/Tenant Assistance Program (B)

This item proposes to create a program for displaced mobile home owners/tenants, of low and moderate incomes, who are relocating outside of the corporate limits of the City of Gainesville but within Alachua County.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 070300_200712101300.pdf, 2. 070300a_200712101300.pdf, 3. 070330_20071210.pdf, 4. 070330_b.pdf, 5. 070330_Letter.pdf, 6. 070330_Resolution Final_20071210

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------|----------------------------------|--------|
| 12/10/2007 | 1 | City Commission | Adopted (Resolution), as amended | Pass |
| 8/13/2007 | 0 | City Commission | Referred | Pass |

Resolution and Housing Program Establishing the General Fund Displaced Mobile Home Owner/Tenant Assistance Program (B)

This item proposes to create a program for displaced mobile home owners/tenants, of low and moderate incomes, who are relocating outside of the corporate limits of the City of Gainesville but within Alachua County.

At the August 13, 2007 City Commission meeting, the City Commission instructed the City Manager to investigate the possibility of using General Fund monies to assist Buck Bay residents who were relocating outside of the corporate City limits of the City of Gainesville. In accordance with the City Commission directive, staff contacted the City Attorney to find out if Florida Statutes or other applicable laws prevented the City from using General Fund monies to provide assistance to residents who were relocating outside of the City limits.

On October 15, 2007, the City Attorney issued a legal opinion stating that he had “not come across any State law which expressly prohibits the City from providing relocation assistance to mobile home owners and tenants in the City”. And, “since such a program is likely to be considered a municipal purpose, and no law expressly prohibits such a program, then the program likely is a lawful use of public funds”. In addition, he recommended that “the City Commission make findings as to the specific municipal health, welfare and safety concerns addressed by the program”; and, that program participation be limited to low and moderate income households.

Through its efforts to locate additional funding options to assist Buck Bay residents, staff has identified unrestricted funding from the Cedar Grove II foreclosure acquisition reserve fund. At the September 9, 2002 City Commission meeting, the City Commission authorized the establishment of a Cedar Grove II foreclosure acquisition reserve fund to protect the development from potential purchases by investors for conversion to rental properties. These unrestricted funds were placed in the Cedar Grove II foreclosure acquisition reserve fund to use for the purpose of accomplishing the mission of the fund. Only one property has resulted in foreclosure and the Housing Division purchased that property, rehabilitated the structure and resold the unit to a low-income homebuyer. Since the properties are reselling on the general market for more than their initial purchase price, and because of the low foreclosure rate, staff believes that these funds could be used as an additional funding option to provide assistance to the Buck Bay residents.

Initial funding in the amount of \$30,000 would be drawn from account 123-790-G351-5540-6020. Once these funds are exhausted, any additional authorized funding would be drawn from the City Commission Contingency Account (account TBD).

The City Commission: 1) adopt a resolution approving the General Fund Displaced Mobile Home Owner/Tenant Assistance Program, stating the purpose of the program, making certain findings of fact, directing the City Manager to implement the program, and providing an immediate effective date; 2) authorize the use of \$30,000 of Cedar Grove II foreclosure acquisition reserve funds to fund the program; 3) upon exhaustion of Cedar Grove II foreclosure acquisition reserve funds, authorize use of City Commission contingency funds in an amount to be determined by the City Commission; 4) authorize the Housing Division to use its standard financing agreements to effect the transactions subject to City Attorney approval as to form and legality; and 5) authorize the reimbursement of General Fund Displaced Mobile Home Owner/Tenant Assistance Program eligible expenses for Buck Bay Mobile Home Park owners/tenants of low and moderate incomes who resided in the park on January 12, 2007, the date the owner of the park issued eviction notices, and who relocated within Alachua County prior to this program's approval.

Alternative Recommendation A: The City Commission could choose to not approve the recommendation and the Buck Bay residents who are moving outside of the corporate City limits of the City of Gainesville would have to seek funding from another source.