AN ORDINANCE No. 2016-255

To amend and reordain City Code § 16-114, concerning regulations for the Affordable Housing Trust Fund, for the purpose of reducing the portion of the Affordable Housing Trust Fund that is to be dedicated to certain uses from at least one-third to at least 30 percent and imposing a new requirement that such regulations include housing-related support services as an option for the use of at least 30 percent of the Affordable Housing Trust Fund.

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Patron – Ms. Robertson

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Approved as to form and legality
by the City Attorney

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PUBLIC HEARING: NOV 14 2016 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1.   That section 16-114 of the Code of the City of Richmond (2015) be and is hereby

amended and reordained as follows:

Sec. 16-114.   Same—Regulations.

The Chief Administrative Officer or the designee thereof shall prepare regulations,

operational policies and procedures suitable to the Mayor and approved by the City Attorney or

the designee thereof as to form and legality to implement the programs for which the fund pays

and shall submit such regulations, operational policies and procedures to the Affordable Housing

AYES:	9	NOES:	0	ABSTAIN:	

ADOPTED:	Nov 14 2016	REJECTED:		STRICKEN:	

Trust Fund Advisory Board established by Ordinance No. 2012-155-128, adopted July 23, 2012, for advice. After the Board has provided the Council and the Mayor with advice concerning such regulations, operational policies and procedures, the Mayor shall propose a resolution for the consideration of the Council to approve the regulations, operational policies and procedures to implement the programs for which the fund pays. These regulations, operational policies and procedures shall become effective upon the adoption of such resolution. The Chief Administrative Officer or the designee thereof may amend such regulations, operational policies and procedures from time to time, as the Chief Administrative Officer or the designee thereof may deem necessary. The regulations, operational policies and procedures, and any amendments thereto, established pursuant to this section shall be subject to the review and approval of the City Attorney or the designee thereof as to form and legality and provide, at a minimum, the following:

(1)   Grants and loans from the fund shall be awarded based on a fixed application process designed to determine qualification under the eligibility criteria set forth in section 16-112.

(2)   Recipients shall meet minimum qualifications determined by the Chief Administrative Officer or the designee thereof.

(3)   Development, sales, rental, maintenance and management agreements, whenever applicable, shall accompany grants or loans made from the fund for each project involving construction or rehabilitation of affordable housing to ensure compliance with the program requirements applicable to the fund.

(4)   The Chief Administrative Officer or the designee thereof shall regularly monitor recipients to ensure compliance with the program requirements applicable to the fund.

(5)   Penalties as defined by the Chief Administrative Officer or the designee thereof in accordance with this article shall apply when the city finds that recipients are not in compliance with the program requirements.

(6)   The Chief Administrative Officer or the designee thereof shall ensure that at least [one third] 30 percent of the fund is used only for the construction or rehabilitation of housing, or housing-related support services, for households with a gross household income, adjusted for family size, that is no greater than 30 percent of area median income.

(7)   The ways in which the City may ensure the sustainability and proper use of the fund over time and any conditions under which the Council should establish an Oversight Board or Board of Trustees to administer the fund.

(8)   The ratio of grants to loans to be disbursed from the fund.

(9)   In accordance with the advice of the City Attorney or the designee thereof, the ways in which the City may lawfully encourage recipients of disbursements from the fund to employ individuals of low and moderate income households in the projects for which funds are expended in accordance with the purposes of the fund.

(10)   In accordance with the advice of the City Attorney or the designee thereof, the ways in which the City may lawfully encourage minority business enterprises, as defined in Chapter 21, to participate in the City's efforts to accomplish the purposes set forth in section 16-51.

§ 2.   This ordinance shall be in force and effect upon adoption.

Richmond City Council

The Voice of the People Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO	Allen Jackson, City Attorney
THROUGH	Lou Ali, Council Chief of Staff
FROM	Steven Taylor, Council Policy Analyst
COPY	Ellen Robertson 6th District Council Member
	Kiya Stokes, 6th District Liaison
	Haskell Brown, Deputy City Attorney
	Meghan Brown, Council Deputy Chief of Staff
DATE	September 22, 2016
PAGE/s	1 of 2
TITLE	Amendment to City Code Regarding Affordable Housing Trust Fund

This is a request for the drafting of an   **Ordinance** ☒   **Resolution** ☐

REQUESTING COUNCILMEMBER/PATRON

Robertson

SUGGESTED STANDING COMMITTEE

Land Use, Housing & Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests that legislation be drafted for Council's consideration that amends the City Code Section 16-114(6) so that it reads as follows:

The Chief Administrative Officer or the designee thereof shall ensure that at least one-third of the fund is used only for the construction, rehabilitation, or housing related services for household income, adjusted for family size, that is no greater than 30 percent of area median income.

BACKGROUND

The patron wishes to make "housing related services" eligible for funding from the affordable housing trust fund.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes ☐	No ☒
Budget Amendment Required	Yes ☐	No ☒
Estimated Cost or Revenue Impact	$ N/A	

Attachment/s   **Yes** ☐ **No** ☒