

**OFFICIAL MEETING MINUTES
OF THE
COMMISSION ON AFFORDABLE HOUSING (CAH)
PALM BEACH COUNTY, FLORIDA**

AUGUST 17, 2023

**WEDNESDAY
10:30 A.M.**

**100 AUSTRALIAN AVENUE
WEST PALM BEACH, FL**

MEMBERS:

Commissioner Mack Bernard
George "Adam" Campbell
Lynda Charles
Corey O'Gorman
William "Elliott" Johnson
Ezra M. Krieg, Vice Chair
Amy Robbins
Aquannette Thomas
Leonard "Len" A. Tylka, Chair

COUNTY STAFF PRESENT:

Sheila Brown, Senior Planner, HED
Yvette Cueto, Planner II, HED
Carlos Serrano, Division Director II, HED

PRESENT VIA TELECONFERENCE:

Suzanne Cabrera
Joyce Grimm, Planner II, HED
Elizabeth Jo Miller, Senior Planner, HED
Stefania Russell, Planner II, HED
Michael Sklar, Principal Planner, HED

CLERK OF THE CIRCUIT COURT & COMPTROLLER'S OFFICE STAFF PRESENT:

Jillian Zalewska, Deputy Clerk

ALSO PRESENT:

Tim Kubrick, School District of Palm Beach County (SDPBC)

I. Call to Order

The chair called the meeting to order at 10:37 a.m.

II. Roll Call

Present: Adam Campbell, Elliott Johnson, Ezra Krieg, Corey O’Gorman, Amy Robbins, and Len Tylka

Absent: None

Via Teleconference: Commissioner Bernard, Lynda Charles, and Aquanette Thomas

III. Approval of Remote Attendance

MOTION to approve remote attendance. Motion by Ezra Krieg, seconded by Adam Campbell, and carried 6-0.

IV. Approval of Agenda

MOTION to approve the agenda. Motion by Elliott Johnson, seconded by Corey O’Gorman, and carried 9-0.

V. Approval of Minutes

Mr. Johnson stated that he had not had the opportunity to review the minutes and would amend the record at a subsequent meeting if necessary.

MOTION to approve the April 12, 2023, and May 11, 2023, meeting minutes. Motion by Ezra Krieg, seconded by Amy Robbins, and carried 10-0.

VI. Old Business

No old business was discussed.

VII. New Business

a. CAH Vacancies

HED Division Director II Carlos Serrano informed the members that Mr. Coppage had resigned his position on the CAH, leaving a vacancy for a not-for-profit provider of affordable housing, and that Jay-Anthony Boggess had departed the SDPBC and was no longer eligible to serve on the commission. Mr. Serrano stated that the Board of County Commissioners intended to nominate Mr. Kubrick to serve as the SDPBC representative.

Mr. Tylka inquired about the expiration dates of the current members’ terms.

Ms. Brown replied that the members’ terms would expire in 2024, and Mr. Serrano said that he would inform the commission of the exact dates.

In response to a question posed by Mr. Krieg, Mr. Serrano explained that the members could provide him with the names of any individuals interested in filling the vacant seat on the commission.

Discussion ensued regarding the possibility of implementing staggered terms for CAH members.

Responding to a question from Mr. Krieg, Mr. Serrano stated that although the duration of a term was three years, the ordinance did not impose term limits on members.

Ms. Brown reminded the members that they were required to complete ethics training each year and submit a signed form confirming fulfillment of the requirements.

b. 2023 Incentives Review and Recommendations

Mr. Serrano began a slide presentation in which he provided a timeline for the incentives review and recommendations process.

The members proceeded to a discussion of the 2022 CAH recommendations as follows:

- **Expedited approvals of development orders or permits for affordable housing**

Mr. Tylka inquired about the status of the item, and Ms. Robbins noted that the commission had discussed requesting an update from staff.

Mr. Krieg stated that a status update would inform the commission's recommendations regarding the item.

- **Fee waivers for the development of affordable housing**

Mr. Tylka and Mr. Krieg asked if the passage of the Live Local Act would affect staff's opposition to additional fee waivers, reductions, or deferrals.

Mr. O'Gorman inquired if the impact fee incentive program provided an opportunity for the County to assist in funding a program that would pay the permit fees for affordable housing, thereby reducing the overall cost of a project.

Mr. Johnson stated that the Live Local Act permitted municipalities to wave or mitigate developers' impact fees. He discussed the cost of density bonuses and suggested that the associated fees be eliminated or drastically reduced.

In response to a question posed by Mr. Johnson, Mr. Serrano said that the CAH's comments would be communicated to Planning, Zoning and Building.

- **Reservation of infrastructure capacity for housing for very low-income, low-income, and moderate-income persons**

Mr. Johnson explained that County staff did not know how to make allowances to change the level of service for affordable housing.

- **Affordable accessory residential units**

Mr. Tylka noted that the commission had been discussing accessory dwelling units (ADUs) for more than a year. He asked how much more time was needed for the County to review the issue.

Mr. Krieg requested that staff provide a status update on the item.

Mr. Johnson suggested that the recommendation language be strengthened, and Mr. Krieg responded that the language could be adjusted once the CAH was informed of the status of the item.

Mr. Johnson noted that separate electrical metering for ADUs would facilitate the creation of additional housing units.

- **Modification of street requirements for affordable housing**

This item was not discussed.

- **Establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing**

Mr. Krieg stated that the recommendation should include adoption of the “Housing for All” plan. He also suggested that CAH recommend that the County develop a plan of action for taking advantage of opportunities presented by the Live Local Act.

Mr. Johnson inquired if staff had conducted an analysis of how Live Local Act provisions could be incorporated into current housing policy.

Mr. Serrano replied that HED, along with the constitutional officers and other departments that were affected by the law, had been assessing the impact of the Live Local Act. He stated that staff had presented their assessment at a BCC workshop and that discussions of the law and its effects were ongoing. Mr. Serrano also said that staff might deliver a presentation about the housing plan at the second BCC meeting in September.

Mr. Johnson commented that staff’s original position had been that the housing plan would be received and filed. He asked if staff would recommend that the housing plan be accepted if certain provisions were amended.

Mr. Serrano responded that he did not have access to that information.

Mr. Johnson requested that he be informed if the housing plan was going to be discussed at the second September BCC meeting. He also inquired if any County staff members had attended the Florida Housing Corporation (FHC) meeting at which the Live Local Act was discussed.

Mr. Serrano replied that several County staff members had attended, and that staff had also participated in trainings offered by the FHC.

Mr. Krieg noted that the FHC's annual conference was being held the following week.

- **Inventory of locally owned public lands suitable for affordable housing**

Mr. Tylka stated that the recommendation had been addressed.

Mr. Krieg suggested that the provision should include a definition of the phrase "suitable for affordable housing."

Mr. Serrano said that "suitable for affordable housing" was part of the statutory language, but the CAH could request that the County provide an inventory of all available land.

- **Support of development near transportation hubs and major employment centers and mixed-use developments**

Mr. Johnson stated that the recommendation was supported.

- **Allowance of flexibility in densities; reduction of parking and setback requirements; flexible and zero-lot-line configurations**

Mr. Johnson suggested that the CAH ask the County to produce an implementation plan. He also stated that transfer of development rights (TDR) bonuses should be provided as a matter of course when applicable.

Discussion ensued regarding the cost of density bonuses in relation to the targeted area median income level of a proposed development.

Mr. O'Gorman inquired about the utilization of revenue generated by density fees.

Mr. Serrano responded that the funds were used by Environmental Resources Management (ERM).

Replying to a comment by Mr. Tylka about allocation of the funds, Mr. Johnson explained that it was dictated by State statute.

Discussion continued regarding density bonus fees, and Mr. Johnson said that the County's expansion model should address the need for increased density and mixed-use

developments. He also discussed the importance of neighborhood revitalization and community redevelopment.

After addressing each of the 2022 recommendations, the CAH proceeded to a discussion of the next steps in the process.

Mr. Campbell noted that provision for “stakeholder input” referred to public comment.

VIII. Member Comments

Mr. Krieg requested that the CAH dedicate time in 2024 to addressing the issue of rising liability costs, which were inhibiting nonprofit organizations from providing affordable housing units.

Mr. Johnson suggested that staff invite a representative from a State agency to discuss possible solutions.

Commissioner Bernard recommended that Mr. Serrano contact Assistant County Administrator Todd Bonlarron and Legislative Delegation staff to determine who could be invited to speak about the issue.

Mr. Tylka suggested collaborating with other stakeholders, such as the FHFC and the Florida Housing Coalition based in Tallahassee.

Discussion continued regarding the loss of affordable housing units as a result of increasing liability insurance costs.

Ms. Brown informed the members that she would send new invitations for the scheduled CAH meeting dates.

Ms. Robbins and Mr. Tylka commented on staff’s efforts to confirm attendance prior to meetings.

IX. Adjourn

MOTION to adjourn. Motion by Elliott Johnson, seconded by Amy Robbins, and carried 9-0.

At 11:29 a.m., the chair declared the meeting adjourned.

APPROVED: