

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DELEGATING TO THE DIRECTOR OF THE DEVELOPMENT SERVICES DEPARTMENT THE AUTHORITY TO APPROVE AND EXECUTE AFFORDABLE HOUSING DEVELOPMENT AGREEMENTS AND AMENDMENTS TO AFFORDABLE HOUSING DEVELOPMENT AGREEMENTS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 47-23.16. of the Unified Land Development Regulations requires that an applicant receiving incentives for providing affordable housing must enter into an affordable housing development agreement with the City of Fort Lauderdale to ensure continued inclusion of affordable housing in the development; and

WHEREAS, Subsection 4.01(b) of the Charter of the City of Fort Lauderdale, Florida, states as follows:

All contracts, agreements, leases or other instruments to which the city is a party and under which the city assumes any liability, shall be executed in the name of the city by the mayor and city manager, attested by the city clerk, and the form of any such instrument shall be previously approved by the city attorney or assistant city attorney, provided, however, that where by ordinance or resolution, the execution of short-term leases or other instruments is delegated to another person, such instrument may be executed in the manner provided by such ordinance or resolution.

and;

WHEREAS, currently all affordable housing development agreements must be approved by the City Commission which increases the time required for the approval of site plans that do not require City Commission approval; and

WHEREAS, City staff is recommending that the City Commission delegate to the Director of the Development Services Department the authority to approve and execute affordable housing development agreements and amendments to affordable housing development agreements, in order to expedite the approval process for affordable housing developments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the above recitals are true and correct and incorporated into this Resolution by reference.

SECTION 2. The Director of the Development Services Department is hereby delegated the authority to approve and execute affordable housing development agreements and amendments to affordable housing development agreements, subject to the interim city attorney or city attorney or an assistant city attorney's review and approval as to form.

SECTION 3. That if any clause, section, or other part of this resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 5. That this Resolution shall be in full force and effect upon its adoption.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

Pamela Beasley-Pittman _____

Warren Sturman _____