

TAB 10



City of Palmetto Agenda Item

Meeting Date

11/5/12

Presenter: Mark Barnebey

Department: City Attorney

Title: Resolution Authorizing Palmetto Housing Authority

Background:

The City Commission has had several discussions regarding the possibility of creating a housing authority for the City of Palmetto. The City has now received a petition, signed by residents of the City, requesting that the City Commission authorize the housing authority to operate in the City.

Discussion:

Pursuant to Section 421.05, F.S., a housing authority has already been created for every municipality in the State of Florida. Those housing authorities are not authorized to conduct any business or exercise any powers until the city's governing body has adopted a resolution declaring a need for the housing authority to function in that city.

Because the City of Palmetto has received a petition signed by 25 residents of the City requesting the City to declare the need for the housing authority to operate in the City, the City Commission is now required, pursuant to Section 421.04, F.S., to consider whether there is a need for the housing authority to function in the City.

In order for the City Commission to declare a need for the Housing Authority to operate in the City, the Commission must make at least one of the following findings:

1. Insanitary or unsafe inhabited dwelling accommodations exist in the City.
2. There is a shortage of safe or sanitary dwelling accommodations in the City available to persons of low income at rentals they can afford.

If the Commission finds that such conditions exist, and authorizes the Housing Authority to function in the City, the City Commission will need to provide direction on additional matters. Pursuant to Section 421.05, F.S., the Housing Authority Commission is to consist of no fewer than five, nor less than seven, Authority Commissioners, with initial staggered terms. The statute provides that Authority Commissioners are appointed by the Mayor, with approval by the City Commission. The attached resolution provides for a 5 member commission.

The City Commission should consider how the Housing Authority should be staffed and operated. Like the CRA, the Housing Authority is a separate corporate entity, which can be closely or loosely tied to the City. While designed to operate primarily on federal grant funding and project revenue, the City may want to provide support in its initial stages.

Budgeted Amount:	\$0.00	Budget Page No(s):		Available Amount:	\$0.00	Expenditure Amount:	\$0.00
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Additional Budgetary Information:

Funding Source(s):		Sufficient Funds Available:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amendment Required:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Source:	
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City Attorney Reviewed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Advisory Board Recommendation:	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	Consistent With:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Potential Motion/ Direction Requested: I move adoption of Resolution 2012-38

RESOLUTION NO. 2012-38

A RESOLUTION OF THE CITY COMMISSIONERS OF THE CITY OF PALMETTO, FLORIDA, DECLARING THE NEED FOR A HOUSING AUTHORITY IN THE CITY OF PALMETTO; CREATING A FIVE-MEMBER COMMISSION TO CONDUCT THE BUSINESS OF THE AUTHORITY; PROVIDING FOR THE AUTHORITY TO BE SERVED BY EMPLOYEES OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 421.04(1), Florida Statutes, creates a housing authority for every city in the State, but provides that such authority shall not transact any business or exercise any powers unless the governing body of the city declares by proper resolution that there is need for the authority to function in the city; and

WHEREAS, Section 421.04(1), Florida Statutes, provides that upon the filing of a petition signed by 25 residents of a city asserting that there is need for a housing authority to function in the city, the governing body of the city shall make a determination as to whether there is need for a housing authority to function in the city; and

WHEREAS, a petition signed by 25 residents asserting that there is a need for a housing authority to function in the City of Palmetto has been filed with the City and is attached hereto as Exhibit "A"; and

WHEREAS, insanitary and unsafe inhabited dwelling accommodations exist in the City of Palmetto; and

WHEREAS, there is a shortage of safe and sanitary dwelling accommodations in the City of Palmetto available to persons of low income at rentals they can afford.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, THAT:

Section 1. The findings set forth in the preamble above are hereby adopted as findings of the City Commission and incorporated herein by reference.

Section 2. The City Commission hereby declares that there exists a need for a housing authority to function in the City of Palmetto, and authorizes the City of Palmetto Housing Authority to transact business and exercise the powers provided by law.

Section 3. The Palmetto Housing Authority shall be governed by a 5-member Board of Commissioners. Authority Commissioners shall be appointed by the Mayor, with the approval of the City Commission. The initial terms of the Authority Commissioners shall be as follows:

Commissioner 1 1 year
Commissioner 2 2 years
Commissioner 3 3 years
Commissioner 4 4 years
Commissioner 5 4 years

Upon the expiration of the initial terms, Authority Commissioners shall be appointed to four-year terms, except in the case of a vacancy, which shall be filled for the unexpired term. Authority Commissioners shall receive no compensation.

Section 4. The Housing Authority shall be served by City staff and legal counsel, to the extent and in the manner directed by the Mayor, until such time as the Housing Authority elects to retain other staff and/or legal counsel.

APPROVED AND ADOPTED, by the City Commission, in open session, with a quorum present and voting, this ____ day of _____, 2012.

CITY OF PALMETTO, FLORIDA, BY
AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____
SHIRLEY GROOVER BRYANT, MAYOR

ATTEST: James R. Freeman
 City Clerk

By: _____
City Clerk/Deputy Clerk

PETITION TO CREATE AND ESTABLISH 'A HOUSING AUTHORITY'

WE, the residents of the City of Palmetto, a subdivision of the County of Manatee, State of Florida, Hereby petition the Mayor, and City Commission, an elected body to establish a "Housing Authority" under Florida Statute Chapter 421. Public Housing, specifically Statute 421.04 Creation of Housing Authorities. Said such Petition shall be served upon Mayor and City Commission Office on Wednesday, September 19th 2012, located at 518 8th Ave West, 1209 City Hall, Palmetto, FL 34220.

1. Dan McClanahan 1005 Riverside Drive Palmetto, FL 34221
2. Christopher J. Coia 1005 Riverside Dr. Palmetto, FL 34221
3. Matthew Stinson 812 35th Avenue Drive W Palmetto FL 34221 (941) 515-0151
4. Karim Parka 323 W 4th Ave. W. Palmetto, FL 34221 (941) 722-0800
5. Adriana Cerillo 1005 Riverside D. Palmetto 34221 (941) 840-4061
6. Blora Estela Trejo Ramirez 1914 8th L. Ave. W. Apt. 11 Palmetto 34221 (941) 702-0101
7. Justin Pennington 1607 19th ave. w. 941-238-7966 Justin Pennington
8. Miguel Ulloa 1605 72nd St. Ct. E. Palmetto (941) 441-737-1265
9. Messia E. Marin 605 12th St. Dr. W Palmetto FL 34221 (941) 835-80-317
10. Juliana Alexander 603 19th St. Dr. W Palmetto FL 34221 (941) 479-7082
11. Rosario Ulloa 1605 72nd St. Ct. E. Palmetto FL 34221 (941) 479-7082
12. Valentin Espinoza 1605 72nd St. Ct. E. Palmetto FL 34221 Valentin Espinoza (941) 479-7082
13. Pastor Cesar A. Garcia 605 12th St. Dr. W Palmetto FL 34221 (941) Cesar Garcia 737-1388 96.94
14. Maria del Pilar Cruz - Juan Urieta Cruz 2610 1st Ave East Palmetto FL 34221 (941) 405-8339 Maria Cruz
15. Juan Urieta Cruz 2610 1st Ave East Palmetto FL 34221 (941) 405-8339 Juan Urieta Cruz
16. Omar Isai Cruz-Urieta 2610 1st Ave East Palmetto FL 34221 (941) 405-8339 Omar Isai Cruz
17. Geremias Diaz Morales 342 10th Ave W. Apt 3 Palmetto FL 34221 Geremias Diaz Morales
18. Rosa Sanchez 342 10th Ave W. Apt 3 Palmetto FL 34221 (941) 592-3152 Rosa Sanchez
19. Juan De Dios Montoya 810 20th Ave W. Palmetto FL 34221 (941) 981-3970 Juan De Dios Montoya
20. Francisca Zarza 810 20th Ave W. Palmetto FL 34221 (941) 981-3970 Francisca Zarza
21. Oscar Montoya 810 20th Ave W. Palmetto FL 34221 (941) 981-3970 Oscar Montoya
22. Kevin Emory 1005 Riverside Dr Palmetto, FL 34221 803-318-715 Kevin Emory
23. MARGARET A. HACKETT 1005 RIVERSIDE DR PALMETTO, FL 34221 781-316-5790 Margaret A. Hackett
24. Michael P. Hackett 1005 RIVERSIDE DR PALMETTO FL 34221 781-316-5790 Michael P. Hackett
25. Claudia Criswell 219 39th St. E Palmetto FL 34221 (941) 779-8371 Claudia Criswell
26. ED Criswell 219 39th St. E. Palmetto FL 34221 (941) 779-8371 Ed Criswell

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- 1 CHARLES B Smith Charles Smith 1701 4th Ave West Palmetto FL 34221
- 2 Rosa B Smith Rosa Smith 1701 4th Ave W. Palmetto FL 34221
- 3 Harold L. Smith Harold Smith 1703 4th Ave W Palmetto FL 34221
- 4 Harold L. Smith III Harold Smith 1703 4th Ave W Palmetto FL 34221
- 5 Tyrone W Smith Tyrone Smith 1701 4th Ave W Palmetto FL 34221
- 6 Billie B. Yarn Billie B. Yarn 1702-5th Ave. W. Palmetto FL 34221
- 7 FESSIE McLean Essie McLean 701 17th St. W. Apt. C. Palmetto FL 34221
- 8 Annie R Fobbs Annie R Fobbs 1708 6th Ave W Palmetto FL 34221
- 9 Eula Daniels 1801 5th Ave W. Palmetto FL 34221
- 10 JEAN MORELAND 1107 6th Ave. Dr. W. PALMETTO, FL 34221
- 11 Willie Mae Floyd 611-11th St Dr. W Palmetto, FL 34221
- 12 Monica Smith Monica Smith 1703 4th Ave W Palmetto FL 34221
- 13 Charles Smith Jr Charles Smith 1701 4th Ave West Palmetto, FL 34221
- 14 Wanda Floyd 611 11th St. Dr. W. Palmetto, FL 34221
- 15 Victoria McNeil 1114-6th Ave Dr. West Palmetto, FL 34221
- 16 James Conley 318 10th St West Palmetto, FL 34221
- 17 Johnny Cheeseborough 318 10th St. West Johnny Cheeseborough
- 18 Harold Barton 310-15th St West Palmetto FL 34221
- 19 Melvin Blanton 310 15th St West Palmetto FL 34221
- 20 _____
- 21 _____
- 22 _____
- 23 _____
- 24 _____
- 25 _____

#	NAME	ADDRESS	CITY LIMIT
3	Mathew Stinson	812 35th Ave Dr W	No
8	Miguel Vllou	1605 72nd St Ct E	No
10	Juliana ??andez	603 19th St W	No
11	Rosario Ulloa	1605 72nd St Ct E	No
12	Valentin Espinoza	1605 72nd St Ct E	No
14	Maria Del Pilar Cruz	2610 1st Ave E	No
15	Juan Urieta Cruz	2610 1st Ave E	No
16	OMAR ISAI CRUZ URIETA	2610 1ST AVE E	NO
25	CLAUDIA CRISWELL	219 39TH ST E	NO
26	ED CRISWELL	219 39TH ST E	NO
1	Dan McClanhan	1005 Riverside Dr	Yes
2	Christopher Ceaia	1005 Riverside Dr	Yes
4	Kartin Perka	323 10th Ave W	Yes
5	Adriana Cerillo	1005 Riverside Dr	Yes
6	Blorca Estela Trejo Ramirez	1414 8th Ave W # 11	Yes
7	Justin Pennington	1607 19th Ave W	Yes
9	Jessica Garcia	605 12th St Dr W	Yes
13	Pastor Ceasar Garcia	605 12th St Dr W	Yes
17	GEREMIAS DIAZ MORALES	342 10TH AVE W # 3	YES
18	ROSA SANCHEZ	342 10TH AVE W #3	YES
19	JUAN DE DIOS MONTOYA	810 20TH AVE W	YES
20	FRANCISCA ZARZA	810 20TH AVE W	YES
21	OSCAR MONTOYA	810 20TH AVE W	YES
22	KEVIN EMERY	1005 RIVERSIDE DR	YES
23	MARGARET HACKETT	1005 RIVERSIDE DR	YES
24	MICHEL HACKETT	1005 RIVERSIDE DR	YES
27	CHARLES SMITH	1701 4TH AVE W	YES
28	ROSA SMITH	1701 4TH AVE W	YES
29	HAROLD SMITH	1702 4TH AVE W	YES
30	HAROLD SMITH JR	1702 4TH AVE W	YES
31	Tyrone W Smith	1701 4th Ave W	Yes
32	Lillie B Yarn	1702 5th Ave W	Yes
33	Essie McClean	701 17th St W #C	Yes
34	Annie R Fobbs	1708 5th Ave W	Yes
35	Eva Daniels	1801 5th Ave W	Yes
36	Jean Moreland	1107 6th Ave Dr W	Yes
37	Willie Mae Floyd	611 11th St Dr W	Yes
38	Monica Smith	1703 4th Ave W	Yes
39	Charles Smith Jr.	1701 4th Ave W	Yes
40	Wanda Floyd	611 11th St Dr W	Yes
41	Victoria McNeil	1114 6th Ave Dr W	Yes
42	James Conley	318 10th St W	Yes
43	Johnny Cheeseborgh	318 10th St W	Yes
44	Howard Barton	310 15th St W	Yes
45	Mildred Barton	310 15th St W	Yes