

HILLSBOROUGH COUNTY

- **Emergency Rental Assistance**

Over \$15 million allocated and approved approximately 4,900 applications; on track to expend the funds and continue to have a steady stream of applications being submitted. They've also been able to add a few additional prospective benefit months for eligible tenants. The Emergency Rental Assistance Program online application portal is open for eligible residents at or below 80% Area Media Income (AMI) or with zero income 90 days prior to application date. Hillsborough County has received \$44 million in rental assistance funds. Approximately \$12 million went to the City of Tampa and \$32 million to unincorporated Hillsborough, Temple Terrace, and Plant City. Assistance provided can be up to 12 months of past-due rent from March 13, 2020 or later, per household. It may also cover the current month and prospective month, which is considered on a case-by-case basis if applicable. <https://www.hillsboroughcounty.org/residents/public-safety/rapid-response-recovery-assistance-program-r3/r3-program>
<https://www.hillsboroughcounty.org/residents/public-safety/rapid-response-recovery-assistance-program-r3/r3-program>

- **Residential Eviction Mediation Program**

Overman has requested staff bring back a report on the feasibility of creating a Residential Eviction Mediation program in the County. Currently, this report has been rescheduled for September 1, 2021. On June 22, 2021, GTR Staff met with County staff, Audrey Zigler, to discuss the proposal. Ms. Zigler alleviated our concern that the program would be tied to the court system and force unwilling landlords to participate. Instead, Hillsborough will be looking to create a voluntary program agreed on by both the landlord and tenant that would mirror the Pinellas County program.

- **Residential Rental Registry Program**

In discussing the issue with Hillsborough Code Enforcement Director, Joe Gross, he mentioned that the County does not have anything concrete and are just gathering information. Mr. Gross and Horace Lynch, Hillsborough's Strategic Planning Manager, have been tasked with looking into the potential registry. This includes comparing neighboring county programs, voluntary vs. mandatory registry, free vs. fee based. Their respective offices would like to reconvene with GTR staff and members in early



September to gather additional feedback and our position. Furthermore, GTR Governmental Affairs Committee will be forming a task force to review this issue.

BACKGROUND: The Board has requested staff to review the feasibility of using a private provider to establish and maintain a registry of residential rental properties in Hillsborough County. They believe that a registry program can offer several benefits to the County. Staff estimates there are over 120,000 residential rental units in Hillsborough. This includes different types of accommodations, including apartment units, single-family homes, duplexes, short-term rentals, etc. It appears staff will be primarily focused on more traditional rental units including apartments and single-family homes. Staff will also be analyzing why the County's prior ordinance involving rental housing – the “Rental Housing Inspection Program” (Ordinance 04-37) – was repealed in 2007.

- **Property Assessed Clean Energy (PACE) Financing**

The issue was brought back to the Board on August 4, 2021. Last year, GTR formally opposed PACE and was successful in advocating for its removal in Hillsborough County. Our continued opposition is based on PACE's unscrupulous business practices, inadequate financial disclosures, and predatory lending of low-income families, the elderly, and communities of color. GTR staff provided commissioners with materials documenting the pitfalls of PACE in advance and spoke in-person during public comment. Commissioner Cohen made a motion to explore reimplementing PACE. After detailed and passionate arguments from other commissioners against PACE, Cohen withdrew his motion citing lack of support.

<https://www.tampabay.com/news/hillsborough/2021/08/04/hillsborough-affirms-opposition-to-pace-home-improvement-program/>.

- **All for Transportation Surtax**

On May 5, 2021, the Board voted to request the county administration to plan four workshops throughout the County's four single member districts this year and modify them so the public can provide input on another transportation surtax. Traditionally, county workshops are for Board discussion and do not allow public input. Important to note, from a legal standpoint, the Board is only required to host one workshop. The four workshops will ensure due diligence and give the public a better opportunity to provide feedback.



On April 29, 2021, attorneys representing the local governmental agencies and the Hillsborough Area Regional Transit Authority filed a post-judgment motion seeking guidance on refunding the collected dollars. According to the motion, it “will allow refunds to be sought and determined in an effective and expeditious manner, with minimal burden and no cost to taxpayers, as well as the judicial system.” The motion proposes the appointment of three retired circuit court judges to oversee the refund process, and citizens wanting a refund would have to submit a claim to the Hillsborough County Circuit Court. A judge will have to sign off on this proposal to make it effective, and the motion does not state what would happen to any unclaimed funds.

BACKGROUND: On Thursday, February 25, 2021, the Florida Supreme Court decided 4-1 that restrictions on how and where the revenue from the tax could be spent were unconstitutional. On Wednesday, March 3, 2021 the Board voted to support Commissioner Hagan's motion (passed unanimously) to direct staff to work with the Florida Department of Revenue and the Clerk's Office to determine if the county needs to wait for further judicial decisions to refund taxpayers. Another motion was made (Commissioner Myers) to create a county-led tax referendum to replace the All for Transportation surtax (passed unanimously). The item directs the county attorney's office to collaborate with administrators and prepare documents that enable a 1% transportation sales surtax referendum. If the draft is approved, it could come before Hillsborough County voters by 2022 (the earliest possible election).

- **Environmentally Sensitive Land Credit (“Wetland Density Credits”)**

The Planning Commission has created a timeline on when the Environmentally Sensitive Land Credit – HC/CPA 21-04 (“Wetland Density Credit”) will be reviewed. First, the Board of County Commissioners (“Board”) will host a workshop on July 20, 2021. On September 14, 2021, the Planning Commission will host a public hearing. On September 30, 2021, a Board Transmittal Public Hearing will take place. And on December 9th, the Board will host an adoption hearing.

BACKGROUND: On December 16, 2020, the Board directed Planning Commission staff, the Development Services Department, and the County Attorney's Office to coordinate and prepare amendments to the Future Land Use Element of the Comprehensive Plan and the Land Development Code, to eliminate the Environmentally Sensitive Land Credit (the "wetland density credit") within the Rural Service Area. Discussion continued last at the March 8, 2021 Planning Commission meeting and the March 9, 2021 BOCC land use



meeting/workshop. Currently, the Planning Commission would like more time to assess the issue and would like to look at what neighboring counties are doing. Planning Commission staff (Yeneka Mills) gave a presentation at the March 9th BOCC workshop, citing several concerns the elimination of the credit could raise (a potential infringement of private property rights, economic impact on landowners). Some Commissioners felt that the presentation was one-sided in favor of preserving the credit. Based on their discussion, Commissioners would like to see experts speak on agricultural land financing to see if the credit removal will have a significant impact on future financing for farmers.

- **Tampa Bay Passenger Ferry**

On June 16, 2021, the Board voted 6-1 to approve the Inter-City Ferry Service Operating Agreement between Hillsborough County and HMS Ferries, Inc. for the purpose of inter-city ferry services between Tampa and St Petersburg. The agreement is for four years and provides for each subsequent season to be expanded so by year four, beginning October 1, 2024, the service will be year-round. The commencement of each season of service under the agreement is contingent on interlocal agreement funding by each of the four participating governments: Hillsborough County, City of Tampa, City of St. Petersburg, and Pinellas County, with each contributing equally. Additionally, the agreement provides for any ferry ticket revenue exceeding \$400,000 to be shared 50/50 between HMS and the County, which shall be shared equally among the four participating governments. The County's cost share not to exceed is \$175,000 for year one; \$190,000 for year two; \$202,500 for year three and \$255,000 for year four.

BACKGROUND: On April 7, 2021, the Board announced that they would take the lead in negotiating a new agreement to continue the Tampa to St. Petersburg Cross Bay Ferry service. The Board has authorized staff to bring back for future Board consideration an agreement with private partners HMS Ferries, Inc. and South Swell Development Group, LLC for the purpose of inter-city ferry services. Additionally, the Board agreed to hire Kimley-Horn, the County's Transportation Planning Services Consultant, for a \$100,000 study on expanding the service to include daily commuter trips between South Hillsborough County and MacDill Air Force Base.

- **Impact Fees**

On June 16, 2021 public hearings were held and the Board adopted amendments to the Hillsborough County Mobility Fee Program Ordinance and the Consolidated Impact Assessment Program Ordinance (Park Impact Fees) to ensure compliance with the

amended Florida Impact Fee Act by: (1) repealing the amendments to the mobility and park impact fees phase-in schedule that the Board adopted on March 25, 2021; (2) amending the study update schedule from every three years to every four years; and (3) repealing annual administrative cost indexing provisions. (Administrative charges for the collection of impact fees must be limited to actual costs). If the Board still wishes to accelerate the mobility and park impact fee phase-in schedule it adopted in May 2020, HB 337 creates a procedure to do so by producing a demonstrated need study showing the extraordinary circumstances justifying the need to exceed the phase-in requirement. This path also requires two publicly noticed workshops and a two-thirds vote of the Board.

CITY OF TAMPA

- **Mayor Castor's FY 2022 Budget Proposal**

On Thursday, August 6, 2021, Mayor Jane Castor presented a budget for Fiscal Year 2022 focused on the theme of Strengthening Tampa's Foundation and using new technology to help Tampa residents more easily see how their money is being spent on city services. FY2022 Budget Public Hearings will take place on September 13th and 28th. You can watch her full budget proposal presentation here:

<https://youtu.be/KeeuObDERAU>

- **Tenant Bill of Rights**

Item was postponed Legal Department to investigate an ordinance by Hillsborough County regarding a Required Notice of Rental Housing Rights and Resources as pertaining to a renter's bill of rights, the prohibition of source of income discrimination and notice of late fees. - (Original motion initiated by Gudes-Carlson on April 22, 2021.). Item will be brought back on September 30, 2021. Purpose of the report will be to provide City Council application, interpretation, and enforcement of the County's ordinance.

- **Rental Certificate Program**

Item was postponed to the October 28th, 2021, Council meeting. City of Tampa staff stated that they will be providing Council with a final report regarding the registry program. A central and significant part of this report will be a potential fee cost factor associated with the program.



BACKGROUND: Original Motion: “What sort of efficiencies we might be able to make to improve the Rental Certificate Program, as well as possibly making it more self-sufficient financially?” The motion came about on June 25, 2020, as a follow up request to the Rental Certificate Program Audit 20-02. Councilman Dingfelder expressed concerns regarding the program efficiencies and what it can accomplish. Item continued from October 15, 2020, to June 17, 2021.

- **Proposed Sidewalk Ordinance**

On August 5, 2021, Council made a motion to approve staff recommendations; however, that the following three suggestions be added: no exemptions within a half mile radius of a school; mandate an annual report; and mandate that the money paid into the system be used to build new sidewalks and not be used for maintenance. The primary modification to the Code is section (g)(2) which removes the existing “loophole” that currently allows developers to neither construct a sidewalk segment nor contribute to the sidewalk in-lieu trust fund. The proposed modification requires that developers, with the exception of single-family affordable housing development, either construct a sidewalk segment or pay into the sidewalk in-lieu trust fund.

BACKGROUND: A workshop to discuss the issue and review Walk Bike Tampa’s proposed ordinance changes took place on April 22, 2021. Vik Bhide, Director of Mobility Department, gave a presentation involving: Sidewalk In-Lieu Fees & Current Programs; Tampa MOVES & Sidewalk Prioritization; and Walk Bike Tampa Proposed Code Modifications. A motion was made (Dingfelder-Carlson) to direct staff and the legal department to work with Vik Bhide, on his proposed code modifications, and look into eliminating the loophole related to G2 of Section 22-103 of the City of Tampa Code of Ordinances, and any potential loopholes that could have been missed. Staff will investigate the 500 sidewalks from the year 2020, and research how many single-family projects can be identified that did not pay the in-lieu fee and did not build a sidewalk. Motion also directed staff and the legal department to appear and provide a report on August 5, 2021, under Staff Reports and Unfinished Business.

- **Public Safety Impact Fee**

On August 5, 2021, Council made a motion to direct staff and the Legal Department to prepare a timeline and a generic outline of where and how the City need to implement public safety impact fees that would support the Tampa Police Department and Tampa Fire Rescue; further, that a report be brought before Council on October 21, 2021,



under Staff Reports and Unfinished Business. Motion carried unanimously with Viera being absent at vote.

BACKGROUND: On May 6, 2021, Morris Massey, Deputy City Attorney, issued a memo to City Council to address whether the City has the legal authority to adopt public safety impact fees to support the Tampa Police Department and Fire Rescue, and, if so, describe the legal requirements regarding the adoption and use of these proposed public service impact fees. The memo evaluated other local jurisdictions who have adopted Fire Rescue & Law Enforcement Impact Fees and the current legal requirement, process, and limitations.

PASCO COUNTY

- **Commercial Property Landscaping Grant Program**

Under an approved redevelopment landscaping grant program, Pasco business owners will now be able to receive up to a \$20,000 grant. Grant requirements will require owners to commit a match of other site improvements worth at least 20% of their grant. This can involve external redevelopment projects including facade improvements and painting, restriping and/or repaving of parking areas, and new business signage conforming to county codes. The grant funds cannot be used for labor, dirt, mulch, or irrigation systems, according to the program rules.

<https://www.pascocountyfl.net/4522/Commercial-Landscaping-Grant-Program>

- **Emergency Rental Assistance**

Pasco County Community Development has partnered with multiple local agencies that are assisting in providing Emergency Rental Assistance to people experiencing economic hardship due to COVID-19. Helping with Emergency Assistance Relief for Tenants (H.E.A.R.T.) provides assistance to renters with funds distributed by the U.S. Treasury to Pasco County. All partner agencies, listed on the website (link below), are offering to help pay rental and utility bills directly for anyone living in Pasco County who meets the Pasco H.E.A.R.T. Program guidelines. The program is for Pasco County residents that can provide documentation of an income loss due to COVID-19 and are under 80% AMI. Clients that have experienced unemployment and are under 50% AMI will be prioritized. Landlords can also start the H.E.A.R.T. process for tenants who are past due. If you have tenants who want to apply, please send an e-mail to Kelly Miller

(kamiller@MyPasco.net) or call 727-834-3447. Currently, she is serving as the landlord liaison for the program.

<https://www.pascocountyfl.net/4385/Pasco-HEART>

Frequent Asked Questions:

https://www.pascocountyfl.net/DocumentCenter/View/60815/02162021-Pasco-HEART-Assistance-FAQs_WCAG

FEDERAL ISSUES

- **Federal Judge Cites ‘Gamesmanship’ in CDC Eviction Ban**

The judge who first ruled against CDC eviction bans said the latest order is “almost identical” to earlier bans ruled unconstitutional by the U.S. Supreme Court.

Source: <https://www.floridarealtors.org/news-media/news-articles/2021/08/federal-judge-cites-gamesmanship-cdc- eviction-ban>

- **New Eviction Ban Stumbles Forward – Renter Help Slow to Arrive**

There’s a lot of anger and confusion over the latest eviction ban. Judges don’t know whether the latest moratorium from the CDC is legal while it faces challenges in federal court. Until there’s a ruling, each judge will apply his or her own reasoning when deciding eviction cases.

Source: https://www.floridarealtors.org/news-media/news-articles/2021/08/new-eviction-ban-stumbles-forward-renter-help-slow-arrive?utm_campaign=8-10-2021+Florida+Realtors+News&utm_medium=email&utm_source=iPost

- **Biden Extends Eviction Ban for 60 Days**

The Biden administration announced a 60-day eviction ban extension. The new order is more limited than the old ban – it covers COVID hot spots only – but that still includes an estimated 90% of U.S. renters and seemingly all of Fla., which has seen rising numbers of cases in the past few weeks.

Source: https://www.floridarealtors.org/news-media/news-articles/2021/08/biden-extends-eviction-ban-60-days?utm_campaign=8-4-2021+Florida+Realtors+News&utm_source=iPost&utm_medium=email

- **NAR: ‘Independent Contractor’ Bill Should Exempt Realtors**

NAR says it faces “steep resistance” but will keep advocating for a Realtor exemption to proposals: “Congress must recognize real estate’s unique place in the economy.”

Public Policy Issues Report

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Source: <https://www.floridarealtors.org/news-media/news-articles/2021/07/nar-independent-contractor-bill-should-exempt-realtors>