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**PASSED**

ORDINANCE G-2017-27 AMENDED

INTRODUCING: Mosby & Weaver

**AN ORDINANCE AMENDING CHAPTER 3.35 (HOUSING FUNDS)  
OF THE EVANSVILLE MUNICIPAL CODE**

WHEREAS, Chapter 3.35 of the City of Evansville Municipal Code governs the Affordable Housing Fund, which is administered by the Department of Metropolitan Development; and

WHEREAS, the Evansville Common Council deems it necessary and proper to revise certain portions of the this chapter, in particular as it relates to allocation of money from such fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Evansville, Indiana as follows:

Section 1. Amendment to Section 3.35.010 of the Code. Section 3.35.010 of the Evansville Municipal Code shall be amended to add the underlined language and remove the stricken language as follows:

**3.35.010 Affordable Housing Fund – ~~Definitions.~~**

(A) Purpose. The purpose of the Housing Trust Fund is to support the production, preservation, and rehabilitation of housing within the City of Evansville.

(B) The definitions ~~and~~ terms ~~and conditions~~ found in IC 5-20-5 shall be applicable herein. Other ~~D~~ definitions shall include the following:

“Account” shall mean the Housing Trust Fund Account.

“Committee” shall mean the Housing Trust Fund Committee.

Section 2. Amendment to Section 3.35.020 of the Code. Section 3.35.020 of the Evansville Municipal Code shall be amended to add the underlined language and remove the stricken language as follows:

**3.35.020 Affordable Housing Fund - Establishment.**

(A) An Affordable Housing Fund is hereby established. The fund shall be administered by the Department of Metropolitan Development subject to the terms of this chapter.

(B) The Affordable Housing Fund consists of:

- (1) Payments in lieu of taxes deposited in the fund under IC 36-1-8-14.2;

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*Anna Widner*  
CITY CLERK

- (2) Gifts and grants to the fund;
- (3) Investment income earned on the fund's assets;
- (4) Money deposited in the fund under IC 36-2-7-10;
- (5) Other funds from sources approved by the commission.

(C) The uses for the Affordable Housing Fund shall be limited to:

- (1) Providing financial assistance to those individuals and families whose income is at or below 80 percent (80%) of the County's median income for individuals and families, respectively, to enable those individuals and families to purchase or lease residential units within the County-City;
- (2) Paying expenses of administering the fund;
- (3) Making grants, loans, and loan guarantees for the development, rehabilitation, or financing of affordable housing for individuals and families whose income is at or below 80 percent (80%) of the County's median income for individuals and families, respectively, including the elderly, persons with disabilities, and homeless individuals and families; and
- (4) Providing technical assistance to nonprofit developers of affordable housing.

Section 3. Amendment to Section 3.35.030 of the Code. Section 3.35.030 of the Evansville Municipal Code shall be amended to add the underlined language and remove the stricken language as follows:

**3.35.030 Allocation of money.**

(A) The Department of Metropolitan Development must allocate at least 50 percent of the money received for the production, rehabilitation, or purchase of housing to the production, rehabilitation, or purchase of housing units to be occupied by very low income households.

(B) The Department of Metropolitan Development ~~must allocate at least 50 percent of the~~ may, following approval from the Common Council, allocate any remaining money received in program grants to a community development corporation, nonprofit corporation (as defined under Section 501(c) of the Internal Revenue Code), ~~to a~~ public housing authority (as defined in IC 36-7-18), or a unit of government (as defined in IC 36-1-2-23). Money allocated to a community development corporation or nonprofit corporation (as defined under Section 501(c) of the Internal Revenue Code) must, unless otherwise approved by the Common Council, be allocated in the form of a loan or loan guarantee. Money received in program grants that ~~is are~~ not allocated to a nonprofit

corporation, a public housing authority, or a unit of government may be allocated to private developers of housing and other private development entities as a loan or loan guarantee as determined by the Department of Metropolitan Development.

(C) This section does not pertain to, or impact, the Federal entitlement funds received by the City of Evansville annually from the Department of Housing and Urban Development.

(D) On a quarterly basis, the Department of Metropolitan Development shall provide City Council with a quarterly report itemizing the expenditures, grants, loans, and loan guarantees of Account.

Section 4. Removal of Section 3.35.050 of the Code. Section 3.35.050 of the Evansville Municipal Code shall be deleted and removed in its entirety.

Section 5. Effective Date. This ordinance shall be in full force and effect on the day of its final passage and adoption.

PASSED BY the Common Council of the City of Evansville, Indiana, on the 23 day of October, 2017, and on said day signed by the President of the Common Council and attested by the City Clerk.



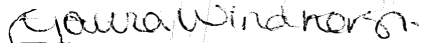
Missy Mosby  
President of the Common Council

ATTEST:



Laura Windhorst, City Clerk  
City of Evansville, Indiana

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, and to the Mayor of said City, the 25 day of October, 2017, at 4 o'clock P.m. for his consideration and action thereon.



Laura Windhorst, City Clerk  
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 26<sup>th</sup> day of OCTOBER, 2017, at 8:00 o'clock A.m.



Lloyd Winnecke, Mayor  
City of Evansville, Indiana

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FILED

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*Anna Winkler*  
CITY CLERK

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- (3) Investment income earned on the fund's assets;
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(C) This section does not pertain to, or impact, the Federal entitlement funds received by the City of Evansville annually from the Department of Housing and Urban Development.

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Section 5. Effective Date. This ordinance shall be in full force and effect on the day of its final passage and adoption.

PASSED BY the Common Council of the City of Evansville, Indiana, on the \_\_\_ day of \_\_\_\_\_, 2017, and on said day signed by the President of the Common Council and attested by the City Clerk.

ATTEST:

\_\_\_\_\_  
Missy Mosby  
President of the Common Council

\_\_\_\_\_  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, and to the Mayor of said City, the \_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_ o'clock \_\_.m. for his consideration and action thereon.

\_\_\_\_\_  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this \_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_.m.

\_\_\_\_\_  
Lloyd Winnecke, Mayor  
City of Evansville, Indiana