

APPROVED
AFFORDABLE HOUSING ADVISORY COMMITTEE
MIZELL CENTER – 1409 NW 6 STREET
2ND FLOOR AUDITORIUM
TUESDAY, MARCH 13, 2012 – 8:00 A.M.

Cumulative Attendance

Committee Members	Attendance	7/11 through 6/12	
		Present	Absent
Jason Crush, Chair	P	6	1
Bradley Deckelbaum, Vice Chair	P	5	2
Margie Alexander	P	4	3
Peter Henn	P	7	0
Jonathan Jordan	A	5	2
Michelle Klymko	A	4	3
Edwin Parke	P	7	0
Brian Poulin	P	5	2
Janet Riley	P	7	0
Amanda Spangler-Bartle (8:05)	P	6	1
Rebecca Jo Walter	P	5	2
Roosevelt Walters	P	5	2

It was noted that a quorum was present at the meeting.

Staff

Diana McDowell, Liaison, Housing and Community Development Division
Jonathan Brown, Housing and Community Development Manager
Angelia Basto, Administrative Aide, Housing and Community Development
Susan Stanton, Assistant to the City Manager's Office
Amanda Lebofsky, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

Roll Call / Determination of Quorum

Chair Crush called the meeting to order at 8:05 a.m. Roll was called and it was noted a quorum was present.

Ms. Spangler-Bartle arrived at 8:05 p.m.

Approval of Minutes – February 14, 2012

Motion made by Ms. Walter, seconded by Mr. Poulin, to approve the minutes of the February 14, 2012 meeting. In a voice vote, the **motion** passed unanimously.

Discussion on Goals and Work Plan

- **Draft Inclusionary Zoning Ordinance**

Ms. Walter noted that some background information had been finalized since the previous Committee meeting, including hard costs per unit and building permit data. She recommended that if other members had information from other affordable housing developments, this information could be included as well. Ms. Walter advised that she had also included target income levels and periods of affordability, as well as links to documents on inclusionary zoning in other cities.

She noted in particular a study by the Bay Area Economics Group that lists the methodology used for its calculations, which could be helpful in determining the percentage of affordable housing to be set aside for different housing types. She suggested that a similar methodology be used for the Committee's report.

Some concerns include the fact that the Committee is working on a report "in a vacuum," as they have had no communication with the City Commission regarding their progress. While they are not yet at the stage where the Committee may request a workshop, she suggested that the members might reach out to their respective City Commissioners with the information they have compiled thus far, so they can receive some direction on this progress. Chair Crush agreed with this recommendation.

Ms. Walter said she was also concerned that the City Commission may not want to retain a consultant to put together a study similar to the Bay Area Economic Group's study. She stated that she would be willing to commit the time to putting together a full study if the entire Committee wished to undertake this endeavor. She advised that a great deal of research has been conducted on whether or not inclusionary zoning inhibits development, and proposed that the Committee might summarize the available literature in the report.

Ms. Spangler-Bartle suggested that they compile a list of talking points to raise with their Commissioners so all the members would be bringing forward the same information.

Ms. Walter continued that should the City Commission want the Committee to proceed with compiling a full report, they might dedicate a Staff member to help the Committee work on this.

Mr. Henn said he did not agree with asking for additional direction, as the City Commission had already made it clear they would like the Committee to address specific ideas, such as inclusionary zoning, but not others. He felt the best

course of action would be to provide the Commissioners with their proposed ordinance.

Ms. Walter advised that today's meeting would need to set specific goals and tasks for the Committee to follow. It was noted that the Committee cannot meet outside meetings or communicate on business outside a scheduled meeting. Ms. Walter requested clarification of whether or not information and/or responses could be sent to Staff for dissemination among Committee members without violating the Sunshine Law. Mr. Brown advised that there is no conflict in the distribution of information via Staff; the potential conflict lies in back-and-forth correspondence between members.

Vice Chair Deckelbaum commented that he did not want to overestimate the Commission's support for inclusionary zoning; he explained that he felt they had only responded less poorly to this proposal than to others rather than showing genuine support for it.

Vice Chair Deckelbaum said before they proceed with the report, they should determine how the Committee's work relates to the outside consultant the City is already planning to bring in to study affordable housing. Ms. Walter observed that there is no inclusionary zoning component included in the RFP. The RFP is more closely focused on determining where affordable housing should be located rather than on policy direction or the need for this housing.

Vice Chair Deckelbaum said his concern was that the Committee might invest a great deal of time in preparing their report, only to have it placed on hold until the consultant's report comes back. Mr. Henn advised, however, that a report did not need to be exhaustive in order to substantiate the need for affordable housing. He suggested that a two- to three-page memo on the Committee's progress could be sufficient to send as a communication to the City Commission.

It was noted that not all developers might plan enough units to trigger the inclusionary zoning fee. Mr. Henn added that for a developer of luxury units in an expensive location, a 10% fee would be relatively little. Vice Chair Deckelbaum disagreed, stating that any developer would find this cost to be substantial. He was not sure the Commission would be willing to implement inclusionary zoning for this reason.

Ms. Spangler-Bartle noted that it could be possible to present a range of alternatives for inclusionary zoning, such as what would be possible with different percentage fees. Ms. Walter said she would be willing to continue gathering data for the proposed report. It was noted that the City Commission was not often willing to approve subcommittees, as this would add to the costs associated with advisory bodies; however, if approved, subcommittees could provide the opportunity for multiple members to meet and work on Committee business.

Vice Chair Deckelbaum asked what the process would be for bringing a proposed ordinance before the City Commission. Mr. Brown said in this case, the Committee could meet with members of the City Attorney's Office, as well as representatives of the Department of Sustainable Development, to discuss the development of a draft ordinance, which would then be brought before the Commission.

Chair Crush remarked that preparing a draft ordinance and determining subcommittees could be very time-consuming, and reiterated that it would be best to try to determine the City Commission's possible reaction to a draft ordinance before proceeding. Mr. Henn advised that it might be necessary to remind the Commission that they had suggested the Committee proceed with inclusionary zoning in order to determine the potential level of support.

Motion made by Mr. Parke, seconded by Mr. Henn, that the Committee generate a basic communication to the Commissioners, based on the research the Committee has done over the past quarter, to get their feedback.

Ms. Walter asked if the City Commission was likely to respond to the communication. Mr. Brown said he could not predict whether a communication to the Commission would generate the response the Committee was seeking, and noted that it might be easier to directly provide the City Commission with information on inclusionary zoning rather than sending a communication. He suggested a memo might be more appropriate if the Committee was seeking guidance or direction.

After further discussion, the members determined that they could each prepare a "cover memo" on inclusionary zoning, including prospective talking points, to be finalized at the next meeting before it is sent to the City Commission as part of a formal communication.

Mr. Parke and Mr. Henn **withdrew** their **motion** and **second** in favor of restatement.

Motion made by Mr. Henn, seconded by Mr. Walters, that the Committee will work on a draft memo to the Commission, with the goal to finalize at the next meeting, that will be sent to [the Commission], that both reports on 1. what the Commission has previously agreed to, 2. the work that the Committee has done, and 3. the next steps that the Committee is going to take unless they get direction from the Commission, the City Manager, or their liaison, to the contrary. In a voice vote, the **motion** passed unanimously.

Communications to City Commission

None.

Agenda Topics for Next Meeting

Ms. Walter requested that the members work on a brief letter they could send to other organizations associated with affordable housing, seeking their support for an ordinance to address inclusionary zoning. She added that these potential partners could also be invited to attend Committee meetings. Ms. Spangler-Bartle said she would draft a letter of support from her own organization; if it met with the Committee's approval, it could be used to reach out to similar organizations. Mr. Brown added that the Department of Housing and Community Development could also contact specific organizations and invite them to attend and participate in upcoming meetings as well.

Other Business

None.

Good of the Order

It was confirmed that the next meeting would be held on Tuesday, April 10, 2012.

Ms. McDowell recalled that at the last City Commission meeting, a change was made regarding the procedure for taking minutes. A number of City advisory bodies, including the Committee, will begin recording and writing their own minutes and providing them to the Committee. Mr. Brown added that the format of the minutes will differ as well, as the minutes taken by Staff will concentrate primarily on motions, major decisions, and actions taken during the meeting. Audio recordings of the meetings will be available for any member who would like to hear them.

Adjournment

There being no further business to come before the Committee at this time, the meeting was adjourned at 9:10 a.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]