



# City of Madison

City of Madison  
Madison, WI 53703  
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## Meeting Minutes - Approved COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

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Thursday, October 2, 2008

5:00 PM

210 Martin Luther King, Jr. Blvd.  
Room 309 (City County Building)

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### CALL TO ORDER / ROLL CALL

**Present:** 7 -

Tim Bruer; Thuy Pham-Remmele; Marsha A. Rummel; Arthur V. Robinson;  
Steven C. Bartlett; Justin O. Markofski and Charlie R. Sanders

EXCUSED: Choudhury

ABSENT: Trivedi

STAFF: Charnitz, Clingan, Kenny, Rood, Short

OTHERS PRESENT: Rob Stafstein, Jan Ciotti, Katrina Klaver, Howard  
Mandeville, Amy Wedekind, Bill Tangney

CALL TO ORDER: 5:05 pm

### APPROVAL OF MINUTES

Sanders will explain to the Commission at its next meeting why the initial roll call shows Rummel absent, as required by the City's Legistar system. A subsequent roll call in the minutes shows her present. Bartlett seconded; unanimous approval.

### PUBLIC COMMENT

No one registered to speak at this time.

### WELCOME CHAIR'S REPORT

### INTRODUCTION OF BILL CLINGAN, COMMUNITY DEVELOPMENT DIVISION DIRECTOR

Clingan introduced himself and said he was in his third week of working with the City. He stated that staff at the Senior Center, Office of Community Services, and the Community Development Block Grant Office have been wonderful and inviting, and he felt it was a pleasure to be here.

## REQUEST FOR CHANGES IN PREVIOUSLY APPROVED PROJECTS

### 12130

A potential buyer of an Operation Fresh Start home requests a waiver to the housing cost ratio included in the underwriting policy.

Rob Stafstien, a lender from Anchor Bank; Jan Ciotti, Realtor; and Katrina Klaver, an applicant for an Operation Fresh Start (OFS) property, registered in support.

Katrina Klaver said that she and her husband have applied to purchase an OFS home, but their housing-cost-to-monthly-income ratio is less than CDBG's requirement. She and her husband are asking for a waiver of the requirement that their housing costs must be at least 30% of their gross monthly income. Their housing-cost-to-income ratio is less than 30%. Without CDBG's assistance, they would be unable to meet the first mortgage lender requirements related to the overall debt on which they have to make monthly payments.

**Bruer moved to approve staff recommendations: Rummel seconded. Unanimous.**

### 12131

Movin' Out, Inc. requests a waiver for a potential home buyer to the income requirements included in the underwriting policy.

Mandeville requested the CDBG Commission consider compensating factors with regard to an MOI homebuyer purchasing an IZ unit at Cap West. He noted that MOI thoroughly vets its clients for the ability to buy homes. The buyer has excellent credit and a verifiable, steady income. She is self-employed, and her income has been increasing. He went on to say that her average income over the most recent 27 months indicates she can maintain housing, but CDBG looks only at the prior two years' tax returns, in this case 2006 and 2007 returns. The City underwriting guidelines look only at certain income parameters that don't necessarily show full income.

Mandeville stated that MOI used the HOME Technical Guide to determine the applicant's income eligibility, and he read a statement from the guidebook, which said that eligibility should be reconsidered when newer information becomes available.

Charnitz noted that Audrey Short has said that the applicant's increased income has been verified since the writing of the staff recommendations on this item.

Charnitz said that Pam Rood would also have been consulted because the applicant is also applying for American Dream Downpayment Initiative (ADDI) funds.

Pham-Remmele stated she saw quite a few things missing and would ask the applicant to reapply in 2009 instead of CDBG rushing in for approval.

**Bruer moved to table the item to allow CDBG staff and MOI representatives to confer about the new income verification. Rummel seconded. Unanimous approval to table the item.**

#### **OTHER BUSINESS FOR DISCUSSION**

##### 12106

Discussion of CDBG Commission Committee Appointments and Reappointments

Sanders said that Choudhury wants to continue representing the CDBG Commission on the Gardens Committee. He said that Trivedi has not been able to make recent meetings due to family issues, but he believes that Trivedi would want to continue on the Martin Luther King (MLK) Humanitarian Award Committee.

Pham-Remmele expressed her concern about Trivedi not being able to make the upcoming meetings of the MLK Award Committee given the timing of the MLK Award in January. Robinson asked whether or not the Commission is certain of Trivedi's position on wanting to continue serving on the MLK Award Committee, and Sanders couldn't say positively. Bartlett agreed with Pham-Remmele and said that in the event that Trivedi would not be able to continue serving on either the CDBG Commission or the MLK Award Committee, the Commission should consider other options. Sanders asked for volunteers to replace Trivedi on the MLK Award Committee, and Robinson volunteered his service.

**Bruer moved to approve Choudhury to continue on the Gardens Committee and for Robinson to replace Trivedi on the MLK Awards Committee. Markofski seconded. Unanimous.**

##### 12138

Discussion of Consolidated Plan Process and Appointment of Subcommittee Members.

Sanders noted the need for three people to volunteer for the Subcommittee, which will be finished with its work by November of 2009. He went on to say that the meetings would probably occur once a month at most and that the subcommittee would act as a steering committee sending their recommendations for the Consolidated Plan back to the full Commission. Rummel, Robinson, and Sanders volunteered.

**Bruer moved to appoint Rummel, Robinson, and Sanders to Consolidated Plan Subcommittee of the CDBG Commission. Rummel seconded. Unanimous.**

#### **REFERRAL FROM THE COMMON COUNCIL:**

##### 11908

Amending Section 33.15(2)(b) of the Madison General Ordinances to allow alternate members of the Community Development Block Grant (CDBG) Commission to serve as CDBG Commission representatives on other City committees at any time.

**Rummel moved to approve amending Section 33.15(2)(b) of the Madison General Ordinances. Markofski seconded. Unanimous approval. RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**

**Bruer moved to remove the MOI item from the table for further discussion. Bartlett seconded. Unanimous approval.**

12131

Movin' Out, Inc. requests a waiver for a potential home buyer to the income requirements included in the underwriting policy.

Charnitz said that Audrey Short and Pam Rood provided information regarding the past two years and the last eight months of the applicant's income. The ratio would be at 41% (our guidelines require 40%), but to approve the loan, two waivers of requirements would be needed. One of the exceptions needed would be to allow the past year's income along with the current year's income so far to determine eligibility, rather than requiring the past two full years of income data. The other exception would be to allow the applicant's self-employment statements supplied by the client with whom she is contracting as proof of steady income.

Short said that staff acquired third-party verification of the applicant's income making it seem more stable. She also said that the IZ component protects the property.

Charnitz said that staff is probably split on how to proceed with this issue. Short said that the applicant also has strong family support. Charnitz noted that the applicant was a student and had just finished her law degree.

Rummel pointed out that if we say yes here, we might be setting a precedent for future applicants to come before the Commission for consideration of their special circumstances. Pham-Remmele said she doesn't feel comfortable with waivers at this time and that the Commission should not set such a precedent.

Bruer asked for clarification about how the applicant's 2008 income tax return would affect her eligibility if she were to wait until January 2009 to apply for CDBG assistance. Short said that the applicant would be eligible in January for assistance without waivers from the Commission because she would have the required two years of income verification from tax returns.

Bruer said he was also concerned over whether the Commission should set a precedent by approving waivers. He said he preferred to

wait 90 days so that the applicant is automatically approved in January with her 2008 tax return.

Mandeville pointed out that part of the motivation in coming tonight was to express our confidence in the homebuyer; he said he believes that this is the last IZ unit at Cap West and that timing is, therefore, critical to the applicant in getting approved for funding.

Mandeville went on to say that the applicant's disability makes her unable to drive and that living downtown would be most convenient for her with respect to her job. Mandeville reiterated that the HOME requirements allow for looking at changes in circumstances if tax returns are the source for income determination.

Charnitz noted, however, that guidelines as set forth by the City of Madison require two years of tax returns.

Bruer asked if it were possible for City staff to work with MOI, the Cap West developer, and the applicant to extend the offer to purchase to January 2009. Bartlett added that we have rules, and the last thing we need to do is become more lenient given the current economic situation across the nation.

**Bruer moved to deny the waiver request and instruct staff to work with the agency, applicant, and developer and urge them to negotiate to extend the offer to purchase to January 2009. Bartlett seconded. Unanimous approval.**

**Bartlett asked how soon after January 1, 2009 the applicant could close on the property. Charnitz stated that she hoped it would be immediately by January 2 or 3, 2009 and that staff would have authorization to go ahead with the last paperwork.**

**Rummel acknowledged that there is a risk that the unit may sell before the applicant can be approved and that the developer may or may not agree to extending the offer to purchase.**

**Bruer said he appreciated the quality of the applicant and advocacy of the agency.**

## **PUBLIC COMMENT**

Bill Tangney, Member of the Commission on People with Disabilities

Bill Tangney spoke about accessibility issues as an individual who is a member of the Commission on People With Disabilities. He noted that with respect to disabilities, by 2010 2% of the population will use wheelchairs and 4% will use walkers or canes.

Tangney asked the Commission to consider adaptable, visitable, and accessible units in the Allied Drive Development. He said that what we build today will most likely still be here in 2100, so there is a need to think about how our actions today affect the future.

With regards to the solar power issue, Tangney talked to Larry Walker, the City's solar expert. He said that sand beds could be heated and charged by solar panels, which would be a very good return on the investment. Solar power pays for itself in three years and adaptations for its later use may be put into developments at construction.

Tangney also suggested that accessibility equipment, such as grab bars, shouldn't be installed until after a person moves into a unit, because each individual has his/her own needs.

#### **STAFF REPORT (2008/09-A)**

Sanders asked for questions or discussion about the IZ Draft Report. Markofski said he would like to see the Forian Group Report mentioned in the IZ report. Constans or Charnitz will provide information about this report.

Pham-Remmele said that she has many frustrations about the report and IZ in general but will ask Bartlett for explanation and clarification.

Sanders said that Commissioners should direct their comments to alders on the Commission, and Rummel offered to take comments to the Council.

Sanders updated the Commission on Lussier Center opening.

#### **OTHER REPORTS**

Clingan said he met with the Mayor and his staff last Friday, September 26, 2008 regarding the budget. The Mayor's Office announced that Hickory Hurie's former position of Grants Supervisor will be eliminated from the CDBG Office. He also noted that a 3% COLA will not be included in the Mayor's budget for either the CDBG or OCS Office. This may mean that Commissioners might want to take action and advocate among alders for the COLA to be reconsidered.

Rummel stated that she was worried about staffing in the CDBG Office. She asked whether the Mayor will merely delay filling Hurie's position due to budgeting constraints in 2009, or will the position be permanently eliminated? Bruer noted his understanding was that the Mayor is interested in reevaluating Hickory Hurie's former position in CDBG and Enis Ragland's current position in OCS, formerly held by Dorothy Conniff.

Clingan noted that part of the evaluation of Hurie's former position will include looking at what Hurie's duties were and how those duties will be handled without the position. He said that perhaps a different position will need to be

created that is not managerial in nature, but still required to ensure other staff are not over burdened with the Hurie's former duties.

Bruer met with Charnitz to get CDBG's perspective in terms of office leadership and to gain a better understanding of what we are getting into by eliminating the Grants Supervisor position. He has asked for a reassessment from staff of the best use of that position.

Pham-Remmele said she felt very frustrated with CDBG, OCS, the Common Council, and the Mayor's Office discussions last year concerning Bill Clingan's hiring with respect to splitting up the Economic Development Director position from the Community Development Director position and deciding whether or not to replace Hickory Hurie and Enis Ragland.

Bruer pointed out that the Common Council unanimously voted to split the role and now we have Bill Clingan as the Community Development Director. With regards to the Economic Development Director, the City has not had a qualified candidate yet, but now has a new set of applicants. Bruer is on the committee reviewing their applications at this point.

Rummel said the status of the Economic Development Director position is irrelevant to CDBG and OCS. With respect to the CDBG and OCS offices, we have one person replacing two directors (Hickory Hurie and Enis Ragland), which she said is very worrisome to her.

Clingan stated that his perspective is that CDBG, OCS, and the Senior Center have very competent staff capable of performing the work.

Rummel asked if the positions are cut from the budget now, how will they be reinstated, mid-year if necessary? Bruer said he believes there will be a lot of discussion related to determining how CDBG and OCS can work together more efficiently.

## ADJOURNMENT

**Robinson moved/ Markofski seconded to adjourn at 6:30 pm; unanimous approval.**

Respectfully submitted,  
Anne Kenny, recorder.