



# 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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Tuesday, January 27, 2009

5:30 PM

210 Martin Luther King, Jr. Blvd.  
Room 315 CCB (City County Building)

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### CALL TO ORDER / ROLL CALL

- Present:** 5 -  
Monya A. Choudhury; Daniel A. O'Callaghan; Thuy Pham-Remmele;  
Justin O. Markofski and Charlie R. Sanders
- Absent:** 1 -  
Arthur V. Robinson
- Excused:** 3 -  
Tim Bruer; Marsha A. Rummel and Steven C. Bartlett

STAFF: Charnitz, Clingan, Wallinger, Kenny

OTHERS PRESENT: Dave Porterfield, Deb Schwabe, Joel Plant

CALL TO ORDER: Sanders called the meeting to order at 5:40 pm

### NOTIFIED ABSENCES:

### APPROVAL OF MINUTES

Choudhury moved to approve the minutes of the November 6, 2008 and December 4, 2008 meetings. Markofski seconded. Unanimous approval.

### PUBLIC COMMENT

No one registered to speak at this time.

### WELCOME CHAIR'S REPORT

Sanders introduced Pham-Remmele who wanted to remind the Commission about her invitation for them to have dinner at her house on whatever date is convenient for them. Pham-Remmele would also

like the Commission to take a tour of the pilot Meadowood Center and library branch. The Commission agreed to meet at Meadowood on March 5, 2009 for their regular monthly meeting and then go to Pham-Remmele's home between 6:30 and 7:00 pm for dinner.

## REQUEST FOR FUNDS OR MAJOR CHANGES IN CURRENTLY FUNDED PROJECTS

### 1 YMCA request \$250,000 to rehab its Downtown facility to provide continued affordable housing.

Dave Porterfield and Deb Schwabe presented the YWCA's request for \$250,000 in HOME funds for acquisition and/or rehabilitation of 11 units at the downtown YWCA building located at 101 East Mifflin Street. Porterfield noted that the YWCA occupies a 12-story building located on the Capitol Square and has been in business for 100 years. The building is currently in need of rehab. The YWCA is applying for tax credits and conducting fund raising efforts to finance the rehab. The YWCA needs approximately \$5 million total for their project.

Porterfield is the development consultant to the YWCA. He noted that the YWCA currently has 106 units, along with one floor of shelter units, which are part of the Dane County Homeless Shelter continuum. Porterfield went on to say that the YWCA building is a historic structure and that staff has been applying for historic tax credits as part of their fundraising efforts.

#### Discussion highlights:

- Choudhury would like the YWCA to keep the Commission informed as to how the project will proceed in the event that more work will be needed beyond the original plans. Porterfield said that he'll be working with Vogel Brothers, and Schwabe said that they will keep the Commission informed about the project's progress.
- O'Callaghan asked whether or not they have an investor lined up for tax credits. Porterfield said not at the moment, as it is difficult to get the credits. However, the project has a very experienced development team, which should be up to the challenge of acquiring tax credits.
- Pham-Remmele noted she served on the YWCA board from 1990-1992 and has a special interest in this project, but has a long list of questions. One question she had was how many custodians the YWCA employs. Schwabe said that they have two custodians and one custodial director.
- Pham-Remmele also asked about diversity among the staff. Schwabe said that the majority is white, but they do have some African Americans on staff.
- Pham-Remmele expressed her dissatisfaction with the presentation of the numbers in the YWCA's application. She asked Porterfield to explain how CDBG's \$250,000 in HOME funds fits into the grand

scheme of their \$5 million project. Porterfield noted that very low-income persons are served at the YWCA and that it is difficult to raise their rents. The YWCA's goal is to raise a little over \$1 million to avoid having debt on the building and that is where CDBG's \$250,000 comes into play.

- Porterfield went on to say that the YWCA would be able to leverage the City's money against other funding. Schwabe said the YWCA is also launching a capital campaign.
- Pham-Remmele asked why the YWCA is only doing 11 units with the City's money. Porterfield said that doing more than 11 units would trigger additional regulations because of the rules associated with HOME funds. He noted that they will be keeping these units at 50% AMI.
- Pham-Remmele asked what the size of the units will be. Porterfield noted that the single room occupancy units are approximately 125 - 150 square feet. Porterfield also said that in addition to repainting areas of the building, the project would involve replacement of mechanicals, windows, and other items.
- Pham-Remmele asked if the YWCA sets a time limit for its residents to live at their facility. Schwabe said that for those in permanent housing, the YWCA requires an initial six-month lease, which then becomes a month-to-month lease. She said that their residents may stay as long as they wish and that some people have been residents of the YWCA for over 30 years.
- Schwabe also noted that affordable rent is necessary to keep people in long-term housing. She said that permanent housing at the YWCA is just like any other rental housing in the community and that the YWCA also offers supportive services for people with mental illness and other disabilities.
- Pham-Remmele expressed her concern about how the residents, for example those who smoke, treat the YWCA property. She also asked how the YWCA assists persons who may have locked themselves out of their apartments.
- Pham-Remmele said she would like to see accountability from the YWCA for their fees, as well as their treatment of custodians and noted that she felt operations at the YWCA are not run as well as they ought to be.
- Schwabe said that since Pham-Remmele's time on the YWCA board, they have improved diversity issues, as well as other issues.
- Pham-Remmele said that she could not add her name to the list of sponsors of this resolution when she knows how things were run. She wants to see accountability, in particular how much money went to legal fees and to fight problems.
- Markofski noted that investors and the new LLC would own tax credits and the building.
- Porterfield said that a 30-year obligation is required by WHEDA for tax credits.
- Wallinger said there are language changes in the resolution, those

changes being "up to 11 units" and also that the money is to be available to the YWCA or its LLC affiliate.

Wallinger said that a contingency based upon appraisal of the building and the loan-to-value ratio, as included in the Framework standards, should be added to the motion.

Pham-Remmele asked that her name be removed from the resolution sponsorship.

13114

SUBSTITUTE - Approving \$250,000 in HOME funds for acquisition and/or rehabilitation of up to of 11 units in the downtown YWCA of Madison building at 101 E. Mifflin Street to the YWCA of Madison, or related affiliate like the YWCA Madison Housing, LLC in a manner that will address City, community and neighborhood development objectives. Approval is contingent on acceptance of a property appraisal that indicates the loan to value ratio is no greater than 115% consistent with the Program Framework.

**A motion was made by Markofski, seconded by Choudhury, approval of YWCA's request for \$250,000 in HOME funds for rehab of its downtown facility, and to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by the following vote:**

**Absent:** 1 -

Arthur V. Robinson

**Excused:** 3 -

Tim Bruer; Marsha A. Rummel and Steven C. Bartlett

**Ayes:** 3 -

Monya A. Choudhury; Daniel A. O'Callaghan and Justin O. Markofski

**Noes:** 1 -

Thuy Pham-Remmele

**Abstentions:** 1 -

Charlie R. Sanders

## 2. Carryover of Affordable Housing Trust Fund for 2009

Charnitz said that late last year CDBG did not identify AHTF projects for carryover to 2009. She said she had recently talked with Dean Brassler, who said we should do a separate resolution for AHTF dollars to clarify the intent of the AHTF funds and to make it very clear that the resolution would address carryover for AHTF projects only.

13337

Amending the 2009 budget of the Affordable Housing Trust Funds (AHTF) to provide for additional expenditures of \$82,250 to support projects that have been previously authorized but for which no disbursements have yet been made.

**Markofski moved and Choudhury seconded approval to carryover the Affordable Housing Trust Fund projects to 2009, and the Commission voted**

unanimously to approve the motion.

**3. Authorize the City to enter into an agreement with Porchlight, Inc. for outreach services for \$40,000.**

Wallinger said that she put out an RFP to agencies in December of 2008 to use \$40,000 for outreach services in 2009. The RFP received two submissions, and based on the scoring of the RFPs, Porchlight's project was chosen to utilize the \$40,000 available to provide outreach services to homeless individuals and to document unmet needs of homeless street people, as well as collaborate with existing efforts.

Discussion highlights:

- Choudhury said she loved the fact that Porchlight is hiring a professional outreach worker, but the outcomes seem ambitious. Wallinger said she did not feel the outcome objectives were ambitious, as they are very consistent with current outreach programs.
- O'Callaghan asked who the other bidder was. Wallinger said that Freedom, Inc., was the other group to submit a proposal.

[13361](#)

Authorizing the Mayor and City Clerk to sign an agreement with Porchlight, Inc. for outreach services.

**This Resolution was Return to Lead with the O'Callaghan moved and Pham-Remmele seconded approval to authorize the City to enter into an agreement with Porchlight for outreach services for \$40,000, and the Commission voted unanimously to approve the resolution.**

## REFERRALS FROM THE COMMON COUNCIL

### Affordable Housing Trust Fund Ordinance

Joel Plant was in attendance to answer questions.

Clingan suggested that CDBG should turn over continued review of this substitute resolution to the new group called the Housing Diversity Planning Committee, which was developed by the Mayor to replace the Inclusionary Zoning (IZ) Committee.

Discussion highlights:

- Pham-Remmele asked what the purpose would be for changing the language in the existing ordinance. Clingan said that he thought that Ald. Konkel was interested in allowing the AHTF funds to be spent on soft costs/operations and to increase the rate at which

AHTF funds can be utilized. The Mayor was concerned about whether or not to use the funds outside the City of Madison. Clingan said he believes that the Housing Diversity Planning Committee should review this after they are formed.

- Pham-Remmele asked what the rationale was for setting the length of affordability term at 30 years for AHTF dollars. She also asked whether it was the affordability term that killed IZ. Plant said no, that the affordability period was not the only issue with IZ. He said that IZ was difficult from the beginning due to various issues and not just affordability terms. Pham-Remmele asked whether or not affordability terms make it more difficult for non-profits to earn from their investments. Plant said that long-term affordability isn't the death knell to any affordability program.
- Charnitz noted that the idea is to let the Housing Diversity Planning Committee hammer out the details and come back to the CDBG Commission with their final recommendations.
- Pham-Remmele asked why AHTF are being considered for use outside the City of Madison. Plant said we don't have just Madison median income data available for reference; we only have median income data available for Dane County.
- Plant noted that they are also looking at expediency and efficacy issues.
- O'Callaghan asked whether or not the Housing Diversity Planning Committee has been constituted. Plant said that the new committee will be populated by the end of February. Alder members are already on board, and the Mayor's Office is firming up citizen members.
- Clingan noted that the CDBG Commission would get final approval of changes to the ordinance.
- Markofski suggested that proposed changes to the ordinance that have already been discussed at previous CDBG meetings with Alder Konkel should be added to the final ordinance. He said that the Commission had previously agreed to add changes to the AHTF ordinance that would align it more with CDBG's Framework in policy and practice.

06811

SUBSTITUTE - Amending Section 4.22 of the Madison General Ordinances to update language and terms in the Affordable Housing Trust Fund ordinance.

**This Ordinance was Refer to the HOUSING DIVERSITY PLANNING AD HOC COMMITTEE**

**Create Policies and Procedures for Removal of Personal Property from Public Lands.**

Clingan said he met with Alder Konkel, who is interested in looking at what other cities are doing with this issue. Clingan said he researched how three other cities are handling the issue of abandoned personal property. He said that in Cincinnati, abandoned personal property is considered waste or litter and is subject to disposal; the police will come to give notice of their intent to remove property that is considered waste.

Clingan said that he hadn't yet learned of policies in Washington, DC. He also said that he could not find anything specific in Portland, Oregon's ordinances regarding personal property left in public areas.

Discussion highlights:

- Choudhury said that she still doesn't understand why the City can't provide public lockers because it would make so much more sense to allow individuals to take care of their own belongings. She said she is uncomfortable with the City taking on storage of personal property.
- Sanders noted that the Veteran's Center has storage opportunities.
- Plant commented that St. Vincent de Paul has some storage also.
- Pham-Remmele wondered how the City would deal with the issue of determining what is "litter" and what is "personal property."
- O'Callaghan said he struggles with this issue because he supports the idea at its core, which is respecting homeless individuals and their property. He said that he wonders what the administration could do to get to the heart of the issue more effectively and efficiently.
- Plant said that the Mayor has asked to convene a group to discuss the issues regarding "found property" apart from the proposed ordinance. He also pointed out that different City agencies have various ways of dealing with the issue of found property. The Police have a very strict protocol, while other departments make their own calls as to what is trash and what is valuable. He said that department heads say the ordinance would be a nightmare to enforce. He said that there is also the legal issue to consider when determining what qualifies as "abandoned property," "lost property," and "trash, or property that has no value."

- Plant said that City Attorney Mike May recommended writing a charter ordinance for found property. This ordinance would determine whether or not to keep found property, to catalog the property, or to display the items on the City website. He noted that this proposed charter ordinance is not the one drafted by Alder Konkel. Plant said that after the charter ordinance was adopted, the Mayor's Office would eventually issue an APM regarding procedures for dealing with found property.
- Markofski asked how this issue came up, and Plant responded that it was due to concern among Public Works agencies about what to do when their employees find personal property.
- Plant noted his office is looking into ways to streamline this process.
- Clingan noted that since this ordinance doesn't appear to be the best approach to the problem of abandoned property and because the Mayor and City Attorney are attempting to deal with the issue of abandoned property in the broader terms of all abandoned property and not just abandoned property specifically belonging to homeless persons, then the issue no longer requires that CDBG be part of the process.

The Commission discussed placing this ordinance on file and referring it to the Mayor's Office and the City Attorney's Office to draft a charter ordinance and write an APM regarding how to handle abandoned property. The Commission also wanted to note for the record that it supports the fundamental idea of the ordinance, which is respecting homeless individuals and their property.

The Commission discussed placing this ordinance on file and referring it to the Mayor's Office and the City Attorney's Office to draft a charter ordinance and write an APM regarding how to handle abandoned property. The Commission also wanted to note for the record that it supports the fundamental idea of the ordinance, which is respecting homeless individuals and their property.

12176

Creating Section 8.32 of the Madison General Ordinances to create policies and procedures for removal of personal property from public lands.

**This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**

**STAFF REPORT**

Clingan noted that information received so far reveals that one avenue of getting stimulus dollars is through HUD.

Clingan reported that the NSP application regarding foreclosed properties was submitted to HUD; the City and other partners submitted an application for \$4.5 million.

Clingan also noted that these dollars will be available in April. He said, however, that the money must be used by the end of September. Clingan reported that we should be notified in March as to whether we receive the money and how much it will be.

#### **OTHER REPORTS**

Choudhury had no report on Gardens, as she was unable to attend their meeting, which was being held at the same time as this CDBG Commission meeting. She noted the Gardens Committee has been following the progress on the issue of including urban agriculture in the City's zoning code. She also reported that the Gardens Committee is trying to secure the availability of water at all of the gardening sites and noted that they were still dealing with the issue of plot fees.

#### **ADJOURNMENT**

**Markofski moved adjournment. Choudhury seconded.  
Unanimous approval.**

Respectfully submitted,  
Anne Kenny, recorder.