

**City of Lawrence, KS
Community Development Advisory Committee
January 14, 2010 Minutes (City Commission Room)**

MEMBERS PRESENT: Susan Adams, Marci Francisco, Chris Marshall, Quinn Miller, Julie Mitchell, Vern Norwood, Brenda Nunez, Katherine Pryor, Roberta Suenram, Patti Welty

MEMBERS ABSENT: Aimee Polson

STAFF PRESENT: Danelle Dresslar, Margene Swarts

PUBLIC PRESENT: None.

Chair Welty called the meeting to order at 5:30 p.m.

1. Introductions

Members and staff introduced themselves.

2. Approval of the December 10, 2009 Minutes.

Mitchell moved **to approve the CDAC meeting minutes from December 10, 2009 meeting.** The motion was seconded by Suenram and **passed 9-0.**

Francisco joined the meeting at 5:40pm.

3. Discuss January Calendar and Allocation Timeline.

Swarts reported that the meeting dates for early 2010 included January 28, February 11, February 25, March 11, March 25, April 8, and April 22. Swarts said that Spring Break will not interfere with the meeting schedule this year as it is March 15-19. Swarts added the goal for the CDAC would be to have the public hearing in April and have the allocation decisions to the City Commission for their May 4 meeting. Swarts explained that the City Commission could look at the allocation decisions on the 4th or the 11th of May, but the first date is the preferred one in case there are requested changes from the Commissioners there is time to revisit the decisions.

Swarts said that in the past the CDAC has chosen to start with CDBG Capital Improvement project allocation considerations and then they have historically moved into the HOME deliberations after that. Administration deliberations typically follow HOME and Public Service tends to be the final deliberation topic since it is typically a tougher decision for the allocation of the funding is a smaller pot of money. Swarts told the CDAC that staff has not heard yet what the 2010

allocation will be but she anticipates that the information will be available soon. Swarts anticipates slight increase over 2009 funding, but for now the CDAC will utilize the 2009 numbers to begin their deliberations. The amounts can be amended if necessary when the final allocation amount is announced for the City of Lawrence.

Welty suggested in looking at the applications for 2010 that the CDAC begin their deliberations with HOME allocations and then move to Capital Improvement projects. Public Service deliberations will still be the last pot of money they should look at.

Francisco agreed with Welty's suggestion.

Swarts said that if they began with HOME deliberations and those deliberations went smoothly, perhaps they can move on to Capital Improvements at the next meeting as well, time permitting.

Pryor asked how the funding caps will be handled.

Swarts explained that the Public Services are capped at 15% of the CDBG award, and CDBG Administration is capped at 20% of the award. There is no imposed cap on Capital Improvement project funding. The HOME grant funding requires a 15% minimum CHDO set-aside. There is also a 5% cap on CHDO operating and a 10% cap on HOME Administration from the grant allocation. Swarts said that these caps will be provided to the committee as they make their decisions. Staff will break out the percentages for them to consider.

Suenram asked what the CHDO was.

Swarts said that CHDO stands for Community Housing Development Organization and the City of Lawrence is required to have a local CHDO identified in order to receive HOME funding. The City of Lawrence CHDO is Tenants to Homeowners, Inc. and they administer the First Time Homebuyer's program through the Lawrence Community Land Trust. All properties that participate in the program remain permanently affordable.

4. Discuss 2010 CDBG/HOME Applications.

Swarts asked the CDAC if anyone had any questions on the applications that were submitted. Staff can call any agency and either forward questions on behalf of the CDAC or invite them to attend a meeting to discuss their project in person. In the past, the Committee used to do interviews with every agency applying for funding, but this has not been the practice recently.

Norwood asked about the neighborhood performance reports and if there has been any more received since the December meeting.

Swarts answered that North Lawrence had submitted a report that was to cover the first quarter of the 2009 grant year, but that is the only one that staff has received recently. Staff will bring an updated spreadsheet to the CDAC at the next meeting that will show the progress of the neighborhood reporting requirements for 2008 and 2009 grant years.

Pryor asked if when the CDAC was reviewing the applications should they be looking for specific things; is there a funding priority that they should be looking for.

Swarts said that all the applications needed to speak to housing or neighborhood revitalization in some fashion. The applications really need to meet this objective or have a strong argument if they do not specifically address housing. The primary need that must be met by the applicants is the ability to serve low-moderate income clients by the project. This is a requirement mandated by HUD.

Welty commented that there were several applications that had no annual report attached.

Swarts said that as she was reviewing the Boys and Girls Club application she noted that the dates that the agency had listed for the project included a start date of February 2010 and a completion date of June 2010. Since this application is for funding that is available August 1, 2010 this project as it is stated will not be eligible. Swarts said that she has contacted the Boys and Girls Club regarding the application and to check on the dates that they listed. Swarts said that if those dates are firm then this project would not be eligible. The agency cannot complete their part in one grant year and then ask for reimbursement in the next for a project like this. CDBG and HOME do allow for carry over in some circumstances from year to year, but a project cannot start in advance of being awarded the funding. Swarts said that she will also ask about the annual report.

Adams asked about the application requirement for agencies to provide project budgets.

Swarts said that the agencies were asked to provide project budgets for the project they are requesting funding for. If they are asking for operating funds for building rent, salaries, and other things like that then the agency should provide a budget that paints a clear picture of the organization and its financial pieces.

Adams said that her question was geared towards the Ballard Center applications.

Swarts said that the Ballard Center should have provided a budget that showed their Emergency Services Council request. Swarts explained that ESC is a direct disbursement program for assistance with utility deposits, rent deposits, or utility payments to avoid cut-off. No part of this funding goes toward salaries of Ballard staff. The bigger budget picture is not as important in this case.

Adams said she had questions about the breakdown of the budget for Ballard as well as the issue with the roof repair for their Capital Improvement request. Adams said that the request reflected information about the roof that needs repair was originally funded with CDBG money.

Swarts said that she would look into the budget question as well as the roof and any possible warranties that may be applicable. She said that she was unsure of how long ago the roof project for Ballard was, but staff was not aware of any problems with the CDBG funded roof. Swarts added that the CDAC can also take a look at these agencies that applying for funding and see how they are utilizing the funding that they have received in the past.

Adams said that she was unable to determine the role of both the Ballard Center and The Salvation Army in terms of utility assistance because both agencies asked for funding for the same program type. Ballard states in their application request that ESC will serve 1000-4000 people and based on the same math The Salvation Army says they will serve 427 families which comes up to an additional 8000 people served. Both of these organizations are doing utility and rent assistance. Adams said since she is fairly new to the community she questioned the numbers listed, as well as having questions about the budget for the agencies.

Pryor said that 35% of Lawrence residents are at or below poverty level so those numbers may be accurate even though it seems like a large amount.

Adams said that The Salvation Army number states that it contains unduplicated families. She said that she wanted to know more about how these agencies interact with one another while offering the same program objective.

Swarts said that she would take a look at The Salvation Army application and report back to the Committee.

Adams added that along the same lines of her question about agency budgets she would like clarification about the budget listed for Housing and Credit Counseling, Inc. The budget for the agency would be around \$1,250,000 if the information is listed correctly.

Francisco said that HCCI was a statewide agency and the budget for the agency as a whole so that budget is probably accurate. The program budget would be for the Lawrence location.

Francisco asked Swarts why the information on budget was asked on the application and if it was because the committees in the past wanted to make sure that they are not funding an agency's budget 100% with CDBG funds.

Swarts said that the budget question stemmed from the committee's concern with how much of the agency operating budget was made up of CDBG funding. In this case, HCCI should have probably just listed the Lawrence agency budget to get a clearer picture of this.

Adams said that the instructions are clear about what budget questions are being asked. She said that it was confusing to her to talk about the numbers when the budgets that are reported are off a different scale for everyone. She also brought up the Habitat for Humanity application and said that it was hard to decipher the budget on their project as well.

Welty asked Swarts how well the agencies did with spending the money that the received last year.

Swarts said that all the public service agencies drew down their funding in a timely fashion and all the neighborhoods spent their allotment with the exception of Pinckney. All capital improvement projects were completed as well, including sidewalks. Weatherization was double what it was in the previous year and as the CDAC will note in the CDD request weatherization has been increased this year. There were more families and individuals that applied for the furnace and emergency loan programs as well. The CDD is really working to publicize the programs more. Swarts added that the CDD is holding a Housing Programs Information Fair on January 20 from 10am – 7pm and there will be CDD staff present, along with LDCHA, Tenants to Homeowners, Habitat for Humanity, and Efficiency Kansas. There is something for everyone there regardless if you rent or own your home.

Marshall asked if the public works department's sidewalk projects fall under the City Codes for the three bid process.

Swarts said that it is a formal bid process. The cost estimate is based on the engineer estimate of linear feet. Bids can ultimately come in a little higher or a little lower. In a project like the lighted path project, if you are going to fund it you should probably fund it at 100% of what they have asked for. If the bid is a little low we do the project and that is it. If the bid is over the estimate we can look at other funding gap alternatives, such as the City allocating extra funding,

contingency funding through CDBG, or other alternatives to complete the project. Swarts said that some of the other projects, such as a sidewalk project, could possibly be funding partially. Sometimes in the past the CDAC has partially funded a project. Also, in some projects the CDBG piece is a small part of the entire project so sometimes these projects can be partially funded as well. The lighted path project is a finite project and it may not be successful if it is only partially funded. Swarts said that the other project is an infill project so that is a possibility for partially funding.

Miller asked who in Public Works was doing the project.

Swarts said that the contact for the sidewalk project was Shoeb Uddin.

Miller suggested that it might be a good idea to have him come to the meeting and explain the numbers requested and the location of the sidewalks.

Swarts said that as far as the sidewalk project goes, the Public Works department looks at the City as a whole, but with CDBG funding you cannot look at it that way because of the required low-mod income benefit. There has been an assessment done on sidewalks and where they are located and where they are not. The long range plan is to get sidewalks on at least one side of the street on main thoroughfares. Swarts said the next priority is to move more into residential neighborhoods. At some point the long range plan is to have sidewalks on two sides of the street throughout the community. They are tackling the project piece by piece. CDBG funds are used for what parts of the community are eligible. They can be in low-moderate income areas only, and they have to be able to provide a low-moderate income benefit. Swarts said that just because the activity is proposed in a low-moderate income area, it does not necessarily make it eligible for CDBG funding. If the money was requested to build a ballpark in a low-moderate income neighborhood that will be used by a City-wide recreation league then that is not an eligible activity even though it is in a low-moderate neighborhood. With CDBG funding you have to demonstrate the low-moderate income benefit.

Miller said that he has seen recently on the news that there have been budget cuts with some of the public service agencies and asked Swarts if this is something that they need to take into consideration when allocating the funding.

Swarts said that it depended on the project and the activity and how it may or may not be affected by the cuts. Swarts said in the case of HCCI the funding request is for landlord-tenant counseling. If the CDAC found out that they were going to have to cut four of their five counselors then it might not make sense to allocate funding that will cover the services of five counselors. The fact is that almost everyone doing any type of public service has had a reduced budget to

work with this year, but if there are eliminated positions it is something that they will want to look at.

Adams asked if there were guidelines as to granting the request as far as the operating cost and budget is concerned. She noted that DCAP has listed that this funding is 76% of their operating budget.

There was group discussion regarding the listed budget information for DCAP.

Swarts said that the DCAP request is for direct client services used strictly to reimburse for utility or rental units.

Adams said it appears that the information given on the amount of money is only a small percentage of the overall budget. If the agency has written the budget wrong then the committee needs to know that. Adams also asked Swarts about the size and operation of Independence, Inc.

Swarts said that Independence, Inc is an advocacy group for those with disabilities. They run the Accessible Housing Program, and that program is a small piece of what they do as an agency. This program helps disabled renters with accessibility improvements such as ramps, lighted alarms, bells, wider doorways, roll in showers, and other improvements that will benefit those with disabilities. Their agency is funded through several sources. This CDBG funding goes directly to do projects. They set aside 10% of their project costs for program delivery. Swarts said that Independence, Inc. takes the money they receive and uses it until it runs out. They help as many people as they can with the funding that they receive.

Adams asked who they are primarily funded by.

Swarts said that they are funded by the State of Kansas and possibly by federal programs as well.

Adams asked if the amount that Independence, Inc. was requesting was a typical request for them.

Swarts said that it was very typical. They have been doing this program in some form since 1989.

Welty asked if the CDAC could have a copy of the previous year table of contents that shows the final allocations.

Dresslar said that she would bring that to the next meeting.

Miller asked if there was an auditing process for Independence, Inc. projects.

Swarts said that there are, and all projects are done on a reimbursement basis. All projects must obtain the proper building permits and schedule the proper inspections. She said that the CDD works very close with Independence, Inc. on their projects and monitor their projects regularly.

Welty noted that someone in her neighborhood had a ramp and roll in shower installed through the Independence, Inc. program and that the work was really well done.

Swarts said that the agency is required to get three bids when it is possible. Sometimes agencies find that it is impossible to get the third bid. The bid process has been competitive as of late due to the economy.

Adams asked if Lawrence Community Shelter is eligible for a Continuum of Care grant.

Swarts said that LCS would not be eligible for Continuum of Care funding for the shelter services. LCS did apply through the Kansas Balance of State this year in partnership with a mental health provider for funding to apply toward permanent supportive housing. Lawrence used to have its own Continuum of Care but they joined the Balance of State several years ago because the available funding for the community was much greater through the State of Kansas than what the community was receiving through their own Continuum of Care. This year, the agency that put together the application for the Balance of State did not submit the application in a timely manner so no new projects, including LCS, were funded. Renewal projects, including the Salvation Army and Lawrence-Douglas County Housing Authority, were funded.

Adams said that she saw on the HUD website that Kansas got four million dollars in funding. Adams said that the HUD website said that there was a homeless shelter grant included in that pot of money.

Swarts said that the amount of funding that the State of Kansas receives varies every year based on what Congress allocates for the program. When the funding is announced, there is a SuperNOFA that is sent out to request applicants. This notice has been sent out at different times throughout the year. Most recently, the funding has been more geared towards housing, so housing programs and shelter plus care are typically what is funded. There is not really a place for funding shelters in this grant. Swarts said that she was not familiar with the shelter funding in the SuperNOFA.

Adams suggested that the shelter funding was possibly added due to the state of the economy.

Swarts said that the grant is competitive on a nationwide basis and every year the Exhibit One was tweaked to make changes. The grant application itself is fairly difficult. What is listed as a priority this year may not be the priority next year. The problem communities and states run into is that they spend time creating a program that is a current funding priority, then the NOFA is released and they find that it no longer a priority, so they have to start from scratch because the project is no longer valid for funding consideration.

Miller commented that he noticed the improved sidewalks in some parts of town and thought that it was great that the CDAC was partially responsible for some of those sidewalks.

Welty suggested that the CDAC begin with HOME allocations and then move on to capital improvements and then public services. She advised the Committee to come to the next meeting prepared for HOME decisions and be ready for capital improvements as well if the HOME decisions go quickly and there is time left over. She said that she prioritizes the funding for herself and said that it was a good way to keep the big picture in front of her when allocations are being determined.

5. Miscellaneous/Calendar.

Swarts handed out the letter that the City of Lawrence received from HUD which praised the department for their accomplishments in the 2007 and 2008 grant years. The letter can be found [here](#).

Swarts also handed out a memorandum and a proposed ordinance submitted from City of Lawrence Legal Services regarding a change to Ordinance 8467 in the Environmental Code. She asked the Committee to look over the documents and be ready to discuss the changes at the next meeting. The CDAC is the body that hears appeals regarding this ordinance, so the City Manager wanted them to see it before it went any further to see if they had any comments. Brian Jimenez, Code Enforcement Manager, will be at the January 28 meeting to discuss any questions the CDAC has over the proposed change. The code change has to do with changing a section that does not specifically define a driveway. This includes a better definition of a driveway. There are also changes to the name of the Community Development Advisory Committee from the Neighborhood Resources Advisory Committee and the department name has been updated as well. There is also a section on notification to the citizen by certified mail that has been updated. This item will be at the top of the agenda on January 28. If the CDAC decides to support then change then the information will be passed along.

Welty asked if there was going to be a vote for support on the changes.

Swarts said that would probably be the most appropriate way to recommend the updates.

Swarts said that it is past time for Chair and Vice-Chair elections, so that will also be on the next agenda as well.

Miller asked if there was protocol for handling citizens that call Committee members directly about decisions made in CDAC meetings.

Swarts told the Committee that they are under no obligation to speak to citizens outside of the scheduled public meetings.

Adams asked about sunshine laws.

Swarts said that if a majority of a quorum of Committee members get together and speak about a topic or come to a decision then that is a problem. Speaking to citizens outside of the group is not.

Francisco added that two or three members can talk as a consultation, but no decisions can be made to act upon.

6. Adjourn.

There being no further business, Francisco moved **to adjourn at 6:45 pm.** The motion was seconded by Pryor.

The motion passed 10-0.

Attendance Record

Members	Jan 14	Jan 28	Feb 11	Feb 25	Mar 11	Mar 25	Apr 8	Apr 22	May 13	May 27	Jun 10	Jun 24	July 8	July 22	Aug 12	Aug 26	Sept 9	Sept 23	Oct 14	Oct 28	Nov 11	Nov 25	Dec 9	Dec 23
Susan Adams	+																							
Marci Francisco	+																							
Chris Marshall	+																							
Quinn Miller	+																							
Julie Mitchell	+																							
Vern Norwood	+																							
Brenda Nunez	+																							
Aimee Polson	E																							
Katherine Pryor	+																							
Roberta Suenram	+																							
Patti Welty	+																							