



CITY OF BEND

Minutes

Affordable Housing Advisory Committee

3:03 PM, Wednesday, August 8, 2018

- 1. Roll Call:** Kathy Austin, Richard Bonebrake, Priscilla Buck, Jim Landin, Matt Martino, Keith Wooden
Alternate: Ian Schmidt
Councilors Livingston and Campbell.
- 2. Public Comment**
None.
- 3. Approve 6/13/18 meeting minutes**
Postponed until next meeting.
- 4. Introduction of new members**
Matt Martino – lender with Umpqua
Priscilla Buck – public health background
Ian Schmidt is an alternate– architect with Pinnacle

5. Conflict of Interest | Elizabeth Oshel

Memo provided to members. Legal team always available if have questions. Committee makes recommendations to City Council. Are considered public employees. Actual vs potential conflict. Since only makes recommendations is a potential conflict. If you believe there could be financial impact, disclose nature of conflict and continue on. Business = profit (not a non-profit or government entity). Free to disclose beyond requirements. Nature of committee is interested stakeholder. Public needs to be aware of any conflicts.

Lynne brought up SDC exemptions which do not go through Council. Elizabeth explained that if business was benefiting or being impacted detrimentally, must disclose and recuse self. Lynne, will try to prep during meetings. Bring up if uncomfortable.

6. Fair Housing Council of Oregon | Louise Dix

Tasked with education, outreach, and enforcement. Received CDBG service grant from the City. Trained Planning Commission in May.

Disparate treatment and disparate impact. If receiving CDBG funding, then have a higher duty. Nexus between fair and affordable is the groups impacted.

Guided by federal, state and local civil rights laws regarding protected classes. Gave history of

Oregon which is not very racially diverse and had restrictive laws. Restrictive land/HOA covenants are no longer enforceable.

Fair Housing Act passed in 1968. HUD named to enforce. Amended in 1988.

Federal protected classes: race, color, national origin, and religion. Gender, familial status (children under 18), and disability added later.

Oregon: marital status, source of legal income, sexual orientation, gender identity.

Local: none here. Domestic violence survivors are mentioned under Oregon Landlord Tenant law.

2 types: Disparate treatment based on protected classes. Disparate impact – a practice that results in disparate impact on protected classes. Might be unintentional.

Screening criteria: criminal history/arrest record- must do individual assessment of convictions can't just rule out across the board.

Remove barriers for fair housing choice. Hard to enforce old rules. 2013 new rule. Assessment of fair housing instead of analysis of impediments. Data driven; however, new tool and data have been taken down by current administration. Law still exists but tools not available and little direction.

Promoting all communities equally. Education, economic development, economic health in the neighborhood. Accessibility of transportation. Louise mentioned Guide for Neighbors: Finding Common Ground, Inclusive Communities Toolkit on Fair Housing Council website www.fhco.org.

Some groups may not be covered under protected classes: age, students.

Comply with Statewide Planning Goal 10: Housing. However, no enforcement. "To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density."

Keith Wooden asked about codes related to manufactured housing. Response: Has not happened or been looked at yet. Will be coming.

Age 55 and above communities allowed. Excluded but must follow rules and be bonified. Also age 62+. New construction only.

Keith Wooden brought up that financing and tax credits have contradictory rules: IRS gives boost for going into low income neighborhoods. There are some lawsuits in other areas of the country. Kathy Austin brought up issues with ADUs and parking regulations.

Fair Housing Council likes to go through advocacy and education rather than HUD and lawsuits.

Carolyn Eagan: land prices will make it so can't do things in expensive areas. Law allows us to discriminate based on land price. Concentrating property. How do we grapple with this? Are we on our own? Response: Housing Land Advocates is partner with Fair Housing Council. Looking at right cases to take on.

Lynne McConnell: Mentioned and demoed Bend Maps (BOOM) which is in test mode. Shows housing that has received funding or exemptions from the City. Can look at the different types: Affordable Housing Fee, CDBG, Neighborhood Stabilization, Surplus Lots, SDCs, Other. Volunteer looked at HOAs to see if restrictions.

Kathy Austin asked if there will be any notification to HOAs? Council Campbell suggested using education. Lynne mentioned that Kerri Standerwick is on neighborhood association group and will mention affordable housing. Elizabeth Oshel responded that is not for City to enforce but education (across all groups) is fine.

7. Create a sub-group re: Neighborhood Stabilization Program next steps

As money is repaid, City was granted permission to spend. Currently under \$600k. Received a waiver on timing this year. \$2-3 million over time.

One idea: revolving loan fund. 80% AMI and under. What other uses make sense?

Wants volunteers for subgroup. Kathy asked if infrastructure spending was allowed. Yes, if benefitting affordable housing. **Kathy Austin, Keith Wooden and Matt Martino volunteered.**

Lynne will check with Cindy King and Kerri Standerwick. Would make recommendations to AHAC and AHAC in turn would recommend to Council.

8. Staff Report

- Opportunity Zone info list online: bendoregon.gov/opportunityzones 3 areas. For information, check out webpage. Can sign up to be on a mailing list too.
- BURA members now being recruited—deadline for applications 8/30. There are positions that intersect with several of you.
- Update from Council housing retreat
 - Had a 4 hour retreat Monday with 2 panels
 - Tenant-focused (Erin from LASO and Sarah Kelly from Thrive)
 - Development-focused (Dennis Pahlisch, Jeremy McPherson, Dean Pape, Terry Luelling)
 - Council received the same matrix I sent to all of you
 - They removed Inclusionary Zoning, but wanted more information on nearly all the other items
 - Tax exemptions/ abatements – vertical, multi-family, single family, rehab. This fall.
 - Need for better data about what is happening in the market
 - Real estate registry of some sort
 - Regular updates to our buildable lands inventory
 - State level advocacy
 - Infrastructure improvements

- New SDC structure

Kathy asked that if executive summary comes out, please send to members.

- Planning Commission hearing on Affordable Housing code changes this coming Monday including:
 - Lot coverage,
 - Density bonus,
 - Creating an affordable housing section
- HB 4079 update – project was presented at work session last week. Application will be submitted next week pending Council passing a resolution of support. State expected to make decision in November.
- Community Survey—interested in asking Council about asking some housing themes? **YES, Committee is interested.** If so, this will be a topic to include on quarterly check in meeting.
- State funding update & projected 2019 funding cycle. Tax credits: 9% credit for Canal Commons. Same timing next year. Our funding should align. Release RFP in November, Due January. Meetings to discuss/grant in late winter, early spring.
- September meeting items (Y on Affordable Housing campaign)
 - Ballot measure constitutional amendment that has to do with Affordable Housing. Bond funding cannot be used to fund private developers (specific to affordable housing). Campaign for Y wants to present to Committee.
 - Could listen and refer opinion to Council.
 - Need more information before support or not.

Councilor Campbell – said thanks to Louise Dix for her presentation.

Urban renewal issues. Could concentrate wealth. Create gentrification. Invest dollars in area, causing rise in land values. Carolyn Eagan said City is aware and proceeding cautiously. Fortunately, Affordable Housing and Urban Renewal are in the same department and work together closely.

9. Adjourned at 4:36 pm