HOUSING ADVISORY COMMITTEE
Minutes
Basement Conference Room City Hall
October 16, 2013
12:00 pm

Attendance Record	Present	Absent
MEMBERS		
Bob Hughes	X	
Carmelita Wood	X	
Charlie Armstrong		X
Chris Murray	X	
Connie Dunn	X	
Dan Rosensweig		X
Frank Stoner		X
Joyce Dudek		X
Jennifer McKeever	X	
Joy Johnson		X
Kaki Dimock		X
Kira Drennon		X
Kristin Szakos	X	
Mark Watson	X	
Nancy Kidd	X	
Wes Bellamy		X
NON VOTING MEMBERS		
IMPACT		X
Ron White		X
Vicki Hawes		X
STAFF		
Kathy McHugh	X	
Melissa Thackston	X	
Margot Elton	X	
Missy Creasy	X	
Lisa Robertson	X	
Paige Foster	X	
OTHERS		
Edith Good	X	
Gordon Walker	X	

The meeting began at approximately 12:00 pm with lunch provided for those in attendance.

The September 18, 2013 minutes were then considered. A motion to approve was made by Jennifer McKeever, and seconded by Bob Hughes. Vote to approve was unanimous.

Chris Murray began with an overview of the meeting. He asked if there was a deadline for these regulations to be in place, to which Kathy McHugh responded that there was no deadline, but that the City would like to have something in place since a development can be submitted that triggers the ordinance at any time. Kathy McHugh reminded the committee members that it is much easier to modify a regulation than an ordinance, so once a regulation is put in place, it can be changed within the course of about a month if necessary.

Chris Murray also asked about how the Lochlyn Hills proffer fits into these regulations, since this seemed like a good model that we want to make sure not to rule out. Kathy McHugh responded that, after reading through Schedule #2 that she did not believe that the regulations prohibited developers from taking creative approaches similar to that offered by the Lochlyn Hills developer. She also clarified that when the land for Lochlyn Hills was purchased from the City, it did not trigger the ADU ordinance, but rather was subject to a purchase agreement condition that specified that affordable units would be included as part of the development. This prompted discussions with the City and resulting in a proffer to provide a housing trust (essentially a revolving fund of about $150k), rental units on site, and a pro-rated schedule for including accessory dwelling units as well.

Chris Murray asked if anyone else had any other general comments. Hearing none, the group proceeded to go through the submitted written comments on the Standard Operating Procedure and the Regulations, which included comments from the previous meeting (taken from the minutes) and those submitted in writing to Kathy McHugh prior to the meeting.

Kathy proceeded to lead the group through the SOP comments that had been added into the Word document. She also attempted to share this information on one of the NDS conference room television screens; however, she was told that the print size was too small for some to see.

Comment 1: Standard Operating Procedure, (IV)(E)(1)

This section of the SOP discusses location of off-site units offered by a developer in exchange for a rezoning and/or Special Use Permit (SUP). A comment submitted by Dan Rosensweig suggested that the NDS director ought to have final approval of location of units.

Kathy McHugh said that she has no problem with this addition.

Kristin Szakos mentioned that it would be a good idea to have such a provision, especially for the cases when the units already exist and therefore wouldn't have to go through any other permitting processes.

Lisa Robertson said that it is often important, with regulations like these, to walk a fine line between providing too little detail and too much, as you want it to be broad enough to encompass things that could come about in the future but that cannot be conceived of now. To that end, she mentioned that, if the Committee wanted to provide guidelines for how the Director would proceed with approval, that these could go in this section as well.

Jennifer McKeever asked whether there would be procedures to go along with these regulations (since the school board differentiates between policies, regulations, and procedures for implementation). Kathy McHugh responded that this document was titled "Standard Operating Procedure" but contained "regulations" and therefore would serve the purpose of both documents.

Mark Watson asked whether off-site units would need to have the same finishes as on-site units, and Kathy McHugh responded that this could be part of the conversation later on, when unit amenities are discussed.

Chris Murray said that he thought allowing the NDS director or designee to approve location was an acceptable option, stating that he believed more units would result from allowing such discretion.

Bob Hughes asked whether off-site units could be located in the County. Kathy McHugh said that this would need to be decided on a case-by-case basis but that her initial impression was that it would be discouraged, since the City's goal is to reach 15% supported affordable units in the City by 2025.

Chris Murray asked that the County be brought into this conversation, and Kathy McHugh responded that Ron White is a non-voting member of this group and that he was invited to come to the meeting as he is on the distribution list to receive all HAC correspondence. Kristin Szakos suggested inviting Elaine Echols, but Missy Creasy said that she believed Ms. Echols would likely not be as familiar with the implementation aspects of the County housing policy as Mr. White.

Chris Murray then asked whether there was a map that showed the County's urban ring. Kristin Szakos and Missy Creasy responded that the County has a map showing their Development Areas. Chris Murray suggested that this might be used as a limit for where off-site units could be located, and Kristin Szakos responded that this would not help the City reach its goal of 15% supported affordable units within the City limits. Jennifer McKeever added that this may result in the City having more expensive housing stock and the County hosting all affordable housing, which was not the intention of this ordinance.

The consensus was to add in general language that would give the NDS director or his designee the discretion to approve off-site locations for ADU units.

Comment 2: Schedule 1, (1)(a)(ii)

Comment from Dan Rosensweig proposed rewording for this section to give some leeway for affordable unit dispersal. Kathy McHugh read the comment and said that she believed it was a good addition that would give additional flexibility to developers.

Mark Watson added that this proposed wording allows for developers to change the units and use alternate units if a tenant's income increases, but the tenant still wishes to stay in their current unit.

Kristin Szakos suggested that, rather than using all of Dan Rosensweig's new language, that the words "wherever possible" could be added to the beginning of the existing paragraph.

Jennifer McKeever suggested changing "shall" to "should" in addition to the above. Kristin Szakos countered that it should remain "shall" to align with the intent of the regulation (which is that the units ought to be dispersed unless it is not feasible).

Lisa Robertson suggested the addition of a clause at the end of Dan Rosensweig's suggested text that gives the NDS Director the ability to give exceptions to the dispersal requirement. Suggested possible language could be along the lines of: "The NDS Director may authorize an exception to regulation of dispersal if such other considerations preclude compliance."

Kristin Szakos said she wanted to keep the original language of the regulation, which specified that no more than 25% of the units should be located on any one floor the building, but supported the addition of the above additional clause to allow exceptions.

Chris Murray asked about the feasibility of this regulation in larger developments.

Mark Watson asked about the feasibility of this regulation in irregularly shaped parcels, which may require that some units be grouped.

Lisa Robertson then suggested keeping the original language of the paragraph, but with the clause for the NDS Director to approve exceptions. Suggested language for the clause could be: "The NDS Director may authorize an exception to regulation of dispersal if funding sources, lot configuration, or other considerations preclude compliance."

Mark Watson mentioned that the County has dealt with unit dispersal by requiring that the affordable units be built within each phase, in phased jobs. This eliminates the possibility for a single phase to contain all of the affordable units.

Missy Creasy said that most of the developments within the City would not fall under this type of regulation since many of the City developments are built in one phase.

Jennifer McKeever then suggested that the current language be kept, and the clause suggested by Lisa Robertson be added to the end.

The group agreed that Kathy McHugh and Lisa Robertson should craft language to the effect of maintaining the current language with the added exception language.

Comment 3, Schedule 1, (1)(a)(iii)

The comment submitted by Dan Rosensweig changed "the same finishes, appliances, and amenities" to "similar exterior finishes."

Kathy McHugh explained to the group that the original language was taken from the Arlington County agreement. However, since including it in our text, we have discovered that Arlington modifies every agreement to allow for variations in finishes.

Kristin Szakos said that she likes the idea of requiring similar external finishes.

Kathy McHugh said that she felt Charlie Armstrong's submitted language of "substantially similar exterior quality and appearance" was more appropriate. There was a general consensus among the group that this was good language that could be used.

Mark Watson said that it was important to include a requirement that energy efficiency be comparable in the affordable units. He mentioned that items such as HVAC, insulation, and wall-thickness ought to be required to be the same, because making an affordable unit less energy efficient could have a huge impact upon the affordability of the unit. He would like to see this worked into the language, and suggested phrases such as "durability" and "operational efficiency."

It was agreed that Kathy McHugh and Lisa Robertson would draft language that would require the same durability of mechanical and operational systems, but would allow for alternative less costly interior finishes to be used in affordable units.

Comment 4, Schedule 1, (1)(b)

The submitted comment by Dan Rosensweig suggested that requiring developers to designate specific units as affordable at the building permit stage was too early, and suggested striking this paragraph entirely.

Kathy McHugh said that she would be okay with not requiring developers to designate specific units at this stage, but feels it is important for these plans to include an indication that the square footage requirement of the ordinance is being met (to demonstrate compliance with the 5% GFA requirement).

Kristin Szakos said that she would like to see this level of commitment up front. Developers could always request a change later on if they needed to move units around.

Chris Murray that he would like to see a look-back provision rather than a look-forward provision, and stated that he thought using penalties for non-compliance down the line may be more effective than using incentives up front.

Mark Watson agreed, stating that if he were a developer, that he would likely choose to pay rather than build units. Jennifer McKeever asked if this one thing were changed, if it would make him more likely to build units, and Mark Watson said no, that it was overall too onerous and had too many variables involved.

Chris Murray then said that he would like to see the cash payment alternative rise with inflation. Lisa Robertson said that this amount is set by law, and that legislation limits the amount that we can collect for a cash payment, and explained that there is no other way to create a bigger penalty under the current legislation.

Lisa Robertson then asked the group when they would like to see the compliance requirement, if not at the building permit phase.

Chris Murray responded that he thought it should happen at the CO stage.

Jennifer McKeever asked about the feasibility of taking bond monies at the CO stage if units do not comply. Lisa Robertson said that this was not allowed by law.

Missy Creasy said that the requirement was definitely marked on the CO, as a specific amount of square footage or units. She said that the value of having this compliance requirement at the building permit phase is that then, NDS knows that developers are taking the requirement into account throughout their design. She said that having them note the square footage and number of units that will be designated affordable would be sufficiently valuable information at the building permit phase, in her opinion.

Lisa Robertson asked for clarification on how many COs are issued in a multifamily rental building. Missy Creasy said that as long as the building was not condos, there was only one CO issued.

Lisa Robertson then suggested that the regulations be modified to state that at the building permit phase, developers are required to note on the plans how much square footage and how many units they plan to designate as affordable, but are not required to specify which units these are. Before a CO is issued, the developer must provide information on which units are designated as affordable. She stated that, even if the regulation doesn't require developers to submit specific on each affordable unit at the building plan stage, she would like to see some sort of documentation that acknowledges the obligation at every phase of the process, to secure things from a legal perspective.

Jennifer McKeever suggested the Kathy McHugh and Lisa Robertson work to make these changes and modify the language so this requirement is less onerous, and asked what the Committee would like to have happen if the requirement is not met at the CO stage.

Bob Hughes said that he thought that this wouldn't end up happening – developers would find a way to satisfy the requirement if not meeting it put their CO in jeopardy.

The group then agreed that Kathy McHugh and Lisa Robertson would draft new language to reflect that at the building permit phase, developers would be required to include a note on the building plans stating the amount of square footage and the number of units that will be designated affordable, and then at the CO stage, would be required to submit specifics of where each designated unit would be.

Comment 5, Schedule 1, (1)(e)

Written comment submitted by Dan Rosensweig indicated that this regulation text is too rigid and ought to be modified to allow for the number of units to rise and fall as long as an average is maintained over a set time period.

Chris Murray said that he thinks that asking a developer to enforce this for a period of 30-years is too much, and suggested striking this language.

Connie Dunn pointed out that vacancies could present an issue for this requirement. She asked if the developer could be penalized for non-compliance if a unit is vacant. Mark Watson clarified that these units are still designated as affordable even when vacant. Kathy McHugh added that the owner would be required (under current proposed regulations) to actively solicit tenants for the unit.

Kristin Szakos asked about tenants that "graduate up" and are no longer income-qualified. Specifically, would these tenants potentially cause a landlord to be out of compliance in the time period between when they discover the tenant no longer qualifies and the when the landlord is able to designate a new unit as affordable?

Connie Dunn said that HUD allows for a two-year grace period for tenants whose income rise above qualification levels, before they have to start paying full rent.

Kristin Szakos suggested a look-back type of penalty, where if a developer is found to have a full year of non-compliance, they are penalized.

Melissa Thackston asked if a developer commits 10 units but has a year where only 8 qualify as affordable – would they be required to pay a penalty and if so would this alleviate their obligation to continue affordability for the impacted units? She worried that non-compliance penalties would be a disincentive to create actual units.

Chris Murray talked about how with accessible units, landlords are able to rent to a non-disabled applicant if there no disabled applicant is identified. He suggested finding a similar mechanism for this scenario.

Lisa Robertson suggested offering a provision that states that a developer can accommodate a tenant who no longer qualifies due to higher income for a set period of time without needing to provide a new unit in its place offered at affordable rental rates.

Jennifer McKeever asked if this type of grace period was legally allowed, and Lisa Robertson said that it was.

Chris Murray asked about the possibility of allowing landlords to raise the rent to up to 30% of the tenant's current income during this grace period, as an incentive to landlords.

Jennifer McKeever wondered whether this would result in many units being rented to those who were about to "graduate up" and would not result in meeting the actual goal of the ordinance. Would this not result in targeting of tenants who are about to have a higher income?

Connie Dunn said that this targeting should not technically be possible because landlords are required to use objective rental criteria. Jennifer McKeever agreed that this was true in theory, but not in practice.

Kathy McHugh then explained how Arlington and Fairfax handle tenant income increases. Arlington allows tenants to stay indefinitely as long as they remain under 140% of their initial qualifying income. Fairfax allows them to remain in their units until the end of their lease, at which time they must either vacate or begin to pay market rate for the unit.

Jennifer McKeever noted that Dan Rosensweig had suggested looking at the policy for Austin, Texas, which includes a three-year grace period.

Melissa Thackston suggested something similar to how Arlington runs their policy – there be no time limit on the transition period, but that there be a maximum income threshold (i.e. 80% AMI or 100% AMI).

Kathy McHugh noted that the income threshold would add yet another layer of complexity to monitoring this and that it sounds like there is consensus for a 2 to 3 year grace period. She then steered the conversation back to the original question of whether the language should require a set compliance or be flexible around an average compliance over a several year period.

Lisa Robertson added that once a building is completed, it is easier to deal with things on a unit basis rather than on a square-footage basis.

Mark Watson suggested that there be leniency for square footage that would allow a developer to swap a slightly smaller unit out for a comparable one, even if it meant not being exactly at the required 5%.

Chris Murray stated his agreement for Dan Rosensweig's idea of a moving average over a 2-3 year period.

Jennifer McKeever asked what Arlington does for this regulation. As that was not something that had come up in the Arlington research, Kathy McHugh was not able to answer.

Kristin Szakos asked if the regulation could include a clause to allow for exceptions by the NDS Director.

Mark Watson said that the initial requirement should be in square feet, but after that, compliance should be monitored by units. For example, any three-bedroom unit ought to be able to be substituted for any other three-bedroom unit, regardless of actual square footage.

Chris Murray agreed with Mark Watson, and also agreed with Kristin Szakos about the idea of adding a clause for the NDS Director to allow exceptions.

The group agreed to have Kathy McHugh and Lisa Robertson modify the language to reflect this conversation, with the idea that designated units should be "consistent with the legal obligation" of the developer, per discretion of the NDS Director.

Comment 5, Schedule 1, (1)(f)

Jennifer McKeever asked whether this language was needed, because the information ought to be included in the annual report submitted to the Housing Development Specialist.

Lisa Robertson said that it was important for the City to be able to spot-check developer's records whenever needed, and suggested that the text be modified to state that developers must keep all records on hand at all times in case the City chooses to do such a check.

Jennifer McKeever said that this was a good solution, for it put the onus on the City to do the record checking, rather than on the developer to file reports.

Mark Watson pointed out that for LIHTC projects, records only need to be kept for a 15-year period, but that this would require them to be kept for 30 years.

Language will be modified as suggested by Lisa Robertson, with the understanding that the compliance period has to be 30 years due to enabling legislative requirements.

Comment 6, Schedule 1, (1)(g)

Comment submitted by Charlie Armstrong (with noted agreement by Wes Bellamy) suggested including an option to sell units at affordable prices if a project is converted to condominiums at any point during the 30-year compliance period.

Group agreed unanimously that this was a good idea to include in regulations.

Comment 7, Schedule 1, (2)(a)(ii)

Comment submitted by Connie Dunn questioned whether the wording of this section made it impossible for landlords to do additional credit and background screening of tenants with vouchers. Connie Dunn clarified that she wanted the language to reflect that landlords are still able to do these checks if they wish, since CRHA does not conduct them.

Kathy McHugh states that after reading through the language, these regulations allow for credit screening; however, the minimum income requirements are suspended for Housing Choice Voucher participants and cannot exceed 60% AMI. No further action appears to be warranted.

Comment 8, Schedule 1, (2)(a)(iii)(A)

Comment submitted by Dan Rosensweig requested this language be modified to allow for a grace period.

Kathy McHugh referred the group to an earlier discussion, where the discussion was to allow for a two-year grace/transition period.

Kristin Szakos asked about whether rents would remain the same, or would be allowed to be increased to 30% of the tenant's income, to provide a bonus for tenants.

Kathy McHugh said that because of the way ADU rental rates are calculated, it isn't feasible to allow landlords to raise rents during the grace period.

Lisa Robertson added that the landlords are getting a bonus by not having to designate a new affordable unit until the end of the grace/transition period.

The group agreed to have Kathy McHugh and Lisa Robertson modify the language to incorporate a grace period of 2 to 3 years with consideration for progressively incorporating less subsidy.

Comment 9, Schedule 1, (2)(a)(iii)(D)

Chris Murray commented that this requirement would require owners to submit duplicate reports, if they are required to report on tenants for LIHTC or other funding source compliance.

Kristin Szakos suggested that the language be modified to say that other funding source compliance reports "may be" accepted.

Chris Murray requested that the words "on forms provided by the City" be stricken from the text.

Kathy McHugh agreed that the wording "on forms provided by the City" could be stricken and that she could add language to accommodate reports generated for other compliance measures as long at these incorporate information specific to the CAUs.

At this point, Kathy McHugh suggested continuing to move through Schedule 1 (rental) and setting aside Schedule 2 (for-sale), for the sake of time. Kristin Szakos asked whether it would be possible to go to Council with just a rental Schedule, and Kathy McHugh responded affirmatively and mentioned that it is also possible to wait until someone chose to develop for-sale units for the HAC to revisit Schedule 2, if preferred; however, lack of written guidance may serve as a deterrent also.

Comment 10, Schedule 1, (2)(b)(iv)

Comment submitted by Bob Hughes questioned whether allowing rents to be raised defeated the purpose of affordability.

Kathy McHugh explained that rent calculations are based on HUD income limits (which can increase or decrease depending upon current economic factors), so the inclusion of this language at this section does not defeat the purpose of affordability as it is gauged to the current median family income. The group agreed that this paragraph should remain as is.

Comment 11, Schedule 1, (2)(c)

Comment submitted by Charlie Armstrong questioned why it was necessary to require landlords to accept housing vouchers.

Connie Dunn mentioned that it is already difficult for people with vouchers to find places to live, and so requiring Owners of CAUs to accept these would give voucher holders another option.

Melissa Thackston said that the voucher should not be a reason for rejection of an otherwise qualified applicant and that the wording should indicate that owners cannot discriminate on the basis of a voucher.

Lisa Robertson asked why landlords would not want to take the guaranteed payment offered by a voucher. Connie Dunn explained that they are often worried about damages. Lisa Robertson suggested requiring an additional damage deposit, but Connie Dunn said that this was discriminatory and not allowed.

Mark Watson mentioned that voucher units have the added burden of an annual inspection.

Edith Good asked whether a renter would be able to inspect the unit before moving in to find previous damages, to which Connie Dunn said yes.

Kristin Szakos said she thought that voucher applicants had to be taken if they were qualified.

Chris Murray said that it wasn't a qualification problem per se, but rather a problem of once they're in the unit it is difficult to remove them, which can be a problem for landlords.

Jennifer McKeever said that it was the same for any tenant. She said the regulation needs to walk a fine line, but that this is an opportunity for the City to educate landlords and promote voucher tenants as positive alternatives.

Chris Murray suggested putting some of the proffer money into a trust fund that landlords could apply to if their affordable tenants caused damages for which they could not get reimbursed. There was some agreement that this would be a good possibility to explore.

Kathy McHugh asked the group to remember this topic and save it for the upcoming Housing Policy 1 revisions discussion. She then mentioned that in reality, it may not matter whether or not this language is

included because she envisioned enough interest in these units that voucher applicants may not be accepted simply because there are enough other qualified applicants.

Jennifer McKeever suggested changing the text clearly to state that vouchers must be accepted but didn't have to be given preferential treatment over non-voucher applicants.

Jennifer McKeever suggested the language say something along the lines of "use of a voucher cannot be a reason for disqualification of an otherwise qualified applicant."

The group agreed that the language should be modified to clarify the acceptance of vouchers and that preference will not be provided over other applicants.

Comment 12, Schedule 1, (3)

Chris Murray made a general comment about the marketing plan requirement, saying that the overlapping requirements with other funding source compliance reports are cumbersome, and the City ought to accept other reports from owners to reduce burden.

Kristin Szakos said that the language could be modified to include "may be accepted" to allow for NDS discretion.

Melissa Thackston suggested that we provide the information upfront to be more developer-friendly.

A written comment submitted by Charlie Armstrong suggested striking the specific publication requirements from (3)(a)(i)(A) and using something more generic such as "local publication with the largest circulation" or something similar.

Bob Hughes suggested that this be changed to just say "advertising."

Kristin Szakos asked if the City could take on some of this marketing. Perhaps the regulation could require that developers notify the City of vacancies and the Housing Development Specialist could put out some sort of advertisement on the City website.

Chris Murray supported this idea, saying that it would be an incentive to build if the City offered to help with marketing.

Mark Watson mentioned the website "Real Connect" that is a website plug-in that allows one to output a smaller MLS selection, that could possibly be used to help with marketing.

Lisa Robertson mentioned that the point of the text of the regulation was to make sure that people who do not have access to the internet would be able to access the advertisements. The regulation can therefore be broad, or choose to be more detailed to give landlords guidance on how to go about doing this.

Chris Murray suggested striking this section and stating that the City will provide marketing for owners.

Kathy McHugh suggested that, if the City performs marketing on behalf of the program (which will need to be determined separately), that this be an addition to the owners marketing efforts.

Jennifer McKeever said that this type of clearinghouse for housing units was desperately needed in the City, and said that non-profit agencies in town would use it to help their clients find housing, and it would take the burden of marketing away from the developers.

Kristin Szakos agreed with the above comments, and added that developers would have to provide the City with all the necessary information so the Housing Development Specialist just had to post the information, not compile and research it as well. She then suggested that (3)(a)(i)(B) be kept as a requirement for what developers would submit to the City for marketing purposes.

Chris Murray suggested that the City could provide added services for small sums of money, such as bolding a listing for $5.

Kathy McHugh said that the City website is large and hard to maneuver and that she was not sure where this type of page would fit in and how easy it would be for people to find and use it. She also expressed concern that the City would be blamed if units remained empty.

Carmelita Wood suggested the possibility of sending out notices in the City utility bills. Missy Creasy said that these notices have to be given to the utility billing office far in advance, and therefore it wouldn't be an effective manner of marketing housing units in a timely fashion.

Connie Dunn suggested the possibility of using the Blue Ridge Apartment Council (BRAC) website, and suggested asking BRAC if they would add an "affordability" tag so NDS could upload listings, tag them as "affordable" and they would be searchable by agencies and individuals.

Lisa Robertson said it sounded like something that would have to be discussed as a partnership with BRAC.

Jennifer McKeever said that she thought that this was something that the City's IT department ought to be able to set up, so landlords could enter in their information onto a web form and it would automatically upload to the rental listing website.

Kathy McHugh and Kristin Szakos explained that the City IT probably would not be able to perform that function. Kathy expressed concern that, since uploading these advertisements would likely fall on her shoulders, that it would not end up being the most efficient manner of marketing, since she often has many things on her plate, and cannot commit to daily updates of information, as needed. In short, use of City staff to perform a function that is better suited to the private sector is not a good ideal.

Lisa Robertson mentioned that with the City's new storm water regulation, there is a clause in the regulation for future requirements that states that if and when the city implements a program/database, developers are required to use it. This type of language could apply to the marketing plan as well, if the schedule were to go before City Council before this website clearing house was figured out.

Kristin Szakos said that Maurice Jones wants to find technological solutions to City problems, and that this may be a good thing to bring to him and push forward under this initiative.

Kathy McHugh acknowledged that this type of rental listing service is needed across the board (not just for ADUs), but that contracting the work out and/or using an existing "well known" entity such as BRAC or CAAR would streamline the process for those searching for rental options, as a separate database would be difficult to implement given limited City staff dedicated to housing matters. Kathy suggested taking out specifics on advertising effort and using Lisa's idea (as noted above) to include a reference to the use of a City developed database if the logistics could be figured out.

Comment 13, Schedule 1, General Question

Written comment submitted by Kira Drennon asked whether there were a specific number of units that had to be designated as accessible under the ordinance.

Kathy McHugh said that the legislation does not allow the City to require this of developers. She said that if the units were accessible, that they should be marketed as such (which was included in the marketing section of Schedule 1), but that accessible construction had to be voluntary.

Chris Murray said that the law mandates that 1 unit or 5% of units are accessible, and was wondering if there was a connection between this requirement and the ADU ordinance. Kristin Szakos responded that the two were not connected, and that we could likely not legally connect them.

Lisa Robertson said that the City can incentivize accessible design creatively, but agreed that it could not be required. No changes were identified as necessary.

This concluded the discussion of comments on Schedule 1.

Jennifer McKeever made a motion to accept Schedule 1 based upon the above comments, which Lisa Robertson and Kathy McHugh will use to revise the document. Once the Schedule is revised, Kathy will send it out to all members present at the meeting for their review, to make sure that the updated text accurately reflects the ideas provided in the meeting. Nancy Kidd seconded the motion. It passed unanimously.

Kathy McHugh mentioned that there were no further HAC meetings scheduled for the year, and suggested that, given the holidays, the next meeting take place on the third Wednesday in January 2014, and every other month from there forward. She also added that there is a subcommittee meeting scheduled for November 6th in her office, and anyone who would like to join is welcome, but only the subcommittee members (Dan, Kristin, Jennifer, Joy, and Chris) are actually required to be there. Kristin Szakos also suggested the possibility of an interim meeting in February to discuss Schedule 2 (for-sale units) depending upon progress at that point.

The group then voted to resume the regular scheduled meeting in January 2014. The schedule for next year will be:

January 15, 2014

March 19, 2014

May 21, 2014

July 16, 2014

September 17, 2014

November 19, 2014

Kathy encouraged the group to go ahead and place these dates on their calendars for 12 noon to 1:30 pm. Meeting was adjourned at approximately 2:15 pm.