Housing Advisory Committee (HAC) Minutes
Wednesday, June 20th 2024
City Space Conference Room 12p - 2p

**HAC Members Present:**
- Joy Johnson, Chair (JJ)
- Sunshine Mathon, Vice Chair (SM)
- Phil d'Oronzio (PdO)
- Mike Parisi (MCP)
- Michael Payne (MP)
- Nicole Scro (NS)

**HAC Members Absent:**
- Heather Griffith (HG)
- Peppy Linden (PL)
- Dan Rosenweig (DR)
- John Sales (JS)

**Staff Attendees:**
- Alex Ikefuna (AI)
- Antoine Williams (MM)
- Alan Peura (AP)

**Via Zoom:**
- Latricia Giles, Executive Director, PHAR

1. **Welcome**
   **SM:** Calls meeting to order at 12:18pm.

2. **Introductions and Attendance**

3. **Staff Update: Land Bank recommendation process**
   **AW:** Council will discuss LB Ordinance at their July 15th 4p work session. Any public comments today will be forwarded to Council. City Manager asked AI, AW, James Freas to look at LB Ordinance and forward any policy questions to him.
   **SM:** Will there be HAC representation at that session?
   **AW:** Yes, historically HAC is there at these sessions.
   **JJ:** Asks NS and PdO to confirm attending Council work session July 15th.
   **AW:** HAC will be forwarded any comments from legal. No vote scheduled right now.
   **NS:** How does HAC feel about the process? There were some miscommunications since our last meeting.
   **SM:** Earlier this week, JJ, SM, AI met to talk about process, communication. Agreed today to vote on adopting ordinance and memo. JJ and SM were both out of town, AW unavailable at one point, also factors in miscommunications.
   **PdO:** Got comments from 3 HAC members on the ordinance–resulted in substituting "employee" for “person” to City Manager's board designee.
   **NS:** Also, in Section 8: Governance, page 3, last two paragraphs of subsection A, new language re: board expansion and ratio of lived exp members on board. Intent was clear but NS tried to make the language clearer.
   **JJ:** Asks for clarification about how changes were communicated and made.
   **PdO:** NS and PdO worked to incorporate the changes that were discussed during the prior meeting. Next, HAC members with comments emailed those to PdO individually. PdO incorporated those, then sent the final product with the added annotations to the entire HAC.

*[Note: this section was edited by MCP–per feedback from PdO during the HAC's June 17th meeting–to more accurately represent the timeline of this process.]*
**NS:** Suggests moving forward to send comments/changes to PdO AND staff simultaneously.
**JJ:** Yes, would make for more transparency. Do the absent HAC members know what was edited?
**PdO:** They have the original ordinance, and then the version sent to all members after changes were incorporated.

4. **Agenda Items**

   i. **May 15th Regular HAC Meeting Minutes**
   Minutes approved.

   ii. **Discussion on HAC Landbank Ordinance Recommendation and Memo**
   **PdO:** Motion to approve LB Ordinance.
   **SM:** Second, but let's have a conversation re: DSA letter to City Council, and Emily Dreyfuss' email from earlier today.

   **SM:** First, **DSA's letter signed by multiple orgs**. No specific asks re: Land Bank except for it being City-Managed.
   **NS:** Have the orgs signed on to the DSA letter seen the LB ordinance?
   **AW:** Ordinance will be part of the public record. Will also communicate w/Brenda Kelley who received the letter, she can forward info to those orgs.

   **SM:** Second, **Emily Dreyfuss' email on behalf of CLIHC** was just sent earlier today. Black text is Emily Dreyfuss' original text, green is comments from PdO. SM, JJ, PdO, NS, AW, Latricia Giles, and Emily Smith (LAJC attorney) were copied on the letter.

   <u>Point 1a: Section 7 Use and Disposition of Property (C)(ii) Policy (1): Prioritize Affordable Housing</u>
   *Add "deeply" before any reference to affordable housing and define it as "housing affordable for people making 30% or lower AMI"*
   **PdO:** HAC discussed this, agreed to link LB to City's Affordable Housing Plan to guide LB policies.
   **AW:** AHP specifies how City's affordable housing funding should be spent:
   - 50% of $ spent on housing for people making <30% AMI ($5 million)
   - 30% of $ for <50% AMI or lower ($3 million)
   - 20% of $ for <80% AMI ($2 million)

   **JJ:** Would like stronger affirmation of 30% AMI or lower.
   **AI:** Be careful, "deeply" can come back to limit LB's operations. Linking to AHP and any changes made there is sufficient.
   **NS:** OK with leaving language as-is because of the difficulty of creating new units for <30% AMI.
   **SM:** [Reads Section 7 Use and Disposition of Property (C)(ii) Policy (1): Prioritize Affordable Housing]

Feels like aligning with AHP and any changes made there is a sufficient safeguard.
**PdO:** Priorities like this should live in LB's policy, not ordinance.
**SM:** Like Zoning Ordinance, not every single detail has to be in the ordinance. It will be easier to change details in policy documents.
**MP:** Will be further, extensive conversation btw Council and staff. Alignment with AHP makes sense. Comfortable with half of $10mil to <30% AMI, leaves room to also fund <50% AMI.
**PdO:** Gives example of LB owning a commercial property, and using rent generated there to fund another project <30% AMI. Language in the CLIHC letter would prevent that.
**JJ:** Likes idea of including a note in the ordinance reflecting this debate for City Council.
**All:** Agree.

<u>*Point 1b:* Section 7 Use and Disposition of Property (C)(ii) Policies (1) and (2)</u>
*Omit "available" in reference to ⅔ votes of available members of the board, sets too low a bar*
**All:** Agree.

<u>Point 2: Section 7 Use and Disposition of Property</u>
*Include a Right of First Refusal for the LB w/any City property for sale*
**PdO:** This had been included in a prior version circa 2017-18, and got lost in the shuffle.
**NS:** Should be in "a" ordinance, but maybe not this one? Ties the City's hands, doesn't apply directly to the LB itself.
**SM:** Should exist in ordinance so the City doesn't have an out. Let's include and City legal can pull out if they decide.
**NS:** Notes she cannot find ROFR language in any prior LB ordinance versions.
**PdO:** Must be in some draft. HAC kept putting it in and staff kept removing it.
**All:** Agree to insert ROFR.

<u>Point 3: Section 7 Use and Disposition of Property</u>
*Include more details about how home ownership would work*
**PdO:** Agree w/points themselves, but shouldn't be in ordinance. LB Board should discuss these and include in policy documents.
**SM:** Could include in the memo that the intention is to support affordable rental AND home ownership. LB ordinance allows flexibility to support both.
**PdO:** Can insert language in page 3 of memo, 1st paragraph.
**All:** Agree.

<u>Point 4a: Section 8: Governance (A) Governing Board</u>
*Text states "nine (9) voting members" but rest of text describes board as having 7 members*
**All:** Agree to fix typo, change 9 to 7.

<u>Point 4b: Section 8: Governance (A) Governing Board</u>

*Two lived experience slots in a board of ten not adequate*
**All:** Note confusion created by typo above.

<u>Point 4c: Section 8: Governance (A) Governing Board (iv)</u>
*Language re: board members with "lived experience" too broad. Suggests using criteria of "a direct beneficiary of a) a government-funded rent subsidy program (note that 'rent' is required, otherwise mortgage subsidies would again include high-income people) or b) a local non-profit housing provider."*
**SM:** Let's include note in ordinance to tighten definition of lived experience as both affordable housing beneficiaries and low income renters or homeowners.
**All:** Agree.

<u>Point 4d: Section 8: Governance (A) Governing Board</u>
*Text doesn't state who the 1 non-voting member is*
**PdO:** LB's eventual executive director would be the non-voter.

<u>Point 5: Section 8: Governance (C) Quorum</u>
*Language states board vacancies shouldn't impair quorum's functioning, but text of email cuts off short of making a point on the implications*
**All:** Unclear on request of this point.

<u>Point 6: Section 8: Governance (E) Miscellaneous (i)</u>
*Why does language specify that the treasurer and secretary need not be members of the board?*
**PdO:** This language taken directly from state statute.

**PdO:** Motion to approve Ordinance w/amendments just discussed.
**All:** Motion approved.

**SM:** Motion to approve memo with language added to support affordable homeownership.
**AW:** Where should that language go?
**PdO:** In memo Section IV. Commentary on the Currently Proposed Land Bank Ordinance (C) Section 1. Findings of the proposed Land Bank Ordinance. Add after the second paragraph.
**NS:** Should also add language to keep memo consistent with any new changes to ordinance–dates, section numbering and titles, etc.
**SM and AW:** Will work to clarify memo changes, keep references to ordinance consistent.
**All:** Motion approved.

**iii. Discussion on Upcoming HAC Matters**
**JJ:** Need to schedule a joint HAC/staff development workshop to decide on what items to take up next.

**AW:** NDS is working on Zoning Ordinance revisions.
**JJ:** Also need to discuss new strategies to implement Affordable Housing Plan.
**AW:** Before October, HAC was discussing fees and tax abatement program re: IZ. Generally need to determine what are HAC priorities and plans for 2024-25.
**AW:** Use July 17th regular HAC meeting for workshop to map out next year?
**All:** Agree.
**SM:** HAC members should send AW any other matters they want discussed during workshop.
**JJ:** Recaps upcoming HAC matters:

- 2024-25 development workshop
- Zoning Ordinance revisions
- ADU Manual review
- Affordable Housing Plan implementation strategies

5. **Public Comment**
No public comment.

6. **Adjourn**
Adjourned 132p.

**APPENDIX: Item 1**

<u>DSA-Authored Letter to City Council Advocating for Land Bank</u>

Dear Mayor Wade, Vice Mayor Pinkston, Councilors, and City Manager Sanders,

The City of Charlottesville's 2021 Comprehensive Plan and 2023 Climate Action Plan commit the city to creating more affordable housing and to an equitable, low-carbon future. Community Land Trust (CLT) housing and the creation of a City-managed Land Bank will be essential for meeting these goals. We call on the City to establish a Land Bank, which can purchase properties and support the hurdles of land acquisition that come with increasing supply of affordable housing through CLTS or other means. To that end, we also ask the City to invest in the expansion of CLT housing as the City finalizes the Capital Improvement Program and other aspects of the FY25 budget.

**Meet the City's Affordability Goals**

Designed to create and steward permanently affordable units, CLTS directly address the Comprehensive Plan's goals to combat chronic issues of displacement, homelessness, and rising housing costs. Developer-focused affordable housing strategies struggle to overcome the developer's need to maximize profit, resulting in insufficient and lower-quality affordable units. Removing the profit motive frees CLTS to keep the focus on affordability and community needs. Yet CLTS often face the hurdle of property acquisition, which the creation of a City-managed land bank can support to overcome.

**Achieve Sustainability through Resident Voices**

The Climate Action Plan outlines an equitable transition to a sustainable future guided by community engagement. By championing residents and their lived experiences, CLT housing provides a framework where residents are key leaders who can make sustainable, community-led choices that support well-being and the betterment of their neighborhood, like creating green spaces or implementing cost-saving, sustainable improvements like improved insulation, solar power, and water-saving measures. Community leadership is critical, especially in our low-income and core Black neighborhoods that bear the brunt of environmental injustices.

**Prioritize Accessibility and Walkability,** and **Prevent Displacement**

We have repeatedly heard from long-term renters their desires to maintain community and convenience. This is why they want to live in the City. With exorbitant housing costs, many people who work in the City cannot afford to own here, which results in displacement in Charlottesville's core neighborhoods. For those who work in the City but have not found adequate and affordable housing, CLT housing empowers community members to live where they work and improves their quality of life by providing access to community and essential services.

CLT housing provides a flexible framework that can incorporate houses, apartments, commercial uses, and public spaces. This makes it easy to integrate into existing dense, affordable neighborhoods or to develop new ones. It will also offset emissions and dependence on cars, which will move the City toward more equitable, transit-oriented development. CLT housing will thus address another component of the Comprehensive Plan by providing accessible, walkable, and transit-friendly housing and lessening the overall transportation burden.

**Invest in Affordable Housing with a City-Managed Land Bank**

Now that a Land Bank Working Group has convened, we urge City Manager Sanders and City Council to create a Land Bank with the flexibility and funding to allow it to act swiftly to acquire property, preserve affordability, prevent displacement, especially in our core Black neighborhoods. A Land Bank is an essential tool for creating sustainable affordable housing in Charlottesville.

**In sum, we call on the City to commit to the following**:

1. Invest in the expansion of CLT housing as the City finalizes the Capital Improvement Program and other aspects of the FY25 budget.
2. Create a Land Bank with the flexibility and funding to allow it to act swiftly to acquire property, preserve affordability, and prevent displacement, especially in our core Black neighborhoods.
3. Purchase properties and partner with a CLT entity to steward permanently affordable, deeply sustainable, and community-enriching housing opportunities.

Thank you for your consideration.

Sincerely,

Charlottesville Democratic Socialists of America

Charlottesville Low-Income Housing Coalition

Community Climate Collaborative

DivestUVA

Fifeville Neighborhood Association

Legal Aid Justice Center

Livable Cville

Piedmont Community Land Trust

**APPENDIX: Item 2**

Email from Emily Dreyfuss on behalf of CLIHC with comments from Phil d'Oronzio

**From:** Phil d"Oronzio
**To:** Dreyfus, Emily C.; Mathon, Sunshine
**Cc:** Johnson, Joy; Nicole Scro; Williams, Antoine; latricia@pharcville.org; clihc@googlegroups.com; "Emily Smith"
**Subject:** RE: Land Bank ordinance + memo
**Date:** Thursday, June 20, 2024 11:00:08 AM

Hi Emily – super quick notes – See below in GREEN

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**From:** Emily C. Dreyfus <emily@justice4all.org>
**Sent:** Thursday, June 20, 2024 10:45
**To:** smathon@piedmonthousing.org
**Cc:** Joy Johnson <joyskijohnson@gmail.com>; Phil d'Oronzio <doronzio@pilotmortgage.biz>; Nicole Scro <nscro@gallifreyenterprises.com>; Williams, Antoine <williamsan@charlottesville.gov>; latricia@pharcville.org; clihc@googlegroups.com; Emily Smith <emilysmith@justice4all.org>
**Subject:** Re: Land Bank ordinance + memo

Hi Sunshine,

LAJC has not had a chance to do a review of the Land Bank draft ordinance, but I would like to share some input from CLIHC members:

1. In section 7-B-ii:
    a. Edit the heading and language of Policy 1 to add the word "deeply" before any reference to affordable housing and define it as "housing affordable for people making 30% or lower AMI."

We considered this very extensively, but it's problematic. The land bank priorities will mirror that of the affordable housing plan, and other city policies. That is at present focusing as described. "Deeply" is open to fuzziness, and the general thought is that as the priorities evolve/expand/contract, the ORDINANCE will continue to be on point.

    b. Allowing a 2/3 vote of the "available" voting members of the board is a relatively low bar, especially to make decisions contrary to the stated mission. We would prefer that you omit the word "available."

Available here is an attempt to make clear we needn't get the full board in place to act, but we'll get clarification. We'll get legal to sniff.

2. Is there a provision for the land bank to get the right of first refusal for any property the city is selling? We know there's limited land in Charlottesville, and so this would be a way to maximize what would be available for a land bank.

That went by the wayside. We'll see about getting that sorted.

3. The draft needs more details about how home ownership would work. Can someone buy a home that's a part of the land bank and then sell it back to the land bank when they are ready to move? Is it possible to include rent-to-own plans or sweat equity?

We are being deliberately expansive. The policies of the board will address these particulars.

4. Board Composition:

a. The total number does not reflect the numbers specified below, unless we're missing something.

You're missing something. Total Board is SEVEN

b. Two people who have been directly-impacted in a Board of 10 is not adequate.

Board composition is – City Manager or designee, Planning commissioner, City Councilor, and Four at large, of which TWO must be lived experience.

c. Re-define "lived experience" because almost anyone in the area can meet the definition of "lived experience" that you have included. A very high-income people can qualify as having "lived experience," because they feel distressed at paying more than they think a home should cost. It would be more effective to specify that lived experience is defined as being a direct beneficiary of a) a government-funded rent subsidy program (note that "rent" is required, otherwise mortgage subsidies would again include high-income people) or b) a local non-profit housing provider.

Agreed. We'll fiddle with that.

d. We didn't spot who the non-voting member will be.

Again kind of open here. The eventual ED would be a non-voter, and anyone filling that role would fit in that slot.

5. Quorum: The language states "No vacancy in the membership of the board shall impair the right of a quorum to exercise all of the rights and to perform all of the duties of the land bank entity." However, if [sic]

The quorum is technically 4, but no action regarding actual business can be taken until both lived experience at large members are seated. The lack of quorum language here is standard in the even the board is severely undermanned by circumstance. The actual language is carried over from the enabling statute.

> 6. Officers: The language specifies that the treasurer and secretary for the board need not be members of the board. Wouldn't they be more likely to be Board members who don't fulfill the day-to-day responsibilities of those roles? They would depend on staff to do so, and as Board members they oversee the staff work.

Correct. This mirrors the language in the statute.

The LAJC attorney looking at the draft is out of the office. Is there time to give additional input once she returns?

Present status – Sam has farmed out the memo and draft to staff for review and comment, with a confab in early July, with an eye toward a work session with Council on the 15th.

Happy to carry your water for the additional input when we confab.

Best wishes,
Emily

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**From:** Sunshine Mathon <smathon@piedmonthousing.org>
**Sent:** Wednesday, June 5, 2024 1:54 PM
**To:** Emily C. Dreyfus <emily@justice4all.org>
**Cc:** doronzio@pilotmortgage.biz; Joy Johnson <joyskijohnson@gmail.com>
**Subject:** Land Bank ordinance + memo

Hi, Emily.

I'm just getting back into town and discovering that due to miscommunications about protocol/process, you never received a copy of the Land Bank documents. I talked with Phil and Joy and they both agreed it was important to send them along.

From a timing perspective, these documents were sent to the City Manager last week so the opportunity for integrating input has passed at the moment. However, we fully anticipate there may be another round of discussion/feedback once the City Manager responds with his comments. So, in the meantime, please have CLIHC review and provide any comments and/or suggested amendments.

Thank you!
Sunshine Mathon, G.S.D.