

WASHTENAW URBAN COUNTY EXECUTIVE COMMITTEE MEETING
Wednesday, June 5, 2019 - 2:00pm - 3:30pm
Washtenaw County Learning Resource Center (LRC), Huron Room

I. Members in Attendance: Cath Howard (Augusta Township); Craig Lyon (Pittsfield Township); Joe Meyers (City of Ypsilanti); Supervisor Ken Schwartz (Superior Township); Supervisor Marlene Chockley (Northfield Township); Michael Moran (Ann Arbor Township); Michelle Aniol (City of Dexter)

Communities Absent: City of Ann Arbor; City of Saline; Bridgewater Township; Dexter Township; Lima Township; Manchester Township; Salem Township; Saline Township; Scio Township; Sylvan Township; Webster Township; York Township; Ypsilanti Township

Chairperson: Commissioner Jason Morgan (Washtenaw County Board of Commissioners)

OCED Staff Present: Mirada Jenkins, Tara Cohen

Guests: Marta Larson (Whitmore Lake resident)

Meeting called to order: 2:11pm

I. Public Comment – None

II. Announcements

- Introductions were made around the table.

III. Minutes - Approval of 5-1-19 Meeting Minutes (ACTION)

Moved by Howard. Support by Aniol.

Motion passed.

IV. General Administration

A. Updates on FY2019-20 Annual Action Plan

Cohen reviewed the last round of revisions that were made to the final Action Plan that was provided to and was scheduled to be approved by the Board of Commissioners at their June 5th meeting. See [agenda packet](#) for more detail.

In response to one of the revisions, that increased Avalon Housing's allocation for CHDO Operating Costs to the maximum allowable 5% of the overall HOME grant, increasing from the original \$50,000 to \$63,240, a UCEC representative asked whether Avalon is able to justify the need for this increase. Jenkins responded that we've allocated the full 5% in previous years, and so this revision is to be consistent with past practice. She also noted that Avalon's operating budget for Dan Hoey and Glendale projects justifies this allocation, and does not exceed 50% of those costs.

B. Annual CDBG Priority Project Option (ACTION)



Cohen reminded the Committee that the discussion around CDBG priority projects at the May meeting resulted in a request for staff to bring two separate motions to this (June) meeting. The first motion to determine whether to continue or eliminate priority projects, and a second subsequent motion to form an ad hoc subcommittee to explore process improvements and make recommendations to the full Committee.

Schwartz asked to clarify whether eliminating the priority project process would not mean that the UCEC would be unable to set aside CDBG funds, for example, if the Amtrak project re-surfaces.

Cohen responded that this Committee does not technically need any specific policy or process written down in order to vote to set-aside a portion of the Urban County's CDBG allocation for a regional or other type of special CDBG-eligible project. Jenkins shared that, while the priority project process was established with good intentions, staff may have inadvertently created an unnecessary layer of bureaucracy for the Committee to set aside CDBG funds for a special project.

The group discussed the first motion suggested in the agenda packet:

MOTION: The Urban County Executive Committee discontinues the current annual process of an optional 10% set-aside of the Urban County's CDBG allocation for Priority Projects.

Meyers said that he understands the process has gotten somewhat convoluted, but, as a community that benefited from priority project funding, he is in favor of keeping the priority project in place and would support a simplified version of what is currently in place. He added that if there is no set-aside built in to the annual process, new members to the UCEC won't know that this is an option.

Moran stated that he opposes the priority project, as he has said before, the process pits us against each other in trying to justify that a project should count as "regional." He said he doesn't think the priority project option is very helpful.

Aniol added that, without a committee to define criteria for CDBG set-aside projects, we'll wind up in the same boat.

Howard commented that our communities differ from one another in terms of demographics, and so, she is wondering if we have a broad-based definition of the word *regional*.

Moran shared that he is not opposed to a subcommittee forming to work on this issue, but he does not plan to volunteer for it.

Chockley noted that Northfield is a community that "borrowed ahead" for their local CDBG allocations in order to do a project in the past, and even with a 10% set-aside, she wonders how they would qualify for a regional project. She noted that maybe transportation-related projects would fit, but whatever the project, it should meet the goals of the entire UCEC.

Schwartz stated that he's not sure a project would have to be "regional" to want to fund with CDBG.



Meyers made a motion to continue the current annual set-aside to be determined for priority projects, effective for 2020 fiscal year funds, and to form a subcommittee to improve this process.

Lyon said he understands Moran's point, and that the group needs to have a definition for what is a priority project. Howard added that, for a subcommittee, she wants to see that it includes a representative group, some urban and some rural.

Morgan asked whether a few communities within the Urban County could potentially pool their allocations in the future, as another way to carry out a "regional" project impacting more than one community. Moran expressed concerns that this type of set up could lead to unhealthy allegiances where certain communities feel pressured to put their allocation toward others' projects as reciprocation – and he said this would work against the purpose of forming an Urban County, which was to pool resources and for some communities such as his (Ann Arbor Township) to essentially donate their portion to the overall funding pot.

Morgan brought the group back to Meyers' motion currently on the table:

MOTION: The Urban County Executive Committee will continue the current process for a priority project set-aside, and will form a subcommittee to improve this process.

Moved by Meyers. Support by Chockley.

Motion failed (2 in favor, 5 opposed).

Following the vote, Lyon stated that, for the benefit of the whole Committee, he is in favor of a subcommittee to define criteria for set-aside projects.

Morgan clarified that, based solely on the motion that just failed, the UCEC has not actually eliminated the priority project process.

Moran quickly made a new motion to eliminate the priority project process, as follows:

MOTION: The Urban County Executive Committee will eliminate the priority project process, as of the Fiscal Year 2020-21 funding cycle.

Moved by Moran. Support by Aniol.

Motion passed (5 in favor, 2 opposed)

The group moved on to the 2nd suggested motion in the agenda packet regarding an ad hoc subcommittee. Howard made a slight revision to staff's draft motion language, to read as follows:

MOTION: The Urban County Executive Committee will form an ad hoc subcommittee to consist of members and staff to explore processes by which Committee members/designees may propose CDBG funding set-asides, beginning with 2020-21 Fiscal Year funds; subcommittee will also be responsible for proposing criteria to be accepted by the full Committee for potential set-aside projects.

Moved by Howard. Support by Aniol.

Motion passed (5 in favor, 2 opposed.)

Chockley suggested the ad hoc subcommittee meet only twice. Cohen asked who might be interested and willing to participate.



Those who volunteered included: Aniol, Chockley, Howard, and Lyon. Jenkins mentioned that Teresa Gillotti will also want to be involved to provide her input as well. Cohen noted that she will staff this subcommittee, and will be sending out a special email to recruit a few additional volunteers and to then schedule the meetings, with a goal of having whatever process guidelines determined in time for the 2020 Action Plan process beginning in November.

C. Discussion of Policy Considerations for Allocation Carry-Overs

Cohen noted that the discussion at last month's UCEC meeting about Priority Projects had led to the topic of the Urban County's CDBG budget, and lack of clarity around how and when member communities can "carry-over" their CDBG allocations for future spending. Cohen reiterated that these practices have not been entirely consistent over the years since the Urban County formed in 2003, and as a result, the overall CDBG budgeting process has become too loose and therefore extremely challenging and time consuming for staff responsible for administering the local CDBG Program. Cohen explained the CDBG timeliness rule that, per HUD, the Urban County can never have more than 1.5 times the current year's CDBG allocation "in the bank." To improve and streamline CDBG budgeting overall, Cohen noted that staff would like to share the following ideas to consider including in a policy for UCEC:

- *Allocations must be programmed in an Annual Action Plan (i.e. tied to a specific project or project type) in order for a community to receive those funds; this would mean that a community could not "bank" its allocations over multiple years without specifying project(s) for each year's allocation they wish to utilize.*
- *CDBG allocations and balances would expire at the end of the five (5) years of the Consolidated Plan timeframe. For example, for the current Consolidated Plan period of July 1, 2018 through June 30, 2023, any allocations programmed in the 2018 - 2022 Annual Action Plans would need to be spent by June 30, 2023, otherwise they would go back into the general CDBG funding pot.*
- *For pre-2018 allocations specified in an Action Plan – or balances on pre-2018 completed projects – communities would be allowed a grace period until June 30, 2023 to expend those funds.*

Cohen added that, if the Committee were interested, she could also research how some other Urban Counties handle these issues – for example, she knows of one community in Michigan that rotates which localities do CDBG projects for a few years, and then move to the next subset of localities for the next few years, et cetera, which allows localities more time to plan their projects.

Aniol expressed that she likes the 3 bullet points that staff included in the packet, in that it seems logical and implementable, and added that she also likes the idea of staff sharing best practices from other Urban Counties.

There was brief discussion about HUD's "certification" of Urban Counties, and Howard asked why the certification runs on a 3-year cycle whereas most Township board terms are 4-years. Cohen explained that staff have no control over this, as it is a HUD-defined process.

D. Cancellation of August 7th UCEC Meeting (ACTION)

MOTION: The Urban County Executive Committee shall cancel the August 7, 2019 meeting previously included on the annual meeting calendar.

Move: Schwartz. Support: Moran.

Motion passed unanimously.



E. UCEC Response to HUD-Proposed Policy Changes

Cohen explained a proposed HUD rule that would affect households with mixed immigrant status who are receiving HUD assistance. The proposed amendment pertains to Section 214 of the Housing and Community Development Act of 1980, which prohibits the Secretary of HUD from providing financial assistance to anyone other than United States citizens or specific categories of eligible noncitizens in HUD's public and specified assisted housing programs.

See the [agenda packet](#) for more details and links to the proposed HUD rule [here](#). Cohen explained that HUD's public comment period on this proposed rule closes July 9th, and wants to ensure that UCEC has an opportunity to submit written comment, similar to what Ann Arbor HHSAB and the Washtenaw County Continuum of Care is planning.

Meyers made a motion for staff to prepare written comment on behalf of UCEC to express opposition to this proposed rule. Chockley said she does not know enough about the issues to say that she is opposed, but she would be comfortable stating UCEC's concern.

MOTION: The Urban County Executive Committee authorizes staff to prepare public comment on behalf of the Committee to oppose HUD's proposed rule to amend Section 214 of the Housing and Community Development Act of 1980.

Moved: Meyers. Support: Aniol.

Motion passed (6 in favor, 1 opposed)

F. Designee Forms for FY19-20

Cohen reminded the group that Designee forms are due today (June 5th), and there are still several communities that have neither turned in their form nor communicated that they are continuing with their 2018-19 designee. She referred everyone to the table in their agenda packet showing each community's designee status, and noted that she will be reaching out directly to those she still needs information from.

G. General Updates

1) Local Project updates – Cohen provided some brief updates on CDBG-funded infrastructure and demolition/affordable housing projects underway or with pending contracts, which can be found in the [packet](#).

2) Community Announcements/updates

- Morgan announced that the Board of Commissioners will be holding [a joint Working Session together with Scio Township and Ann Arbor Township](#) on Thursday, June 6th at 242 Community Church on S. Wagner Road, to discuss whether to request "EPA Superfund" designation for the former Gelman Sciences site.

V. Adjournment

Aniol moved to adjourn, Chockley supported.

Motion passed unanimously.

Adjourned: 3:30pm



