



The Town of Barnstable
Affordable Housing Growth & Development
Trust Fund Board
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Mark S. Ells, Chairman

Wednesday, August 24, 2022
Affordable Housing Growth & Development Trust Fund
Fund Board Meeting APPROVED Minutes
12:00 P.M.

Pursuant to the passage of legislation extending certain COVID-19 measures adopted during the state of emergency, this meeting was closed to the public.

Alternative public access to this meeting was provided by utilizing a Zoom link or telephone number, both provided in the posted meeting notice.

Board Member Attendees: Chairman Mark Ells, Andy Clyburn, Mark Milne, Laura Shufelt and Wendy Northcross.

Other Attendees: Elizabeth Jenkins, Director, Planning & Development; Jillian Douglass, Trust Administrator, Planning & Development; Ryan Bennett, Housing Coordinator, Planning & Development; Town Councilor Paula Schnepf; Town Councilor Gordon Starr; and Ellen Swinarski, Community Preservation Coordinator, Planning & Development.

Call to Order

With a quorum present, Acting Chair Clyburn called the meeting to order at 12:05 p.m. and stated that today's meeting is recorded and in accordance with M.G.L. Chapter 30A, s 20 he must inquire whether anyone is recording this meeting and to notify the Chairman that a recording is being made. No one came forward.

Member Introduction

By roll call (present): Wendy Northcross, Laura Shufelt, Andy Clyburn, Mark Milne, and Mark Ells.

Public Comment

Ms. Jackie Mahoney noted that she was present.

Topics for Discussion

1. Approval of minutes for the 7-8--22 meeting.

Motion was made by Wendy Northcross and seconded by Mark Milne to approve the July 8, 2022 meeting minutes as submitted. Roll call vote: Wendy Northcross (yes), Laura Shufelt (yes), Andy Clyburn (yes), Mark Milne (yes) and Mark Ells (abstained). Motion carries.

2. Trust Administrator's Updates/Follow-Ups.

Jillian Douglass provided an update on the plan for NOFA marketing outreach for print and digital advertising noting assistance from Amy Harwood. Jillian shared that there has been little success with response to the advertisements in Banker and Tradesman, USA Today, Wicked Local and added that it was possible the wrong audience was being targeted for Banker and Tradesman as it is a national audience. She explained that of the \$4,000 budget for advertising, \$2,700 has been expended to date and that with these remaining funds, it is planned to run advertisements in October and December in the Cape Cod Times and Wicked Local which will reach smaller scale builders in the area. The October run for Banker and Tradesman is planned for the Gateways Cities edition and there will be a recalibration of the general marketing strategy that will focus more on existing connections with people in the community.

Laura Shufelt stated, and other members agreed that a more local focus is the way to proceed, and she noted that the Gateway Cities edition of Banker and Tradesman would encourage market housing which is a downside to the Gateway program. In answer to Councilor Gordon Starr, Laura explained that Trust funds would serve as a gap filler for larger projects, noting Federal and State as other funding resources that require matching town support to qualify; this is where Trust funds can elevate larger projects.

Jillian shared her feedback from potential applicants who have expressed interest in creating affordable housing, and it is the compliance feature and working with a municipal funding entity that seems to be a little bit of a challenge for some of the local builders, noting an educational hurdle due to inexperience with affordable housing. Jillian referenced skipping to section 2c. of the agenda – Partnering Opportunities – County outreach through the HOME Consortium for allocation of ARPA funds is underway, however, the HOME Consortium has a program for smaller scale construction projects for up to \$250,000 where there may be some partnering opportunities to leverage those funds. Jillian noted that folks will be directed to Plymouth Redevelopment for marketing and lottery compliance however, it is the application stage and the required level of detail that appears problematic for applicants. Jillian referenced section 2d of the agenda – Potential Leads– Mass Military Family Services is working on applying for predevelopment funds with staff support and it is an example where there are hurdles of working with a government financing entity for the first time. Jillian also noted another group, Narrowland that is in the permitting process presently as another potential lead. Jillian continued regarding partnering opportunities saying that another entity that the Trust could work with would be Housing Assistance Corp (HAC) explaining that a lot of what is needed is just guiding people through the systems. Jillian noted that her recent discussions with HAC had more to do with their accessory dwelling unit program that they were rolling out, however she assured that HAC was fully aware of the Trust's NOFA. Circling back to section 2b. Trust Financial Statement, there were not questions from Trust members regarding this statement.

2c. Accessory Units – Jillian said she would ask HAC to refer people to the Trust if they are approached about accessory units. The required deed restriction was identified by applicants as a hurdle for the use of Trust funds.

3. Housing Coordinator's Report = Housing Production Plan Update

Ryan Bennett, Housing Coordinator, provided an updated on the Housing Production Plan effort saying they are wrapping up the focus group sessions which had a very encouraging turn out. Ryan noted that the next step is a community forum to be held September 21, 2022, at the Adult Community Center from 6 pm to 8 pm. structured as an in-person meeting but working also toward having a virtual component for public participation.

Councilor Gordon Starr, who said he participated in one of the focus group sessions, asked if there would be an overview of issues raised. Ryan noted that the first community forum will be a presentation of everything they have learned to date through their housing needs assessment data collection efforts, including the focus group sessions as well as one on one individual interviews that are currently being scheduled as well to follow up. All of the above will inform what is presented at the September 21, 2022, community forum. Participants will have opportunities to provide feedback to what some of the emerging issues, challenges, strategies may be.

4. Topics for Future Meetings/Agendas

a. Update on Town Properties for Housing

Jillian explained that this item is on the agendas because additional staff work is in progress and will continue working toward the goal of returning to the Trust with sites for consideration for affordable housing. Elizabeth Jenkins noted that the town's Asset Management Dept. has been looking at a variety of parcels with potential uses including but not limited to affordable housing to make recommendations to the Town Manager and Town Council. Review of the process used by other communities that have been successful in issuing RFPs on town properties for affordable housing, and how it could translate to Barnstable and Trust responsibilities will be reviewed

Mark Ells said there will need to be a discussion with our leadership and Town Council relevant to how to bring forward these town properties once identified, what type of housing, and what some of the underlying issues are that we need to address to be able to proceed to achieving housing on those parcels, noting the Trust plays more of a financial subsidizing role. Mark said the town will utilize the information gathered in our housing production plan and talk with leadership and Town Council and be then able to bring these parcels forward parcel by parcel. Concurrent with that, we will also keep moving forward the parcels that are well into the decision-making process. He stressed that an internal and then a public discussion with Town Council needs to occur to make it clear on how best to proceed to achieve what we are trying to do with the municipal properties that are identified as being purposed for housing and how best and what type of housing we should try to proceed with and then come over to the Trust to discuss what the Trusts role is in this. He said that whatever the most effective way for the Trust to interact and subsidize, we would look to do that.

Councilor Paula Schnepf asked if there may be examples where communities have been successful with properties that have Trust or CPA funds identified for the development of the parcel that could accompany the RFP. Laura Shufelt outlined the typical way that trusts are involved saying that the town assigns the drafting of the RFP to the trust as an interested party to put the RFP together with input from town administration and others and goes through community engagement. The town manager then approves the final

RFP before it is released. The RFP would contain language saying that applicants are encouraged to apply to the Trust for funds without any specificity to avoid Chapter 149 requirements for public construction.

Mark Ells said that this process is similar to what is followed in the Town of Barnstable however not exact, noting that typically the town provides the trust with support for that effort because that is where procurement staff is. The trust brings the financial resources. The Town Council will be involved in authorizing consideration of parcels for housing and the trust will play a role subsidizing, administering and possibly beyond the scope that the trust has historically done.

Laura Shufelt requested that a description of the application process for trust funds be included on a future agenda. It was noted that applicants have the impression that the trust wants to move the NOFA funds that precedes staff level review. Staff attempts to manage applicant's expectations by providing the eligibility criteria for NOFA funding. It was noted that the sticking block in getting applicants to move forward with a complete application is the development pro forma information that the trust needs to evaluate and make an informed decision.

b. Future presentation by Local Option for Housing Affordability (LOHA) on H.1377 "Local Option Legislation for High-Value Real Estate Transfer Tax to Fund Affordable Housing"

Jillian shared that a presentation on the pending state legislation was available on September 28, 2022, if the trust members were interested in learning about it as an option for the Town. There was member discussion regarding this being a local options transfer fee tax that would need to receive approval by Town Council to adopt it. The trust could bring it forward for Town Council consideration and explain why it would be a good tool for the town to have if desired. Mark Milne said that the process is very similar to the way the Community Preservation Act was adopted by the Town of Barnstable. It was decided that it would be discussed with leadership first, and if it is something that could be available to the trust, the trust could pursue learning more about it.

There was discussion about the status of the legislation, which is intended to be general across the Commonwealth, with each Town deciding through their government authority whether to implement or not. It was noted that the legislation is still in committee so it could be quite some time before we see it come out. It was agreed that Jillian would reach out for information that can be shared with the trust board members and place the item on a future agenda with Mark Milne and Jillian coordinating to bring information forward at the appropriate time relevant to fiscal policy. It was confirmed that the role of the trust is that of advocating, not authority over adoption.

Future Agenda Topic – Mark Ells

Mark Ells requested research specific to affordable housing where there are examples of successfully administered funds including ARPA funds with defined criteria for eligibility being administered and distributed through an entity. He said he has not seen this done. He noted that he has seen language regarding entities other than municipalities that may be eligible to receive funds and would like to know if the trust could possibly be one of those eligible entities. He said that Federal, State and County have made promises

regarding eligibility however he has only seen instances where the funds were actually delivered for water and wastewater projects that were linked to existing programs. Jillian Douglass said that the HOME Consortium is working on an ARPA allocation plan and are in the process of gaining input from Barnstable County towns as to where the funding should be allocated. They have not completed their outreach yet. Mark Ells said he is also seeking information relevant to the post audit review as in the county where the county awarded Barnstable money for wastewater, but the bottom line is the Town is responsible for determination of eligibility. They have given us the money, but if we cannot prove to the state or federal government that we are eligible, they have no liability. He further clarified that he would like to know the process and eligibility criteria for distribution of funds for housing specifically, noting that funds from ARPA will need to be allocated and spent by 2026. Mark Milne noted that it was Chapter 102 of the Acts of 2021 where the state allocated about \$2.5 billion dollars, with about half of the ARPA money in that Act earmarked for affordable housing. He suggested looking to the agencies that are administering the funds to local communities such as HAC. It was decided this item would be placed on the next trust meeting agenda.

After a brief discussion, and identification of scheduling conflicts, it was decided that Jillian Douglass would reach out to all Trust Board members to come up with a proposed date for the next meeting where most members can attend.

Adjournment

Motion to adjourn was made by Wendy Northcross and seconded by Mark Milne. Roll call vote: Laura Shufelt (yes), Wendy Northcross (yes), Mark Milne (yes), Andy Clyburn (yes), and Mark Ells (yes). Meeting adjourned.

List of documents/exhibits used by the Board at the meeting:

Exhibit 1 – Affordable Housing Growth and Development Trust Fund Board Agenda 8/24/2022.

Exhibit 2 – Draft minutes for the 7/8/2022 Affordable Housing Growth and Development Trust Fund Board meeting.

Exhibit 3 - Accessory Affordable Apartment Loan Program (AAP) Guidelines.

Exhibit 4 - Invoices from the Warren Group for Advertising.

Exhibit 5 - Affordable Housing Growth & Development Trust Fund Statement of Financial Position – Inception to June 30, 2022 – Prepared by Mark Milne, Director of Finance.

Exhibit 6 – Local Option Legislation for a High-Value Real Estate Transfer Tax to Fund Affordable Housing – House No. 1377.

Respectfully submitted,
Ellen M. Swiniarski
CPC Coordinator
Planning & Development