

# **Lake County Illinois**

*Lake County Courthouse and Administrative Complex  
18 N. County Street  
Waukegan, IL 60085-4351*



## **Minutes Report - Draft**

**Wednesday, October 27, 2010**

**7:00 PM**

**10th floor Assembly Room**

**Community Development Commission**

**1. Roll Call**

*Staff: Joel Williams, Vern Witkowski, Judy Gathman, Jonathan Burch, and Laura Walley.*

*Guest: Lisa Tapper of the Affordable Housing Corporation; Erica Sims and Phyllis DeMott of A Safe Place; Bob Wittebort of Metropolitan Housing Development Corporation; Bill Caruso of John Marshall Law School; Rosa Reyes-Prosen and Megan Harrington of SER-Fair Housing Center; and Cynthia Alexander.*

**Present** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

**Excused** 4 - Commissioner Cunningham, Commissioner Rose, Commissioner Russell and Commissioner Swanson

**2. Approval of Minutes**

**2.1 10-1048**

Approval of Minutes - August 25, 2010

**Attachments:** [8-25-10](#)

**A motion was made by Member Krapf, seconded by Member Ditzig, that the minutes be approved. Motion carried unanimously.**

**Aye:** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

**3. Chair's Remarks**

*Chairman Dietz offered no remarks.*

**4. Public Comment (items not on the agenda)**

*There were no public comments.*

**5. Old Business**

**5.1 10-0791**

CDC By-laws Amendments

- As a result of the Illinois Open Meetings Act, the Review Panel process for applications must change
- The CDC by-laws require amendment in order to create this change
- Staff will explain the changes to the attached by-laws

**Attachments:** [CDC BY-LAWS - Draft Revisions](#)

*Mr. Joel Williams reminded the Community Development Commission (CDC) of the proposed revisions to the CDC by-laws that were presented during the August 25, 2010 meeting. These revisions address the Illinois Open Meetings Act, which requires all meetings of the CDC, including the application review panels, to be treated as open meetings. The draft by-laws propose to organize the review panels into formal entities, which will be called Application Review Committees (ARC's). Due to the time factor, the*

*by-laws would be amended to state that, beginning next year, the Executive Committee will appoint members to each ARC. (As the by-laws were tabled at the last meeting, this year's ARC assignments were determined just prior to this meeting, as they needed to be announced tonight.) A discussion about the proposed two-year ARC term ensued, as well as a discussion about the public comment portion of open meetings, especially as they would pertain to the ARC meetings. Staff received CDC consensus to update terminology within the by-laws to ensure political correctness. Member Molek made a number of suggestions for wording changes, several of which will be incorporated within the by-laws. Chairman Dietz requested that wording be added to specifically state that all subcommittee meetings of the CDC are subject to the Open Meetings Act. Once all proposed changes are made, Staff will have the by-laws reviewed by the State's Attorney's Office.*

**A motion was made by Member Wilke, seconded by Member Ditzig, that the CDC by-laws be approved as amended. Motion carried unanimously.**

**Aye:** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

## 5.2 10-0792

Citizen Participation Plan - proposed revisions

- In conjunction with the changes to the CDC by-laws, and a review by CD staff, there are some proposed revisions to the Citizen Participation Plan
- Staff will explain the proposed changes at the meeting
- If approved, the revised plan would go out for public comment before taking effect

**Attachments:** [CPP - Proposed Revisions](#)

*Mr. Williams went over the changes proposed for the Citizen Participation Plan (CPP), as detailed during the August 25th CDC meeting. Most of the revisions were necessary for agreement with the proposed amendments to the CDC by-laws. Facts about the Freedom of Information Act were incorporated within the CPP, as was information concerning the appeals process, to inform applicants of the method with which to address their inquiries and complaints. The distinction between a substantial amendment to the Action Plan and a minor amendment was clarified, with substantial amendments requiring a public hearing and County Board approval. Community Development will continue to inform the County Board and its pertinent subcommittees of all minor amendments. Member Molek suggested a wording change pertaining to the definition of a substantial amendment to the Action Plan, which received CDC consensus. Mr. Williams stated that this item had been tabled as it referred to the proposed CDC by-law amendments, as mentioned in the preceding item. Once approved, the CPP will be available for public comment for fifteen days, beginning after the current Action Plan process.*

**A motion was made by Member Pedersen, seconded by Member Calabresa, that the Citizen Participation Plan be approved as amended. Motion carried unanimously.**

**Aye:** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

**6. New Business**

**6.1 10-1051**

Request for Project Changes: Affordable Housing Corporation (AHC) First Time Homebuyer Programs

- AHC received funding in 2008, 2009 and 2010 for first time homebuyer programs in Lake County, North Chicago and Waukegan.
- AHC is seeking changes to these programs in response to the mortgage meltdown and foreclosure crisis.
- Staff recommends that the Community Development Commission approve the proposed changes and authorize Staff to prepare revised contracts with AHC for each program.

**Attachments:** [AHC FTHB Changes Staff Memo.pdf](#)

[AHC Memo.pdf](#)

*Mr. Jonathan Burch introduced the proposed changes to AHC's First Time Homebuyer Programs (FTHB), which are detailed with his agenda packet memo. Mr. Burch stated that the revised programs conform to the HOME regulations and that the Executive Committee approved this request. Also included in the agenda packet was a letter from Ms. Lisa Tapper, Executive Director of AHC, which explained the current FTHB programs, the requested changes, and the reasoning behind those changes. Ms. Tapper addressed the CDC, emphasizing the need for the proposed changes. The new Lake County program, to replace the Affordable Plus Mortgage program, would offer no-interest deferred loans of 10% of the home's sales price, with a maximum loan amount of \$15,000. Lake County's portion of each loan would be \$1,000, with the remainder provided by the Illinois Housing Development Authority (IHDA). \$3,000 of the IHDA money would be a forgivable grant. The City of Waukegan's proposed replacement program, the Waukegan Reinvestment Program, would provide \$10,000 of 0%-interest down-payment and closing cost assistance for the purchase of a foreclosed property. The loan would be forgiven at 20% annually, with the loan fully forgiven at the end of the fifth year. The City of North Chicago's program would offer no-interest deferred loans of \$8,000 for down-payment and closing cost assistance, to be forgiven after five years in the home. Ms. Tapper also informed the CDC of AHC's plans to increase its education and counseling requirements, as there is a need to help perspective home buyers with credit repair, debt reduction, budgeting, and post-purchase home maintenance education.*

**A motion was made by Member Calabresa, seconded by Member Alexander, that the project changes to AHC's First Time Homebuyer Programs be approved.**

**Motion carried unanimously.**

**Aye:** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

**6.2 10-1079**

Change in Project - A Safe Place

- A Safe Place has requested to amend some details of its 2009 project.
- The initial terms of the agreement were under conditions that have since changed.
- The request is to amend the Loan Terms to 0% Interest Loan with \$0 annual payments for 20 years, and to receive approvals for document execution in time for October 29 closing.
- The attached information explains the changes, and staff and representatives from A Safe Place will be present to answer questions.

**Attachments:** [A Safe Place Staff Memo](#)

[A Safe Place II LP Amortization Schedule](#)

[Letter from A Safe Place](#)

*Ms. Judy Gathman introduced Ms. Phyllis DeMott, Executive Director of A Safe Place, and Ms. Erica Sims, of the financial consulting firm Lighten Gale Group, who explained the modifications in loan terms (HOME contract H0964) that are needed to enable the agency's supportive housing project, A Safe Place II, to proceed. A Safe Place had originally requested a loan structure of 0% interest with no annual payments and a balloon payment due on the 20th anniversary. The contract was written as a fully amortizing loan with annual payments of approximately \$8,000, which would provide an economic hardship, due to recent changes in the agency's expected annual expenses. Although the building should be tax-exempt, A Safe Place will have to pay annual property taxes of about \$25,000, to help alleviate the project's impact on the school system. The agency requested that the loan terms be amended to the originally requested terms, and to include corrections to the proper name of the limited partnership involved, with the paperwork prepared in time for an October 29th closing.*

**A motion was made by Member McCue, seconded by Member Wilke, that the changes to A Safe Place's HOME Contract H0964 be approved. Motion carried unanimously.**

**Aye:** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

**6.3 10-1047**

Presentation on Fair Housing

- Lake County, as a recipient of CDBG and other federal funds, is required to "affirmatively further fair housing."
- As a result of a recent lawsuit against Westchester County, NY, the interpretation of "affirmatively furthering fair housing" has changed.
- The Fair Housing Center of Lake County, along with Metropolitan Housing Development Corporation and the John Marshall Law School, will make a presentation on this new interpretation, its impact on Lake County, and potential solutions.

*Mr. Williams reminded the CDC that Lake County is required to certify that it "affirmatively furthers fair housing" in order to receive CDBG and other federal funds. He introduced Ms. Megan Harrington, Executive Director of SER-Fair Housing Center (Center), who delivered a presentation about recent changes to the Fair Housing Act (Act) and,*

*therefore, changes in the definition of what constitutes the affirmative furthering of fair housing. Ms. Harrington stated that the Center has been investigating how these changes might affect Lake County and what needs to be done to ensure the County's compliance with the Act. The Center has been in contact with the Metropolitan Housing Development Corporation (MHDC) and the John Marshall Law School (JMLS) to determine the County's obligations and possible methods to meet those obligations. Ms. Harrington introduced Mr. Bob Wittebort of MHDC, a not-for-profit corporation that has developed multiple affordable housing projects, and Mr. Bill Caruso, Co-Director of the Fair Housing Center at JMLS. Mr. Caruso explained the history behind the passage of the original Fair Housing Act in 1968 and the current view that dynamic efforts must be made toward furthering fair housing, which includes the removal of any known impediments, if an entity receives any form of governmental funding. Mr. Caruso said that the proposed partnership of SER-Fair Housing Center, MDHC, and JMLS would provide a three-prong approach toward improving the County's compliance with the Act: 1) The Center would provide increased outreach, training, and analysis of the partnership's efforts; 2) JMLS would provide seminars on the requirements of furthering fair housing and how to meet those requirements, locate areas where there is no available affordable housing, and provide a clinic, staffed by students, that will file fair housing cases when needed; and 3) MHDC would supply structure and staff to provide program oversight and recordkeeping. The partnership would plan outreach programs and meetings throughout Lake County, to teach people how affordable housing would benefit their community. A discussion about the costs associated with the efforts of the partnership ensued.*

**This matter was presented**

**6.4 10-1046**

**Approval of 2010 Continuum of Care Application**

- The U.S. Department of Housing and Urban Development (HUD) announced the availability of approximately \$1.68 billion for homeless assistance programs, of which Lake County is eligible to apply for at least \$1,301,568 with potential bonuses totaling an additional \$157,260.
- Since 1998, Lake County has assumed a leadership role in organizing the homeless assistance planning process required under the Continuum of Care (CoC) and the County annually submits an application for homeless assistance funding.
- The Lake County Coalition for the Homeless' CoC Committee, comprised of over 20 homeless service providers, government entities, homeless and formerly homeless persons, and other human service agencies developed the funding recommendations for FY10 Continuum of Care funds.
- The final Continuum of Care application must be submitted to HUD by November 18.

**Attachments:** [2010 CoC Projects](#)

*Mr. Williams discussed the Continuum of Care (CoC) application, reminding the CDC that the application represents annual renewal requests on behalf of the County's public service agencies, which provide homeless assistance programs to our citizens. In addition to the project renewals totaling \$1,301,568, the County may also apply for a bonus of up to an additional \$157,260, to help fund a permanent housing project for persons with HIV, which would be operated by the Alexian Brothers AIDS Ministry. The*

*application deadline is November 18th.*

*Member Ditzig praised Peter Duggan and the Lake County HMIS program, which maintains a database, called ServicePoint, on homeless clients for local public service agencies. Member Ditzig recently joined of a group, comprised of 26 Executive Directors of local social service agencies, which set a goal of having every Lake County social service agency utilize the ServicePoint program within 5 years, if not sooner. The HMIS program is used to coordinate and streamline assistance efforts between agencies helping clients move out of homelessness. It also enables the agencies to quickly and accurately compile their quarterly reports, saving many hours of employee time. It is hoped, through the HEARTH Act, that additional funds may become available for the HMIS program.*

**A motion was made by Member McCue, seconded by Member Ditzig, that the 2010 Continuum of Care Application be approved. Motion carried unanimously.**

**Aye:** 11 - Vice Chair Alexander, Commissioner Calabresa, Chair Dietz, Commissioner Ditzig, Commissioner Feldman, Commissioner Krapf, Commissioner McCue, Commissioner Molek, Commissioner Pedersen, Commissioner Wilke and Commissioner Mancino

#### **6.5 Application Review Process Discussion**

*Mr. Williams presented an overview of the application review process and asked the CDC members to disclose whether their potential ARC assignments would entail any conflict of interest, to which there was no reply. CD Staff provided a brief overview of the anticipated applications, as indicated by the Letters of Intent. Staff will contact the respective ARC members to schedule the review sessions, generally held during the first full week of December.*

#### **7. Staff Reports**

##### **7.1 Community Development Administrator's Report**

*Mr. Williams announced that 100% of the County's Neighborhood Stabilization Program (NSP) funds were obligated prior to the federal deadline. The City of Waukegan has sold its first NSP house. Staff will provide further update on this program during an upcoming meeting.*

#### **8. Adjournment**

**Chairman Dietz adjourned the meeting at 9:02 p.m.**