

COMMUNITY DEVELOPMENT ACT ADVISORY COMMITTEE
(CDAAC)
October 12, 2017
Minutes

**Community Room, City Hall
241 West South Street
Kalamazoo, MI 49007**

Members Present: Jennette Tarver, Bill Wells, Dana Underwood, Margaret Wilson, Adam Roth, Tami Cox, Candice Howell

Members Absent: Sasha Acker, Chair; Amina Shakir; Annie Sprague; Kenneth Nichols

City Staff: Dorla Bonner, Community Development Manager; Venessa Collins-Smith, Compliance Specialist; Amanda Coeur, Community Development Secretary; Beth Cheeseman, Code Administration Clerk and Cashier

Guest: Kris Mbah

CALL TO ORDER

Ms. Bonner told the members present that Vice Chair, Kris Mbah, had officially resigned his seat on the Committee. Since he was the Vice Chair and the Chair was absent, there needed to be a motion and vote for a temporary acting Chair to run the meeting for the night.

Ms. Underwood made the motion, seconded by Ms. Cox to nominate Mr. Roth as the temporary acting Chair for the meeting. A voice vote was taken and passed unanimously.

Ms. Underwood stated a desire to have the full membership present to nominate a Vice Chair for CDAAC. Committee members and City staff agreed that the current Chair must be present to talk about filling the Vice Chair position.

Mr. Roth called the meeting to order at approximately 6:35pm.

ROLL CALL

Ms. Cheeseman conducted roll call of CDAAC members and determined quorum existed.

New member, Ms. Candice Howell, was introduced and welcomed. She has lived in Kalamazoo for 12 years and has some experience with housing development - profit and non-profit along with a little bit of finance. She is looking forward to being a member of the committee.

APPROVAL OF AGENDA

Mr. Wells supported by Ms. Wilson, moved approval of the October 12th, 2017 CDAAC agenda. With a voice vote, the motion carried.

APPROVAL OF MINUTES

Mr. Roth asked if there was any discussion or concern regarding the September 14, 2017 minutes. Committee members voiced no concern regarding the minutes of the meeting.

With Committee members' agreement, the floor was opened to citizen, Kris Mbah, previous Vice Chair of CDAAC. Mr. Mbah stated that he believed the minutes did not reflect the entirety of what happened at the previous meeting. The minutes state that he was informed prior to the meeting that he was not an eligible member of CDAAC due to residency requirements. Mr. Mbah said that it was not until he arrived for the meeting and was trying to sit down that Ms. Bonner asked him to step outside of the meeting room. He stated that Ms. Bonner then told him that he was no longer a registered voter within the City of Kalamazoo and told him he couldn't attend the meeting because of the discrepancy. Mr. Mbah said he felt that was very unprofessional, and Ms. Bonner had not emailed him before that time. He would like the minutes to reflect that he was a board member until his resignation a week or two ago. Mr. Mbah said that prior last month's meeting he had sent an email to the Committee saying that when the new candidates were approved, he would resign to allow his seat to be given to the third candidate, John Lawrence. He said he heard nothing about that. He again stated that he would like the minutes to show what happened.

Ms. Bonner responded that it had been brought to her attention from someone else that he moved. She emailed the City Clerk with regard to procedures when a City committee member moves outside of the City. Ms. Bonner reported that she attempted to send some emails to Mr. Mbah using the email address she uses all of the time. She stated that she did not receive a response. She also attempted to make phone calls to Mr. Mbah prior to the meeting. Ms. Bonner stated that she did not say Mr. Mbah could not come in to the meeting, but she did say he could not participate as far as voting on anything. Ms. Bonner said she was responding to Mr. Mbah under the advisement of the City Attorney which is why she said what she did. Ms. Bonner acknowledged the email Ms. Mbah sent regarding resigning and putting the other person in his place. Ms. Bonner stated she had responded to him that day that as long as he occupies the seat, there can be no conversation about a vacant seat. She said that at that time, Mr. Mbah decided not to resign. After he did resign, Ms. Bonner made the decision not to bring anyone else on during the application process. She reported that they had tried that before and almost lost good people due to that. Ms. Bonner said they promised themselves and discussed in the meeting how to bring people in and that we would not bring people in continually throughout the year. Ms. Bonner expressed her regret that the situation appeared to be done inappropriately and in an unprofessional manor. She also expressed regret for an unprofessional meeting last month.

Mr. Mbah stated that he FOIA'd Ms. Bonner's emails, and there had been no correspondence via email. He wants the record to show the fact of the matter.

Mr. Roth suggested that it would be helpful to have both parties write out their version of the events and compare it to the minutes.

Ms. Tarver and Ms. Underwood discussed the differences between the requirements of neighborhood boards and City boards as far as residency. Ms. Cox expressed concern about including "truth" about a private conversation into the meeting minutes. She suggested that both sides should be entered into the

minutes. Ms. Wilson clarified that the private conversation is only relevant as to Mr. Mbah's role at the previous meeting.

Ms. Wilson stated that she thinks Mr. Mbah has a concern regarding procedure which is separate from the minutes. She believes those things should be addressed separately. Ms. Wilson asked Mr. Mbah if there was a succinct change he would like to see in the minutes. Mr. Mbah agreed that he will write down the change and email it to the committee members.

Ms. Wilson, supported by Mr. Wells, motioned to table the minutes until the next meeting. A voice vote was taken and passed. Ms. Cox voted no.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

Mr. Kris Mbah requested to speak again about last month's meeting. He stated that last month's meeting was very unprofessional and shocking for him personally. Mr. Mbah feels that issues regarding committee members should be brought to the committee. Rather than bringing it before the committee, he felt that he was pulled aside like a delinquent child and being told he could not come into the meeting because he is not a resident. Mr. Mbah said he has no problem stepping down from the committee when his term is done. He stated that he had an issue with the way he was treated by a City staff person and felt that person was overstepping her authority. He cautioned the board members to consider the roles of City staff and moving forward as committee members and how decisions are being made. The Committee has to be very careful of how items of agenda are put forward as far as issues like this. Mr. Mbah stated there was no item on the agenda and no email to the committee members regarding this issue. He reported that he received a Facebook message the day before the meeting from Dorla asking him to call her. He said he didn't call her because he had no time to do so and that was the day before the board meeting. Mr. Mbah said that when he arrived at the meeting, he was pulled aside and told he couldn't be there because he registered in Portage as a resident. Mr. Mbah stated that he thought it should have been addressed at the meeting in a professional or civilized manner or emailed to him as a board chair. He again cautioned the board to be very careful, especially those in leadership positions, to be adamant about transparency and accountability with minutes and reflecting what things happened in previous board meetings. He said he believes that staff needs to work within their roles and guidelines, and he thinks those lines have been blurred in the last few months and that needs to be addressed.

OLD BUSINESS

None.

NEW BUSINESS

Another welcome was given to new board member, Candice Howell.

Ms. Collins-Smith gave an update on pre-submission training. The trainings were offered on 10/10/17 from 10-12noon with 15 in attendance and from 2-4pm with 6 in attendance with a total of 21 people. They went over the application process in detail – letting people know the amount of funds that will go out into the community. The application timeline was posted on 10/10/17. Requests to have an application reviewed must be submitted by 10/25/17 by 4:30pm. The application due date is November

9, 2017 by 4:30pm by email in pdf form. Hard copies will not be accepted. Staff review of applications will be from 11/10/17-11/17/17. Subcommittee reviews will be held 11/20/17-1/5/2018. Recommendations from the subcommittee will be submitted to CDAAC at the 1/11/2018 meeting. The application process identifies the projects submitted to HUD and the annual action plan. Ms. Collins-Smith estimated that there were about 15 agencies represented including 3 minority agencies.

Ms. Bonner stated that they will select subcommittees at the next meeting. In the past there have been two different applications – Neighborhood Enhancement and Affordable Housing. Neighborhood Enhancement funds are already being used to assist Metro in bringing bus stops into ADA compliance. They will only need one subcommittee with five members for the application process. Ms. Bonner recommended there be an experienced person on the subcommittee - someone who has been through the process previously.

Ms. Bonner reviewed some of the bylaws to help the committee members remain grounded in the purpose of the committee. She asked the members to keep a few things in mind. Members must attend 50% of the meetings in a six month time period in order to remain eligible for the board. She clarified that no one is at risk of being removed from the board because of this. She stated that Residency is the other way a person is removed from the committee.

Ms. Bonner reviewed the duties of CDAAC. One of the responsibilities of the committee is to create a consolidated plan every five years. This year they will begin working on the new consolidated plan. She said that much of the consolidated plan will pull from items in the Master Plan and the Shared Prosperity Plan. She encouraged the committee members to begin looking at the Master Plan – specifically the Great Neighborhoods and Shared Prosperity sections. She stated that the Master Plan would be voted on at the City Commission meeting on Monday, October 16. She also stated that the Shared Prosperity plan will be completed by the end of the year. CDAAC will also need to use census data and do further outreach to get detailed information to create the consolidated plan.

A major responsibility of the CDAAC board is to manage the competitive application process. Ms. Bonner also cautioned the board members to pay special attention - the negotiations of the application process are considered to be in closed session and what is discussed in the meetings is not to be discussed outside of the meetings.

Ms. Bonner mentioned that the President wants to cut HUD funding, so they aren't sure what funds will be available in 2018. Ms. Underwood stated that she hopes that the City will take into consideration the outcome of the application process and feedback from the Committee when it comes to funding. Ms. Bonner stated that the issue of affordable housing continues to come up in various meetings and forums. It is a recognized issue within the City of Kalamazoo.

COMMUNICATIONS/MEMBERS' REPORTS/STAFF UPDATES

Mr. Roth proposed a discussion about amending the bylaws to create more of a process surrounding vacancies. For example, to specify how much time or notice the person needs to be given. He would like to see more of a process written in the bylaws about terminating committee members and/or creating vacancies on the committee. Mr. Roth questioned what the procedures of “deeming vacated” means in the bylaws.

Ms. Bonner clarified that there are three ways to be removed from the committee: violation of the attendance policy, resigning or moving from the City. Ms. Bonner stated that changes should be taken to the City Clerk. Mr. Roth asked if there is an appeal process and indicated there may be special circumstances. He would like to see some written processes regarding termination from the Committee. Ms. Cox agreed with Mr. Roth that there may be special circumstances.

Ms. Wilson stated that there was also the issue of timing out from a seat due to term-limits. She also stated that as a personal observation, it seems that when people leave, it feels sudden and unexpected. She would like to see a more orderly exit. She questioned whether there is a step where the committee acknowledges a danger point of someone being terminated. She would like to see the Committee more plugged into that information.

Ms. Bonner suggested that if the committee is interested, they can create an Ad Hoc Committee to look into the issue and make a recommendation.

Ms. Underwood agreed that since all of the committee members can't be on the application committee, perhaps an Ad Hoc Committee can look into the termination process as well as other issues that come up.

Mr. Roth stated that he would like an agenda item added to next month's agenda to discuss Ad Hoc committees – adding members to the bylaw committee and/or creating other committees to discuss the termination process.

Ms. Underwood brought up a concern from her neighborhood association. She stated that at times City staff makes remarks in other meeting that are hurtful and antagonistic. A City employee stood up in a work session of the City Commissioners and stated that the Stuart neighborhood is being run by people who should be in nursing homes. She said that the statement was discriminatory and hurtful and long-standing residents of the community were angered by the remark. She sees statements like that starting to create a wedge between people and believes it is impacting the community. She thinks there is already a growing divide between people over 50 and those under 30. Ms. Bonner asked to speak with Ms. Underwood for more details in order to have the issue addressed appropriately.

CITIZEN COMMENTS

Citizen, Kris Mbah, stated that there is a fourth item for removal from the board, and that is term limits. He said he believes the City staff picks and chooses what to address and what not to address as far as eligibility on this committee. Mr. Mbah cited the lengthy timeframe in which the Edison Neighborhood Association has had to follow up with their recommendation for a member who would be their representative on this board. He stated that it shouldn't take three months to initially decline a member and bring forward another individual to replace someone who has termed out. Mr. Mbah brought up the issues of accountability and eligibility as far as board members. He believes certain individuals are picking and choosing who should be on the committee and who should not. He stated that this is the authority of the board alone and not City staff. Mr. Mbah believes City staff has been overstepping their role as it pertains to this committee, and it is the board members who have the authority to decide procedures, proposals, policies, bylaws, who gets on and who gets off the Committee, and appeal

processes. It is for the City staff to facilitate and provide support to the committee. Mr. Mbah stated that things have been inverted where citizens are losing power on this board and staff is making decisions that void the board decisions. He stated there was an example of an issue where a Committee member thought something should be pulled from the agenda without notifying other board members. They were asked to table the issue to be discussed at another meeting. He said this issue was not discussed because certain members didn't want to discuss the issue. Mr. Mbah said there is another issue when it comes to his resignation and the issue of the last meeting. He feels the Committee members are experiencing barriers to moving forward processes and having that full authority to make those decisions processes, policies and bylaws.

Mr. Mbah stated that he has no problem stepping down from the Committee, but he was asked to step down in an unprofessional manor and believes another is being protected. He urged Committee members to follow up with the Edison Neighborhood Association for their recommendation for a representative on this board. He also issued a challenge to committee members to hold City staff accountable. Mr. Mbah stated that there is someone on the Committee who applied for many years and never got a response until they talked to him. He said there are other Committee members who applied and went months without hearing a response until he followed up on it. Mr. Mbah asked the Committee members again to hold City staff accountable and take more ownership of receiving applications, interviewing, and the process of on-boarding and off-boarding. He asked the Committee members to remember that they are the council members and City staff is there to support and facilitate the committee agenda. He stated that if they forget they are the Committee members, others will make decisions for them and make the decisions seem like they are coming from them.

ADJOURNMENT

Mr. Wells, supported by Ms. Tarver, moved to adjourn the October 12, 2017 CDAAC meeting. With a voice vote, the motion carried unanimously.

Mr. Roth adjourned the meeting at 8:00 p.m.

Submitted by: Beth Chessman Dated: 5/10/18
(Recording Secretary)

Reviewed by: Lessee Dated: 5/10/18
(Staff Liaison)

Approved by: Dani Ray Dated: 5/10/18
(CDAAC Chair/Vice Chair)