

City of McCall
Housing Advisory Committee
Agenda
October 10, 2022, 4-5:30 pm
TEAMS/McCall Library – Idaho Room
218 E Park St
McCall, ID 83638

Use a phone to call 208-634-8900, when prompted enter Conference ID [,829373847#](#) If there are any questions, contact Meredith Todd, Assistant Planner (mtodd@mccall.id.us). The Meeting Room Occupancy Capacity is subject to the 6-foot social distancing and a capacity of 6 people. Masks are recommended in all City Buildings.

CALL TO ORDER AND ROLL CALL

Toni Curtis, Robert Lyons, Rick Fereday, Joseph Dalrymple, **1 Vacancy**

HOUSEKEEPING

CONSENT AGENDA

- Approve June 13, 2022 HAC Minutes
- Approve August 8, 2022 HAC Minutes
- ~~Approve September 12, 2022 HAC Minutes~~ **Not to be approved, No quorum**

BUSINESS

- Toaster Update (Brian) – (5-10 min)
- Formation of a Housing Organization (ACTION ITEM)
- Selection/Recommendation of new HAC Member (ACTION ITEM)
 - (to fill Pat Hill's Vacant Seat)

NEXT MEETING

Next Regular Meeting – November 14, 2022 at 4:00pm

ADJOURN

American with Disabilities Act Notice: The McCall Library is accessible to persons with disabilities. If you need assistance, contact City Hall at 634-7142

3. CORE COMPONENTS

Several Local Housing programs and community initiatives are in place in the McCall Area. This Action Plan presents the ability to evolve the housing program to better meet the needs of residents and employees by creating, strengthening and defining a partnership framework to address housing needs. This will allow the McCall Area to leverage resources and capacity throughout the community and region.

Core components are the tasks and structures needed to ensure that the community partners and Plan continue to move forward. To ensure support and continuation of this partnership, a sound administrative structure needs to be established, along with housing program support to manage community housing that is produced through this Plan. ***Most of this structure needs to be in place within the first two-years of Action Plan implementation.***

Housing Organization

To be most effective, the Housing Committee recognized that additional administrative and programmatic capacity is needed in the McCall Area to manage an inventory of permanently restricted Local Housing, as well as facilitate partnerships and coordinate resources needed for Action Plan strategy implementation. It was recognized that a Valley Adams Regional Housing Authority existed in the past; however, concern over the prior history of this organization and a desire to simplify the organization to initially serve the McCall Area were raised. The capacity for a housing authority to issue bonds and act as a quasi-governmental entity were desirable attributes of this type of structure.

It is recommended that a McCall Area Housing Authority be established, preferably within the first year of Action Plan implementation. The Housing Authority should encompass the City of McCall, plus the Area of Impact. Many strategies will benefit from the administrative and managerial structure of this organization. Further, the additional staff capacity is needed to accelerate Local Housing in the McCall Area.

McCall Area Housing Authority

As specified in the action strategy description, above, base needs will be to establish funding to create the organization and hire an executive director. **At least three (3) years of start-up funding, typically averaging about \$250,000 per year, should be dedicated to form, staff, and seed this organization.**

Anticipated roles for this organization include:

- ✓ *Manage/steward Local Housing units, including deed restriction and housing guideline administration; managing Local Housing unit qualifications, turnover, and resales; and tracking Local Housing inventory.*
- ✓ *Develop Local Housing/acquire land*
- ✓ *Raise funds/issue bonds/housing tax initiative*
- ✓ *Community education and outreach*
- ✓ *Action Plan coordination/administration*
- ✓ *Specified action plan strategy implementation (see “Roles and Responsibilities” section)*
- ✓ *Prepare for and attend working group sessions and public workshops.*

Memo

Date: October 10, 2022 (Originally Reviewed at Joint Work Session of City Council/HAC on 9/23/21)

To: McCall City Council

From: Michelle Groenevelt, Community and Economic Development Director

Purpose: The purpose of the work session with the City Council and Housing Advisory Committee is to explore the idea of creating a Housing Authority, discuss the pros and cons, and look at other Housing Authority models.

The idea of creating a housing authority surfaced several times in discussion during Housing Advisory Committee meetings. The idea of bringing back the former regional housing authority (Valley Adams Regional Housing Authority - VARHA) or starting a new McCall Area Housing Authority was explored. It was determined that starting with a McCall Area Housing Authority would be more beneficial as it does not have the associated history of the former regional effort and would provide more geographically targeted services.

1. Is it legal to set up a Housing Authority as an arm of the city? Responses from City Attorney.

Under Idaho Code 50-1905, the City, after making certain findings can create a housing authority as an "Independent public body corporate." The City does, however, retain a certain amount of control over the authority board of commissioners, in that the City Council and Mayor, appoint Commissioners as their terms expire, and can remove commissioners under Idaho Code 50-1911 "for no cause" at any time, and can likewise, terminate the authority and wind-down/assume the authority's operations. The City attorney can provide legal services to the Housing Authority, and the City can, by intergovernmental agreement staff, and provide management services to the authority, thereby retaining administrative control of the authority.

2. What would this structure look like?

As I mentioned above, the City would create the separate entity, appoint the commissioners, and then enter into an intergovernmental agreement for management and staffing. See Idaho Code 50-1905 and 1910 for more information.

3. What steps are needed to create this entity?

The City needs to declare the need for the authority by resolution. The City would then Appoint a board, and then enter into an intergovernmental agreement for staffing. The City should consider how to finance the Authority's projects. It is clear that the housing authority has the ability to bond, it is not clear whether the City can make long-term loans to the housing authority. We are researching this and I will supplement this email.

4. What are the benefits of having a City Housing Authority?

This is a means by which a community can seek funding and administrate affordable housing. The authority operates separately from the City, so the city does not undertake the liability of operating the housing.

5. What is the timeline? Cost?

I think this would need to be studied. The housing authority could be created very quickly. Formulation of a plan for financing operations should be identified prior to formation. The City should identify its affordable housing goals, and develop a specific plan to achieve them. The biggest issue will be financing of Housing Authority operations.

6. Are there other examples of cities in Idaho that use this structure for housing?

I am aware of housing authorities in Wilder, Nampa, Meridian, Boise, Twin Falls and Pocatello. I am certain there are others.

7. Any other considerations?

As I identified above, I think that staff, in conjunction with the City Council should develop achievable goals for local housing. Then a plan for achieving those goals should be identified. I think the housing authority could be a part of that broader plan.

City Staff researched Housing Authorities around the state of Idaho including Twin Falls, Boise/Ada County, Wilder, Nampa and Blaine County (See attached table for a summary of the findings). These Housing Authorities, except Blain County, primarily administer Housing and Urban Development (HUD) funded programs. Therefore, Blaine County Housing Authority seemed like more of a comparable model and therefore Staff meet with the Executive Director to learn more.

Blaine County Housing Authority example:

Blaine County Housing Authority started as an effort by the City of Ketchum then expanded to Blaine County to serve the broader communities and county. They have similar issues such as high cost of land, materials and labor, communities with second homes, limited by available land, and residents compete against the entire world for housing.

This housing authority is independent and does not receive federal funding. The benefit of this model is that there are no strings attached to federal funding guidelines and it is easier to adjust to local market changes. The Housing Authority mostly manages deed restrictions (based on incomes) across the County, and currently have 100 deed restricted units. The deed restrictions limit the appreciation of the rental or ownership property in perpetuity.

The local cities Ketchum, Sun Valley and Hailey fund the Housing Authority and the Housing Authority also collect a 3% charge to administer the deed restrictions.

The Housing Authority manages the qualification process. People contact the office for units to rent or purchase through an application process. The Housing Authority lists property internally first in a database, posts on the website, then the listing is put on the MLS if needed. It is generally a first-come first-serve basis, although it varies if projects have a priority for tenants or owners (set by the City

through the land use/development agreement process). Resale prices of deed restricted units are calculated by the Housing Authority, but they are not involved in financing.

While most Housing Authorities own and manage properties, the Blaine County Housing Authority only owns one property; a motel that was donated to them – the former Lift Tower Lodge. They own and operate this property for temporary housing.

In considering the idea of establishing a McCall Area Housing Authority, the pros and cons should be carefully evaluated. Below are lists of the benefits and drawbacks to creating a new entity that focuses on housing to aid in the discussion during the work session.

Benefits of establishing a Housing Authority:

- Authority to issue bonds*
- Disposal of land for housing purpose*
- Can work beyond jurisdiction
- Independent entity for donations
- Works with City (Board members appointed by City Council) but technically separate entity of the City so separates liability
- Advocate for housing projects

*Authority provided by state code.

Cons of establishing a Housing Authority:

- Another agency to manage/more administration
- Could accomplish most tasks within City organization (use long term leases instead of disposal of public land)
- Will require additional city funding/resources (finance, legal, etc.)

Update on Housing Action Plan:

A team of housing experts have been selected to complete the McCall Area Housing Action Plan which will outline specific efforts and steps to further Local Housing efforts, programs, and projects in the next five years. Staff is in the process of contract negotiation and this Plan could evaluate and inform the role of a Housing Authority if needed.

Questions for Discussion:

1. Do you think a McCall Area Housing Authority is something that should be created?
 - a. What questions, concerns, ideas do you have?
 - b. If yes, what should be the timeline?

Housing Authorities in Other Communities

Community	Purpose	Units	Established	Roles	Website
Twin Falls Housing Authority	Provides public housing for low-income families	196 units (0-4 bedrooms) Family, Senior, Persons with disabilities	1940	Qualify applicants, income eligibility (up to 80%AMI)	https://twinfallshousing.com/
Boise City/Ada County	Provide affordable housing-related assistance to over 2,600 individuals and families every month, serving people with low and moderate incomes throughout the city and county.	Owns and manages nearly 200 market-rate apartments, ranging in size from 1 to 4 bedrooms, in Ada County. These apartments are rented to the general public and are not subsidized.	1967 (Boise) 1976 (Ada County)	Federally funded programs, as well as housing authority bond financed affordable housing developments for Boise, Garden City, Eagle, Star, Meridian, and Kuna. Housing Choice Voucher Program (Section 8) and Low Rent Public Housing Program. Owns and maintains an inventory of market rate rental housing options. Also provides assistance through these innovative programs: CHOIS (Coordinated Housing Options & Individualized Services), Shelter Plus Care, HUD-VASH (Veterans Affairs Supportive Housing), HOPWA (Housing Opportunities for Persons living With AIDS/HIV), VAWA (rental assistance through the Office on Violence Against Women). The FSS program enables families who are participants in the Housing Choice Voucher program to link with local career counselors, training and educational programs, and job search and retention services to become self-sufficient within five years. Additionally, a variety of programs administered through the Housing Authority has enabled families to attain home ownership	https://bcacha.org/
Wilder Housing Authority	Serves the City of Wilder and surrounding community, with a mission of providing affordable, safe and peaceful rental housing.	Chula Vista Acres is a 120-unit project, which provides housing for qualified families, with an emphasis on the agricultural work force in the area. Westfield Plaza is a 24-unit project, that provides housing for qualifying Senior Citizens regulated through United States Department of Agriculture and Managed Through Tomlinson and Associates	?	Provides rental housing to eligible Low-Income families with limited income. Manage qualification process.	http://www.wilderhousing.org/
Nampa Housing Authority	Provide safe, decent, and affordable housing under good repair. Public housing programs are administered at the local level by PHAs	142 units owned and operated by Nampa Housing Authority. These units are leased to low-income families, seniors, and disabled applicants that pre-qualify for housing.	?		https://nampahousing.com/
Blaine County Housing Authority	Advocate, promote, plan and preserve the long-term supply of desirable and affordable housing choices in all areas of Blaine County in order to maintain an economically diverse, vibrant, and sustainable community.	Not clear from website- plan to talk with them more about units and programs.	?	Qualification process for rent or ownership units. First time homeowners education. Enforcement/abuse of programs. Blain County Housing Foundation for Gap Financing. Temporary Housing (less than 6 months.)	https://www.bcoha.org

From: [Michelle Groenevelt](#)
To: [Meredith Todd](#)
Subject: FW: Compliance with deed restrictions- info on Housing Authority
Date: Thursday, August 12, 2021 2:33:22 PM
Attachments: [image001.png](#)

From: William L. Punkoney <wpunkoney@WHITEPETERSON.com>
Sent: Wednesday, August 4, 2021 10:51 AM
To: Michelle Groenevelt <mgroenevelt@mccall.id.us>
Cc: Linda Stokes <lstokes@mccall.id.us>; William Nichols <wfn@whitepeterson.com>
Subject: Re: Compliance with deed restrictions- info on Housing Authority

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Michelle,

Here are my responses in **red**:

1. Is it legal to set up a Housing Authority as an arm of the city?

Under Idaho Code 50-1905, the City, after making certain findings can create a housing authority as an "Independent public body corporate." The City does, however retain a certain amount of control over the authority board of commissioners, in that the City Council and Mayor, appoint Commissioners as their terms expire, and can remove commissioners under Idaho Code 50-1911 "for no cause" at any time, and can likewise, terminate the authority and wind-down/assume the authority's operations. The City attorney can provide legal services to the Housing Authority, and the City can, by intergovernmental agreement staff, and provide management services to the authority, thereby retaining administrative control of the authority.

2. What would this structure look like?

As I mentioned above, the City would create the separate entity, appoint the commissioners, and then enter into an intergovernmental agreement for management and staffing. See 50-1905 and 1910.

3. What steps are needed to create this entity?

The City needs to declare the need for the authority by resolution. That resolution needs to make the findings required by the below statute. The City would then Appoint a board, and then enter into an intergovernmental agreement for staffing. The City should consider how to finance the Authority's projects. It is clear that the housing authority has the ability to bond, it is not clear whether the City can make long-term loans to the housing authority. We are researching this and I will supplement this email.

Here is the relevant Code with highlighting:

50-1905. CREATION OF HOUSING AUTHORITIES. In any city of the state of Idaho, there may be created an independent public body corporate and politic to be known as a housing authority, which shall not be an agency of the city; provided, however, that such authority shall not transact any business or exercise its powers hereunder until or unless the governing body of the city, by proper resolution, shall declare, at any time hereafter, that there is need for an authority to function in such city. The determination, as to whether or not there is such need for an authority to function (a) may be made by the governing body on its own motion or (b) shall be made by the governing body upon the filing of a petition signed by twenty-five (25) residents of the city, asserting that there is need for an authority to function in such city and requesting that the governing body so declare.

The governing body shall adopt a resolution declaring that there is need for a housing authority in the city if it shall find (a) that insanitary or unsafe inhabited dwelling accommodations exist in such city or (b) that there is a shortage of safe or sanitary dwelling accommodations in such city available to persons of low income or rentals they can afford. In determining whether dwelling accommodations are unsafe or insanitary, said governing body may take into consideration the degree of overcrowding, the percentage of land coverage, the light, air, space and access available to the inhabitants of such dwelling accommodations, the size and arrangement of the rooms, the sanitary facilities and the extent to which conditions exist in such building which endanger life or property by fire or other causes.

Nothing in this act shall prevent governing bodies from jointly creating by resolution an independent public body corporate and politic to carry out and effectuate the purposes and provisions of this act and to serve the best interests of their respective citizenry.

In any suit, action or proceeding, involving the validity or enforcement of or relating to any contract of the authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of resolution by the governing body declaring the need for the authority. Such resolution or resolutions shall be deemed sufficient if it declares that there is such need for an authority and finds in substantially the foregoing terms, no further detail being necessary, that either or both of the above enumerated conditions exist in the city. A copy of such resolution, duly certified by the clerk, shall be admissible in evidence in any suit, action or proceeding.

50-1910. APPOINTMENT, QUALIFICATIONS AND TENURE OF COMMISSIONERS. When the governing body of a city adopts a resolution as aforesaid, it shall promptly notify the mayor of such adoption. Upon receiving such notice, the mayor shall appoint, with the approval of the city council, five (5) or seven (7) persons as commissioners of the authority created for said city. Commissioners of the authority shall serve five (5) year terms. If the mayor appoints, with the approval of the city council, five (5) persons as commissioners of the authority, the commissioners, who are first

appointed shall be designated to serve for terms of one (1), two (2), three (3), four (4), and five (5) years, except that all vacancies shall be filled for the unexpired term. If the mayor appoints, with the approval of the city council, seven (7) persons as commissioners of the authority, the commissioners who are first appointed shall be designated to serve terms as follows: one (1) commissioner for a one (1) year term, two (2) commissioners for two (2) year terms, two (2) commissioners for three (3) year terms, one (1) commissioner for a four (4) year term and one (1) commissioner for a five (5) year term, except that all vacancies shall be filled for the unexpired term. Upon resolution by a governing body of a city, after an authority has been created with either five (5) or seven (7) commissioners, the number of commissioners may be increased from five (5) to seven (7) or reduced from seven (7) to five (5). No commissioner of any authority may be an officer or employee of the city for which the authority is created. A commissioner shall hold office until his successor has been appointed and been qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. The service of a housing assistance recipient appointed as a commissioner pursuant to 42 U.S.C. section 1437(b) shall be contingent upon his continued receipt of housing assistance. A commissioner shall receive no compensation for his services for the authority in any capacity, but he shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of his duties.

The powers of each authority shall be vested in the commissioners. A majority of the appointed commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of the commissioners present. The bylaws of the authority shall designate which of the commissioners appointed shall be the first chairman and such chairman shall serve in the capacity of chairman until the expiration of his term of office as commissioner. When the office of the chairman of the authority thereafter becomes vacant, the commissioners shall select a chairman from their number, a vice chairman, and may employ a secretary, an executive director who shall serve as an at-will employee of the commissioners, technical experts and such other officers, agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. For such legal services as it may require, an authority may call upon the city attorney of the city or may employ its own counsel and legal staff. An authority may delegate to one (1) or more of its agents or employees such powers or duties as it may deem proper.

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William L. Punkoney
White, Peterson, Gigray & Nichols, P.A.
5700 E. Franklin Rd., Suite 200
Nampa, Idaho 83687
Tel: (208) 466-9272
Fax: (208) 466-4405
E-mail: wpunkoney@whitepeterson.com

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From: Michelle Groenevelt <mgroenevelt@mccall.id.us>
Sent: Tuesday, July 27, 2021 4:57 PM
To: William L. Punkoney <wpunkoney@WHITEPETERSON.com>
Cc: William F. Nichols <wfn@WHITEPETERSON.com>; Linda Stokes <lstokes@mccall.id.us>
Subject: Compliance with deed restrictions- info on Housing Authority

Hi Bill P,

At the staff level we have talked about ensuring compliance (at a minimum) with our local housing deed restrictions at the time the water utility is requested or changed. Attached a draft of a letter for your review that we would send to the owner/landlord to ensure we have the proper documentation for compliance with the restrictions. Can you please review? Feel free to change or add any additional enforcement language.

Also, I will need information related to setting up a City Housing Authority by August 9. You mentioned you were going to talk with Bill G about his experience in Wilder on this topic. I plan to bring this information to the Housing Advisory Committee then Council.

1. Is it legal to set up a Housing Authority as an arm of the city?
2. What would this structure look like?
3. What steps are needed to create this entity?
4. What are the benefits of having a City Housing authority?
5. What is the timeline? Cost?
6. Are there other examples of cities in Idaho that use this structure for housing?
7. Any other consideration?

Thanks,
Michelle

Michelle Groenevelt, AICP
Community & Economic Dev. Director
216 E. Park Street | McCall | Idaho 83638
Direct: 208.634.5229

