



Meeting Minutes

Housing Advisory Commission

Monday, July 13, 2020

6:30 PM Zoom - Open agenda to see phone & streaming options

CITY OF NAPERVILLE PUBLIC MEETINGS UPDATE:

On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

On Tuesday, June 16, 2020, Mayor Chirico issued an executive order determining that in-person meetings of the City Council and the City's boards and commissions are not currently practical or prudent due to the COVID-19 pandemic.

The means by which the public may watch, listen, and/or participate in the meeting are described below.

TO JOIN A MEETING:

The meeting will be conducted using the Zoom Video Conferencing. You do not need to download any software or create an account to participate.

To login on your computer or iPad:

Click the link to join the webinar [and password if required] provided on this agenda. Once connected, if you choose to speak, click the "Raise Hand" button at the bottom of Zoom screen and wait for the Chairman to recognize you. When it is your turn to speak, you will be unmuted. There will be a few second delay after you are unmuted until your mic will be live. Please identify yourself for the public record and speak clearly.

To login on your phone:

For iPhones, use the iPhone one-tap number provided on this agenda.

For telephones, dial one of the numbers provided and join the meeting by using meeting ID [and password if required] provided on this agenda.

Once connected to the meeting, press *9 to "raise your hand" and wait for the Chairman to recognize you. When it is your turn to speak, you will be unmuted. There will be a few second delay after you are unmuted until your mic will be live. Please identify yourself for the public record and speak clearly.

PARTICIPATION GUIDELINES:

All viewpoints are welcome. Positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Commissioners, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.

PUBLIC ACCOMMODATION:

Any individual who may require an accommodation to participate in the meeting or to view materials for the Housing Advisory Commission meeting, should contact the City Clerk at (630) 305-5300 by Friday, July 13, 2020.

ZOOM MEETING LOG IN:

You are invited to a Zoom webinar.

When: Jul 13, 2020 06:30 PM Central Time (US and Canada)

Topic: Housing Advisory Commission

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81455637951?pwd=a2VsYVpZaVpKdWpvV0VGakxNZXRJZz09>

Password: 339689

Or iPhone one-tap :

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International numbers available: <https://us02web.zoom.us/j/81455637951?pwd=a2VsYVpZaVpKdWpvV0VGakxNZXRJZz09>

A. CALL TO ORDER:

Chairman Bernicky called the meeting to order at 6:35 p.m.

B. ROLL CALL:

Present 10 - James Bernicky, Mercedes Haber-Kovach, Linda Kuhn, Steve Lakner, Linda Wilhelm, Mark Rice, Shree Gurusamy, Patrick Kelly, Bradford Miller, and Brian Palm

Also Present: Ruth Broder, Community Grants Coordinator; Gina Nelson,

Records Clerk; Scott Williams, Community Planner; Adam Aldaba, Student Representative

Absent: Rahul Aggarwal, Student Representative; Rushil Vellala, Student Representative

C. PUBLIC FORUM:

Phil Meno, DuPage Housing Alliance, congratulated the Housing Advisory Commission for voting on and recommending items that were part of the SB Friedman toolkit. He encouraged continued work and progress on the Analysis of Impediments by setting clear goals and assigning 1-2 commissioners to work on items between meetings. He wanted to stress the importance of establishing a Housing Trust Fund as mentioned in the SB Friedman toolkit. The trust fund does not need to be directed towards particular groups, but can be broadly targeted towards all low and moderate-income persons.

Mary Hamill, Accessible Community Task Force (ACTF): Ms. Hamill had questions about the language of a motion from the prior June 8th meeting. Chairman Bernicky clarified a corrective motion was on the agenda tonight.

D. OLD BUSINESS:

1. [Approve the regular Housing Advisory Commission meeting minutes of June 8, 2020](#)

A motion was made by Lakner, seconded by Wilhelm, to approve the regular Housing Advisory Commission meeting minutes of June 8, 2020. The motion carried by the following vote:

Aye: 9 - Bernicky, Haber-Kovach, Kuhn, Lakner, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

2. [Review and confirm motions passed at the June 8, 2020 Housing Advisory Commission meeting and reach consensus on Housing Needs Assessment recommendations to be presented at the August 18, 2020 City Council meeting](#)

A motion was made by Rice, seconded by Kuhn, to review and confirm motions passed at the June 8, 2020 Housing Advisory Commission meeting and reach consensus on Housing Needs Assessment recommendations to be presented at the August 18, 2020 City Council meeting. The motion carried by the following vote:

Aye: 9 - Bernicky, Haber-Kovach, Kuhn, Lakner, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

E. NEW BUSINESS:

Chairman Bernicky addressed the confusion about action being taken by City Council on Accessory Dwelling Units (ADUs). Councilman Kelly stated the Updated Future Land Use Master Plan is currently on hold and there is no set date for when Council will return to discussion on the Master Plan. Council may consider ADUs, but he encourages HAC to take a vote on it, as the Commission's opinion may influence Council's views. Councilman Kelly stated that he would be interested in knowing HAC's views on the issue.

Chairman Bernicky asked for discussion on ADU's. Commissioner Lakner expressed that enough items will be going before City Council and that ADU's should be held in abeyance for now, at least until the Council has made a decision on the items the Commission has already agreed to present to them. Commissioner Rice reviewed the toolkit recommendations on ADU's, noting that the report classified the item for immediate implementation, and read the definition of ADU's included in the recommendation. Commissioner Rice asked for opinions, pro or con, on ADU's. Chairman Bernicky agreed with Commissioner Lakner that many items are going before council, but that he thought that the ADU recommendation was one of the less expensive and faster options that could be achieved. Therefore, he favored including a positive recommendation in the items to be recommended to Council.

Audience member Jim Hill pointed out that ADUs are prohibited by many homeowners association (HOA's). Therefore, ADU's, even if approved, would be restricted to only certain areas of the City. Chairman Bernicky responded that he still thought that ADU's could be a useful solution, even if restricted. Ms. Broder mentioned that the HOMES technical assistance group had offered pro-bono technical assistance to the City in developing ADU standards.

Audience member Mary Hamill mentioned that a family had received a variance to construct an ADU for a family member. Since the variance was granted, she thought it would make sense to include the ADU's as a recommendation. Chairman Bernicky agreed and asked if there was any more discussion on the issue. There was no additional discussion, so Chairman Bernicky made following motion:

A motion was made by Bernicky, seconded by Kuhn, to amend the previously passed motion on June 8, 2020 to include the SB Friedman recommendation on ADU's in the motion and accept the HOMES Team's offer of technical assistance to develop ADU regulations. The motion failed by the following vote:

Aye: 4 - Bernicky, Haber-Kovach, Kuhn, and Gurusamy

Nay: 5 - Lakner, Wilhelm, Rice, Miller, and Palm

Discussion followed on the possible change to the Human Rights Commission. At a later date, the Commission may wish to provide its opinion on the proposed change.

The Commission's affordable housing recommendations are scheduled to come before City Council on August 4. Councilman Kelly stated that it is unlikely that there will be a final vote on any of the recommendations. There may be a straw poll taken to provide staff with some direction.

Chairman Bernicky reviewed the meeting schedule. The next scheduled meeting of the Commission is September 14.

F. REPORTS:

Chairman Bernicky asked Councilman Kelly to summarize possible changes coming to the Housing Advisory Commission. Councilman Kelly stated that one proposal would be to broaden the scope of the Commission to include human rights as well as housing. This reassessment has been prompted by several incidents of racial bias that have occurred recently, such as the Buffalo Wild Wings and other incidents. City staff is consulting with the federal Department of Justice and has reviewed practices in other municipalities to determine how to address these issues. Broadening the scope of the Housing Advisory Commission's responsibilities would be an extension of the commission's mission to investigate housing discrimination inquiries. Other discrimination complaints would also be included in the commission's mission. This item will appear on the City Council Agenda for its July 21 meeting. To transition to a human rights commission, two additional members with an interest in human rights issues would be added to the Commission. Over time, as terms expire, the size of the Commission would be reduced back to nine members. Councilman Kelly emphasized that details will not be finalized for several months and that the Commission would continue to work on housing matters, both before and after this transition, should it occur.

Commissioner Wilhelm expressed support for this change and diversity. Councilman Kelly emphasized that the Commission's role would be not only to react to incidents, but to be proactive preventing incidents from occurring, by working with the school system and surrounding communities. The Commission thanked Councilman Kelly for his work and the update on the Human Rights Commission.

1. [Receive the updated progress report on the Analysis of Impediments to Fair Housing Choice \(AI\), rank priority Action Items for 2020-2021 and direct staff accordingly](#)

Chairman Bernicky asked about which City departments would lead the efforts. Ms. Broder highlighted the following items:

Item 1D, homebuyer education, would probably involve working with an outside organization with expertise in homebuyer education and training.

Item 4A, working with social service providers on transportation needs, would involve working with several partners and could be worked on by a task force or subcommittee including some Commissioners.

Item 3C, identify parcels appropriate for multi-family redevelopment, fits in with the Master Plan Update and could be coordinated with TED and other taskforces.

Item 2A, develop and implement a language access plan, would also involve the City Clerk's Office, partnering with community organizations and Commissioners.

Item 1B, conduct paired real estate testing, could be done by the organization that does the homebuyer counseling or another consultant.

Item 4C, involves transportation needs and is linked to Item 4A. This would involve TED and a possible task force.

Item 3B is in progress with the Master Plan Update.

The remaining items scored lower; they were briefly reviewed by Ms. Broder with some of them already being implemented. She encouraged the Commission to focus on the top-rated items.

The members volunteered for the following items with 4A and 4C combined:

1B: Lakner, Miller

1D: Palm, Rice (1B and 1D may be contracted to the same consultant)

2A: Gurusamy, Haber-Kovach

3C: Kuhn, Palm

4A/4C: Palm, Wilhelm

Commissioner Palm asked about the changes proposed for the Commission and what would fall under the Commission's authority related to these items. Councilman Kelly encouraged the Commission to move forward and be vigilant on the maintaining the Commission's current momentum on housing issues.

Audience member Jim Hill asked about Item #3C and noted that only a property owner can initiate a request for a zoning change. Commissioners responded that this would be a way of identifying properties that might be appropriate for rezoning and initiating a conversation with the owner to determine if a rezoning would be beneficial to both the owner and the City. Mr. Hill suggested rewording the item to avoid any perception of

government overreach. Commissioner Palm and Councilman Kelly agreed that this perception should be discouraged.

Student Member Adam Aldaba asked if he could participate on the subcommittee work. He requested to work on 4A/4C.

A motion was made by Palm, seconded by Lakner, to pursue items 1B, 1D, 2A, 3C, 4A and 4C. The motion carried by the following vote:

Aye: 9 - Bernicky, Haber-Kovach, Kuhn, Lakner, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

G. ADJOURNMENT:

A motion was made by Palm, seconded by Wilhelm, to adjourn the regular Housing Advisory Commission Meeting of July 13, 2020 at 7:29 pm. The motion carried by the following vote:

Aye: 9 - Bernicky, Haber-Kovach, Kuhn, Lakner, Wilhelm, Rice, Gurusamy, Kelly, Miller, and Palm

/S/ Ruth Broder
Ruth Broder, AICP
Community Grants Coordinator