

RESOLUTIONS

(1)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Department of Human Services, the sum of \$150,000.00 from Westport's American Rescue Plan Act (ARPA) funds to support predevelopment activities for affordable housing at West Parish Road in response to the ongoing pandemic and resulting housing crisis facing low-income households, is hereby appropriated.

(2)

RESOLVED: That upon the recommendation of the RTM Public Protection Committee, _____ and _____ are hereby appointed to the Westport Civilian Review Panel.



HUMAN SERVICES REQUEST FOR ARPA FUNDS TO SUPPORT AFFORDABLE HOUSING EFFORTS IN WESTPORT

February 9th, 2022: The Department of Treasury's Final Rule published on January 6, 2022, clarifies affordable housing development as an eligible use of the ARPA State and Local Fiscal Recovery Funds (SLFRF). According to the document, "The final rule clarifies and expands the ability of recipients to use SLFRF funds to address the general lack of affordable housing and housing challenges underscored by the pandemic."

Westport has a unique opportunity to take immediate action that addresses the Affordable Housing crisis by making a Federal Investment in our local community while improving outcomes for families and individuals in Westport.

The pandemic has exacerbated the crisis in accessibly priced housing in Westport. Long-term renters saw their rents rise exponentially or lost their leases when rentals sold at record sales prices. While the hot real estate market has dramatically benefited homeowners, it has had the opposite impact on local renters. The cost of buying or renting a home in Westport has skyrocketed. Municipalities in every zip code, including 06880, have a role in developing and implementing strategic affordable, multi-family housing if our state and region are to make an equitable recovery from this global pandemic.

Westport's Department of Human Services proposes a \$150,000 investment in pre-development costs to establish low-density affordable housing at West Parish Road due to the crisis facing low-income households in Westport, Fairfield County, and Connecticut.

1. Westport has an immediate opportunity to provide seed money for a multi-family development on West Parish Road that our town leadership helped sponsor;
2. This affordable housing project could allow for the development of approximately 20 or more multi-family housing units in a desirable location, without high-density 8-30g project proposals from the private sector, which would typically include an additional 80+ market-rate units;
3. An ARPA allocation will assist the Town in gaining moratorium points to curtail 8-30g applications which often result in dense housing and zoning battles;
4. Access to quality, affordable housing creates jobs, enhances economic development opportunities, and helps address the long history of segregated communities in CT by creating viable options for new families to live in Westport;
5. Many essential community members like caregivers, teachers, school bus drivers, emergency responders, landscapers, house cleaners, retail, and restaurant workers cannot afford to live in the communities where they work. The lack of affordable housing results in missed opportunities for critical workforce members to participate in our local economies.

Dedicating ARPA funds to affordable housing development speaks directly to our Town's values. It will allow struggling families who earn only a fraction of the Town's annual median income (AMI) to access safe, stable, and affordable housing. It demonstrates that we are not blind to the negative impact of our strong real estate market on vulnerable populations. In addition, these funds will steer Westport towards addressing its severe shortage of reasonably priced housing units. Currently, only 3.6% of housing in Westport qualifies as "affordable" under state law. Westport needs more affordable housing to meet the state requirements.

Defining the problem:

STATE OF CT: The Final Rule states that the ongoing pandemic and resulting economic crisis have a profound, long-term adverse effect on the pre-existing affordable housing crisis facing low-income households. The combination of a large number of higher-income households who have weathered the pandemic without significant income losses, low-interest rates, and housing supply constraints exacerbated by the pandemic has sharply increased the value and sale price of homes. Meanwhile, many low-income renters and homeowners struggle with lost employment and income and are behind on their housing payments. Affordable housing interventions, especially the development of affordable housing outside of Qualified Census Tracts, prevent affordable housing concentration in low-income geographies and therefore reduces concentrated areas of poverty and racial and economic segregation. In contrast, lower-income households in need of housing support are locked out of high-opportunity neighborhoods with access to employment and amenities.

WESTPORT: Westport has made significant progress in the past several years, having achieved its 1st Moratorium on March 5, 2019, valid through March 5, 2023. We are now working toward a subsequent Moratorium. Westport has an opportunity to make significant progress in meeting Moratorium requirements by utilizing Federal ARPA funds to support a viable project that backs the Town's Affordable Housing Plan due in June of 2022.

The only way to create a measure of affordability in Town without controversial, high-density, market-rate development is to generate public-private partnerships that advance strategic, affordable housing development.

The West Parish development is an opportunity for the Town to create a smaller, less densely developed community that is almost entirely affordable. It is challenging to fund this development through traditional HUD and CHFA sources because it is so small in scale. Without assistance from the Town – via ARPA or other funds – a project of this scale isn't feasible. Today, we have an opportunity to create the type of housing needed in Westport – quality, affordable housing for families that is centrally located with access to transportation resources and meets our community's needs.

Submitted by:

Elaine Daignault, Director of Human Services

February 9th, 2022

§8-30G MORATORIUM? THE STATE ALLOWS A 4-YEAR MORATORIUM TO THE APPEALS PROCESS IF A COMMUNITY CAN DEMONSTRATE SIGNIFICANT PROGRESS IN MEETING THE STATE'S GOAL. SIGNIFICANT PROGRESS IN DEFINED HOUSING UNIT EQUIVALENT POINTS EQUAL TO 2% OF ALL DWELLING UNITS IN THE MUNICIPALITY. WESTPORT'S THRESHOLD HOUSING-UNIT EQUIVALENT POINTS IS 207.98

Westport's Current Affordable Housing Snapshot:

- 387 units designated as Affordable Housing 3.72% of the total dwelling units (10,399 as of the 2010 Census)
- Governmentally assisted units 265
- Deed restricted 58
- CHFA/USDA Mortgages 4
- Tenant Rental Assistance 60
- More new units have recently been submitted to the state to be included on the 2022 list, but more needs to be done to keep us on track;
- ARPA funding will continue to move us toward subsequent Moratorium points for affordable housing

TO FULFILL THE MUNICIPAL REQUIREMENT TO CREATE AND MAINTAIN A LOCAL AFFORDABLE HOUSING PLAN - CONNECTICUT STATE STATUTE § 8-30J.

At least once every five years, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality". By utilizing inclusionary zoning, creating thoughtful offsite affordable options, and spearheading our own affordable project in Greens Farms, Westport has a robust 5-year plan.

WESTPORT'S 8-30J Affordable Housing Plan Draft Timeline:

- December 2021: Introduction to Report and Discussion of Process/Timeline
- February 2022: Discussion at the Westport Library. Featuring First Selectwoman Jen Tooker & P&Z Chairwoman Danielle Dobin, moderated by Christie Stewart of the Fairfield County Center for Housing Opportunity. 45 minutes discussion followed by public Q&A.
- February 2022: Drafting of Survey. Request for Feedback at Subcommittee.
- February 2022: Online Survey
- March 2022: Forum (virtual or in person) sponsored by Save Westport Now, the Coalition for Westport, the Democratic Party & the Republican Party
- Late March 2022: Subcommittee meetings to review findings, results, and discussion.
- April 2022: Drafting of Report and initial public review.
- May 2022: Final Draft Posted for Public Comment & Revision
- June 2022: Submission of Plan

Estimated Cost for West Parish Pre-development	
Zoning Approval Phase	
Architect (Design & Zoning wetlands applications)	\$ 80,000
Engineering Site & Geo Tech	\$ 40,000
Surveys	\$ 9,000
Traffic Environmental	\$ 6,000
Legal	\$ 15,000
Total	\$ 150,000

Estimated Project Timeline West Parish Street, Westport (as of 1/8/22)

<u>Milestone</u>	First Tranche of Town ARPA funds	<u>Completion Date</u>
State CT Dept of Housing issue's RFP for development proposal		03/15/22
Selection of the Development Proposal		05/01/22
Conservation (Inland-Wetland) Application		06/15/22
Conservation (Inland-Wetland) Approval		07/31/22
P & Z site plan application, Text/Map Amendment application		09/15/22
Site Plan & Text/map approvals		11/30/22

<u>Milestone</u>	<u>Completion Date</u>
Consolidated Financing Application - CHFA & DOH*	01/10/23
Award of 9% LIHTC Allocation/4% LIHTC-Tax Exempt Bonds	03/31/23
Final Construction Plans, Specs Award of Construction Contract	04/15/23
CHFA Construction/Perm Loan Initial Closing	06/15/23
File for Zoning & Building Permits	07/01/23
Certificate of Occupancy, Initial Occupancy (first units)	12/15/23
Construction Completion, Certificate of Occupancy (all units)	03/15/24
Final Closing and Conversion to the Permanent Loan, etc	09/15/24

*assumes project will be partially financed under DOH and/or CHFA programs



WESTPORTSM
CONNECTICUT

Jennifer S. Tooker, First Selectwoman

BACK UP MATERIAL
RTM ITEM # MISC.

RECEIVED FOR RECORD
WESTPORT TOWN CLERK

2022 FEB 14 A 9:04

January 27, 2022

Jeffrey Wieser, RTM Moderator
110 Myrtle Avenue
Westport, CT 06880

Re: Accepted Gifts to Town

Dear Jeff:

In accordance with the Policy for Gifts to Town, attached please find the Annual Accounting Report of:

- 1) Monetary donations under \$5,001 that were approved by the First Selectman/First Selectwoman during the calendar year 2021 (TOTAL: \$166,668.97)
- 2) Monetary donations in excess of \$5,001 approved and accepted by the Board of Selectmen during the calendar year 2021. (TOTAL: \$10,000)
- 3) Non-monetary donation: PD K-9 (VALUE: \$3,500.00)

Thank you.

Eileen Francis
Office Manager

attachment

Cc: Jeff Dunkerton, Town Clerk
Gary Conrad, Finance Director

AGGREGATE GIFTS UNDER 5K
APPROVED BY FIRST SELECTMAN/SELECTWOMAN 2021

DATE	DEPARTMENT		AMOUNT	ACCOUNTS
1/6/2021	FIRE		\$ 100.00	Fire Escrow
1/6/2021	FIRE		\$ 100.00	Firefighter Fitness Program
2/3/2021	POLICE		\$ 150.00	K-9
2/16/2021	HUM SERVICES	AGGREGATE GIFTS UNDER 5K JAN 2021	\$ 33,912.57	DHS Holiday, B Butler Fund, WCSA Warm Up Fund, Toquet Hall, Families in Need, Senior Clients Needs
3/4/2021	FIRE		\$ 500.00	Firefighter Fitness Program
3/16/2021	HUM SERVICES	AGGREGATE GIFTS UNDER 5K FEBRUARY, 2021	\$ 13,325.00	Families in Need, Family Programs/Holidays, Senior Client Needs, Barbara Butler Fund, Area of Most Need, Covid-19, Warm Up Fund
4/2/2021	HUM SERVICES	AGGREGATE GIFTS UNDER 5K MARCH, 2021	\$ 8,794.00	Westport Warm Up Fund, Area of Most Need, COVID-19, Back to School, Westport Together, Senior Center, Home Delivered Meals, TEAM Westport, Senior Client Needs
6/1/2021	HUM SERVICES	AGGREGATE GIFTS UNDER 5K APR-MAY 2021	\$ 5,200.00	Senior Center Account, TEAM Westport, Senior Center, Campership, Warm Up Fund
7/15/2021	POLICE		\$ 500.00	PD Escrow
8/4/2021	HUMAN SERVICES	AGGREGATE GIFTS UNDER 5K JUNE 2021	\$ 22,110.00	Caregiver Support, Senior Center, Campership, Ceremonies + Celebrations, Afterschool Program
10/21/2021	HUM SERVICES	AGGREGATE GIFTS UNDER 5K AUG/SEPT 2021	\$ 15,488.77	Escrow, Back to School, Caregiver Support, Barbara Butler, WCSA
10/28/2021	POLICE		\$ 1,000.00	PD Escrow
11/2/2021	POLICE		\$ 100.00	PD Escrow
11/4/2021	POLICE		\$ 300.00	PD Escrow
12/8/2021	POLICE		\$ 150.00	K-9
12/10/2021	HUM SERVICES	GIFTS UNDER 5K OCT-NOV 2021	\$ 10,140.00	Barbara Butler Fund, COVID-19, Center For Senior Activities, Families in Need, Westport Warm up
12/22/2021	POLICE		\$ 100.00	K-9
1/11/2022	HUM SERVICES	AGGREGATE GIFTS UNDER 5K DEC 2021	\$ 54,898.63	DHS Holiday, B Butler Fund, WCSA, Warm-up Fund, Warm-up Fund, Families in Need, Escrow Fund, Senior Client's Needs, Toquet Hall Youth Services, Community Service Corps
		TOTAL	\$ 166,668.97	

AGGREGATE GIFTS UNDER 5K
 APPROVED BY FIRST SELECTMAN/SELECTWOMAN 2021

<i>OVER 5,001 APPROVED BY BOARD OF SELECTMEN</i>				
2/3/2021	POLICE		\$ 10,000.00	PD ESCROW (BOS APPROVED 10K 01-27-2021)
<i>NON-MONETARY</i>				
6/30/2021	POLICE		\$ 3,500.00	K-9 - CHOCOLATE LAB VALUE
		TOTAL	\$ 180,168.97	

TOWN OF WESTPORT

POLICY FOR GIFTS TO TOWN

(Approved 7/15/98; Amended 10/28/98; Revised 11/12/14)

1. Purpose.
2. Monetary donations.
3. Nonmonetary gifts.
4. Criteria for acceptance of gifts; tax considerations.
5. Naming/Dedication as a condition.
6. Administrative procedures.

1. Purpose.

The purpose of this Policy is to establish uniform procedures to govern the donation to and receipt by the Town of gifts of money or of value from citizens, foundations, business concerns and others, both for specific purposes and for general use by the Town.

2. Monetary donations.

A. \$1 to \$5,000.

The First Selectman is hereby authorized to accept, on behalf of the Town, monetary donations of up to and including five thousand dollars (\$5,000) without Board of Selectmen approval. All such gifts accepted by the First Selectman shall be reported to the Board of Selectmen on an annual basis.

B. \$5,001 to \$20,000.

A donation in excess of five thousand dollars (\$5,000) up to and including twenty thousand dollars (\$20,000) shall not be accepted by the Town unless it has received the prior approval of the Board of Selectmen. The Board of Selectmen shall report all such contributions received to the Representative Town Meeting (RTM) members on an annual basis.

C. More than \$20,000.

A donation in excess of twenty thousand dollars (\$20,000) shall not be accepted by the Town unless it has been recommended for approval by the Board of Selectmen and has received the approval of the RTM. All such donations shall first be submitted to the Board of Selectmen which shall forward its recommendation to the Moderator of the RTM to be placed on the agenda for the next available meeting.

D. **Special Account**

The Controller shall establish a special account for the deposit of donations which the donor has designated for use for specific purposes. After a period not to exceed two years and/or the completion of the specific purpose for which the funds have been donated, excess funds shall be deposited in the general fund unless the town has accepted the gift under different conditions.

3. **Nonmonetary gifts.**

- A. The First Selectman is hereby authorized to accept, on behalf of the Town, non-monetary donations of up to and including five thousand dollars (\$5,000) without Board of Selectmen approval.
- B. A nonmonetary gift to the Town with a value in excess of \$5,000 shall not be accepted without the prior approval of the Board of Selectmen.
- C. A nonmonetary gift to the Town of real estate or of a structure which is intended to be permanently placed on Town property shall be accepted only upon the prior approval of the RTM. In addition, prior to the acceptance of such a gift, a positive report by the Planning & Zoning Commission pursuant to CGS §8-24 must be obtained as well as the approval from any other Town Board or Commission.

All such donations shall be submitted to the Board of Selectmen, which shall forward its recommendation to the Moderator of the RTM to be placed on the agenda for the next available meeting.

- D. All gifts to the Town which are works of art shall be referred to the Arts Advisory Committee which shall forward its written recommendation as to acceptance and placement of the work of art to the Board of Selectmen.

4. **Criteria for acceptance of gifts; tax considerations.**

- A. In considering whether to approve acceptance of a gift, the following criteria shall be considered:
 - (1) Whether the gift is appropriate for a public building, facility, or parcel of land.
 - (2) Whether the gift is being offered by a donor who is acceptable to the reviewing entity.
 - (3) Whether the gift will benefit the Town and the community.

- (4) Whether there is space in a public facility to accommodate it.
 - (5) Whether there are, construction, maintenance or repair costs involved and, if so, how they will be funded.
 - (6) Whether there are insurance costs associated with receiving and maintaining the gift and, if so, how they will be funded.
 - (7) Whether the gift will begin a program or service which the Town would be unwilling to take over when the gift or grant funds are exhausted.
 - (8) Whether receipt of the gift may conflict in any way with the Town's purchasing or gift policies.
 - (9) Whether any conditions attached to the gift conflict with or in any way commit the Town to a course of action which conflicts with Town policies, practices, ordinances, standards, or state or federal laws or regulations.
- B. The Board of Selectmen reserves the right to specify the manner in which gifts are made, to define the type of gift which it considers appropriate, and to reject those which it deems inappropriate or unsuitable.
 - C. The Board of Selectmen shall be empowered to remove, dispose of, or modify those gifts that become unwanted or obsolete as conditions warrant. If acceptance of the gift required approval by the RTM, any such removal, disposal or modification will be subject to final approval by the RTM.
 - D. The Town will not evaluate gifts for tax purposes. The First Selectman, upon request by a donor, shall acknowledge the receipt of a gift for purposes of enabling the donor to receive a tax deduction.

5. Naming/Dedication as a condition attached to a gift.

- A. All gifts which have the condition that the giving of the gift is contingent upon naming it or other Town property shall be referred to the Board of Selectmen which shall forward its recommendations to the Moderator of the RTM to be placed on its agenda for the next available meeting.
- B. In considering whether to approve naming a property, the reviewing entity shall make a finding that, in light of all the circumstances, it is in the best interests of the town to honor the condition of naming.

- C. The Board of Selectmen shall determine the method and time period for recognizing all gifts dedicated to the memory of an individual. Such recognition may be in the form a plaque placed at an appropriate location for an appropriate period of time or in some other form as determined by the Board of Selectmen.
- D. All gifts that have the condition that the giving of the gift is contingent upon naming it or other Town property, or the gift is to be dedicated to the memory of an individual, shall also be subject to the approval of any other appropriate Town board or commission.

6. Administrative procedures.

- A. Before a donor offers a gift to the Town, the donor shall submit a letter designating the purpose and conditions, if any, of the gift and relinquishing any future claim to the gift. Individuals desiring anonymity shall so state in the letter. Such letter shall be submitted to the First Selectman, or designee, who shall thereupon secure any additional information pertinent to the decision whether to accept the gift and forward the letter and such information, including a recommendation, to the Board of Selectman.
- B. Potential donors to a program, department or the Town offices shall be advised by the First Selectman, or designee, that, in determining whether to accept a gift, the Board of Selectmen will base its determination upon whether the gift is in the best interests of the Town and the community at large.
- C. Individuals desiring anonymity shall so state in the document, in which event the Town will undertake to preserve their anonymity.
- D. The Board of Selectmen is empowered, on behalf of the Town and without action by the RTM, to devote, apply, expend or utilize such gifts to such purposes and with such restrictions, if any, as may have been established by the donor; and to take all necessary and appropriate action to accomplish the purposes set forth by the donor. If no special purposes have been set forth, funds shall be deposited in the general fund.
- E. Any gifts to the Board of Education which directly impact on Town-owned property shall be reviewed in accordance with this policy and its administrative procedures.