

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2017

COUNCIL BILL NO. CB17-0891
COMMITTEE OF REFERENCE:
4 Business, Arts, Workforce & Aeronautical Services

5 **A BILL**

6 **For an ordinance amending Section 27-164 of Division 3 of Article V of Chapter**
7 **27 of the Revised Municipal Code of the City and County of Denver regarding the**
8 **Affordable Housing Advisory Committee.**

9
10 **WHEREAS**, Division 3 of Article V of Chapter 27 of the D.R.M.C. created the Affordable
11 Housing Advisory Committee and, among other things, set forth the powers and duties of that
12 committee;

13 **WHEREAS**, one of the duties of the committee is to review the three to five year
14 comprehensive housing plans developed by the Office of Economic Development (OED) and to
15 submit such plans to the City Council by the deadlines specified therein;

16 **WHEREAS**, the Housing Advisory Committee and the City Council have determined that, in
17 order to provide sufficient time for OED and its consultants to conduct public, stakeholder and
18 Council outreach, the timeline for OED and the committee to complete and submit the first plan
19 should be extended; and

20 **WHEREAS**, the City Council has now determined that an amendment to Section 27-164 is
21 advisable to extend the deadline set forth therein for the development and submittal to the City
22 Council of the first comprehensive housing plan.

23 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
24 **DENVER:**

25 **Section 1.** Section 27-164 (Powers and Duties) of Article V (Dedicated Funding for Affordable
26 Housing) of Chapter 27 (Housing) of the Denver Revised Municipal Code shall be amended to add
27 the underscored words and delete the stricken word, as follows:

28 **Sec. 27-164. Powers and duties.**

29 The general purpose of the committee is to render advice and recommendations to the
30 executive director of the office of economic development in regard to the planning and
31 implementation of city programs and services to preserve and increase the supply of affordable
32 housing in the city, to the extent such programs and services to preserve and increase the supply of
33 affordable housing in the city, to the extent such programs and services are supported by
34 expenditures from the affordable housing permanent funds, as provided in section 27-150, and
35 federal or other funds allocated by the executive director of office of economic development for

1 housing development, preservation or programs. The specific powers and duties of the committee
2 shall be:

3 (a) To recommend goals, objective and policies to inform the adoption of three- to five-year
4 comprehensive housing plans for city housing expenditures, including, but not limited to, the
5 permanent funds and any federal or other funds allocated by the executive director of the
6 office of economic development for housing development, preservation or programs. The
7 executive director of the office of economic development shall direct city staff, independent
8 consultants, or a combination thereof, to solicit input and develop the comprehensive housing
9 plan to be reviewed by the affordable housing advisory committee and recommended for
10 submittal to the city council by September 1 of the year prior to the plan's first program year
11 for subsequent approval. **Notwithstanding the foregoing,** ¶the first three- to five-year
12 comprehensive housing plan shall be submitted to the city council by **October**~~September~~ 1,
13 2017, for subsequent approval. The three- to five-year comprehensive housing plan shall
14 include, at a minimum, the following elements:

- 15 (1) Comprehensive list of city housing expenditures intended to preserve and increase the
16 supply of affordable housing, to be developed in coordination with agencies such as
17 the Denver Housing Authority and Denver Urban Renewal Authority where external
18 housing expenditures are planned;
- 19 (2) Establishment of measurable goals for each type and category of city housing
20 expenditure with consideration and reference to planned external housing
21 expenditures where possible, including financial and production goals for a mix of
22 housing affordable to households in various ranges of area median income (AMI),
23 subject to the AMI limitations set forth in section 27-150 for the permanent funds, and
24 appropriate income limitations according to other housing program requirements;
- 25 (3) Financial and production goals for a mix of affordable rental and for-sale housing;
- 26 (4) Specific provisions for tracking and reducing the effects of gentrification and
27 displacement on lower income households in neighborhoods with the most rapidly
28 escalating housing costs;
- 29 (5) Parameters for usage of a portion of the revenue in the permanent fund derived from
30 the dedicated affordable housing property tax levy for supportive services;
- 31 (6) Parameters for usage of a portion of the revenue in the permanent funds for land
32 banking and other tools to preserve locations in the city for future development of
33 affordable housing; and
- 34 (7) Parameters for the use of permanent funds to maximize mixed income development.

- 1 (b) To recommend annual action plans intended to implement the overall comprehensive housing
2 plan to prioritize and allocate city housing expenditures based on current conditions;
- 3 (c) To review annual progress reports evaluating implementation of city housing expenditures on
4 unit production, including an explanation of discrepancies between plan goals and actual unit
5 production where possible, and compliance with the comprehensive housing plan by the office
6 of economic development, with such reports to be delivered to the city council;
- 7 (d) To recommend annual goals, objectives and policies to inform budget priorities for
8 expenditures to be made from the permanent funds, prior to the submission of such priorities
9 by the executive director of the office of economic development to the mayor and the city
10 council as part of the city's annual budget process.
- 11 (e) To recommend to the executive director on an ongoing basis:
- 12 (1) Concepts for new programs and services to achieve the purposes of the permanent
13 funds;
- 14 (2) Metrics to be tracked in order to monitor the success of the expenditures from funds in
15 achieving their intended purposes;
- 16 (3) Community engagement strategies, including no less than one (1) public hearing
17 annually;
- 18 (4) Housing priorities, including geographic priorities for creating or preserving affordable
19 housing within the city;
- 20 (5) Methods to leverage and maximize expenditures from the permanent funds;
- 21 (6) Specific provisions for expenditures designed to mitigate the effects of gentrification
22 and displacement of lower income households in neighborhoods with the most rapidly
23 escalating housing costs.

24 **Section 2.** This ordinance shall be effective immediately.

25 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: August 9, 2017

2 MAYOR-COUNCIL DATE: August 15, 2017

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Julie Mecklenburg, Assistant City Attorney DATE: August 17, 2017

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.

15 Kristin Bronson, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____