

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Community and Human Development
AGENDA DATE: June 1, 2010
CONTACT PERSON/PHONE: William Lilly/541-4643
DISTRICT(S) AFFECTED: All Districts

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action on a resolution that City Council amend the City's 2009-2010 Annual Action Plan of the Consolidated Plan for 2005-2010 by adding one new planning activity, Analysis of Impediments to Fair Housing Choice, totaling \$50,000, to the 35th Year (2009-2010) Community Development (CD) Block Grant Program (CDBG), and that the City Manager be authorized to take any actions necessary to accomplish the intent of the resolution, upon approval by the City Attorney's Office and Director of Community and Human Development Department.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

The City, as the recipient of federal CDBG and HOME Investment Partnerships (HOME) funding, is required to take steps to affirmatively further fair housing as set forth in the Fair Housing Act of 1968. The Act prohibits discrimination in housing choice to seven protected classes – (1) national origin, (2) color, (3) race, (4) religion, (5) sex, (6) familial status and (7) persons with disabilities.

The City's Department of Community and Human Development is in the process of obtaining qualifications and proposals from consultants for consideration to complete an Analysis of Impediments to Fair Housing Choice, which will serve as the substantive, logical basis of Fair Housing planning, and provide essential and detailed information to policy-makers, administrative staff, housing providers, lenders and fair housing advocates to determine barriers to fair housing choice. The final planning product will be an assessment of how laws, government policies, real estate practices and local conditions affect the location, availability and accessibility of housing in El Paso.

A Notice was placed in the El Paso Times and El Diario newspapers on April 26, 2010 to allow a 30-day period for public comment ending May 26, 2010. Any citizen comments received after the submittal of this Request for Council Action will be forwarded to City Council for consideration.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Amendments to the City's approved Annual Action Plans are common occurrences.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

Funding for this new planning activity is currently available in the CD Contingency Account No. G7129CD0001. Upon Council's approval of this item, a budget transfer in the amount of \$50,000 will be made from the CD Contingency Account to the new Analysis of Impediments to Fair Housing Choice project account.

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

On April 22, 2010, the Community Development Steering Committee unanimously recommended this 35th Year (2009-2010) Annual Action Plan program change.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: Anthony C. Shaefer W. Lilly

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

WHEREAS, on June 23, 2009, the City Council for the City of El Paso adopted a Final Action Plan for 2009-2010 for the Consolidated Plan 2005-2010, including the 35th Year (2009-2010) Community Development Block Grant (CDBG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2009-2010) and all certifications contained therein; and

WHEREAS, the City Council, based on the recommendation of the Director of the Community and Human Development Department and Department staff, now desires to amend the Annual Action Plan (2009-2010) and 35th Year (2009-2010) CDBG Program Budget by adding one planning activity; and

WHEREAS, on April 26, 2010, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 30-day public comment period regarding the proposed amendment to the Annual Action Plan (2009-2010) and 35th Year (2009-2010) CDBG Program Budget and City Council has duly considered public comment, if any; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Annual Action Plan (2009-2010) and 35th Year (2009-2010) CDBG Program Budget is hereby amended as follows:

The new planning activity, Analysis of Impediments to Fair Housing Choice - \$50,000 (**All Districts**) is added; to provide funding for a study, in which the final product will be an assessment of how laws, government policies, real estate practices and local conditions affect the location, availability and accessibility of housing in El Paso. The analysis will include impediments and barriers to fair housing choice on the basis of race, color, religion, sex, disability, familial status or national origin; and

2. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

ADOPTED this _____ day of _____, 2010.

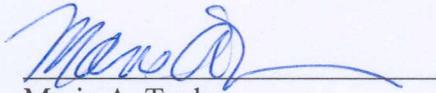
CITY OF EL PASO

John F. Cook
Mayor

(Signatures Continue on Following Page)

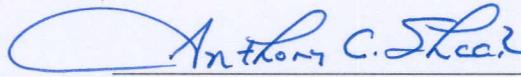
ATTEST:

APPROVED AS TO FORM:



Marie A. Taylor
Assistant City Attorney

APPROVED AS TO CONTENT:




William L. Lilly, Director
Community and Human Development