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

DEPARTMENT: Community and Human Development

AGENDA DATE: July 20, 2010

CONTACT PERSON/PHONE: Bill Lilly/541-4643

DISTRICT(S) AFFECTED: Citywide

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.

City Council is asked to approve revisions to the Community Development (CD) Citizen Participation (CP) Plan relating to federal requirements over the content of the Consolidated Plan, substantial amendments to the Consolidated Plan and Annual Action Plan, conflict of interest, term of office, the Anti-Displacement Policy and Tenant Relocation Assistance Plan and additional revisions recommended by the CD staff that reflect updated terminology and current practices.

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 CP Plan sets forth the policies and procedures which the City of El Paso will follow to encourage citizen participation in the development of the Consolidated Plan, the Annual Action Plan, any substantial amendments to the Consolidated Plan or Annual Action Plan, development of a guaranteed loan program application and subsequent substantial amendments thereof, and the annual performance report. The Plan also provides a guide for citizens to participate in an advisory role in planning, implementing and assessing the Community Development Block Grant (CDBG) Program.

The proposed revisions to the City's CP Plan will bring it in line with current HUD mandates; define what constitutes a substantial amendment to programs; align with current practices; and present a format where each section is of equal importance, instead of one section being subordinate to another.

Attachment A governs the policies and procedures related to the Consolidated Plan and Section 108 Guaranteed Loan Funds. The proposed changes align the document with current HUD mandates over the contents of the Five Year Plan. It includes a definition of what constitutes a "substantial amendment" to the Five Year Plan, allowing for administration changes to be made for minor program changes, while retaining Steering Committee, public involvement and City Council action on major program changes.

Attachment B, a map depicting the City's CDBG eligible areas based upon the 2000 Census, remains unchanged until official income figures from the 2010 Census are submitted to the City by HUD.

Attachment C governs the membership and responsibilities of the Steering Committee and the preparation of the Annual Action Plan. The proposed changes expand on the conflict of interest clause, matching it to the HUD regulation. It also adds a 30-day holdover provision for the CD Steering Committee. Even though the CD Steering Committee was exempted from the City Ordinance (011040, May 20, 1992) prohibiting any holdover by members whose terms have expired, this will provide

specific language in the same location as the other guidelines for membership. This section also provides a definition of which constitutes a "substantial amendment" to the Annual Action Plan. This will allow staff to administratively deal with minor changes thereby not hindering any progress towards annual goals. Major changes will still be subject to citizen participation requirements.

Attachment D, which governs the City's anti-displacement strategy and tenant relocation assistance policies, was actually two separate documents that were last updated on June 1, 1993. The Relocation Assistance and Residential Anti-displacement Plan simplifies these HUD mandates; brings it in line with current local practices; and allows more flexibility by not naming specific programs. This will allow for easier updates when HUD guidelines change.

Attachment E, the CP Plan distribution locations, remains unchanged.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one?

The Citizen Participation Plan has been revised several times since its initial adoption by City Council on August 1, 1978.

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?

N/A

BOARD / COMMISSION ACTION:
Enter appropriate comments or N/A

The CD Steering Committee took discussion and action on the proposed revisions to the CP Plan on July 1, 2010. The Steering Committee unanimously recommends the proposed revisions.

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

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

DEPARTMENT HEAD: Anthony C. Shaw for 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

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

That the sections of the Community Development Citizen Participation Plan that relate to the Consolidated Plan and Section 108 Guaranteed Loan Funds; the Citizen Participation Process; and the Residential Anti-Displacement and Relocation Assistance Plan, be revised, as reflected in Attachments A, C and D respectively, to (1) align the documents with current federal requirements over the content of the Consolidated Plan; (2) revise and define substantial amendments to the Consolidated Plan and Annual Action Plan; (3) further define the Conflict of Interest provision and revise the Term of Office provision in the Citizen Participation Process; (4) revise and combine the Anti-Displacement Policy and Tenant Relocation Assistance Plan into one document; and (5) provide additional revisions recommended by Community Development staff that reflect updated terminology and current practices.

ADOPTED this _____ **day of July, 2010.**

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

_____
Marie Taylor
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
for William Lilly, Director
Community and Human Development

CHD/Admin/10/Reso/Citizen Participation Plan-Rev. 2010
Document: #57501/MTAY

CITIZEN PARTICIPATION PLAN FOR THE CITY OF EL PASO

(Revised July 20, 2010)

Attachment A
Consolidated Plan and Section 108 Guaranteed Loan Funds

Attachment B
CDBG Eligible Area Map

Attachment C
Citizen Participation Process

Attachment D
Residential Anti-Displacement and
Relocation Assistance Plan

Attachment E
Distribution Sites

THE COMMUNITY DEVELOPMENT PROGRAM
CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan, which follows, provides a guide for citizens and citizen organizations to participate in an advisory role in planning, implementing and assessing the Community Development Block Grant Program.

The Plan describes procedures by which each of the requirements of the program will be carried out. Additionally, the Plan sets forth how citizens may become involved in the program. Any amendments to the Citizen Participation Plan will be subject to all provisions within this Citizen Participation Plan.

Citizens shall have an opportunity to submit comments and proposals regarding the program in the following manner:

1) directly to the Department of Community and Human Development;

2) directly to the Steering Committee;

3) directly to any Steering Committee member; and

4) at formal Public Hearings.

Copies of the Citizen Participation Plan will be available in English and Spanish at no charge at the Department of Community and Human Development, City Hall, 2 Civic Center Plaza, 8th Floor, El Paso, Texas 79901-1196; at all the City's public libraries, the UTEP Library, and at all the El Paso Community College Campus Libraries. Addresses of the libraries can be found in **Attachment E**. The Citizen Participation Plan is also available on the City' s website.

Citizens are encouraged to obtain copies of the Citizen Participation Plan in order to more effectively participate in the Program.

ATTACHMENT A

CONSOLIDATED PLAN AND SECTION 108 GUARANTEED LOAN FUNDS

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CITY OF EL PASO
CITIZEN PARTICIPATION PLAN
FOR THE CONSOLIDATED PLAN
AND GUARANTEED LOAN FUNDS

INTRODUCTION

The City of El Paso is required to submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Plan that includes the following components:

1. Executive Summary – A summary that includes the objectives and outcomes identified in the plan and an evaluation of past performance.

2. Citizen Participation – A summary of the citizen participation process used in the development of the Consolidated Plan, explaining the utilization of public notices, public hearings, public involvement, availability to the public and technical assistance.

3. Housing and Homeless Needs Assessment – An estimate of the city's housing needs for the ensuing five years; a concise summary of the nature and extent of homelessness in the jurisdiction; an estimate of the number of persons in various subpopulations that are not homeless, but may require housing or supportive services (special needs); and an estimate on the number of housing units that contain lead-based paint hazards.

4. Housing Market Analysis – A description of the significant characteristics of the city's housing market; a concise summary of the needs of public housing; a description (number and targeting) of assisted housing units; a concise summary of the existing facilities and services that assist the city's homeless; a description of the special need facilities and services; and an explanation of the barriers to affordable housing.

5. Strategic Plan – A plan for a period established by the city that brings needs, priority needs, priorities, specific objectives and strategies together in a coherent strategic plan; including the time period covered by the plan, a priority needs analysis, and geographic distribution and specific objectives.

6. Priority identification – The identification of priority needs, strategies and objectives related to Housing, Homeless, Special Needs Populations, Community Development and Cross Cutting Issues.

Moreover, the Consolidated Plan involves the submission of the City's annual application for four formula (entitlement) grants:

1. The Community Development Block Grant (CDBG) Program

2. The HOME Investment Partnerships (HOME) Program

3. The Emergency Shelter Grant (ESG) Program

4. The Housing Opportunities for Persons with AIDS (HOPWA) Program

In addition to these programs, the City may elect to participate in the Section 108 Loan Guarantee Program. Under this program, local governments pledge future Community Development Block Grants as collateral for federal guarantees on private market loans that will be used to carry out large-scale CDBG eligible projects that cannot be financed from the community's annual grant.

Purpose of the Citizen Participation Plan for the Consolidated Plan

This Citizen Participation Plan sets forth the policies and procedures which the City of El Paso will follow to encourage citizen participation in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, development of a guaranteed loan program application and subsequent substantial amendments thereof, and the annual performance report.

Lead Agency for the Citizen Participation Plan for the Consolidated Plan

The City's Department of Community and Human Development, 8th Floor, 2 Civic Center Plaza, El Paso, Texas 79901-1196, will be the lead agency for fulfilling the City's responsibilities in relation to this Citizen Participation Plan.

Encouragement of Citizen Participation

The Citizen Participation Plan is designed especially to encourage participation by low- and moderate-income persons and residents of predominantly low- and moderate-income neighborhoods, particularly those living in areas where Community Development Block Grant funds and guaranteed loan funds are proposed to be used. A map of the City of El Paso, indicating the areas of the City that have been identified as predominantly low- and moderate-income in accordance with HUD guidelines, is included as **Attachment B**. The City will take whatever actions are appropriate to encourage the participation of all of its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

The City of El Paso shall consult with the El Paso Public Housing Authority in order to encourage the participation of residents of public and assisted housing in the process of developing and implementing the Consolidated Plan, along with other low-income residents of targeted revitalization areas in which the public and assisted housing is located.

The City of El Paso shall provide information to the El Paso Public Housing Authority about Consolidated Plan activities related to the Authority's housing developments and

surrounding communities. Subsequently, the Housing Authority will make this information available as required under the Comprehensive Grant Program.

Additionally, the City will continue to follow the Community Development Program Citizen Participation Process that has been adopted by City Council to serve specifically as a guide to citizens for participation in planning, implementing and assessing the City's Community Development Block Grant Program. The Community Development Program Citizen Participation Process is included in this document as **Attachment C**.

Citizen Comment on the Citizen Participation Plan and Amendments

The City will make the Citizen Participation Plan public. Copies will be available at the City's Department of Community and Human Development, 8th Floor, 2 Civic Center Plaza, El Paso, Texas 79901-1196; at the City's public libraries, the University of Texas at El Paso Library and all El Paso Community College campus libraries. The Citizen Participation Plan is also available on the City's website. Citizens are encouraged to comment on the adopted Citizen Participation Plan and on substantial amendments to the Citizen Participation Plan.

The Citizen Participation Plan will be made available, upon request, in an accessible format to persons with disabilities.

Dissemination of Funding Information

Before the City adopts a Consolidated Plan or submits a guaranteed loan application, the City will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the City expects to receive or expects to be made available (including grant funds, guaranteed loan funds and anticipated program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income. The City will publish this information in a non-legal section of a general circulation newspaper. The information will also be disseminated at neighborhood and agency meetings during the development phase of the Consolidated Plan and/or guaranteed loan application.

Residential Anti-Displacement and Relocation Assistance Plan

The City has adopted a Residential Anti-displacement and Relocation Assistance Plan, included as **Attachment D**, which describes in detail the measures that the City will take to assist any persons displaced, and specifies the types and levels of assistance the City will make available (or require others to make available) to persons displaced, even if the City expects no displacement to occur. This Plan is available to the public at the City's Department of Community and Human Development, 8th Floor, 2 Civic Center Plaza, El Paso, Texas 79901-1196.

Publication of the Proposed Consolidated Plan or Guaranteed Loan Application

The City will publish the proposed Consolidated Plan and/or any guaranteed loan application in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. A summary of the proposed Consolidated Plan and/or the guaranteed loan application will be published in a non-legal section of a general circulation newspaper, no less than 30 days before the adoption of the final plan or the submission of the guaranteed loan application, in order to provide interested parties a comment period of not less than 30 days. The summary that is published in the newspaper will describe the contents and purpose of the Consolidated Plan and/or the guaranteed loan application, and will include a list of the locations where copies of the entire proposed Consolidated Plan and/or the guaranteed loan application may be examined. Copies of the proposed Consolidated Plan and/or the guaranteed loan application will be made available for review at the City's Department of Community and Human Development, 8th Floor, 2 Civic Center Plaza, El Paso, Texas 79901-1196; at the City's public libraries; the University of Texas at El Paso Library and all El Paso Community College campus libraries (See **Attachment E**). In addition, the City will provide a reasonable number of free copies of the Plan and/or the guaranteed loan application to citizens and groups that request it.

Comment Period

A comment period of not less than 30 days will be provided to receive comments from citizens on the proposed Consolidated Plan and/or the proposed guaranteed loan application.

The City shall consider any comments of citizens received in writing, or orally at the public hearings, in preparing the final Consolidated Plan or guaranteed loan application. A summary of these comments, and a summary of any comments not accepted and the reasons therefor, shall be attached to the final Consolidated Plan or guaranteed loan application.

Criteria for Substantial Amendments to the Consolidated Plan or Guaranteed Loan Program or Other Grant Programs

Substantial amendments to the Consolidated Plan, the guaranteed loan program or other grant programs are subject to the citizen participation process. The following criteria will be used to identify substantial amendments to the Consolidated Plan and the guaranteed loan program:

1. The City adds priorities to the Consolidated Plan or deletes priorities that were included in the Consolidated Plan for housing, homelessness or community development.

2. The City changes the method of distribution of funds.

3. The City decides to carry out, under any Federal grant program, an eligible project that was not previously described in the Consolidated Plan. This does not apply to changes to activities within an existing project.

4. The City decides not to carry out, under any Federal grant program, an eligible project that was described in the Consolidated Plan. This does not apply to changes to activities within an existing project.

5. The City changes the purpose and scope of a project by increasing or decreasing the project's scope of services, target population, or budget by more than 50% and $25,000 from the original description. This does not apply to changes to activities within an existing project unless it would result in a change of more than 50% and $25,000 to the overall project.

6. The City changes the location of a physical project outside the previously described area of the population to be served to another eligible area. This does not apply to Public Services, Economic Development or other non-physical projects.

7. The City changes the eligible beneficiaries of an activity by reducing or increasing the beneficiaries by more than 50% due to any of the following circumstances:

    a. For physical projects, change of physical location of the project to another eligible area and, therefore, changing the eligible service area.

    b. For non-physical projects such as Public Services and Economic Development, a change of eligible client criteria as categorized in the Consolidated Plan (e.g. Seniors to Youth).

8. The City decides to carry out under the guaranteed loan program an eligible activity that was not previously described in the loan guarantee application.

9. The City decides not to carry out under the guaranteed loan program an eligible activity that was previously described in the loan guarantee application.

Citizen Participation Requirements for Substantial Amendments

The City will provide citizens with reasonable notice and an opportunity to comment on substantial amendments. A notice of the proposed substantial amendment will be published in a non-legal section of a general circulation newspaper no less than 30 days before the amendment is implemented in order to provide a period of 30 days for comments. Substantial amendments to the Consolidated Plan, the guaranteed loan program or other grant program will be acted upon by the El Paso City Council in open City Council meetings.

The City will consider any comments of citizens received in writing, or orally, at public hearings, if any, in preparing the substantial amendment. A summary of these comments, and a summary of any comments not accepted and the reasons therefor, shall be attached to the substantial amendment of the Consolidated Plan or the guaranteed loan program or other grant program.

Performance Reports

The City will provide citizens with reasonable notice and an opportunity to comment on performance reports. The City will publish in a non-legal section of a general circulation newspaper a notice of the availability of the Consolidated Plan performance report no less than 15 days before the submission date in order to provide a period of no less than 15 days to receive comments before the performance report is submitted to HUD.

The City will consider any comments of citizens received in writing, or orally at public hearings in preparing the performance report. A summary of these comments or views shall be attached to the performance report.

Public Hearings

The City will hold at least two public hearings per year to obtain citizen comments and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings will address housing and community development needs, development of proposed activities, and review of program performance. At least one of these hearings will be held before the Consolidated Plan is published for comment or before the guaranteed loan application is submitted to HUD in order to obtain the comments of citizens on housing and community development needs, including priority non-housing community development needs.

Notice of the date and time of the public hearings (with sufficient information about the subject of the hearing to permit informed comment) will be published in a non-legal section of a general circulation newspaper no less than two weeks before the hearings. Public hearings will be held at times and locations convenient to potential and actual beneficiaries. In order to assure that there is accommodation for persons with disabilities, the City's Accessibility and ADA Compliance Officer will be consulted about the accessibility of potential meeting sites as needed.

Public notices about the Consolidated Plan, the guaranteed loan application, or substantial amendments to the Consolidated Plan or guaranteed loan program will be published in both English and Spanish. In the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate, the City will assure that an interpreter is present to interpret the proceedings for non-English speakers, and written handouts will be provided in English and Spanish.

Specific efforts will be made to involve residents of low- and moderate-income areas in local meetings related to the Consolidated Plan or the guaranteed loan program. Such efforts may include, but are not limited to, contacting neighborhood associations and organizations in low- and moderate-income areas, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Written citizen proposals and comments will also be encouraged.

Availability to the Public

The Consolidated Plan, as adopted, any substantial amendments to the Consolidated Plan, the guaranteed loan application and any substantial amendments thereof, and the performance report will be available to the public. These materials will be available at the Office of the City's Department of Community and Human Development, 8th Floor, 2 Civic Center Plaza, El Paso, Texas 79901-1196; at the City's public libraries; the University of Texas at El Paso Library and all El Paso Community College campus libraries. Materials will be made available upon request in a form accessible to persons with disabilities.

Access to Records

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's Consolidated Plan and the City's use of assistance under the programs covered by the Consolidated Plan during the preceding five years.

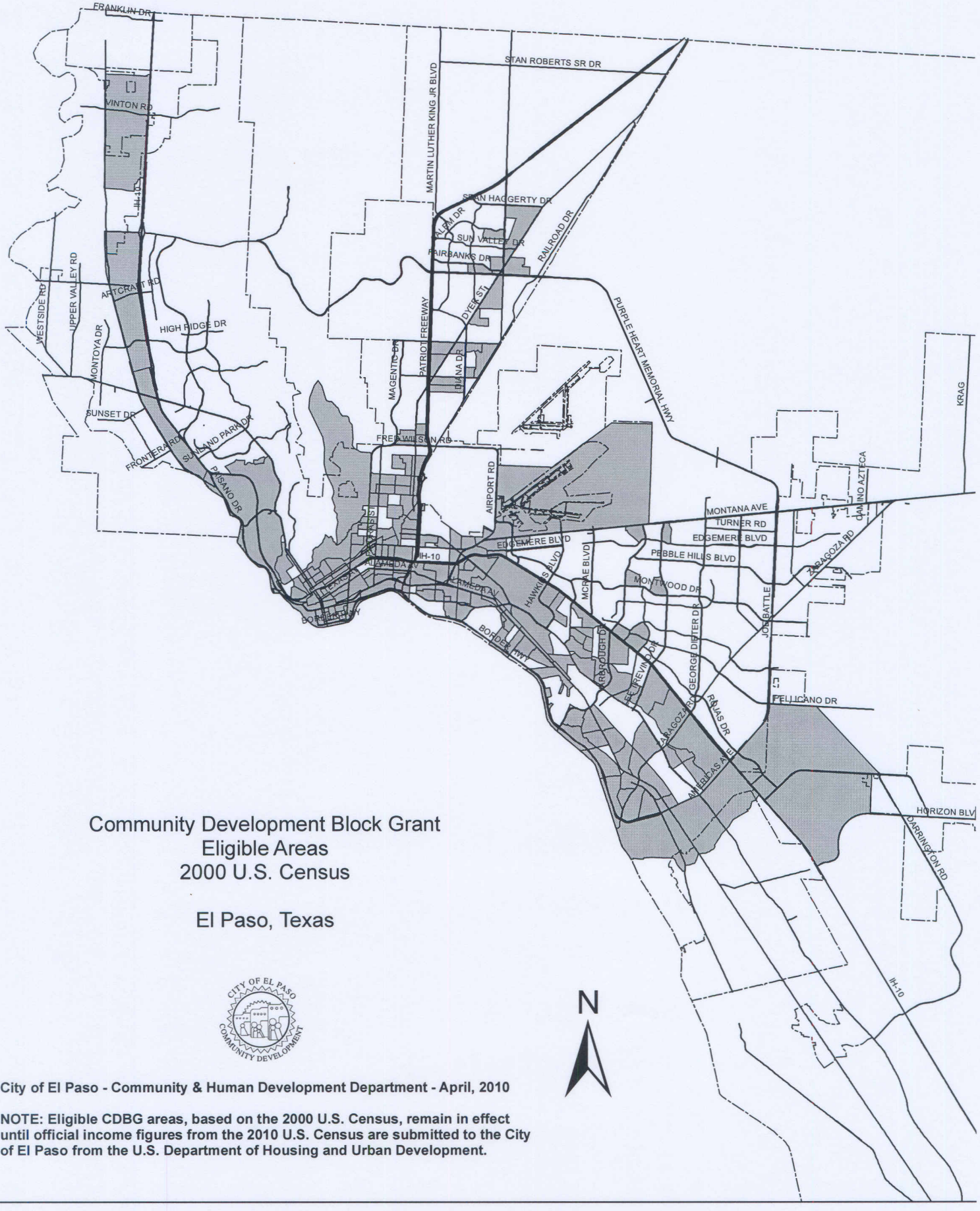
Technical Assistance

The City will provide technical assistance to any prospective applicant and/or groups representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan and the guaranteed loan program. The provision of technical assistance does not guarantee the provision of funds to the groups.

Complaints

The City will provide a timely, substantive written response to every written citizen complaint regarding programs or activities related to the Consolidated Plan or the guaranteed loan program, within 15 working days, when practicable. Complaints and grievances should be submitted in writing to the City's Department of Community and Human Development, 2 Civic Center Plaza, 8th Floor, El Paso, Texas 79901-1196.

CD Public/CD Citizen Participation Plan (Revised July 20, 2010)



Community Development Block Grant
Eligible Areas
2000 U.S. Census

El Paso, Texas

CITY OF EL PASO
COMMUNITY DEVELOPMENT

City of El Paso - Community & Human Development Department - April, 2010

NOTE: Eligible CDBG areas, based on the 2000 U.S. Census, remain in effect until official income figures from the 2010 U.S. Census are submitted to the City of El Paso from the U.S. Department of Housing and Urban Development.

ATTACHMENT C

CITIZEN PARTICIPATION PROCESS

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I. Steering Committee for Citizen Participation

A. Membership: A Steering Committee for Citizen Participation, henceforth referred to as the Steering Committee, shall consist of nine members. The criteria for membership on the Steering Committee shall be as follows:

1. Members must be:
   - Low- or moderate-income (as defined by HUD regulations), or
   - Residents of Community Development (CD) eligible (low- and moderate-income) areas.

2. The Mayor and each City Representative will appoint one individual to the Steering Committee. Appointed Steering Committee members must reside in the district that they represent. The Mayor's appointment must reside within the El Paso city limits. Each individual appointee will be confirmed by City Council.

B. Term of Office: Each confirmed Steering Committee member will serve a term of office for two (2) years, with the term expiring on the second Tuesday of June. A member may serve for two full consecutive terms. A member may continue to serve until a successor is appointed or until thirty days (30) have passed following expiration of the term, whichever event occurs first. Any holding over past the ninety day period is prohibited, and after that time a vacancy in the Steering Committee shall exist and the former member shall have no power to vote or participate in Committee proceedings.

C. Membership Termination: Any member of the Steering Committee who fails to attend three consecutive regular or called meetings of the Committee shall be reported by the CD Director to the Mayor and City Council so that consideration may be given to the removal of such member. Any vacancy on the Steering Committee shall be filled by the City Council for the remainder of the unexpired term in accordance with the provisions of Section I, A1 and A2. Any Steering Committee member may be removed from the Steering Committee by City Council, in accordance with provisions of the City Charter.

D. Responsibilities: The Steering Committee shall serve in an advisory capacity to the City Council to identify community development and housing needs and formulate recommendations for the Community Development Program. Responsibilities of the Steering Committee shall include:

1. Review and comment on the development of, or revisions to, the Citizen Participation Plan;

2. Review comments and proposals submitted by citizens, neighborhood groups, City Departments, etc., and at public hearings;

3. Participate in entitlement grant(s) collaborative process by having designated Steering Committee members attend each of the collaborative meetings to attest to their work;

4. Form an Appeals/Grievance Subcommittee, chaired by the Vice-Chair, and comprised of two other Steering Committee members. The Appeals/Grievance Subcommittee's purpose is to hear appeals and/or grievances from collaborative members regarding process and funding level issues. All appeals will be heard after collaborative recommendations have been finalized and before the Steering Committee as a whole reviews collaborative recommendations. The Appeals/Grievance Subcommittee may also be sent issues from City Council for additional examination and recommendation, provided those issues fall within the purview of the Steering Committee duties.

5. Review Community Development plans and projects prepared by City Departments and neighborhood organizations;

6. Advise the City Council on policy decisions regarding program implementation; and

7. Review and comment on proposed amendments to the Community Development Program.

E. Functioning: The Steering Committee, annually, shall choose a Chair and a Vice-Chair from among its membership at the first meeting in October. The term of both Chair and Vice-Chair shall be for one (1) year and be limited to no more than two (2) consecutive terms. The term of the Chair and Vice-Chair shall begin at the first meeting of October of each year. The Vice-Chair shall act as the Chair during the absence of the Chair from a Committee meeting and shall serve as the Chair of the Appeals/Grievance Subcommittee. The Chair shall conduct Steering Committee meetings in a fair and orderly manner, and shall encourage all members to participate in Committee discussions.

The Committee may choose to adopt a parliamentary guide such as Robert's Rules of Order. The Steering Committee shall conduct meetings as needed and when recommended by the Community Development staff. The Committee shall be mailed a notice/agenda of each meeting. A public notice informing citizens where and when the meetings shall be held will also be posted 72 hours before each meeting on the Bulletin Board at City Hall in accordance with the Texas Open Meetings Act. This will provide citizens with an opportunity to be involved in the planning, implementation and assessment stages of the program. All meetings shall be conducted in an open manner with freedom of access for all interested citizens. All meetings will be held at locations that are accessible to persons with disabilities.

A quorum must be present before the Steering Committee may vote on any matter. A quorum shall be a majority of the total membership; however, member vacancies, resulting from events such as term expiration, removals or resignations, which reduce the total membership of the Committee, shall proportionately reduce the number of members required for a quorum. All recommendations shall be determined by a vote among Steering Committee members.

F. Conflict of Interest: Pursuant to the conflict of interest provision in 24 CFR 570.611, no person who is an employee, agent, consultant, officer or elected official or appointed official of the City or of any designated public agencies or of subrecipients that are receiving funds, who exercise or have exercised any functions or responsibilities with respect to CDBG-assisted activities or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG activity, either for themselves or those with whom they have a business or immediate family ties, during their tenure or for one year thereafter. If a member of the Steering Committee is an employee, officer, agent, consultant or representative of an agency submitting an application for funding with Community Development dollars, such application shall not be considered by the Steering Committee.

II. Role of Community and Human Development

A. Lead Agency: The Department of Community and Human Development shall be the lead agency charged with implementing the Citizen Participation Plan. Responsibilities of the Department shall include the following whenever staff is available:

1. Provide technical assistance to representatives of low- and moderate-income persons and groups, neighborhood associations and other civic and citizen organizations when requested so that they may adequately participate in planning, implementing, and assessing the program;

2. Provide technical assistance to representatives of low- and moderate-income persons and groups, neighborhood associations, and other civic and citizen organizations which request assistance in developing proposals and comments;

3. Inform the public about the Community Development Program and the citizen participation process through the local media in both English and Spanish languages;

4. Assist the Steering Committee in scheduling and conducting public hearings and Committee meetings;

5. Advise the Steering Committee on administrative aspects of the Community Development Program;

6. Provide the Steering Committee a written quarterly report on the status of all physical projects and other pertinent matters;

7. Maintain all records of the Citizen Participation process, including minutes of public hearings and Committee meetings;

8. Review all proposals for entitlement grants funding;

9. Schedule an annual public hearing, to be conducted by the Steering Committee, to solicit comments about housing and community development needs and proposals related to community development;

10. Schedule an annual public hearing on program needs, performance and proposed activities to be conducted at a regularly scheduled City Council meeting; and

11. The level and type of technical assistance provided shall be that which the City deems appropriate to enable low- and moderate-income persons and groups, neighborhood associations and other civic and citizen organizations which request assistance to participate in planning, implementing and assessing the program and to develop proposals and comments.

B. Other City Departments: City Departments, in addition to the Department of Community Development, shall be requested to provide technical assistance to the Steering Committee, at public hearings, and at neighborhood association meetings, in order to translate neighborhood needs into specific projects and activities when appropriate.

III. Annual Action Plan Development

A. Development Process: The Annual Action Plan is developed according to the steps set out below. In the course of this process, City residents will be given the opportunity to submit proposals and comments on the programs. A specific effort will be made to inform low- and moderate-income persons and residents of low- and moderate-income areas about the proposal and comment process and to involve them in the process. Such efforts may include, but are not limited to, contacting neighborhood associations and civic organizations in low- and moderate-income areas, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Written citizen proposals and comments will also be encouraged. The Department of Community and Human Development will publish a notice in English and Spanish

in a non-legal section of a local newspaper of general circulation stating how and when proposals and comments may be submitted and also the date, time, place and purpose of public hearings held to solicit proposals and comments. The media will be used whenever possible to advertise these meetings and promote attendance at these public hearings. Interested persons will also be invited to participate at other points in the process, including review of proposals and adoption of the final Annual Action Plan. This process will afford low- and moderate-income persons and other interested citizens an opportunity to participate in the development of the final Annual Action Plan.

B. Public Hearings

1. Public Hearings to Solicit Proposals: The first stage in developing the Annual Action Plan involves defining neighborhood objectives and soliciting preliminary proposals and comments. One citywide public hearing will be held to solicit comments about housing and community development needs and proposals for community development. In addition, one or more neighborhood meetings may also be held to provide neighborhood residents with an opportunity to propose projects. Specific efforts will be made to inform and involve residents of low- and moderate-income areas. Such efforts may include, but are not limited to, contacting neighborhood and civic associations and organizations in low- and moderate-income areas, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Written citizen proposals and comments will also be encouraged. A specified period and a reasonable deadline for submission of preliminary proposals and comments will be set and publicized in accordance with the methods stated in this paragraph.

2. Steering Committee Meetings to Review Proposals: During the second step of the Annual Action Plan development, the Steering Committee, as a whole, shall review proposals submitted to develop a budget recommendation. The Committee shall not create subcommittees to review the proposals received. Residents, neighborhood associations, organizations, City Departments, etc., that submitted proposals may be invited to appear before the Steering Committee, as a whole, to briefly explain and justify the purpose and need for funding the proposals. The Steering Committee, as a whole, shall prioritize the projects reviewed.

3. Submission of Budget Recommendations to City Council: During the third step of the Annual Action Plan development, the Steering Committee consolidates its recommendations and prepares a final Steering Committee budget recommendation which is presented to City Council. If the Community Development staff concurs with the Steering Committee recommendation, a Consensus Budget Recommendation will be submitted to City Council. If Community Development staff is unable to reach an agreement with the

Steering Committee on the recommendation, staff has the option of submitting its own budget recommendation to City Council. The City Council will review the recommended budget(s) and prepare a proposed Annual Action Plan. This proposed Annual Action Plan will be published in English and Spanish in a non-legal section of a local newspaper of general circulation to afford residents and organizations an opportunity to examine its content and to submit comments to the City. Any comments received will be reviewed and City Council may, at its option, modify the Annual Action Plan subsequent to its publication and prior to adopting a final Annual Action Plan.

4. Public Hearing on Proposed Annual Action Plan: During the fourth and final step, City Council will review comments received since introduction of a proposed Annual Action Plan and formulate its final Annual Action Plan. This final Annual Action Plan will be introduced at a public hearing at which residents will have the opportunity to comment on the proposed activities in the budget as well as program performance and needs. Upon completion of the public hearing, the City Council will vote to adopt a final Annual Action Plan based upon budget recommendations and comments presented to the Council. Upon adoption of a final Annual Action Plan, the final Annual Action Plan and required certifications will be submitted to the Regional Office of the Department of Housing and Urban Development for review and approval. Copies of this final Annual Action will be available to the public and copies can be obtained upon request at the Department of Community and Human Development, 8th Floor, City Hall, 2 Civic Center Plaza; at the City's public libraries; the University of Texas at El Paso Library; and all El Paso Community College campus libraries (See **Attachment E**).

C. Proposal Review Procedure:

1. The Department of Community and Human Development, as lead agency, shall make an initial review of all verbal and written proposals received to determine if they are eligible for Community Development funding under Federal Regulations. The Department shall notify requestors in writing, when possible, if their proposal is ineligible for Community Development funding. Eligible proposals shall be forwarded to appropriate City Departments for review and comment, and for preparation of an application, if necessary.

2. The Steering Committee will be informed of the eligibility status of all proposals submitted. Once comments and cost estimates have been received from the Department reviewing them, the Department of Community and Human Development shall compile this information and forward it to the Steering Committee for review and recommendations. Departments, citizens, associations, agencies, etc., may be invited to present their proposals in person at a Steering Committee meeting.

3. After the entitlement grant(s) collaboratives make recommendations on their budgets, but before the recommendations are submitted to the entire Steering Committee as a whole, if necessary, an Appeals/Grievance Committee, comprised of the Vice-Chair for the Community Development Steering Committee and two other members of the Steering Committee, will hear petitions from agencies regarding funding level and/or process issues only. The Appeals/Grievance Committee has the authority to review complaints about the funding level amount awarded to any agency and/or the collaborative process. Determinations of eligibility related to applicable Federal regulations are not subject to review. Recommendations provided by the Appeals/Grievance Committee will be forwarded to and acted upon by the Steering Committee as a whole. The Appeals/Grievance Committee may also be sent issues from City Council for additional examination and recommendation, provided those issues fall within the purview of the Steering Committee duties.

4. The Steering Committee shall discuss proposals during their regular meetings and determine which proposals to include in its final budget recommendation to City Council. Common reasons for not recommending a proposal in the Steering Committee's final budget include:

    a. The proposal is ineligible for funding under the Community Development Program Regulations;

    b. The proposal is in noncompliance with the City's Consolidated Plan and the Department of Housing and Urban Development's (HUD) strategic goals and policy priorities;

    c. The proposal is inappropriate for a given neighborhood or funding period;

    d. The Steering Committee judges other proposals to constitute a higher priority; or

    e. The proposal is insufficiently defined to permit consideration for funding.

5. After finishing its review and evaluation of proposals, the Steering Committee submits its budget recommendation to City Council. City Council will review recommendations it receives and prepare a proposed Annual Action Plan. City Council will then schedule a public hearing and present its proposed Annual Action Plan. Citizens will have 30 days to comment on the proposed activities in the proposed Annual Action Plan as well as the needs of low- and moderate-income residents and performance of the Community Development Program in meeting its stated objectives. Upon completion of the public hearing, City Council will adopt a proposed Annual Action Plan that will subsequently be published in a non-legal section of a local newspaper of general circulation.

Residents will have an opportunity to submit comments to the City on program needs, performance and proposed activities. At the end of the comment period, City Council will evaluate all comments and recommendations it has received, modify its proposed Annual Action Plan, if warranted, and prepare a final Annual Action Plan. The final Annual Action Plan will be presented at a public hearing before City Council. At this time, residents will have the opportunity to comment on the proposed activities as well as program needs and performance. Following the public hearing, City Council will adopt a final Annual Action Plan, which along with the City's required certifications is sent to the Regional Office of U.S. Department of Housing and Urban Development for review and approval. A summary of the comments received, and a summary of any comments not accepted and the reasons thereof, shall be attached to the final Annual Action Plan.

IV. Program Implementation and Amendments

A. Program Implementation: Upon approval of the final Annual Action Plan, the Community and Human Development Department shall be responsible for initiating and monitoring the implementation of the proposed activities contained in the budget in accordance with the stated objectives. Day-to-day operational decisions and actions necessary to ensure implementation of projects shall be the function of the Department and will not generally be subject to Steering Committee review. However, the Steering Committee will be advised of the status and progress of physical projects throughout the year. Also, the Steering Committee will receive a physical project status report prepared by Community Development staff at least quarterly to keep them informed on program implementation.

B. Substantial Amendments to the Program: Any substantial amendment to the Community Development program as set forth in approved applications will be presented to the Steering Committee for their information and recommendation. A substantial amendment constitutes a significant change to the program, such as adding, deleting or significantly changing project scopes or allocations according to the following criteria:

1. The City changes the method of distribution of funds.

2. The City changes the purpose and scope of a project by increasing or decreasing the project's scope of services, target population, or budget by more than 50% and $25,000 from the original description. This does not apply to changes to activities within an existing project unless it would result in a change of more than 50% and $25,000 to the overall project.

3. The City changes the location of a physical project outside the previously described area of the population to be served to another eligible area. This does not apply to Public Services, Economic Development or other non-physical

projects.

4. The City changes the eligible beneficiaries of an activity by reducing or increasing the beneficiaries by more than 50% due to any of the following circumstances:

    a. For physical projects, change of physical location of the project to another eligible area and therefore changing the eligible service area.

    b. For non-physical projects such as Public Services and Economic Development, a change of eligible client criteria as categorized in the Consolidated Plan (e.g. Seniors to Youth).

    Individuals, organizations or City Departments proposing substantial amendments may be invited by the Steering Committee to make a brief presentation to explain and comment on the changes prior to making recommendations to City Council. A notice of a proposed substantial amendment will be published in English and Spanish in a non-legal section of a local general circulation newspaper in order to provide citizens with reasonable notice and opportunity to comment on the substantial amendment. The Department will record and consider comments received and may modify the proposed substantial amendment if warranted. All amendments must be submitted to City Council for review and approval. Upon approval, amendments will be submitted to the Housing and Urban Development Regional Office. A summary of comments and a summary of any comments not accepted and the reasons therefor shall be attached to the substantial amendment. A description of all substantial amendments adopted will also be available to the public at the Community Development office during normal business hours.

C. Role of Steering Committee: The Steering Committee shall serve in an advisory role in reviewing and making recommendations to City Council on proposed amendments to the programs. The Steering Committee will not review routine operational matters related to program implementation, even though City Council action may be required on such matters.

V. Assessment of Performance

A. Public Hearings on Performance and Comment Process: Citizens are encouraged to comment on the performance of the City's Community Development Program and the extent to which project activities achieved their objectives. Comments, inquiries and complaints may be submitted to the Community Development office or to any Steering Committee or City Council member. It is the responsibility of any Steering Committee or City Council member to forward the comments, inquiries, and complaints received to the Community Development staff for a written response. Community Development

staff will respond to inquiries and comments received as expeditiously as possible. Verbal complaints shall be transcribed by the Community Development staff and an appropriate response provided. Written complaints will be responded to in writing by the Community Development office within fifteen (15) working days of their receipt. Citizen comments, inquiries and complaints may also be presented at public hearings or at Steering Committee meetings (an opportunity for citizen comment is regularly included on the agenda). As stated previously, each year a public hearing on program performance and needs is conducted at a regularly scheduled City Council meeting specifically held to solicit citizen comments on approved activities as well as proposed activities.

Community Development staff will review all comments, complaints and suggestions received in assessing program performance and the extent to which projects and activities achieved their objectives. The results of these assessments will be taken into consideration in the planning and selection of future projects and activities proposed for Community Development funding.

B. Performance Reporting: The Department of Community and Human Development annually prepares a Consolidated Annual Performance and Evaluation Report (CAPER) that includes:

- Activity Summary

- Status of Funds

- Direct Benefit Activities

- Actions to Affirmatively Further Fair Housing

- Anti-displacement

This report also contains an assessment by the Department of the relationship of the use of Community Development Block Grant funds to the Community Development Objectives described in the final Annual Action Plan.

Upon completion of the CAPER, it is forwarded to the Area Office of the U.S. Department of HUD. Simultaneously, a Public Notice in English and Spanish shall be placed in a non-legal section of the newspaper of general circulation making the Report available to citizens. It is available at no charge at the Office of Community and Human Development, and at the City's public libraries, the UTEP Library and at all the El Paso Community College Campus Libraries for review.

C. Conduct of Public Hearings and Neighborhood Meetings:

All public hearings and neighborhood meetings will be held at convenient times and locations that permit participation by citizens and organizations. All sites selected will be fully accessible to persons with disabilities. Such hearings and meetings will be conducted in English and Spanish as requested by those attending.

The Department of Community and Human Development will make every reasonable effort to inform citizens, particularly low- and moderate-income persons and residents of eligible areas, of the schedule and purpose of these hearings and neighborhood meetings. The Department will publicize these hearings and neighborhood meetings through various media, the City's website, neighborhood associations and organizations serving low- and moderate-income persons to encourage citizen input. The purpose and procedures of both the Community Development Program and the particular public hearing or neighborhood meeting will be explained in sufficient detail to allow citizens to understand and effectively contribute to the program.

VI. Available Information

The City shall provide full and timely disclosure of its program records and information consistent with applicable laws and regulations regarding personal privacy and confidentiality. Copies of the following material shall be available for citizen review, upon request, during regular business hours, at the Department of Community Development, City Hall, 2 Civic Center Plaza, 8th Floor:

- All mailings and promotional material;
- The Citizen Participation Plan and schedules of public hearings;
- The records of CD public hearings;
- The proposed and approved annual action plan for the current year;
- The proposed and approved Consolidated Plan;
- All prior applications including letters of approval and grant agreements;
- All Performance Reports, Status Reports and other reports that may be required by HUD;
- Anti-Displacement Strategy and Tenant Relocation Assistance Policy; and
- Copies of the regulations governing the Community Development Program and documents on other important program requirements.

Revised July 20, 2010

ATTACHMENT D

CITY OF EL PASO RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

This Residential Anti-displacement and Relocation Assistance Plan (RARAP) is prepared by the City of El Paso's Department of Community and Human Development (DCHD), Housing Programs Division in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325. Its objective is to insure that persons displaced as a result of Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) and/or other HUD programs receive the benefits they are entitled to as mandated by federal law.

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act of 1974, the City of El Paso's DCHD, Housing Programs Division will take the following steps to avoid or minimize displacement in all CDBG, HOME and/or other HUD programs, and, when displacement must occur, will mitigate the effects of displacement through relocation assistance and benefits as described in the Residential Anti-displacement and Relocation Assistance Plan as follows:

- Prior to approving a proposal, the City's Housing Programs Division will consider all practical alternatives to any proposed project that may result in residential displacement. Alternatives considered may include other sites for the proposed project as well as the costs and benefits, both financial and non-financial of each alternative. In the case of competing proposals priority will be given to those proposed projects, which minimize or eliminate the displacement of tenants when possible.

- When displacement of persons is necessary, the City's Relocation Office will provide counseling and referral services to assist displaced persons in finding alternative housing in the community.

- The City's Relocation Office will work with real estate management companies, real estate brokers and landlords to locate decent, safe and sanitary dwellings for households facing displacement.

- In the case of rehabilitation of a HUD-assisted multi-family unit or housing complex, the Housing Programs Division will encourage and work with the owner to stage rehabilitation of the units allowing tenants to remain in the building or complex during and after the rehabilitation to the extent possible, as long as work does not present unreasonable conditions for occupants. This will be accomplished by rehabilitating vacant units or buildings first, permitting tenants to move into the newly rehabilitated units, and then rehabilitating the remaining vacated units or buildings. No family will be required to move from a unit unless the City's Housing Programs Division determines that the work cannot be done with the family in residence. After rehabilitation and to the extent possible,

tenants who are temporarily displaced will be given an opportunity to return to comparable units in the apartment or complex as rehabilitation is completed.

NOTICES AND QUALIFYING CONDITIONS

- Before obligating or expending HUD funds on projects or activities that will directly result in demolition or conversion of low/moderate-income (LMI) dwelling units, the City of El Paso's DCHD will make public and submit to the HUD Field Office the information prescribed in 24 CFR 42.375(c). An analysis of the potential one-for-one replacement obligations will be conducted during a review of any proposed project to ensure adequate funding and other resources will be available.

- As early as possible, the Relocation Office shall conduct an on-site interview of all occupants in a proposed project site. This survey report will include: names of occupants, family composition, family income, requirement of special needs, and other pertinent data. Information gathered will be used in the planning of the project.

- When permanent displacement, due to acquisition, demolition, or rehabilitation may occur for a proposed project, occupants will receive a written General Information Notice (hand carried and explained by the City's Relocation Office, if need be). Acknowledgement of Delivery form will be signed by the displaced person as proof of delivery. This notice will inform occupants that the proposed project may require them to move from the unit they presently occupy. The letter shall indicate the name, address and telephone number of a relocation counselor/advisor who may be contacted to provide assistance with the relocation and to answer questions they may have. The notice will include a brief explanation of relocation benefits that are available. Tenants will be provided with a copy of HUD's pamphlet, "Relocation Assistance to Tenants Displaced from Their Homes" (HUD-1042-CPD). Homeowners will be provided HUD's pamphlet "Relocation Assistance to Displaced Homeowner Occupants" (HUD-1044-CPD). Low-income persons displaced as a result of the demolition and/or conversion of their dwelling unit in a project funded in whole or in part by CDBG or HOME funds will also receive the publication, "Relocation Assistance to Tenants Displaced From Their Homes (section 104(d))" (HUD-1365-CPD).

- An occupant must reside in the dwelling unit on the date of a notice of intent to acquire, the initiation of negotiations, or actual acquisition of the property, whichever occurs first, to be eligible for relocation assistance. Tenants who move prior to meeting all eligibility requirements for payment, but after receiving timely and adequate written notices, and tenants who are evicted with good cause are not considered displaced and are ineligible for relocation benefits.

- No occupant of a dwelling shall be required to move unless first given a reasonable opportunity to relocate to a safe and habitable replacement dwelling,

as determined by the City's Relocation Office, except in the event of threats to health and safety.

POLICY OF NON-DISCRIMINATION

The City of El Paso will follow a policy of non-discrimination in providing information, counseling, referrals and other relocation assistance to tenants affected by CDBG, HOME and/or other HUD funded activities. The City will pursue practices and methods of administration that will not result in the involuntary displacement of persons because of their particular race, color, religion, national origin, familial status, sex, age or disability.

ADVISORY SERVICES

- The Relocation Office will maintain contact with all tenants, both those who are temporarily relocated and those who will be displaced, throughout the relocation process in order to offer advisory services, including information and counseling, that will enable the tenant to obtain appropriate replacement housing. Upon determination of a tenant family's housing needs and preferences, the Relocation Office will provide, in writing, referrals to a minimum of three (3) decent, safe and sanitary comparable replacement housing units. This referral will include address of property, rental management agencies, real estate brokers and names of land lords, telephone numbers and property address.

- The Relocation Office will assure that any unit selected by a tenant is inspected by a City representative to assure it is decent, safe and sanitary. Tenants will be informed if he/she locates replacement housing on his/her own, the unit must be inspected by a City representative to assure it is decent, safe and sanitary prior to authorizing the tenant to relocate and prior to authorizing relocation assistance payments. Written documentation of the inspection of the units and the date of inspection shall be placed in each individual tenant's file. The Relocation Office will make every effort to assure that the tenant has an opportunity to inspect the alternative units, even to the extent of providing transportation or accompanying the tenant.

- The City, through its Relocation office, will assure that tenants who are displaced as a result of CDBG, HOME and/or other HUD funded activities are provided sufficient financial and advisory assistance to enable them to obtain affordable, decent, safe, sanitary and suitable housing for at least forty-two (42) months. The payment amount will be determined in accordance with 49 CFR 24.402(b)(1) and (2). A tenant may opt to receive cash replacement housing payments or Section 8 assistance, if available.

- If a tenant chooses to buy rather than rent a replacement home, the tenant may be eligible for homebuyer assistance based on the present value of the monthly

payments for the appropriate number of months. The amount of the payment must be applied to purchase a dwelling and related incidental expenses.

- Whenever a project cannot proceed on a timely basis because comparable replacement units are not available within the monetary limits of owners or tenants, as specified in 49 CFR 24.401 and 402, as appropriate, the City's Relocation Office shall provide additional or alternative assistance under the provisions of 49 CFR 24.404.

MOVING EXPENSES

- The City may use CDBG, HOME and/or other sources of funds to pay for actual, reasonable and necessary out-of-pocket moving expenses for displaced persons who move within 50 miles of El Paso, including transportation, packing, moving and unpacking of household goods, disconnecting and reconnecting utilities, storage of household goods, insurance for the replacement value of goods that must be placed in storage, and replacement value of property lost, stolen or damaged during the move. While a displaced person is not required to relocate within the City of El Paso, expenses for mileage beyond 50 miles from the displacement location are to be covered by the displaced person. A displaced person will be assisted to complete a relocation claim form in order to be eligible to receive benefits.

- For temporary moves, where a tenant intends to return to the rehabilitated unit, the tenant shall be reimbursed for all reasonable out-of-pocket expenses incurred with the temporary relocation including moving cost to and from the temporary housing and any increase in monthly housing costs (e.g. rent and utility costs), deemed necessary and reasonable by the City.

- A displaced residential person has a choice of either reimbursement of actual, reasonable moving expenses, or a fixed moving payment based on the Schedule of Fixed Moving Expenses, provided herewith, for those persons choosing a fixed payment.

COMMUNITY DEVELOPMENT PROJECTS SUBJECT TO SECTION 104(D) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT

The Housing and Community Development Act of 1974, requires that reasonable relocation assistance be provided to low/moderate income (LMI) persons displaced as a result of use of HUD funding to demolish or convert LMI dwelling units, which are occupied or vacant or occupiable.

- Whenever LMI residential buildings are to be demolished or converted to another use using HUD funds, all occupied and vacant occupiable LMI dwelling units will be replaced with comparable LMI dwelling units, one-for-one. Whenever feasible, replacement units will be located in the same neighborhood as the units

demolished or converted. Replacement units will remain LMI dwelling units for a period of 10 years after occupancy. HOME-assisted units must comply with the provisions of 24 CFR Part 92. The one-for-one replacement does not apply to units which are determined uninhabitable prior to demolition or conversion.

- The City may elect to request HUD's determination that the one-for-one replacement requirement does not apply in accordance with 24 CFR 42.375(c).

- A person is eligible for assistance when living in a unit to be converted or demolished as part of a HUD-assisted project.

- A LMI displaced person is eligible for replacement housing assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated averaged monthly cost of utilities for a comparable replacement dwelling to the Total Tenant Payment. This payment is determined by the higher of (1) thirty percent (30%) of family's monthly adjusted income; or (2) ten percent (10%) of the family's monthly gross income; or (3) the designated allowance for rent/utility costs (if the person is receiving welfare assistance from a public agency and a part of such assistance, adjusted in accordance with the person's actual housing costs, is specifically designated by the public agency to meet the person's rent and utility cost).

- The Housing Authority of the City of El Paso (HACEP) may provide housing assistance to eligible very low-income households displaced by government action. Placement will depend upon availability of Section 8 certificates or vouchers. Displaced tenants cannot insist on cash if Section 8 assistance is available.

COMPLAINT AND APPEALS PROCEDURE

The DCHD will establish a written complaint and appeals procedure to resolve any problems tenants may have during relocation. Any aggrieved person/tenant may file a written appeal with the City of El Paso DCHD Director with respect to any relocation assistance. This appeal must be received within 60 days and assistance may be requested of the Relocation Office in making the appeal. These procedures will be included in the written relocation assistance summary that will be furnished to each affected tenant. Documentation of any complaint/appeal and its resolution will be maintained in the individual tenant file.

RELOCATION ASSISTANCE FOR TENANT HOUSEHOLDS AFFECTED BY CITY CODE ENFORCEMENT ACTIONS

The City of El Paso and HACEP have entered into a Memorandum of Understanding in order to work together in providing assistance to tenant households required to move from buildings which are declared by the City as unsafe and unfit for occupancy.

Whenever an authorized representative of the City declares by notice or order that a building is unfit for occupancy as a dwelling and orders the owner to vacate the building, the City through its Relocation Office will provide the following relocation assistance:

- Advisory assistance regarding available suitable housing, both private and publicly-assisted, and the procedures for obtaining publicly-assisted housing.

- For income eligible tenant households, that is, a household whose annual family income does not exceed 80% of the median family income for the area, referral and preference as a displaced person for admission to available suitable public housing.

HACEP shall conduct initial and final interviews and determine eligibility of those tenants referred by the Relocation Office, in accordance with HACEP's Admission and Continued Occupancy Policy (ACOP)

The City's Relocation Office will provide transportation to facilitate home visits for conducting HACEP interviews as a reasonable accommodation to elderly or disabled families upon the tenant's household request.

Once HACEP determines the referred tenant household is eligible for admission as a displaced family, unit offers shall be made based on available, suitable Public Housing Units.

Representatives from both parties shall meet periodically to review program performance and as often as necessary to coordinate on-going activities.

Revised July 20, 2010

SCHEDULE OF FIXED MOVING EXPENSES

State	Occupant Owns Furniture									Occupant does not own furniture	
	Number of Rooms of Furniture										
	1 room	2 rooms	3 rooms	4 rooms	5 rooms	6 rooms	7 rooms	8 rooms	Addt'l room	1 room/ no furn.	Addt'l room no furn.
New Mexico	650	850	1050	1250	1450	1650	1850	2050	200	400	60
Texas	400	550	700	850	1000	1100	1200	1300	100	300	50

Effective August 22, 2008

ATTACHMENT E

DISTRIBUTION SITES

Main Library
501 N. Oregon Street
543-5433

Armijo Branch Library
620 E. Seventh Street
533-1333

Cielo Vista Branch Library
(Under construction)
1300 Hawkins

Clardy Fox Branch Library &
Literary Center
5515 Robert Alva Avenue
772-0501/779-2400

Dorris Van Doren Regional Library
551 Redd Road
875-0700

Esperanza Acosta Morena Regl
Branch Library
12480 Pebble Hills Boulevard
921-7001

Irving Schwartz Branch Library
1865 Dean Martin Drive
857-0595

Lower Valley Branch Library
610 N. Yarbrough Drive
591-3391

Memorial Park Branch Library
3200 Copper Avenue
566-1034

Richard Burgess Branch Library
9600 Dyer Street
759-2400

Westside Branch Library
125 Belvidere Street
581-2024

Ysleta Branch Library
9321 Alameda Avenue
858-0905

EPCC Northwest Campus
Community Library/
Jenna Welch & Laura Bush
Community Library
6701 S. Desert Boulevard
831-8840

EPCC Mission del Paso Library
10700 Gateway East
831-7040/7057

EPCC Rio Grande Library
111 N. Oregon Street
831-4019

EPCC Transmountain Library
9570 Gateway North
831-5092

EPCC Valle Verde Campus
919 Hunter Street
831-2442/2645

UTEP Library
500 W. University Street
747-5672

Library Bookmobile
501 N. Oregon Street
541-4821