

CITY COUNCIL AGENDA REQUEST FORM

Today's date: 9 / 21 / 20

Date of meeting 10 / 7 / 20

(City Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month.)

Name of Elected Official, City Employee, Organization, or Citizen making request:

Linda Heiss

Address: 1123 Lake Street, Sandpoint, ID 83864

Phone number and email address: lheiss@sandpointidaho.gov

Authorized by: \_\_\_\_\_  
*name of City official* *City official's signature*

Subject: Fair Housing Anti-Displacement and Relocation Assistance Plan

Summary of what is being requested: CDBG funding requires the City adopt a Residential Anti-Displacement and Relocation Assistance Plan. The City may develop their own or adopt the CDBG plan. The City developed their own plan in 1998 but instead of revising it will adopt the CDBG plan.

The following information **MUST** be completed before submitting your request to the City Clerk:

1. Would there be any financial impact to the city?  Yes  No Budgeted?  Yes  No  
If yes, in what way? \_\_\_\_\_

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action: \_\_\_\_\_ Have they been contacted? **Yes or No**  
\_\_\_\_\_  
\_\_\_\_\_

3. Is there a need for a general public information or public involvement plan? **Yes or No**  
If yes, please specify and suggest a method to accomplish the plan: \_\_\_\_\_

4. Is an enforcement plan needed?  Yes  No Additional funds needed?  Yes  No  
5. Have all the affected divisions been informed about this agenda item?  Yes  No

**This form must be submitted no later than 5:00pm Tuesday the week prior to the meeting. All pertinent documentation for the Council packet must be included.**

**ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM**

**CITY OF SANDPOINT  
AGENDA REPORT**

**DATE:** 9/21/2020

**TO:** MAYOR AND CITY COUNCIL

**FROM:** Linda Heiss

**SUBJECT:** Fair Housing Anti-Displacement and Relocation Assistance Plan

**DESCRIPTION/BACKGROUND:**

The Idaho Department of Commerce requires that the City has in place a Fair Housing Anti-Displacement and Relocation Assistance Plan for CDBG funded projects. Grant recipients may adopt their own CDBG-approved plan or adopt the CDBG plan. The City adopted its own plan in 1998. In lieu of revising that plan, the City will instead adopt the CDBG plan.

**STAFF RECOMMENDATION:** Approve the resolution to adopt the CDBG Anti-Displacement and Relocation Assistance Plan for CDBG funded projects.

**ACTION:** Approve the resolution to adopt the CDBG Anti-Displacement and Relocation Assistance Plan for CDBG funded projects.

**WILL THERE BE ANY FINANCIAL IMPACT? No HAS THIS ITEM BEEN BUDGETED?**

**ATTACHMENTS:**

CDBG Anti Displacement and Relocation Assistance Plan

Resolution to adopt the CDBG Anti Displacement and Relocation Assistance Plan

**EXHIBIT A****IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

It shall be the policy of the Idaho Department of Commerce (Commerce) to require units of general local government receiving Idaho Community Development Block Grant funding to follow the plan described below to minimize any adverse impacts on persons of low and moderate income resulting from acquisition and relocation activities assisted with funds provided under Title 1 of the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Section 92.353 and 570.606(b)-(g).

This plan does not replace but is supplementary to the acquisition and relocation requirements stated in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Units of general local government may certify they will follow this plan or they can develop their own plan. If the local government develops its own plan, the plan must be approved by Commerce, adopted and made public.

**I. DEFINITIONS**

- A. **“Standard Condition”** means a housing unit that meets the standards set forth in the Section 8 Program for Housing Quality Standards (HQS) (24 CFR 982.401) and all state and local codes and zoning ordinances.
- B. **“Substandard suitable for rehabilitation”** means a housing unit, or in the case of multiple unit buildings the building or buildings containing the housing units, which have at least three major systems in need of replacement or repair and the estimated cost of making the needed replacements and the repairs is less than 75% of the estimated cost of new construction of a comparable unit or units.
- C. **“Substandard not suitable for rehabilitation”** means any such housing unit or units for which the estimated cost of making the needed replacements and repairs is greater than or equal to 75% of the estimated cost of new construction of a comparable unit or units.
- D. **“Comparable replacement dwelling unit”** means a dwelling unit that:
  - 1. Meets the criteria of 49 CFR 24.24.2(d)(1) through (6); and
  - 2. Is available at monthly cost for rent plus estimated average monthly utility costs that does not exceed the “Total Tenant Payment” determined under 24 CFR 813.107 after taking into account any rental assistance the household would receive
- E. **“Low-income dwelling unit”** means a dwelling unit with a market rental (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation established under 24 CFR Part 888.

**II. REPLACEMENTS OF DWELLING UNITS**

- A. All occupied and vacant occupiable low-income dwelling units demolished or converted to a use other than as low-income housing as a direct result of activities assisted with funds

- provided under Title 1 of the Housing and Community Development Act, as amended, as described in 24 CFR Section 92.353 must be replaced on a one-for-one basis.
- B. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the unit of general local government will make public the following information by publishing it in a newspaper of general circulation or other acceptable means approved by Commerce and will submit said information in writing to Commerce:
1. A description of the proposed assisted activity;
  2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
  3. A time schedule for the commencement and completion of the demolition or conversion;
  4. The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data is not available at the time of the general submission, the unit of general local government will identify the general location on an area map and the approximate number of dwelling units by size and provide information identifying the specific location and number of dwelling units by size as soon as it is available.
  5. The source of funding and time schedule for the provision of replacement dwelling units; and
  6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.
  7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a two-bedroom unit with two one-bedroom units) is consistent with the housing needs of lower income households in the jurisdiction.
  8. The (name and phone number of the jurisdiction's office responsible for relocation) is responsible for ensuring requirements are met for notification and provision of relocation assistance, as described in CFR 570.606 to any lower income person displaced by the demolition of any dwelling unit or the conversion of a low/moderate income dwelling unit to another use in connection with an assisted activity and is responsible for tracking the replacement of housing and ensuring it is provided within the required period.
- C. The dwelling units must be located within the unit of general local government's jurisdiction. To the extent feasible, the dwelling units shall be located within the same neighborhood as the units replaced.
- D. The dwelling units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The

number of occupants who could have been housed in the units shall be in accordance with applicable local housing occupancy codes. The units may not be replaced with smaller units (e.g., a two-bedroom unit with two one-bedroom unit units) unless the local government can demonstrate the proposed replacement is consistent with housing needs of lower income households in the jurisdiction.

- E. The replacement units must be in standard condition and must, at a minimum, meet Section 8 Program Housing Quality Standards. Replacement low-income units may include units brought from a substandard condition to standard condition if:
  - 1. No person was displaced from the unit; and
  - 2. The unit was vacant for at least 3 months before execution of the agreement between the unit of general local government and their sub-grantee or the property owner
- F. The units must be designed to remain low-income dwelling units for at least ten (10) years from the date of initial occupancy. Replacement low-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance.

### III. RELOCATION ASSISTANCE

Relocation assistance will be provided, as described in 24 CFR Section 42.350 to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities. Pursuant to CFR Section 42.350, a displaced person may choose to receive either assistance under the URA and implementing regulations at 49 CFR part 24 or assistance under section 104(d) of the Housing and Community Development Act of 1974, including advisory services, moving expenses, security deposits and credit checks, interim living costs, and replacement housing assistance. The unit of general local government will take the following steps to assist an eligible household:

- A. Provide counseling to assist homeowners and renters to understand the range of assistance options available, utilizing existing housing counseling programs to the greatest extent possible;
- B. Provide counseling and referral services to assist displaced homeowners and renter in finding alternative housing in the affected neighborhood; and
- C. Work with area landlords and real estate brokers to locate vacancies for households facing displacement.

### IV. MINIMIZING DISPLACEMENT

Consistent with the goals and objectives of activities assisted under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Section 104(d) of the Housing and Community Development Act of 1974, as amended, the unit of general local government or their sub-grantee will undertake a minimum of one of the following steps to minimize the displacement of persons from their homes:

- A. Coordinate code enforcement with rehabilitation and housing assistance programs.
- B. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent placing undue financial burden on long-established owners or tenants of multi-family buildings.
- C. Stage rehabilitation of apartment units to allow tenants to remain during and after rehabilitation by working on empty units or buildings first.
- D. Establish facilities to house persons who must be relocated temporarily during rehabilitation.
- E. Adopt public policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- F. Adopt policies that provide reasonable protection for tenants faced with conversion to a condominium or cooperative.
- G. Establish counseling centers to provide homeowners and renters with information on the assistance available to help them remain in their neighborhood in the face of revitalization pressures.

The Idaho Department of Commerce hereby adopts this Residential Anti-Displacement and Relocation Assistance Plan for projects funded under the Idaho Community Development Block Program. This plan became effective February 15, 2005, and was amended July 20, 2005.

  
\_\_\_\_\_  
Signature: Megan Ronk  
Idaho Department of Commerce

4/11/10  
\_\_\_\_\_  
Date

Director  
\_\_\_\_\_  
Title

No: 20-  
Date: October 7, 2020

RESOLUTION  
OF THE CITY COUNCIL  
CITY OF SANDPOINT

**TITLE: SANDPOINT RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

WHEREAS: As a condition of receiving Community Development Block Grant (CDBG) funds, the City of Sandpoint must adopt a plan concerning residential anti-displacement and relocation assistance pursuant to the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Section 92.353 and 570.606 (b) through (g);

WHEREAS: For the purpose of adopting such a plan, the City, in 1998, approved and published a Residential Anti-Displacement and Relocation Assistance Plan;

WHEREAS: CDBG requirements provide that a municipality may adopt either their own or the Idaho CDBG Program Residential Anti-Displacement and Relocation Assistance Plan; and

WHEREAS: The CDBG Program Residential Anti-Displacement and Relocation Assistance Plan has been adopted by the Idaho Department of Commerce (“IDC”) and is readily available upon request from IDC and posted on their website.

NOW, THEREFORE, BE IT RESOLVED THAT: The City of Sandpoint in Bonner County, Idaho, hereby replaces its 1998 Residential Anti-Displacement and Relocation Assistance Plan with the Idaho Community Development Block Grant Program Residential Anti-Displacement and Relocation Assistance Plan (“Plan”), as currently written or as may be amended in the future, and adopts this Plan as its own.

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Shelby Rognstad, Mayor

ATTEST:

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Melissa Ward, City Clerk