Agenda Item Details

Meeting	Jul 10, 2013 - City Commission Meeting
Category	9. CONSENT
Subject	9.07 Approval of the Adoption of the Continuation of City Commission Policies 1100, Permanent Relocation and 1101 Temporary Relocation - MICHAEL PARKER, ECONOMIC AND COMMUNITY DEVELOPMENT
Access	Public
Type	Action (Consent)
Fiscal Impact	Yes
Dollar Amount	$ 34,000.00
Budgeted	Yes
Recommended Action	Option 1: Approve the adoption of the 5-year continuation of City Commission Policy 1100 Permanent Relocation and City Commission Policy 1101 Temporary Relocation.

Public Content

FOR INFORMATION CONTACT: Joyce Olaves, Housing Administrator, 891-6500.

STATEMENT OF ISSUE

The "Local Option Relocation Policy" was adopted in 1991. In 1998, this policy was separated into 1100 CP Permanent Relocation and 1101 CP Temporary Relocation. Also in 1998, the policy was revised to include provisions for a sunset review every 5 years. The relocation policies address the need for both permanent relocation of low-income citizens displaced by code enforcement action or natural disaster, and temporary relocation of participants in the City's Owner-Occupied Rehabilitation Program. While efforts have been made to drastically reduce the amount of money spent for temporary relocation, there is still a need for some expenditure relative to this program. The City Commission last re-authorized the Permanent Relocation and Temporary Relocation policies in July 2008. No changes to the existing policies are proposed. The relocation policies have proven to be beneficial to the City and the program participants. The policies are recommended for continuation for another 5-year period.

RECOMMENDED ACTION

Option 1: Approve the adoption of the 5-year continuation of City Commission Policy 1100 Permanent Relocation and City Commission Policy 1101 Temporary Relocation.

FISCAL IMPACT

Permanent Relocation and Temporary Relocation are funded with federal grants and are still subject to approval of the commission. The Housing Division anticipates $28,000 in CDBG funds will be budgeted for Permanent Relocation and $6,000 in CDBG funds will be budgeted for Temporary Relocation in the FY 2013-2014 Annual Action Plan.

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

HISTORY / FACTS AND ISSUES

The Uniform Relocation Act requires the City of Tallahassee to provide relocation assistance when the use of federal funds results in the displacement of citizens. Federal regulations allow the City to use federal grant funds for relocation expenses beyond the mandatory cases if the City implements a local policy to regulate relocation expenses and practices. The City adopted the first Local Option Relocation Policy in 1991, using federal funds managed by the Department of Economic and Community Development (formerly Neighborhood and Community Services).

In 1998, the City Auditor's Office reviewed the policy and recommended revisions to the guidelines. One revision that was implemented was to separate the Local Option Relocation Policy into two separate policies for Permanent and Temporary Relocation. Since 1998, the City has contracted with the American Red Cross Capital Area Chapter and the Capital Area Community Action Agency to provide administrative case management for Permanent Relocation program recipients. Through the Permanent Relocation program, the City ensures that citizens facing disasters such as home fires or floods are not left homeless. The maximum award for Permanent Relocation program recipients is $4,000. The Housing Division feels this maximum award is sufficient, based on average awards in the last several years. The program is funded with Community Development Block Grant (CDBG) funds.

The Temporary Relocation program is used in conjunction with the Owner-occupied Rehabilitation Program. Program recipients may be temporarily housed while their homes receive major rehabilitation on structural systems such as wiring and plumbing and some expenses related to this relocation are paid. Rehabilitation Program recipients are encouraged to stay with family and friends for the brief period when their homes are uninhabitable, and only use the Temporary Relocation program as a last resort. In the current fiscal year, more intense efforts have been made to encourage owner-occupied rehabilitation providers to find less expensive options to address the needs of the households receiving owner-occupied rehabilitation. However, there continues to be a need for this program.

CHARITABLE CONTRIBUTIONS
N/A

OPTIONS
Option 1: Approve the adoption of the 5-year continuation of City Commission Policy 1100 Permanent Relocation and City Commission Policy 1101 Temporary Relocation.

Pros:

- Residents in need would be relocated if they became homeless as a result of code action or natural disaster.
- Residents would be relocated if major rehabilitation was being performed on their homes and they were unable to temporarily live with friends or relatives.

Con:

- Federal funds used for permanent and temporary relocation cannot be used for other projects.

Option 2: Do not approve the adoption of the 5-year continuation of City Commission Policy 1100 Permanent Relocation and City Commission Policy 1101 Temporary Relocation and give staff alternate direction.

Pro:

- Federal funds not spent on permanent and temporary relocation may be used for other projects.

Cons:

- Residents in need would not be relocated if they became homeless as a result of code action or natural disaster.

- Residents would not be relocated if major rehabilitation was being performed on their homes and they were unable to temporarily live with friends or relatives.

ATTACHMENTS

1. 1100 CP Permanent Relocation with revised sunset review date
2. 1101 CP Temporary Relocation with revised sunset review date

1100 CP Permanent Relocation.pdf (130 KB) 1101 CP Temporary Reloction.pdf (130 KB)

Administrative Content

DEPARTMENT: Economic and Community Development

DATE ADOPTED: October 9, 1991

SUNSET DATE: June 18, 2013

1100.01 AUTHORITY AND PURPOSE:

The City of Tallahassee, by policy adopted October 9, 1991, has chosen to provide relocation assistance to low and very low-income persons displaced from their homes by code enforcement action. This relocation assistance is beyond the scope of assistance required by the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et seq.; Pub. L 91-646) as amended by the Uniform Relocation Act Amendments of 1987 (Title IV of Public Law 100-17), and will establish a mechanism for provision of assistance to low and very low income persons with no other financial resources, who must relocate from their residences because of code enforcement action or disaster. This policy is intended to meet the requirements of the Community Development Block Grant (CDBG) regulations, 24 CFR 570.606 (d) (Optional relocation assistance), which state, "The grantee...must adopt a written policy available to the public that describes the relocation assistance that the grantee...has elected to provide....", in order to use CDBG funds for relocation beyond the requirements of the Uniform Relocation Act.

1100.02 SCOPE AND APPLICABILITY:

This policy provides for certain types of relocation assistance to low and very low income citizens forced to move from dwellings which have been declared dangerous structures by code enforcement action. This assistance can be provided from Community Development Block Grant funds and is a voluntary

extension of relocation assistance beyond the requirements of the Uniform Relocation Act to serve the needs of the citizens of the City of Tallahassee.

1100.03 DEFINITIONS:

Low and very low income persons: Specific categories of persons eligible for assistance with federal funds, as defined by HUD guidelines, which delineates median family income for various sized families in each entitlement community and designates that persons or families with an income less than 80% of median for their family size are considered low income, and persons or families with an income less than 50% of median for their family size are considered very low income.

Code Enforcement Action: Code Enforcement Staff, upon inspection in the course of their duties, may condemn a building under the definition found in Chapter 7, Section 7-114 of the City Ordinances. Such a declaration requires that the building be vacated for either extensive rehabilitation or demolition.

CDBG-Community Development Block Grant: is an entitlement grant provided to the City of Tallahassee annually by HUD (as authorized and allocated by Congress) for use in programs authorized under Title I of the Housing and Community Development Act of 1974, as amended. The primary objective of this program "...is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."

Community Development Act of 1974, as amended: The primary objective of this program "...is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."

Household: means one or more persons occupying a housing unit.

HUD - United States Department of Housing and Urban Development: Within the City, the liaison for HUD grant funding is the ECD.

HUD Income Guidelines: are published at least annually by HUD for use by local jurisdictions in determining income eligibility. Guidelines include area median income adjusted for family size, and figures for 80% and 50% of area median income, adjusted for family size, for use in determining the maximum limits for low and very low income family incomes.

ECD - Economic and Community Development Department: Within this department, relocation issues are handled by the Housing Division.

1100.04 ACTION SECTION:

Services Provided:

1. It is the intent of the City to provide assistance to households permanently dislocated by code enforcement action up to a maximum of no more than $4,000 for all services provided.

2. **Hotel/Motel Assistance:** Up to ten days' lodging, preferably in a room(s) with kitchenette accommodations, with total cost not to exceed current cost guidelines to be established by ECD Housing Division.

3. **Rent:** One month's rent paid to the landlord of a unit chosen by the client.

4. **Security Deposit:** If a security deposit is required by the landlord of the new unit chosen by the client, the deposit, not to be greater than one month's rent, may be paid to the landlord on behalf of the client along with the first month's rent.

5. **Utility Deposit:** Paid if required by the City. Attempt shall be made as part of the casework process to have the City Utility Services transfer the client's utility deposit to the new account.

6. **Moving Expenses:** Actual cost of moving personal property to the client's new location may be paid on behalf of the client to the moving company, up to a maximum expense per household unit to

be determined by ECD Housing Division.

7. **Housing Inspection:** The Code Enforcement staff shall conduct an inspection of the unit selected by the client as replacement housing and certify that the unit meets City Housing Code standards, at a minimum. This service will be provided to the client to ensure City funds are used appropriately.

Eligibility Criteria:

Income: Benefits shall be made available to low and very low-income persons as defined by ECD Housing Division, using guidelines published periodically by HUD and incorporated here by reference. These guidelines identify the median family income for the City and define low and very low income in relation to the median family incomes, with adjustments for family size. The income guidelines in force shall be provided by the ECD Housing Division as they are issued by HUD.

Insurance restrictions: If the household being relocated has insurance coverage which will pay any portion of the benefits available from the City, the insurance shall take precedence and City benefits shall not be paid for that portion.

Repetition of Benefits: A person who has been a member of a household receiving permanent relocation assistance within the previous four years shall not be eligible for relocation assistance under this policy.

Method of Payment: All payments shall be made directly to the vendor, on behalf of the client.

Grievance Procedures: Any person who disagrees with the determination of their eligibility for assistance under this program may appeal the decision to the Housing Administrator in the

Economic and Community Development Department. Appeals will be handled according to grievance procedures set up by the Housing Division of this department to assure a fair hearing for all parties.

1100.05 ADMINISTRATION: The Department of Economic and Community Development shall be responsible for administration of this policy.

1100.06 SUNSET REVIEW: This policy shall be considered for sunset review five years from the date of latest adoption.

1100.07 EFFECTIVE DATE: This amended policy shall be effective immediately upon City Commission approval.

Revised:

DEPARTMENT: Economic and Community Development

DATE ADOPTED: October 9, 1991

SUNSET DATE: June 18, 2013

1101.01 AUTHORITY AND PURPOSE:

The City of Tallahassee, by policy adopted October 9, 1991, has chosen to provide relocation assistance to low and very low-income persons displaced from their homes because of rehabilitation of the home under a program funded by the City. This relocation assistance is beyond the scope of assistance required by the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et seq.; Pub. L 91-646) as amended by the Uniform Relocation Act Amendments of 1987 (Title IV of Public Law 100-17), and will establish a mechanism for provision of assistance to low and very low income persons with no other financial resources, who must relocate from their residences in order to allow for rehabilitation work to proceed. This policy is intended to meet the requirements of the Community Development Block Grant (CDBG) regulations, 24 CFR 570.606 (d) (Optional relocation assistance), which state, "The grantee...must adopt a written policy available to the public that describes the relocation assistance that the grantee...has elected to provide....", in order to use CDBG funds for relocation beyond the requirements of the Uniform Relocation Act.

1101.02 SCOPE AND APPLICABILITY:

This policy provides for certain types of relocation assistance to low and very low-income citizens forced to move from dwellings which have been designated for rehabilitation carried out under a program funded by the City. This assistance can be provided from Community Development Block Grant funds or HOME funds, and is a voluntary extension of relocation assistance beyond the

requirements of the Uniform Relocation Act to serve the needs of the citizens of the City of Tallahassee.

1101.03 DEFINITIONS:

Low and very low income persons: Specific categories of persons eligible for assistance with federal funds, as defined by HUD guidelines, which delineates median family income for various sized families in each entitlement community and designates that persons or families with an income less than 80% of median for their family size are considered low income, and persons or families with an income less than 50% of median for their family size are considered very low income.

CDBG-Community Development Block Grant: is an entitlement grant provided to the City of Tallahassee annually by HUD (as authorized and allocated by Congress) for use in programs authorized under Title I of the Housing and Community Development Act of 1974, as amended. The primary objective of this program "...is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."

Household: means one or more persons occupying a housing unit.

HUD - United States Department of Housing and Urban Development: Within the City, the liaison for HUD grant funding is the ECD.

HUD Income Guidelines: are published at least annually by HUD for use by local jurisdictions in determining income eligibility. Guidelines include area median income adjusted for family size, and figures for 80% and 50% of area median income, adjusted for family size, for use in determining the maximum limits for low and very low income family incomes.

ECD - Economic and Community Development Department: Within this department, relocation issues are handled by the Housing Division.

1101.04 ACTION SECTION:

Services Provided:

1. **Hotel/Motel Assistance:** Up to fifteen days' lodging, preferably in a room(s) with kitchenette accommodations at the lowest cost for appropriate accommodation.

2. **Rent:** Up to four months' rent paid to the landlord of a unit identified by the Housing Division.

3. **Security Deposit:** If a security deposit is required for the temporary unit, the deposit shall not be greater than one month's rent may be paid to the landlord on behalf of the client along with the first month's rent. Security deposit shall be returned to the City at the end of the rental period or applied to the last month's rent if possible.

4. **Utility Deposit:** Paid if required by the City. Attempt shall be made as part of the casework process to have the City Utility Services transfer the client's utility deposit to the new account.

5. **Utility Costs:** If the client is required to pay the cost of utilities at their original home as well as at the temporary residence during the rehabilitation period, the cost of utilities at the temporary residence may be paid on behalf of the client up to the limits set by the ECD Housing Division.
6. **Moving Expenses:** Actual cost of moving personal property to the client's new location may be paid on behalf of the client to the moving company, up to a maximum expense per household unit to be determined by ECD Housing Division.

7. **Storage Costs:** Should it be necessary to place some portion of the client's possessions in storage during the rehabilitation period in order to clear the way for construction activity, this expense may be paid as a part of the moving costs.

8. **Housing Inspection:** The Code Enforcement staff shall conduct an inspection of the unit to be used as temporary housing and certify that the unit meets City Housing Code standards, at a minimum.

This service will be provided to the client to ensure City funds are used appropriately.

Eligibility Criteria:

Income: Benefits shall be made available to low and very low-income persons participating in the homeowner rehabilitation program(s) as defined by ECD Housing Division, using income guidelines published periodically by HUD and incorporated here by reference. These guidelines identify the median family income for the City and define low and very low income in relation to the median family incomes, with adjustments for family size. The income guidelines in force shall be provided by the ECD Housing Division as they are issued by HUD.

Insurance restrictions: If the household being relocated has insurance coverage that will pay any portion of the benefits available from the City, the insurance shall take precedence and City benefits shall not be paid for that portion.

Repetition of Benefits: A person who has been a member of a household receiving temporary relocation assistance as a participant in a City rehabilitation program shall not be eligible for relocation assistance under this policy until all liens resulting from previous rehabilitation have been satisfied.

Method of Payment: All payments shall be made directly to the vendor, on behalf of the client.

Grievance Procedures: Any person who disagrees with the determination of their eligibility for assistance under this program may appeal the decision to the Housing Administrator in the Economic and Community Development Department. Appeals will be handled according to grievance

procedures set up by the Housing Division of this department to assure a fair hearing for all parties.

1101.05 ADMINISTRATION: The Economic and Community Development Department shall be responsible for administration of this policy.

1101.06 SUNSET REVIEW: This policy shall be considered for sunset review five years from the date of latest adoption.

1101.07 EFFECTIVE DATE: This amended policy shall be effective immediately upon City Commission approval.

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