

RESOLUTION No. R-13-69

COUNTY OF GRANT  
RESIDENTIAL ANTI-DISPLACEMENT AND  
RELOCATION PLAN AND CERTIFICATION

Section 104(d) of the Housing & Community Development  
Act of 1974, as Amended

Section 509 of the Housing and Community Development Act Of 1987(Public Law 100-242, approved February 5, 1988) amended section 104 of the Housing and Community Development Act of 1974 (the Act) by adding a new subsection (d).

The new subsection 104(d) of the Act provides that a grant under section 106 (CDBG Programs) may be made only if the grantee certifies that it is following a "residential antidisplacement and relocation plan."

Local government, recipients under the State CDBG Program, must make this certification to the State. The requirement applies only to those recipients of CDBG funds awarded to the State by HUD after October 1, 1988.

ACCORDINGLY, the foregoing plan represents the effort of the County of Grant to comply with the requirements of Section 104(d) of the Act and is certified herewith:

PLAN AND CERTIFICATION

The County of Grant herewith certifies that it will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974 as amended, as described in 24 CFR 570.496 a(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 County of Grant will, make public and submit to the Local Government Division of the Department of Finance and Administration the following information in writing:

- A description of the proposed activity;
- The location on a map and the approximate number of units, described by size (number of bedrooms), that will be demolished or converted;
- A time schedule for commencement and completion of the demolition or conversion;
- The location on a map and the approximate number of dwelling units described by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source(s) of funding and a time schedule for the provision of replacement units; and
- The basis for concluding that each replacement unit will remain a low/moderate-income dwelling unit for (10) years from the date of initial occupancy.

The County of Grant will provide relocation assistance, as described in 570.496-a 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.

To the extent which the County of Grant participates in Federal Assistance Programs wherein the following anti-displacement strategies can be applied, and consistent with the goals and objectives of activities assisted under the Act, the County of Grant will take the following steps to minimize the displacement of persons from their homes (this listing not all inclusive):

#### **DISPLACEMENT STRATEGY**

##### **A. Steps to Minimize or Prevent Displacement**

1. Plan, organize and stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation so as to provide the greatest convenience, safe and economically sound rehabilitation effort possible.
2. Assist in the identifying and locating of temporary relocation facilities in order to house families whose displacement will be of short duration, so that they can move back to their neighborhood after rehabilitation or new construction.
3. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent the placing of undue financial burdens on long-established owners or on tenants of multi-family buildings.
4. Counsel and advice homeowners and renters to understand the range of assistance that may be available to meet and protect their housing rights and interests.
5. In cooperation with neighborhood organizations, continuously reviewing neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

##### **B. Actions to Assist Displaced Persons to Remain in their Present Neighborhoods:**

1. Provide lower-income housing in the neighborhood through HUD housing programs; purchase units as is; rehabilitate vacant units; or construct, housing units.
2. Give priority in assisted housing units in the neighborhood to area residents facing
3. Target Section 8 existing programs and certificates to households being displaced, and recruit area landlords to participate in the program.
4. Provide counseling and referral services to assist displaced find alternate housing in the neighborhood.
5. Work with area landlords and real estate brokers to locate vacancies of households facing displacement.


C. Actions to Otherwise Mitigate Adverse Effects of Displacement

1. Use of public funds, such as CDBG, to pay moving costs and provide relocation payments, or, to the extent permissible by local or state law require private developers to provide compensation to persons displaced by development activities.
2. Give displaced priority in obtaining subsidized housing.
3. Provide counseling and referral services to assist displaced to locate elsewhere in the community.

It shall be the policy of the County of Grant that all persons displaced by CDBG activity shall be relocated into housing that is:

- Decent, safe and sanitary;
- Adequate in size to accommodate the occupants;
- Functionally equivalent;
- In an area not subject to adverse environmental conditions.


NOW THEREFORE BE IT RESOLVED that the County of Grant approved, passed, and adopted the Anti-Displacement and Relocation Plan this 24<sup>th</sup> day of September 2013.

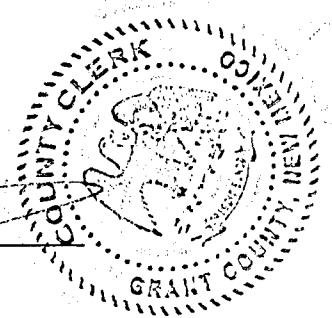
  
Brett Kasten, Chairman

  
Gabriel Ramos, Commissioner

  
Ron Hall, Commissioner

ATTEST:

  
Robert Zamarripa, County Clerk



**RESOLUTION No. R 13-69**

**COUNTY OF GRANT  
SECTION 3 PLAN**

The County of Grant is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small businesses and the hiring of low income residents of the County.

The County of Grant has appointed Jon Saari as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as a focal point for Section 3 complaints, and, as the on-site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of the Section 3 plans. The approval of disapproval of the Section 3 plan is the ultimate responsibility of County of Grant. Documentation of efforts will be retained on file for monitoring by the State.

Therefore, the County of Grant shall incorporate the following procedures when soliciting new employees:

1. Hiring
  - a. Advance for all County positions in local newspapers
  - b. Give preference in hiring to lower income persons residing in the County.

This means that if two equally qualified persons apply and one is a resident of the County and one is not, the resident will be hired.
  - c. Maintain records of hiring as specified on this form.

COUNTY OF GRANT				
Planned			Actual	
Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower income Residents	# of Positions Filled	Positions Filled by Lower income Residents

2. Contracting
  - a. The County of Grant will compile a list of businesses, suppliers and contractors located in the County.
  - b. These vendors will be contacted for bid or quotes whenever the County requires supplies, services or construction.

- c. Preference will be given to small local business. This means if identical bids/quotes are received from a small business located within the County and one from outside the County, the contract will be awarded to the business located within the County.

### 3. Training

The County of Grant shall maintain a list of all training programs operated by the County and its agencies and will direct them to give preference to County residents. The County will also direct all CDBG-sponsored training to provide preference to County residents.

### 4. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contact or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants of employment or training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of federal financial assistance, take appropriate action pursuant to subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor

where it has notice or knowledge that the later has been found in violation of regulations under 24 CFR 135, and will not let any subcontractor unless the subcontractor has first provided it with the requirements of these regulations.

- e. Compliance with the provisions of Section 3, the regulations set forth in 24CFR 135, and all applicable rules and orders of the Department, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The County of Grant shall require each contractor to prepare a written Section 3 plan as part of their bids on all jobs exceeding \$100,000. All Section 3 plans be reviewed and approved by the County's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the State.

The County of Grant will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

#### LOWER INCOME CLARIFICATION

The following table lists the low income status of a family who resides in Grant County and whose income does not exceed the income limit for the size of family:

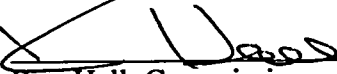
	30% of Medium	Very Low Income	Low Income
1 person	9,950	16,500	26,400
2 persons	11,350	18,850	30,200
3 persons	12,750	21,200	33,950
4 persons	14,150	23,550	37,700
5 persons	15,300	25,450	40,750
6 persons	16,450	27,350	43,750
7 persons	17,550	29,250	46,750
8 persons	18,700	31,100	49,800

Information contained in our Section 3 Plan reflects the status of the County employees regarding lower income considerations based on their salary paid by the County.


NOW THEREFORE BE IT RESOLVED that the County of Grant approved, passed, and adopted the Section 3 Plan this 10<sup>th</sup> day of October 2013.

  
Brett Kasten, Chairman

  
Gabriel Ramos, Commissioner

  
Ron Hall, Commissioner

ATTEST:

  
Robert Zamarripa, County Clerk

