



APPROVED

**MINUTES
CITY OF DUBUQUE LONG RANGE PLANNING ADVISORY COMMISSION
REGULAR SESSION**

5:30 p.m.

Wednesday, April 16, 2014

City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson John Pregler; Commissioners Craig Beytien, Chad Darter, Jim Prochaska, Alan Vincent and Dick Van Iten.

Commissioners Excused: Commissioner Charles Winterwood.

Staff Members Present: Laura Carstens, David Johnson, Eric Van Buskirk, Alvin Nash, Crenna Brumwell, and Erica Haugen (via conference call).

CALL TO ORDER: The meeting was called to order by Chairperson Pregler at 5:30 p.m.

CERTIFICATION OF COMPLIANCE: Staff presented an Affidavit of Compliance verifying that the meeting was being held in compliance with the Iowa Open Meetings Law.

MINUTES: Motion by Commissioner Prochaska, seconded by Commissioner Van Iten, to approve the minutes of the February 19, 2014 meeting as submitted. Motion carried by the following vote: Aye – Pregler, Beytien, Darter, Prochaska, Vincent, and Van Iten; Nay - none; Abstain - none.

ITEMS FROM PUBLIC:

There was one member of the public present at the meeting; Joshua Clements with the Iowa State University Extension Office. He had no comments.

ITEMS FROM STAFF:

Chairperson Pregler announces a change in the agenda to hear the “Items from Staff” before “Items from Commission.”

Housing and Community Development Voluntary Compliance Agreement:

Staff Member Laura Carstens introduced Alvin Nash, Housing and Community Development Director, Crenna Brumwell, Assistant City Attorney, and Staff Member

Erica Haugen, Assisted Housing Specialist, to the Commission. Staff Member Carstens noted that the Long Range Planning Advisory Commission is subject to the provisions in the Voluntary Compliance Agreement (VCA), which is the result of a notice of findings from a civil rights review of the Section 8 Housing Program and the Community Development Block Grant Program.

Staff Member Brumwell provided a presentation to the Commission, which she noted was the same presentation recently given to the City Council. She welcomed questions from the Commission during her presentation, and that she and Staff Members Nash and Haugen would be happy to answer them. Staff Member Brumwell started the presentation with some background information on the civil rights compliance audit of the Section 8 program in 2011, noting the actions taken by the City to trigger the audit, the Letter of Findings provided to the City after the audit was analyzed, the actions of the Safe Communities Task Force, events in the community and City response to those events.

Staff Member Brumwell provided information on what a Voluntary Compliance Agreement is, noting that it is a negotiated agreement with Housing and Urban Development (HUD), that it avoids fines, sanctions, and other penalties, and that the consequences for not reaching an agreement would mean the loss of all federal financial assistance and funding.

Staff Member Brumwell continued, addressing the introduction of the VCA. She noted that the document is not an admission to HUD's findings. The Commission asked for clarification about the City's position on HUD findings. Staff Member Brumwell provided information on some of the points where the City disagreed with HUD, noting the reasons for City reductions in vouchers, and the negotiations that took place to develop the VCA.

Staff Member Brumwell outlined the General Provisions of the VCA. She noted the VCA applies to all federally funded programs and developments, that it does not create a private right of action for any persons or class of persons not a party to the VCA, that the VCA acknowledges that the City's Section 8 Management Assessment Program (SEMAP) score is still "High Performing," and that the city will provide required notices and communications.

Staff Member Brumwell announced that Staff Member Nash been appointed as the Agreement Administrator responsible for coordinating and implementing the HUD regulations, the provisions of the VCA, and submitting reports, records, and plans required by the VCA. She noted that this appointment fulfills one of the requirements of the VCA to hire an Agreement Administrator within 45 days of HUD's formal approval of the VCA.

Staff Member Brumwell provided an overview of the specific provisions and actions required by the VCA. The first item to be updated is the 2010 Analysis of Impediments

(AI). Staff Member Brumwell indicated that the update is required to provide a comprehensive and well-rounded history of race relations in the City, identify City policies and practices that were an impediment to fair housing choice, and provide a Fair Housing Action Plan to overcome identified impediments, address discriminatory effects of the voucher reduction, and create equal housing opportunities.

Staff Member Brumwell discussed the opportunity to submit a new Section 8 Administrative Plan to HUD. She indicated that the City had an opportunity to simply amend the plan, but chose to develop a new plan because it allowed the City to take a comprehensive look at the program. Additionally, Staff Member Brumwell indicated that the Consolidated Plan would be updated to include a history of race relations in Dubuque, and the actions taken to address and remedy the findings from HUD.

Next, Staff Member Brumwell outlined the procedures of the Consolidated Annual Performance and Evaluation Report, Annual Action Plan, and PHA Annual Plans, noting that the submissions will be held to a strict reporting schedule, and must include a history of race relations in Dubuque, a summary of events leading to the Letter of Findings, and a commitment to goals and objectives to remedy the findings.

Staff Member Brumwell provided an overview of the mandatory Employee Education and Training, specifically noting the people involved, time commitment, and what information needs to be covered in the training program. Staff Member Brumwell also outlined the Notices and Publication requirements, and the required Outreach Plan to specifically target minority populations in Dubuque and surrounding areas about Section 8 and Homeownership programs.

Staff Member Brumwell provided an overview of the recordkeeping requirements for applicants and participants, and that Housing and Community Development must maintain records of racial composition of its programs, and any race-related complaints, claims, grievances, investigative records and grievance process materials. There was also an overview of the consequences for non-compliance.

The Commission asked questions relating to the service area of Housing and Community Development, and the residency requirements to apply. Staff noted that there was no requirement to live in the City of Dubuque to apply, and that Housing and Community Development only provides housing services within the City Limits. Staff also noted that once a voucher is provided, the participant has to reside in the City for a year before it is transferable, but that this rule is under review. The Commission asked if Housing and Community Development was in compliance with the number of vouchers currently being issued. Staff indicated that the number has continued to decrease, and that impacts from the Federal Government sequester meant that HCDD could not issue new vouchers based on funding.

The Commission asked if Voluntary Compliance Agreements occur in other communities. Staff Member Nash discussed the many reasons why VCAs would get

issued, and cited some specific cases. He noted that they are not uncommon, and that sometimes they are triggered by outside groups and not HUD. The Commission asked about how HUD determines the number of vouchers that the City must administer. Staff Member Nash provided a general explanation of the formula, noting that it is left up to the landlord whether or not to accept Section 8 funding. The Commission and Staff discussed how Dubuque compares to other cities in Iowa of comparable size, noting the challenges of comparing different programs in other cities.

Staff and the Commission discussed other issues related to the program such as mobility of tenants, specific language within the VCA, and the potential impacts of federal funding losses. The Commission stated there is an appearance of racism that the Letter of Findings, but that it is an unintended consequence of specific actions. The Commission noted that this is a great opportunity to improve programs in all departments to address these unintended consequences. The Commission also noted that the goal going forward should be to create a welcoming and inviting program for everyone. Staff discussed these points with the Commission at length, noting the assumptions in the HUD Letter of Findings and VCA, and agreed that this is a great opportunity to improve the program.

ITEMS FROM COMMISSION: Commissioner Van Iten thanked the Commission and Planning Staff for his time serving on the Long Range Planning Advisory Commission, noting that he would be stepping down from the Commission to serve on the Sister City Advisory Commission and to travel. He expressed his enjoyment serving on the Commission and thanked Staff for their abilities and expertise.

ADJOURNMENT: Motion by Beytien, second by Prochaska to adjourn the meeting. Motion carried by the following vote: Aye – Pregler, Beytien, Darter, Prochaska, Vincent, and Van Iten; Nay – none; Abstain – none. The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Laura Carstens, Planning Services Manager

Adopted--