

47 **RESOLUTION NO 10-10-11**
48 **UPDATE and REVIEW OF THE ANTI-DISPLACEMENT AND RELOCATION PLAN**
49 **FOR THE TOWN OF BERNALILLO Adopted on October 11, 2005.**
50

51 (Section 104(d) of the Housing and Community Development Act of 1974 as Amended)
52

53 Section 509 of the Housing and Community Development Act of 1987 (Public Law 100-242,
54 approved February 5, 1988) amended Section 104 of the Housing and Community Development
55 Act of 1974 (the Act) by adding a new subsection (d).
56

57 The new subsection 104(d) of the Act provides that a grant under Section 106 (CDBG Programs)
58 may be made only if the grantee certifies that it is following a “residential anti-displacement and
59 relocation plan.”
60

61 Local governments, recipients under that State CDBG Program, must make this certification to
62 the State. The requirement applies only to those recipients of CDBG funds awarded to the State
63 by HUD after October 1, 1988.
64

65 Accordingly, the foregoing plan represents the efforts of the municipality of Bernalillo to comply
66 with the requirements of Section 104(d) of the Act and is certified herewith:
67

68 **PLAN AND CERTIFICATION:**
69

70 The Town of Bernalillo herewith certifies that it will replace all occupied and vacant occupiable
71 low/moderate-income dwelling units demolished or converted to a use other than as
72 low/moderate-income housing as a direct result of activities assisted with funds provided under
73 the Housing and Community Development Act of 1974, as amended, as described in 24 CFR
74 570.496 a (b).
75

76 All replacement housing will be provided within three years of the commencement of the
77 demolition or rehabilitation relating to conversion. Before obligating or expending funds that
78 will directly result in such demolition or conversion, the Town will make public and submit to
79 the Local Government Division of the Department of Finance and Administration the following
80 information in writing:
81

- 82 1. A description of the proposed activity;
- 83 2. The location on a map and the approximate number of units, described by size
84 (number of bedrooms), that will be demolished or converted;
- 85 3. A time schedule for commencement and completion of demolition or conversion;
- 86 4. The location on a map and the approximate number of dwelling units described by
87 size (number of bedrooms) that will be provided as replacement dwelling units;

- 88 5. The source(s) of funding and a time schedule for the provision of replacement units;
89 and
90 6. The basis for concluding that each replacement unit will remain a low/moderate-
91 income dwelling unit for ten (10) years from the date of initial occupancy.
92

93 The Town will provide relocation assistance, as described in 570.496-a to each
94 low/moderate-income household displaced by the demolition of housing or by the conversion
95 of a low/moderate-income dwelling to another use as a direct result of assisted activities.
96

97 To the extent which the Town participates in Federal Assistance Programs wherein the
98 following anti-displacement strategies can be applied, and consistent with the goals and
99 objectives of activities assisted under the Act, the Town will take the following steps to
100 minimize the displacement of persons from their homes (this listing not all inclusive):
101

102 DISPLACEMENT STRATEGY

103 A. Steps to Minimize or Prevent Displacement:

- 104 1. Plan, organize and stage the rehabilitation of assisted housing to allow tenants
105 to remain during and after rehabilitation so as to provide the greatest
106 convenience, safe and economically sound rehabilitation efforts possible.
107
108 2. Assist in identifying and locating of temporary relocation facilities in order to
109 house families whose displacement will be of short duration, so that they can
110 move back to their neighborhood after rehabilitation or new construction.
111
112 3. Evaluate housing codes and rehabilitation standards in reinvestment areas to
113 prevent the placing of undue financial burdens on long-established owners or
114 on tenants of multi-family buildings.
115
116 4. Counsel and advise homeowners and renters to understand the range of
117 assistance that may be available to meet and protect their housing rights and
118 interests.
119
120 5. In cooperation with neighborhood organizations, continuously review
121 development trends, identify displacement problems, and identify individuals
122 facing displacement who need assistance.
123
124
125

126 B. Actions to Assist Displaced Persons to Remain in their Present Neighborhoods: 127

- 128 1. Provide lower-income housing in the neighborhood through HUD housing
129 programs; purchase units as is; rehabilitate vacant units; or construct housing
130 units.
131 2. Give priority in assisted housing units in the neighborhood to area resident
132 facing displacement.
133
134 3. Target Section 8 existing programs and certificates to households being
135 displaced, and recruit area landlords to participate in the program.
136
137 4. Provide counseling and referral services to assist displaces in finding alternate
138 housing in the neighborhood.
139
140 5. Work with area landlords and real estate brokers to locate vacancies of
141 households facing displacement.
142

143 C. Actions to Otherwise Mitigate Adverse Effects of Displacement

- 144
145 1. Use of public funds, such as CDBG, to pay moving costs and provide
146 relocation payments, or, to the extent permissible by local or state law require
147 private developers to provide compensation to persons displaced by
148 development activities.
149
150 2. Give displaces priority in obtaining subsidized housing.
151
152 3. Provide counseling and referral services to assist displaces to locate elsewhere
153 in the community.
154

155 It shall be the policy of the Town that all persons displaced by CDBG activity shall be relocated
156 into housing that is:

- 157
158 a) Decent, safe and sanitary;
159 b) Adequate in size to accommodate the occupants;
160 c) Functionally equivalent;
161 d) In an area not subject to adverse environmental conditions.
162

163 Plan Adoption Date: Tuesday, October 11, 2005

164 Reviewed and Updated: **Monday, October 10, 2011**

165
166 Adoption Instrument: Resolution

167
168 Mayor Torres entertained a motion.

169 Councilor Prairie made a motion to approve and adopt Resolution 10/10/11 Adopting a Citizen
170 Participation Anti-Displacement and relocation Plan for the Town of Bernalillo Adopted
171 10/11/2005. The motion was seconded by Councilor Jaramillo and the motion carried
172 unanimously.
173

174 **NEW BUSINESS: 7b) Discussion Consideration Approval and Approval of**
175 **Resolution 10/10/11A Adopting a Citizen Participation Plan for the Town of Bernalillo.**
176 **Presenter: Maria Rinaldi**
177

178 RESOLUTION NO 10-10-11A
179

180 ADOPTING A CITIZEN PARTICIPATION PLAN
181 FOR THE TOWN OF BERNALILLO
182

183 **INTRODUCTION**
184

185 In accordance with the 1987 revisions to the Housing and Community Development Act and in
186 an effort to further encourage citizen participation, the Town of Bernalillo has prepared and
187 adopted this Citizen Participation Plan.
188

189 Objective A.
190

191 The Town of Bernalillo will provide for and encourage citizen participation within their areas of
192 jurisdiction with particular emphasis on participation by persons of low and moderate income.
193

- 194 1. The Town has adopted and adheres to the Open Meetings Act, which provides
195 citizens with reasonable notice of Town meetings, actions and functions.
196
197 2. The Town does and will continue to develop press releases on Town meetings,
198 actions and hearings to circulate to newspapers, radio and television media.
199
200 3. The Town does and will continue to develop and maintain listings of groups and
201 representatives of low and moderate-income persons and include on mailing lists for
202 announcements, notices, press releases, etc.
203

204 Objective B.
205

206 The Town of Bernalillo does and will continue to provide citizens with reasonable and timely
207 access to local meetings, information and records relating to the proposed and actual use of
208 CDBG funds.

- 209
210 1. Public notices, press releases, etc., will allow for a maximum length of notice to
211 citizens.
212
213 2. Appropriate information and records relating to the proposed and actual use of CDBG
214 funds are available upon request to all citizens. Personnel and income records may be
215 exempted from this requirement.
216
217 3. Meetings, hearings, etc., will be conducted at times and locations conducive to public
218 attendance, e.g., evenings, Saturdays.
219

220 Objective C.
221

222 The Town of Bernalillo does and will continue to provide for technical assistance to groups and
223 representatives of low and moderate-income persons that request assistance in developing
224 proposals. (Note: the level and type of assistance to be determined by the Town on a case-by-
225 case basis)
226

- 227 1. Low/moderate income groups are and will continue to be advised that technical
228 assistance, particularly in the area of community development, is available from the
229 Town.
230
231 2. The Town does and will continue to document all technical assistance provided to
232 such groups and have documentation available for review.
233

234 Objective D.
235

236 The Town of Bernalillo does and will continue to provide for public hearings to obtain citizen
237 participation and respond to proposals and questions at all stages of the Community
238 Development Block Grant Program.
239

- 240 1. The Town does and will continue to advise citizens of the CDBG Program objectives,
241 range of activities that can be applied for and other pertinent information.
242
243 2. The Town does and will continue to conduct a minimum of two public hearings:
244
245 a. One public meeting will be held for the purpose of obtaining the views of citizens
246 on community development and housing needs to include the needs of low and
247 moderate-income people. This hearing will take place prior to the selection of the
248 project to be submitted to the State for CDBG funding assistance.
249

- 250 b. A second public hearing will be held for the purposes of gaining citizen input on
251 the particular application to be submitted to the State for CDBG funding
252 consideration.
253
- 254 3. The Town will review program performance, past use of CDBG funds and make
255 available to the public its community development and housing needs including the
256 needs of low and moderate income families and the activities to be undertaken to
257 meet such needs.
258
- 259 4. Public hearing notices will be published in the non-legal section of newspapers or in
260 other local media. Evidence of compliance with these regulations will be provided
261 with each CDBG application, i.e., hearing notice, minutes of public meetings, lists of
262 needs and activities to be undertaken, etc. Amendments to goals, objectives and
263 applications are also subject to public participation.
264

265 Objective E.

266
267 The Town of Bernalillo will provide for timely written answers to written complaints and
268 grievances within 15 working days where practicable.
269

- 270 1. The Town will adopt complaint handling procedures or policies to insure that
271 complaints or grievances are responded to within 15 working days when possible.
272
- 273 2. Procedures will allow for appeal of a decision to a neutral authority.
274
- 275 3. A detailed record of all complaints/grievances and responses will be filed in one
276 central location with easy public access provided.
277

278 Objective F.

279
280 The Town of Bernalillo will identify how the needs of non-English speaking residents will be
281 met in the case of public hearings where a significant number of residents can be reasonably
282 expected to participate.
283

- 284 1. The Town recognizes that a large number of Spanish speaking persons reside in
285 Bernalillo and make appropriate provisions when issues affecting this population are
286 to be discussed at public meetings, hearings, etc. Appropriate provisions will include
287 having interpreters available at the meeting and/or having briefing materials available
288 in the appropriate language.
289

- 290 2. The Town will maintain records/rosters of public hearing attendees and proceedings
291 to verify compliance with this objective.
292
- 293 3. The Town will address all other non-English speaking populations in the same
294 manner as described in Objective F, 1 and 2.
295

296 Passed, Approved, and Adopted by the Town of Bernalillo, New Mexico this 10th day of
297 October, 2011.
298

299 Mayor Torres entertained a motion.
300

301 Councilor Jaramillo made a motion to approve and adopt Resolution 10/10/11A Adopting a
302 Citizen Participation Plan for the Town of Bernalillo. The motion was seconded by Councilor
303 Montoya and the motion carried unanimously.
304

305 **FINANCIAL SECTION:8a) Approval of Accounts Payable Voucher List.**
306

307 Mayor Torres asked for a motion to approve the accounts payable voucher list in the amount of
308 \$551,035.01.
309

310 Mayor Torres entertained a motion.
311

312 Councilor Jaramillo made a motion to approve the accounts payable voucher list in the amount of
313 \$551,035.01. The motion was seconded by Councilor Montoya and the motion carried
314 unanimously.
315

316 **MISCELLANEOUS SECTION:9a) Public Comment. Presenter: Mayor Torres**
317

317 Mayor Torres welcomed the Public to speak. There were no members of the public that wished
318 to speak.
319

320 **MISCELLANEOUS SECTION:9b) Update of Graber House. Presenter: Maria Rinaldi**
321

321 Maria Rinaldi, Director of Planning and Capital Improvement gave a brief update on the Graber
322 House.
323

324 **Town of Bernalillo Youth Conservation Corps Project: “Graber House”**
325 **Project Report October 10, 2011**

326 **Maria G. Rinaldi, Director of Planning and Capital Programs**
327

328 Built as a traditional home in the early 1920’s, by an unknown builder (possibly Abenicio
329 Salazar), “The Graber House” will be retrofit as a residence for the adjacent Town of Bernalillo
330 Fire Department. Originally constructed of both adobe and terrone on a minimal foundation, this

331 project is an example of conservation and reconstruction techniques used to preserve the original
332 character while meeting today's building codes. Additionally, this project will be the first YCC
333 project to incorporate new adobe construction through the addition of necessary restroom and
334 living facilities for the firefighters who will reside here.
335

336 **Project History:**

- 337 • Funded by application to New Mexico Youth Conservation Corps. (YCC) and began
338 February, 2009-through February, 2012.
- 339 • YCC funded for four consecutive program periods at approximately \$176,144.00 in labor
340 and \$53,074.00 in materials cumulative.
- 341 • Funded by the 2008 GRT Bond in the amount of \$156,000.00 for materials and
342 professional services.
- 343 • \$32,550 expended against the bond with a balance of \$123,500.00.
- 344 • Stabilization complete. Reconstruction began on original structure. All foundations and
345 footings for the new construction completed and inspected.

346 **Completion Schedule:** (Approximate. May change due to weather, holidays, and training days)

- 347 • By November 30th the walls of the new construction will be complete and the bond
348 beam tying into the existing structure will also be complete. Windows, doors, and
349 cabinetry under production.
- 350 • By January 30th the roof structure will be complete on existing and new construction.
- 351 • By February 28th the interior framing (bedroom dividing walls), plumbing rough-in, and
352 electrical (without fixtures) will complete.
- 353 • By April 30th windows and doors will be installed, cabinetry, and floors finished.
- 354 • Substantial completion by May 15th.

355 **MISCELLANEOUS SECTION:9c)Announcements. Presenter: Mayor Torres**

356 Mayor Torres made the following announcement;

357
358 October 12, 2011 Staff Safety Picnic at Rotary Park from 11:00 a.m. to 2:00 p.m.

359
360 October 18, 2011 Town Hall begins at 6:30 p.m. Alegria Club House.

361
362 October 24, 2011, 2:00 p.m. Litigation for the suit against NM Gas Co will be heard in George P.
363 Eichwald, District Court Judge Chambers.

364
365 There being no further business, Councilor Montoya moved to adjourn the meeting at
366 6:57 P.M. The motion was seconded by Councilor Prairie and carried unanimously.

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367
368 Done this 11th day of October 2011.

369
370 ATTEST:

371
372 _____
373 Ida Fierro, Town Clerk
374 (seal)

Jack Torres, Mayor

375
376