

# Community + Human Development



## MAYOR

Dee Margo

## CITY COUNCIL

### District 1

Peter Svarzbein

### District 2

Alexsandra Annello

### District 3

Cassandra Hernandez

### District 4

Dr. Sam Morgan

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Claudia L. Rodriguez

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Henry Rivera

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Cissy Lizarraga

## CITY MANAGER

Tommy Gonzalez

## CITY OF EL PASO

### FAIR HOUSING TASK FORCE MEETING MINUTES

Tuesday, June 9, 2020

1. A meeting of the Fair Housing Task Force was held virtually on Microsoft Teams +1 915-213-4096 United States, El Paso (Toll) Conference ID: 804 433 190# and was called to order at 6:08 p.m. by Daniel Hernandez, District 2 Alternate Member.

Regular Board Member	Present	Absent	Excused	Not Excused
Mauricio Felix		X	✓	
Anibal Olague	X			
Jonathan Macias	X			
Miguel Hernandez	X			
Rosa I. Estrada	X			
Kimberly Cook-McDaniel		X	✓	
Bill Schlesinger		X	✓	
Andy Farias	X			
Alternate Board Member				
Christine Gallegos		X		✓
Daniel Hernandez	X			
Marc A. Salazar		X		✓
Robert Fernandez	X			
Luis Yañez		X		✓

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City staff present: Nicole Ferrini; Abraham Gutierrez; Mark Weber; Sandra Pellegrini; Sarah Ortiz; Nicholas Muñiz; Felipe Garcia; Clarissa Cervantes; Cindy Mam

Public present: List of attendees available upon request.

## 2. Discussion and Action on the Request to Excuse Absent Members

Absent Members: Kimberly Cook-McDaniel and Bill Schlesinger

Members with prior notification: Bill Schlesinger

**Motion by Anibal Olague and seconded by Jonathan Macias to excuse absent members with prior notification.**

**Ayes: Miguel Hernandez, Rosa I. Estrada, Andy Farias, Daniel Hernandez and Robert Fernandez**

**Objection: None.**

## 3. Approval of Minutes from April 29, 2020 Meeting

**Motion by Jonathan Macias and seconded by Anibal Olague to approve minutes.**

**Ayes: Miguel Hernandez, Rosa I. Estrada, Andy Farias, Daniel Hernandez and Robert Fernandez**

**Objection: None.**

## 4. Discuss & Report: How Fair Housing Considerations are being made through the COVID-19 Response and Recovery Notice of Funding Availability (NOFA)

Nicole Ferrini – Director of Community + Human Development/CRO

Update conversation: item not for action, discuss and receive feedback. In the evaluation phase. Received applications across all different categories—currently in the process of reviewing. The next step is to score applications and formulate staff recommendation as to funding award to the service providers that applied = Action Plan: present to City Council on Monday, June 22, 2020. All of the relief funds that are being pushed out have to, by federal regulation, be tied directly to a negative impact on employment or income due to the COVID-19 crisis. As we move forward and talk about eligibility, the purpose of these funds is to

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address the issues that were exacerbated by the pandemic, not necessarily try to reach backwards beyond the start of the Shelter in Place Order.

*\*Board Member Commentary\**

## CITY COUNCIL

### District 1

Peter Svarzbein

Jonathan Macias:

Applications that were received for the opportunity released last week, is that the recovery and response, combined application request spilt up between community and economic programs?

### District 2

Alexsandra Anello

RE: Nicole Ferrini: the 25 applications were received for community programs.

### District 3

Cassandra Hernandez

Addressing the community programs response and recovery through a cross functional team that consists of departments from across the municipal organization. Our team specifically, Community Development, with a few key partner has been designated and focused on community vulnerabilities and human services—tasked with supporting our most vulnerable populations in the context of the COVID-19 crisis.

### District 4

Dr. Sam Morgan

### District 5

Isabel Salcido

*\*Shares the following screen: (Slides) Community Vulnerabilities + Human Services, Digital Inclusion and Community Response + Recovery\**

### District 6

Claudia L. Rodriguez

- Housing affordability
- Utility cost burden
- Access to food
- Individual financial stability
  - Community Partnerships
  - Social Services
  - Philanthropy

### District 7

Henry Rivera

### District 8

Cissy Lizarraga

## CITY MANAGER

Tommy Gonzalez

### Wi-Fi & Hot Spot Access

- Additional 625 Devices – Unlimited 4G LTE Data
- Checkout & Pickup at designated Library locations
- Expanded access to 26 City Facilities
- Education Partner K-16 Meetings

### Broadband Initiative Planning

- Grant Funding
- Regional partners collaborative efforts

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We want to ensure we are supporting an inclusive and resilient recovery that ultimately makes our community stronger than it was before.

\*Board Member Commentary\*

## CITY COUNCIL

### District 1

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Jonathan Macias:

With regards to the Wi-Fi spots, there might be an opportunity to coordinate with STTE Foundation, they might have a running list of those in need of those kind of items.

### District 2

Alexsandra Annello

### District 3

Cassandra Hernandez

#### Application Categories

- Rental Assistance
- Utility Assistance
- Mortgage Assistance
- Homeless Assistance
- Rapid Rehousing
- Food Security
- Community Assistance Fund
- Financial Empowerment
- Childcare
- Digital Inclusion

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#### Evaluation + Award Process

- Agency Capacity + Stability
- Accessibility of Assistance Programs
- Proposed Performance Outcomes

## CITY MANAGER

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#### Ongoing Performance Measurements

- Homeless Prevention
- Housing Accessibility + Affordability
- Financial Stability

Phase 1	Phase II	Phase III	Phase IV
Community Needs Assessment	Funding Prioritization	Policy Framework + Feasibility Feedback	Performance Measurements + Impact Assessment

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Specifically, with regards to the Rental Assistance - \$11.5 million set aside.

That is not enough money to address the need broadly. While it is not enough to address the need, it is a significant amount of money to award to any agency and have them be able to have the capacity, liquidity and stability to push out in a time frame.

Pushing out assistance dollars in the form of limited use debit cards so that El Paso households can have access to funding resources to purchase the emergency necessary needs during this crisis. Households do have to show that their income or employment was impacted by COVID-19.

Working with the El Paso Community Foundation— actively raising funds to supplement those dollars. Leveraging a trusted partnership in the community, not only to deploy the funding but to multiply. Financial empowerment and digital inclusion are the other two categories that will not be included in the NOFA. Digital inclusion is being deployed by the city directly as well as the financial empowerments dollars: approx. \$250,000.

### \*Board Member Commentary\*

#### Jonathan Macias:

#### Follow-up questions—

1. Clarify/verify the source of funds, is this a result of the CARES Act funding that came down the pipe line?
2. Speak on if there is a requirement for a zoning verification for the applications for this particular one, and if so, the reason for it and if there might be any opportunity to maybe reverse those fees, seems like an unnecessary burden for some of those applying under the track.

RE: Mark Weber - Community Development Program Manager: The zoning verification letter is something that we always ask for to ensure that we do not fund a program and later find out that program is being illegally run out of a facility that does not allow for that land use.

RE: Nicole Ferrini: A portion of these funds are CDBG and a portion of them are treasury; especially when we have a program that crosses over into both of those funding strings, the zoning verification letter is a HUD requirement. We are applying that specifically to the CDBG funding and has made sense to apply that across the board.

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## COMMUNITY PROGRAMS

<i>Program Category</i>	<i>Allocation</i>
Rental Assistance	\$11,500,000
Rapid Rehousing	\$1,121,779
Mortgage Assistance	\$1,000,000
Utility Assistance	\$1,000,000
Food Security	\$1,200,000
Childcare Services	\$250,000
Domestic Violence + Abuse Prevention	\$2015,893

### Rental Assistance

Funding source: *Coronavirus Relief Fund & Community Development Block Grant COVID Relief (CDBG-CV)*

## PROGRAM SCOPE

Eligible applicants for programs that provide rental assistance to households under the following guidelines:

- Up to 3 months of rental assistance for eligible applicants
- Up to \$1,000 per month to cover past due rents from April 1 through December 1
- Payments will be made directly to landlord on behalf of the eligible tenant (with household verification)
- Applicants are encouraged to show a strong history of case management services

## PROGRAM COMPLIANCE + IMPLEMENTATION REQUIREMENTS

Who is eligible?

- Households residing within the City of El Paso city limits; and
- Are at or below 80% AMI (lower income households shall be prioritized); and
- Demonstrate a loss of income directly related to COVID-19.

Who is ineligible?

- Households currently receiving a tenant-based voucher
- Households currently utilizing a project-based voucher
- Households receiving other governments-based rental assistance

Application Process

- Landlords will apply on behalf of tenants
- Landlords are encouraged to work with tenants to create a payment plan beyond rental assistance provided through this program and will provide documentation of those offerings where applicable

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- Landlords will work with tenants to provide documentation of income loss as a result of COVID-19
- Landlords must enter into a rental assistance agreement with the City of El Paso's sub-recipient agency under this program category
- Applicants must demonstrate prior experience deploying rental assistance programs

### Requirements for Participating Landlords:

- Must adhere to federally regulated anti-discrimination policy
- Must be able to accept payments via ACH
- Overpayments of rent must be returned to the sub recipient
- Payments received by landlords must be credited to the tenant account within 5 days of receiving the automated transaction
- Must be in compliance with local, state and federal eviction moratorium laws
- No minimum length of residency is required for tenants to apply for assistance
- No penalties, late fees or interest can be applied to an account for the months to which assistance is received
- Rent payment will be made directly to landlord
- Landlords must prioritize tenants that are at risk of eviction
- Give the tenant credit for any partial payments they have made so far
- Discount the total past due rent by 10%
- Rescind or cancel any prior notice to vacate
- Dismiss any eviction suit you may have filed within 5 business days of receiving payment of the rental assistance
- Give the tenant a 60-day notice to vacate if they fall behind on the rent again within 2 months after the coverage provided by the rental payments identified above
- Accept partial payments if the tenant falls behind within 2 months after the coverage provided by the rental payments identified above AND to cap monthly late fees at \$25
- Not interfere with the tenant's possession of the unit by changing the locks, cutting off utilities or removing appliances

\*Board Member Commentary\*

Jonathan Macias:

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Question/Consideration- Back in April, unfortunately the City itself had to lay off and put over 400 employees on furlough—wondering if that might be part of the outreach, City already has ability to outreach to those that have been heavily impacted and are on the brink of homelessness.

RE: Nicole Ferrini: Great point. Absolutely one of the things I would like support from this group on: suggestions and additional support of getting the word out to folks, not just that the money is there but how to access it.

Mark Weber: Under the rapid rehousing category, we are allowing some of those dollars, if an applicant chooses, towards legal services related to fair housing issues.

## EVICTIION TIMELINE

Federal	State Supreme Court	City/County Emergency Order	Local JPS	Public
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### \*Board Member Commentary\*

#### Daniel Hernandez:

Suggestion: Possibility of the City developing a web based tool where other landlords or tenants can go on and check boxes, streamline the process.

#### Any Farias:

Mentioned landlords can apply for the assistance, is it exclusive for the landlords to apply?

RE: Nicole Ferrini: Yes, the landlord has to enter into an agreement with the sub-recipient agency and then subsequently tenants can apply. Leveraging the social service providers, TRLA and several others as a referral network to make sure the right folks are able to apply.

#### Daniel Hernandez:

What mechanisms will the City have in place to ensure that landlords are not going to be applying for these funds without the knowledge of the tenants?

RE: Nicole Ferrini: Yes—while the landlord has to enter into an agreement with the sub-recipient agency, they in essence are the initial applicant. The assistance is not deployed until an application can be verified through the tenant. There are a number of controls in place in terms of what we are asking.

RE: Abraham Gutierrez – Administrative Services Manager: Compliance mechanism, conduct audits/monitoring's after the deployment of the funds to make sure the

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correct clients are being served, correct dollar threshold are being managed and correct documentation is being stored.

### Miguel Hernandez:

Did we say that it is a suggestion to create a client portal or just going to ensure that the City website has a section designated for the public to get information on how to access these funds?

On the site/portal, will the public have access to report any fraudulent activity from the landlords?

RE: Nicole Ferrini: Because we are not directly deploying the funds, the portal on our side would not be appropriate. We do want to make sure we are working with the agencies to provide direct links/resources for folks to access.

We ensure in fact it is a fair housing issue and will help them move through that process and refer them to the right place. In terms of a complaint/concern that is in regards to the assistance itself, really is the role of the sub-recipient agency and subsequently will be on us to monitor.

## 5. Public Comment

**No Public Comment.**

## 6. Adjourn

**Motion by Miguel Hernandez and second by Andy Farias to Adjourn.**

**Ayes: Anibal Olague, Jonathan Macias, Rosa I. Estrada, Daniel Hernandez and Robert Fernandez**

**Objection: None.**

Meeting was adjourned at 7:20 p.m.

Prepared by: Clarissa Cervantes

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