

Save Middle East Action Committee (SMEAC) Strategy Chart
July 2, 2002

Goals

Long Term

All residents in Middle East are treated fairly in redevelopment process

Intermediate

1. Better reloc. pkg.
2. Guaranteed Right of Return
3. Remove restrictions on where you can with maximum benefit

- Hold up condemnation of full 3300 houses (ie reduce the # until the city has the funds)

- Relocation benefits according to the Uniform Relocation

Short Term

- Middle East residents are represented on all boards and committees

- Keep city services up during redev.
- An independent housing counselor for Middle East
- A community planner for ME

Organizational Considerations

Resources

SMEAC:
 \$\$ in the bank for hiring an organizer
 No organizer at present
 Part time student to do research and computer work

130 members
 Regular meetings

Strong steering committee
 Committees set up;

Good relationship with Casey Foundation

Phone line for communications

T-shirts and stickers printed
 \$ for media/communications

computer+printer+office supplies

need brochure & promotional literature

Need to find answers:

Where is money coming from?

- To buy
- To build
- To tear down

What are SMEACS' wants in the end?

Money should come from existing programs.

How money to get housing counselor and community planner?

(Why & what do they bring?)

Constituents, Allies, Opponents

Constituents

- 130 members (of these ? are associate members, ? are churches, ? are businesses)
- Other residents of Middle East, their families, churches, unions, organizations, etc. (Add pastor's names)

Known Allies (How are they organized?)

- 1K Friends of Maryland
- CPHA
- Environ. Defense Fund
- Preservationists
- Smart Growth advocates

Possible Allies

- Marie Washington
- Rev. Abiyomi (City Council)
- Rev. Karen Brau
- Rev. Brad Peyton (BRIDGE)
- ACLU of Maryland
- People's Homesteading
- St. Ambrose Housing
- Community Law Center
- Rev. Johnny Golden (Clergy United for the renewal of East Baltimore (CURE)
- Neighborhood Groups around Middle East
- Neighborhoods in the city who have faced the same situation
- Job Opportunities Task Force
- NAACP, Baltimore
- SEIU/1199
- ACORN
- AFSCME
- Center for Poverty Solutions, Maryland Alliance for the Poor
- SECO

*Sen Milcalski
 Harold Young*

Opponents (How are they organized/What power do they have?)

- Developers
- People looking forward to living & working in the Biotech Development
- Johns Hopkins Medical Institutions (can also be a target)
- Mayor & other elected officials

Note: Put On The Timeline:: When is the budget approved.

Targets

(Have the power to give what we want

Primary

The Mayor
 Joe Haskins(Black Bank)/EBDI Board
 Laurie Schwartz - Goal #1

City Council (Paula Johnson Branch's committee) - Goal #2 & 3

Mayor (Goals 2-4)

? Goal 5 & 6

Lt.Governor (possible Ally) (attach strings to Balto City use of state funds) (Where does Hopkins fit?)

Secondary

Power SMEAC has over targets:

- 130 members
- possible support for single member City Council district referendum

(Does it have enough power to harm or help them?)

Tactics

- Set up a letter trail - write letters to editor and City Council about every issue - especially at SMEAC meetings, have members write letters (Pat & Kathleen to write up issue for Mon July 8 meeting)
- Research on City Council voting, committees, individual members, etc. (Liz)
- Get PJB to be the champion of the issue (Pat et al)
- Talk to ACLU (Marisela) to find out how we can win the housing counselor demand
- Call Sandy Jibril (AECCasey) to get their support for housing counselor and planner
- Start meeting with allies to line up concrete support (write out SMEAC statement for groups to sign on to (draft - Betty))
- Write brochure for SMEAC (Marisela & Lisa)
- Continue to research the URA (Marisela?)
- Map properties owned by Hopkins, etc (Randa)
- Letter inviting allies to come to hearings (Lisa)
- Letter to Paula Johnson Branch about the way the last hearing was conducted (Shreen)
- Research property ownership, state tax increases, etc (Scot, betty, Liz, Randa)
- Lobby for independent housing counselor ASAP! (Urgent issue)
- Find / hire another organizer (All, and then Steering Committee)
- Door knocking in neighborhood with information about hearings & SMEAC (Work on their image)

Casey Foundation Board

JHU Board

HEBCAC Board

Section 108 \$ - put in SMEAC demands
HCD ~ Harold Young. When City
applies for 108 city should put it in
108 applic.

appraisal → based on white neighborhood.

Get info 2 story } what houses cost in neigh
3 story } people id'ed,

* Get Tanya's code working

Hearings
Aug 27th - #1
1 each Thursday

Relocation Package:

(These are questions that David posed to us.)

What is required by law for the renters and where will they go:

Contact Tony Alston in DC –Center for Community Change.

What are they offering churches, businesses –organize the ministers.

There is no plan. If yes to relocated: focus on stay here, then what will the property be worth in 5 years?

Need a champion to work with us.

What is in the self-interest of the outer neighborhoods.

City Council people are secondary targets.

SUGGESTED ACTIVITIES:

Known & Possible Allies:

1. How are they organized?
2. Make presentations to Allies Board.
3. Find out what they bring.
4. List them out and their members

Opponents:

1. How are they organized?
2. What power do they have?
3. Who are they and how much will they spend?

Save Middle East Action Committee (SMEAC) Strategy Chart July 2, 2002

Goals	Organizational Considerations	(Why & what do they bring?) Constituents, Allies, Opponents	Targets	(Does it have enough power to harm or help them?) Tactics
<p>Long Term All residents in Middle East are treated fairly in redevelopment process</p> <p>Intermediate 1. Better reloc pkg. 2. Guaranteed Right of Return 3. Remove restrictions on where you can with maximum benefit</p> <ul style="list-style-type: none"> ▪ Hold up condemnation of full 3300 houses (ie reduce the # until the city has the funds) ▪ Relocation benefits according to the Uniform Relocation <p>Short Term</p> <ul style="list-style-type: none"> ▪ Middle East residents are represented on all boards and committees ▪ Keep city services up during redev. ▪ An independent housing counselor for Middle East ▪ A community planner for ME 	<p>Resources</p> <p>SMEAC: \$\$ in the bank for hiring an organizer No organizer at present Part time student to do research and computer work</p> <p>130 members Regular meetings</p> <p>Strong steering committee Committees set up;</p> <p>Good relationship with Casey Foundation</p> <p>Phone line for communications</p> <p>T-shirts and stickers printed \$ for media/communications</p> <p>computer+printer+office supplies</p> <p>need brochure & promotional literature</p> <p>Need to find answers: Where is money coming from? --To buy --To build --To tear down</p> <p>What are SMEACS' wants in the end?</p> <p>Money should come from existing programs.</p> <p>How money to get housing counselor and community planner?</p>	<p>Constituents</p> <ul style="list-style-type: none"> ▪ 130 members (of these ? are associate members, ? are churches, ? are businesses) ▪ Other residents of Middle East, their families, churches, unions, organizations, etc. (Add pastor's names) <p>Known Allies (How are they organized?)</p> <ul style="list-style-type: none"> ▪ 1K Friends of Maryland ▪ CPHA ▪ Environ. Defense Fund ▪ Preservationists ▪ Smart Growth advocates <p>Possible Allies</p> <ul style="list-style-type: none"> ▪ Marie Washington ▪ Rev. Abiyomi (City Council) ▪ Rev. Karen Brau ▪ Rev. Brad Peyton (BRIDGE) ▪ ACLU of Maryland ▪ People's Homesteading ▪ St. Ambrose Housing ▪ Community Law Center ▪ Rev. Johnny Golden (Clergy United for the renewal of East Baltimore (CURE) ▪ Neighborhood Groups around Middle East ▪ Neighborhoods in the city who have faced the same situation ▪ Job Opportunities Task Force ▪ NAACP, Baltimore ▪ SEIU/1199 ▪ ACORN ▪ AFSCME ▪ Center for Poverty Solutions, Maryland Alliance for the Poor ▪ SECO <p>Opponents (How are they organized/What power do they have?)</p> <ul style="list-style-type: none"> ▪ Developers ▪ People looking forward to living & working in the Biotech Development ▪ Johns Hopkins Medical Institutions (can also be a target) ▪ Mayor & other elected officials ▪ <p>Note: Put On The Timeline:: When is the budget approved.</p>	<p>(Have the power to give what we want)</p> <p>Primary The Mayor Joe Haskins (Black Bank)/EBDI Board Laurie Schwartz - Goal #1</p> <p>City Council (Paula Johnson Branch's committee) – Goal #2 & 3</p> <p>Mayor (Goals 2-4)</p> <p>? Goal 5 & 6</p> <p>Lt. Governor (possible Ally) (attach strings to Balto City use of state funds) (Where does Hopkins fit?)</p> <p>Secondary</p> <p>Power SMEAC has over targets:</p> <ul style="list-style-type: none"> ▪ 130 members ▪ possible support for single member City Council district referendum 	<ul style="list-style-type: none"> ▪ Set up a letter trail – write letters to editor and City Council about every issue – especially at SMEAC meetings, have members write letters (Pat & Kathleen to write up issue for Mon July 8 meeting) ▪ Research on City Council voting, committees, individual members, etc. (Liz) ▪ Get PJB to be the champion of the issue (Pat et al) ▪ Talk to ACLU (Marisela) to find out how we can win the housing counselor demand ▪ Call Sandy Jibril (AECCasey) to get their support for housing counselor and planner ▪ Start meeting with allies to line up concrete support (write out SMEAC statement for groups to sign on to (draft - Betty)) ▪ Write brochure for SMEAC (Marisela & Lisa) ▪ Continue to research the URA (Marisela?) ▪ Map properties owned by Hopkins, etc (Randa) ▪ Letter inviting allies to come to hearings (Lisa) ▪ Letter to Paula Johnson Branch about the way the last hearing was conducted (Shreen) ▪ Research property ownership, state tax increases, etc (Scot, Betty, Liz, Randa) ▪ Lobby for independent housing counselor ASAP! (Urgent issue) ▪ Find / hire another organizer (All, and then Steering Committee) ▪ Door knocking in neighborhood with information about hearings & SMEAC (Work on their image)

Biotech Park Funding

Funding Sources (according to Paul Brophy, Urban Design Associates, January 2002):

\$800 million total

- \$600 million from private investors
- \$200 million in public funds (this is your money!):

Some of these funds are going towards preparing the area for the development, and other funds are going to be given or loaned to the developer. A developer is a person or a company that develops a plan for a building or a project and then they make the plan happen (they hire the construction company, etc.). I don't think the city has chosen a developer yet.

- \$70 - \$80 million from a Tax Increment Financing bond

what rules?

The city plans to designate the biotech area as a "development district." This will allow the city to use a special type of bond called Tax Increment Financing (TIF). This bond will allow the city to loan themselves money to prepare the area for development, including tearing down buildings and making infrastructure improvements (new sewer lines, new roads, etc). Any increased property values in this "development district" will go towards paying off the bond. This means that any property tax increases in the biotech area will go towards paying off this \$70-80 million bond, instead of going towards paying for schools or other services for the city. The City Council has to pass a special ordinance to use the TIF bond.

- \$15 million in loans from HUD's Section 108 Loan Guarantee Program

what rules?

The city receives Community Development Block Grant (CDBG) money from the federal Department of Housing and Urban Development to pay for economic development for low-income communities. Under the Section 108 program, a developer can get a loan using five years of the city's CDBG funds as collateral. This means if the project fails, the city will have to use its CDBG funds to pay off the loan.

- \$30 million in land the city is giving to the developers

The city is buying up land (this land includes your house) and giving it to developers. The city expects this land to be worth \$30 million dollars.

- o \$40-\$50^{million} in state funding

The last I heard, the city hadn't received any promises that the state would help fund the project. O'Malley had asked for money from the state to help buy people's houses, which as far as I know he didn't receive. The city hasn't been very specific about what state programs they expect the state money to come from. The state has helped start other biotech parks, so part of the money might come from these programs. The money also might come from Smart Growth funds. There might also be some state job training money involved.

- o The remainder is from other federal programs or from private foundations

They are pretty vague about this, so they might not even have a good idea about where the money will come from. Middle East is in the Empowerment Zone, which means there is federal money for economic development. But according to the Sun, most of this money is already committed to other projects, so it won't be used for the biotech park. Some of this federal and private foundation money might be for job training programs.

Businesses that locate in the park are also likely to be eligible for state tax credits and other state funds that promote high tech business. The Open Society Institute and the Annie E. Casey Foundation just started the Baltimore Venture Fund, which has \$15 million to loan to businesses that help create jobs for low-income residents. They mentioned in the Sun that they might give money to businesses locating in the biotech park.

New Markets tax credit

repository is Harbor Bank (Hudson ☺)

Empowerment Zone \$ already committed

McDonough St
Shuter St

Madison/Ashland will be closed
Will be closed

SAVE MIDDLE EAST (BALTIMORE) ACTION COMMITTEE, INC.
(SMEAC)

Steering Committee Meeting
501 North Caroline Street
Baltimore, MD 21205

Agenda
6:00pm - 8:00pm

parking tax is \$12/yr
for spaces rented out
ie \$1.00/mo

Economic Development Conference update (Chauna Brocht)

Kennedy Krieger Update on the 800 Block of Broadway (Kristen Jeannault)

Update on City Council Hearings

Honorarium for David Hunt

Continue working on Strategic

Revisit hiring a Community Organizer

Agenda for August General Meeting

KK owns 16 properties to East of Rutland

Have prop. in Bway/Madison/Ashland/Rutland
site ^{own} 1 All but 2 properties.

810 N Rutland
not owned yet,
city indenned it.

825 N Bway (renovated
into low income housing)

Balto Schools Assn
(Boston group)

KKI 806/808 negotiated w them.
offered 810 \$100,000, new day care,
city will get recomb. by etc.
Quasi Public

city sold to CDFC, Gary
→ City Dev. Financing Comm. Brooks

Steps

- ① Urban Renewal Amendment
- ② ~~Acquisition~~ Buy houses
- ③ ~~Infrastructure Improvements~~ Tear bldgs down
- ④ Infrastructure → TIF 75-80 million
- ⑤ Sell or give land - 30 million → borrow against
- ⑥ Build new buildings - Sect 108 loan guarantee
- ⑦ Recruiting companies - state tax credits - Venture Fund
OSI/AECF Venture Capital
Protech Institute - job training - State \$ (OSI support too)

City Council has to pass saying it needs to be a TIF district

Sources

- ① Foundations 800 million - See handout
- ② State
- ③ Federal 200 million
- ④ city - New Markets Tax credit (federal)
- ⑤ private 600-800 million

ORGANIZING TOOLBOX

Getting endorsements of your campaigns

Two of the most important aspects of organizing an issue campaign are getting the word out and gathering support. Asking for and securing endorsements of your campaign is a good first step that can accomplish both.

An endorsement is one way groups or individuals can voice their approval of and support for a campaign. Endorsements are effective, at the beginning and throughout the campaign, because they serve to educate the group or individual endorsing your campaign about your issue, while simultaneously showing the target of your campaign that you have a broad base of support.

The goal of this article is to help guide you through the process of obtaining endorsements for the issue campaigns you are working on.

Who should we ask to endorse the campaign?

Everyone! The more support you can garner for the issue, the better. Of course, you must have a method to determine whom you will ask and when. Making a list of possible endorsers is very helpful. Groups and individuals that have a direct interest in the issue or connection to your organization are usually a good place to start. This may include people or groups that have worked on similar issues before and, therefore, might have some helpful suggestions.

For example, if you are working on changing an education policy you could start by asking groups that work on education issues. Those would include parent-teacher organizations, teachers associations, and youth services boards, just to name a few.

The same is true for specific individuals that have a definite interest in the issue you are working on. For instance, the group that worked on the Harvard living wage campaign got individual endorsements from at least 70 faculty members at the university, state and national legislators, famous individuals who have worked on similar issues, and even celebrity alumni (<http://www.hcs.harvard.edu/~pslm/livingwage/portal.html>).

Next you might want to ask individuals or groups that have worked with your group on past campaigns, even if they do not seem to be directly tied to the issue you are working on this time. This will bring a more diverse base of support to your campaign and foster cooperation between your organization and that person or group. Now you can move to asking other groups, such as community or civic organizations, religious groups or congregations, unions and special interest groups. These types of organizations are likely to have good networks and can get the information about your campaign out to a lot of people. You can never have too many endorsements. It never hurts to ask. So, be creative with whom you ask to endorse!

How do we contact these individuals and groups?

Take a look at the lists of possible endorsers that you have created. There will be some individuals and groups on the list – the ones you already have close connections with – that you can simply call up and ask to endorse your campaign without a problem. However, it is likely that most of the names on the list will want and need more information and background on your campaign. Sending them a letter and a packet of information is a good way to provide this.

Break your big list into smaller ones of about 20 names each. This seems to be the most manageable number for tracking purposes. Send each group or individual a packet containing an introduction letter, information explaining your campaign – usually in the form of a flier or a sample letter of endorsement – and information on your organization in general (such as a brochure and a newsletter).

Once you have sent out the packets, wait about a week and then follow up your mailings with a phone call. Through this call you should be able to tell how interested the person or group is in endorsing your campaign. If they are interested – especially in the case of groups – it is important to find out their process for making endorsements.

Many groups have an established process for endorsing campaigns, and it is necessary to figure out how you start this process. Some groups and individuals will tell you that they will endorse and that they do not need any

more information. However, in most cases it is beneficial, if not necessary, to set up a meeting to talk about the endorsement.

Meetings can take many forms. Religious congregations, for example, seem to each have their own way of making endorsements. Sometimes you will meet individually with a minister, priest, rabbi or imam. Other congregations have you meet with the chair of a committee or with a full committee that handles endorsements. Either way, it is important to go into your meetings with more copies of the information you sent in the packet and also to make sure that you are prepared to answer any questions they might have about the issue and the campaign. Present your campaign to the group or individual, letting them know what your goals are and how they can be involved.

What form can the endorsement take?

Endorsements can take any number of forms. Two types that have been successful in most campaigns are letters to the target and signing onto an endorsement list. Endorsing groups and individuals can make their public statement of support by writing a letter to the target of your campaign, letting the target know how they feel. It is useful to create a sample letter that people can either sign their name to or use as a base for their own letter. This will also help you concisely summarize your campaign and make it easy to understand. The endorser could also send a copy of this letter to the editor of the local paper to gain some media attention.

Having the endorsing person or organization sign onto a list of endorsers is also very helpful, and the longer this list is, the better. You can then use this list in a number of ways, from printing it in local newspapers, to sending it to the target of the campaign, to showing it to other groups or individuals you ask to endorse your campaign. A list that contains a diverse and broad range of individuals and organizations shows the target that your position is widely and deeply felt by all kinds of people, and in turn gives your organization and your campaign more power and credibility. No matter what form the endorsement takes, it is essential to always have specific actions that the group or individual can do to aid to the campaign.

What happens after the endorsement?

Let endorsing groups and organizations know that an endorsement is just the tip of the iceberg in terms of involvement. They can do many other things such as: pass

the information on, write letters to the editor, and get other people to take action in the campaign in some way. Keep endorsers involved throughout the duration of your campaign. It is also important to have a steady flow of endorsements throughout the entire campaign. A large number of them at the beginning is good, but you must also continue to seek them and get more people involved during the whole campaign.

Follow up

Once you receive confirmation of an endorsement from an individual or a group, make sure that you send them a thank you note of some sort. Also, make sure to keep them involved in the rest of the campaign. The people who endorse will likely also be the people who will come to a turnout event or offer meeting spaces or resources for example. Finally, keep all of your lists of endorsers for future campaigns that they might want to be involved in. Have fun and good luck!

Video Equipment Wanted!

When we sent out an e-mail to our statewide list indicating that there was some free video production equipment available, we never dreamed how many responses we would get.

More than 60 people said their group could make good use of the equipment (even though it was six years old!).

So – we have decided to put out the call for more video equipment.

If you know of any video equipment of any kind, please contact the VOP office at (434) 984-4655 or lramirez@virginia-organizing.org.

Exchange on Comm-Org about accountability sessions. I found there to be some very useful information here. Betty

July 18, 2002

[ed of Comm-Org: Matthew's query gives us the opportunity to discuss confrontational vs. non-confrontational forms of organizing, along with the specific tactic of accountability sessions used by many groups. Please copy COMM-ORG with your responses.]

From: "Gladue, Matthew" <gladuem@archspm.org

Dear colleagues,

I've both read about and witnessed accountability sessions held by the local Gamaliel Foundation affiliate, and seen some others in other settings.

On the one hand, I really like them. They obviously allow people to shape their own agenda and run a meeting with real results, and, when done well, they shift power from politicians to people. I also like that they're a little edgy in their tone. On the other hand, the few I've witnessed have adamantly adhered to a "hard pin" strategy, in which decision makers are coerced into one word "yes" or "no" responses, and only have the microphone after they've agreed to an organization's demands.

I understand the reasoning behind it--it keeps leaders from losing control of a meeting. I'm wondering, though, if you and your leaders have ever created an accountability session that included more opportunity for dialogue without losing control of the group's ability to hold an elected official accountable.

I'm looking forward to peoples' responses. Take care. pax.
Matt Gladue, Office for Social Justice, Archdiocese of St. Paul/Minneapolis

July 19

ed: thanks to Steve, Paul, and Sarah for responding to Matthew's query. Sarah includes a further query in her response.]

From: "Steve Taylor" <steve@miltoxproj.org

Hi Matt and COMM-ORG listies:

Such things happen quite often. They're just not public accountability sessions, which are used for a very specific purpose. I've seen the kind of thing you're talking about happen in other venues, including:

1) interviews with candidates before elections, generally during some endorsement process, but also at times just as a means to have the candidates get to know the organization and learn about

its issues;

- 2) various kinds of lobbying meetings;
- 3) smaller strategy sessions or meetings;
- 4) public "legislative forums" where the organization presents its legislative agenda for an upcoming session to legislators, members, the media, and the general public;
- 5) public discussion forums on specific issues.

I think it's important to note that for many if not most organizations, elected officials who are willing to dialogue don't end up as the targets for accountability sessions. Often the reason there is no attempt at dialogue at such times is that the target(s) have demonstrated a complete unwillingness to dialogue and work with the organization.

Steve Taylor
Military Toxics Project

From: Paul Gowder <pgowder@yahoo.com>

I think the whole point of the "yes or no, that's it" accountability session is that if the target is given a chance to speak otherwise, they end up wasting the group's time, and basically dispensing a stone cold dis. "Dialog" for persons in power means "here's the 55 reasons why I can't give you what you want."

Saw that very recently, actually -- a group managed to coerce rep for org they wanted to support them into meeting with them. It started out like an accountability session, but he wriggled out of it, and started filling the space with nonsense arguments why they wouldn't get what they wanted. They went away frustrated.

Accountability sessions, in my opinion, aren't for "dialog," they're for "we have a demand, are you going to give it to us or are we going to make you?" I can't really conceive of any other way to run them that can fairly be called an accountability session, as opposed to a simple meeting.

Paul
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Ontario, OR 97914
vox: 541-889-3121, fax: 541-889-5562
SI SE PUEDE!

From: "Sarah Diehl" <skd1976@hotmail.com>

Dear list subscribers,

I have been eagerly following the list's dialogue about Alinsky-style confrontational tactics versus more consensus-oriented tactics in community organizing. Unfortunately, I write with a question rather than with answers.

I am a sociology student in the Master's program at Virginia Commonwealth University. I am currently working on a thesis that attempts to contrast these two organizing models by focusing on participants' experiences. Both kinds of community organizing claim to empower residents. However, Alinsky-style organizing argues that residents are empowered when they get demands satisfied, while consensus-style models argue that it is empowering for residents to give substantial time and talent for the cause of the community. I plan to interview participants in two different kinds of community organizing initiatives to ask about their experiences and, to some degree, evaluate these claims.

I have not found any sources which concentrate specifically on participants' experiences in community organizations. Is anyone aware of work like this? Additionally, I would be very appreciative of comments and suggestions on this project. Thanks.

Sincerely, Sarah Diehl

Larry Yates <lyates@chej.org> on Accountability Sessions

Matt raises an interesting question about flexibility in carrying out accountability sessions.

I was recently a guest/resource person of the National Alliance of HUD Tenants during an accountability session with three HUD officials. It varied from the classic accountability session in a couple of ways.

First, many members of the group (100s of tenants were present) had an ongoing working relationship with two of the three HUD officials who were on the hot seat. Second, there was a third category of answers besides Yes or No, which was "waffle" -- illustrated on the flip chart by a crude grid-like drawing of a waffle.

The meeting definitely was controlled by NAHT, and they got definite answers from the HUD folks, including "definite waffles." But a couple of the HUD folks had done this before, and knew that while they would be held to their answers, and that there was anger and passion in the crowd they had to respect, they were not going to be eaten alive. Perhaps more important, the NAHT people knew that they had the respect of HUD, which they have earned through action over the past 11 years, and they knew that if they had to earn it again they could. They didn't have to prove that point at that moment.

Pretty much everyone in the room understood that this process had happened before, that there

would be businesslike phone calls to follow up, and they could joke as well as be serious with each other. And there was significant dialogue, often beginning with the HUDster saying "well, I guess I have to waffle on this one" and then explaining the government dynamic that prevented a "Yes" answer. No one in NAHT treated any "waffle" explanation as an OK excuse, but it did get added to the group's information about how HUD works.

On a slightly different note, I once heard IAF organizer Ernie Cortes talking about meeting with Henry Cisneros, when Ernie was the head organizer for COPS in San Antonio and Cisneros was the mayor. The two men had known each other for years, I think since childhood, and had all kinds of personal connections. But Ernie insisted on the importance of maintaining clear roles when they met in public negotiations on issue – even to what they called each other -- I believe Mr. Cortes and Mr. Mayor. He was clearly saying there are limits to how flexible you can be when you are doing the public business of holding officials accountable.

Comments: To start with, I don't think accountability session type processes are just about maintaining control of the meeting in a narrow sense, though that is a minimum condition for an effective meeting. They do many things, but I think the most important may be reminding everyone involved about the reality of relationships of power, responsibility and privilege -- making a statement something like this:

"We are the people, and we have a right to hold you to account; you are a public servant and you owe our community accountability. You have the delegated power to act on this issue, and we have the right to know what you have done, are doing and will do with that power."

When the target official does not respect the community, it seems to me the only way to get them to respect those rules is to be very firm, maybe even harsh, to keep bringing them back to the issue. The same is true when the community is not used to being respected. A community that is just learning its own power is appropriately suspicious of being diverted into irrelevant conversations, jokes and speechifying, and needs to be very strict in following the accountability session process.

But it seems that accountability sessions still work in situations where in fact the community folks, or some of them, have close personal relationships with the people being held accountable, and that the sessions can even be friendly and involve discussions and side trips -- as long as everyone genuinely respects the rules.

The bottom line is that, whatever else happens, the community must always have the ability and the right to demand serious answers, even if it needs to override all personal and professional relationships, dismiss fond memories, etc. To put it differently, not only must the community be in charge of the process, but its right to hold officials accountable must be explicitly acknowledged throughout.

Larry Yates

Doug Hess on Accountability Sessions, July 23

Sarah mentioned pending research on organizing tactics which she defined as confrontational vs more consensus-oriented. I think it can be useful in theory for discussing tools to have this dichotomy, but more useful still would be a study of how organizations manage the complexity of when to use the various tactics they have. Portraying sophisticated organizations as being on or the other side of the line is not covering the reality. Also, since organizing schools often organize different people, even though they claim the same, it would be heard to compare responses.

Having said that, it would be interesting to see what the experiences of members are while participating in organizing drives and campaigns. That would be truly original. I would love to see more ethnographic research on new and long-time community leaders, as well as those who dropped out and the regular folks who show up now and then.

Gordon Mayer- on Accountability Sessions, July 23

I'd like to add something a little self serving to the discussion on accountability sessions. Shel Trapp, co-founder of National Training and Information Center/National People's Action, the Chicago-based national network of neighborhood groups, with assistance from me, is in the midst of writing a book tentatively titled Dynamics of Organizing: Building Power by Developing the Human Spirit.

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"Organizing is not only about how to create change--every liberal wants to create change. It's how to build power while creating change and how to bring dignity to the people involved. You organize a group of folks and without being told, they suddenly discover what power is. That can be the power of 20 people in a living room for a block club meeting or the power of 3,000 people at a National People's Action conference. Suddenly each person present discovers, 'I'm not by myself.' Whether I'm at the front table or sitting in the audience I've suddenly discovered that there's more to this than me. I'm not the only one pissed off and I'm willing, now that I've got these people around me, to do something I never thought I was going to do.

Whether that means going from a block club to the alderman's office or going from a mass meeting to the home of the chairman of the Federal Reserve Board, it's the community thing, where people feed off each other in a positive way. I gain strength because I'm with other people. If I'm just in my living room by myself and I have gang-bangers outside I'm pretty scared. If there

are 20 other people there with me and we make the decision to picket the gang-bangers or stand out in front of our homes, suddenly I'm feeding off my neighbor. I know I'm not alone in this fight.

The organizer's job is to create that arena where I find the strength to take action. Organizers help individuals build confidence in themselves and their neighbors through the road of action. Action means taking some kind of risk, from a little kid riding a bicycle for the first time to making a career change. In organizing terms, action means confrontation, which is absolutely vital to the process. Confrontation gets us in touch with our anger at the enemy, whether it's the owner of a building who charges high rents but doesn't deliver on the services, an incompetent or corrupt government official whose salary comes from the taxpayers, or a banker who redlines.

Action creates an inner security and strength that says, yes, we can change things. You don't gain that confidence or inner security by inaction. In fact, inaction debilitates you. Action gives you confidence. You don't learn to ride a bicycle by letting it sit in the garage but by taking the risk of riding it, usually at the cost of a few scraped knees. As a young child, you didn't gain the victory and dignity of being able to say, "I can ride a bike" without risking those scraped knees. In organizing, we win victories and dignity not by talking about what is wrong in the community but by taking action to change it.

Action also connects us all to the part of our body that organizers use most, our gut. Or, if you prefer, our instincts. Beginning organizers have to do a lot of un-learning in order to understand the importance of their gut. All of us learn all through school to think with our heads. Human beings like to think we are logical, that we make all our decisions with our brain.

That is not true at all. When we decide to get married, do we sit down with a piece of paper and write these are the negatives of proposing, these are the positives and OK, the positives outweigh the negatives, I'll pop the question? Hell, no. You get a feeling down in your gut, I like this person and as it happened with me, with my wife Anne, she laughs at my stupid jokes, she'll listen to me when I need to talk. The big decisions of our life are made with our gut. Now I'm not saying intellect is bad, you've got to have some smarts when you go out to battle. But you have to follow your instinct.

Sorry that got a little long. I sure wish we could tell you when it would be done! I'd be very happy to hear what questions people have about Trapp and NPA/NTIC (to the extent you have any at all!)

Gordon Mayer

Exchange on Comm-Org about accountability sessions. I found there to be some very useful information here. Betty

July 18, 2002

[ed of Comm-Org: Matthew's query gives us the opportunity to discuss confrontational vs. non-confrontational forms of organizing, along with the specific tactic of accountability sessions used by many groups. Please copy COMM-ORG with your responses.]

From: "Gladue, Matthew" <gladuem@archspm.org

Dear colleagues,

I've both read about and witnessed accountability sessions held by the local Gamaliel Foundation affiliate, and seen some others in other settings.

On the one hand, I really like them. They obviously allow people to shape their own agenda and run a meeting with real results, and, when done well, they shift power from politicians to people. I also like that they're a little edgy in their tone. On the other hand, the few I've witnessed have adamantly adhered to a "hard pin" strategy, in which decision makers are coerced into one word "yes" or "no" responses, and only have the microphone after they've agreed to an organization's demands.

I understand the reasoning behind it--it keeps leaders from losing control of a meeting. I'm wondering, though, if you and your leaders have ever created an accountability session that included more opportunity for dialogue without losing control of the group's ability to hold an elected official accountable.

I'm looking forward to peoples' responses. Take care. pax.
Matt Gladue, Office for Social Justice, Archdiocese of St. Paul/Minneapolis

July 19

ed: thanks to Steve, Paul, and Sarah for responding to Matthew's query. Sarah includes a further query in her response.]

From: "Steve Taylor" <steve@miltproj.org

Hi Matt and COMM-ORG listies:

Such things happen quite often. They're just not public accountability sessions, which are used for a very specific purpose. I've seen the kind of thing you're talking about happen in other venues, including:

1) interviews with candidates before elections, generally during some endorsement process, but also at times just as a means to have the candidates get to know the organization and learn about

its issues;

- 2) various kinds of lobbying meetings;
- 3) smaller strategy sessions or meetings;
- 4) public "legislative forums" where the organization presents its legislative agenda for an upcoming session to legislators, members, the media, and the general public;
- 5) public discussion forums on specific issues.

I think it's important to note that for many if not most organizations, elected officials who are willing to dialogue don't end up as the targets for accountability sessions. Often the reason there is no attempt at dialogue at such times is that the target(s) have demonstrated a complete unwillingness to dialogue and work with the organization.

Steve Taylor
Military Toxics Project

From: Paul Gowder <pgowder@yahoo.com>

I think the whole point of the "yes or no, that's it" accountability session is that if the target is given a chance to speak otherwise, they end up wasting the group's time, and basically dispensing a stone cold dis. "Dialog" for persons in power means "here's the 55 reasons why I can't give you what you want."

Saw that very recently, actually -- a group managed to coerce rep for org they wanted to support them into meeting with them. It started out like an accountability session, but he wriggled out of it, and started filling the space with nonsense arguments why they wouldn't get what they wanted. They went away frustrated.

Accountability sessions, in my opinion, aren't for "dialog," they're for "we have a demand, are you going to give it to us or are we going to make you?" I can't really conceive of any other way to run them that can fairly be called an accountability session, as opposed to a simple meeting.

Paul
Staff Attorney, Oregon Law Center
2449 SW 4th Ave., Ste. 208
Ontario, OR 97914
vox: 541-889-3121, fax: 541-889-5562
SI SE PUEDE!

From: "Sarah Diehl" <skd1976@hotmail.com>

Dear list subscribers,

I have been eagerly following the list's dialogue about Alinsky-style confrontational tactics versus more consensus-oriented tactics in community organizing. Unfortunately, I write with a question rather than with answers.

I am a sociology student in the Master's program at Virginia Commonwealth University. I am currently working on a thesis that attempts to contrast these two organizing models by focusing on participants' experiences. Both kinds of community organizing claim to empower residents. However, Alinsky-style organizing argues that residents are empowered when they get demands satisfied, while consensus-style models argue that it is empowering for residents to give substantial time and talent for the cause of the community. I plan to interview participants in two different kinds of community organizing initiatives to ask about their experiences and, to some degree, evaluate these claims.

I have not found any sources which concentrate specifically on participants' experiences in community organizations. Is anyone aware of work like this? Additionally, I would be very appreciative of comments and suggestions on this project. Thanks.

Sincerely, Sarah Diehl

Larry Yates <lyates@chej.org> on Accountability Sessions

Matt raises an interesting question about flexibility in carrying out accountability sessions.

I was recently a guest/resource person of the National Alliance of HUD Tenants during an accountability session with three HUD officials. It varied from the classic accountability session in a couple of ways.

First, many members of the group (100s of tenants were present) had an ongoing working relationship with two of the three HUD officials who were on the hot seat. Second, there was a third category of answers besides Yes or No, which was "waffle" -- illustrated on the flip chart by a crude grid-like drawing of a waffle.

The meeting definitely was controlled by NAHT, and they got definite answers from the HUD folks, including "definite waffles." But a couple of the HUD folks had done this before, and knew that while they would be held to their answers, and that there was anger and passion in the crowd they had to respect, they were not going to be eaten alive. Perhaps more important, the NAHT people knew that they had the respect of HUD, which they have earned through action over the past 11 years, and they knew that if they had to earn it again they could. They didn't have to prove that point at that moment.

Pretty much everyone in the room understood that this process had happened before, that there

would be businesslike phone calls to follow up, and they could joke as well as be serious with each other. And there was significant dialogue, often beginning with the HUDster saying "well, I guess I have to waffle on this one" and then explaining the government dynamic that prevented a "Yes" answer. No one in NAHT treated any "waffle" explanation as an OK excuse, but it did get added to the group's information about how HUD works.

On a slightly different note, I once heard IAF organizer Ernie Cortes talking about meeting with Henry Cisneros, when Ernie was the head organizer for COPS in San Antonio and Cisneros was the mayor. The two men had known each other for years, I think since childhood, and had all kinds of personal connections. But Ernie insisted on the importance of maintaining clear roles when they met in public negotiations on issue – even to what they called each other -- I believe Mr. Cortes and Mr. Mayor. He was clearly saying there are limits to how flexible you can be when you are doing the public business of holding officials accountable.

Comments: To start with, I don't think accountability session type processes are just about maintaining control of the meeting in a narrow sense, though that is a minimum condition for an effective meeting. They do many things, but I think the most important may be reminding everyone involved about the reality of relationships of power, responsibility and privilege -- making a statement something like this:

"We are the people, and we have a right to hold you to account; you are a public servant and you owe our community accountability. You have the delegated power to act on this issue, and we have the right to know what you have done, are doing and will do with that power."

When the target official does not respect the community, it seems to me the only way to get them to respect those rules is to be very firm, maybe even harsh, to keep bringing them back to the issue. The same is true when the community is not used to being respected. A community that is just learning its own power is appropriately suspicious of being diverted into irrelevant conversations, jokes and speechifying, and needs to be very strict in following the accountability session process.

But it seems that accountability sessions still work in situations where in fact the community folks, or some of them, have close personal relationships with the people being held accountable, and that the sessions can even be friendly and involve discussions and side trips -- as long as everyone genuinely respects the rules.

The bottom line is that, whatever else happens, the community must always have the ability and the right to demand serious answers, even if it needs to override all personal and professional relationships, dismiss fond memories, etc. To put it differently, not only must the community be in charge of the process, but its right to hold officials accountable must be explicitly acknowledged throughout.

Larry Yates

Doug Hess on Accountability Sessions, July 23

Sarah mentioned pending research on organizing tactics which she defined as confrontational vs more consensus-oriented. I think it can be useful in theory for discussing tools to have this dichotomy, but more useful still would be a study of how organizations manage the complexity of when to use the various tactics they have. Portraying sophisticated organizations as being on or the other side of the line is not covering the reality. Also, since organizing schools often organize different people, even though they claim the same, it would be heard to compare responses.

Having said that, it would be interesting to see what the experiences of members are while participating in organizing drives and campaigns. That would be truly original. I would love to see more ethnographic research on new and long-time community leaders, as well as those who dropped out and the regular folks who show up now and then.

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Whether that means going from a block club to the alderman's office or going from a mass meeting to the home of the chairman of the Federal Reserve Board, it's the community thing, where people feed off each other in a positive way. I gain strength because I'm with other people. If I'm just in my living room by myself and I have gang-bangers outside I'm pretty scared. If there

are 20 other people there with me and we make the decision to picket the gang-bangers or stand out in front of our homes, suddenly I'm feeding off my neighbor. I know I'm not alone in this fight.

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Action also connects us all to the part of our body that organizers use most, our gut. Or, if you prefer, our instincts. Beginning organizers have to do a lot of un-learning in order to understand the importance of their gut. All of us learn all through school to think with our heads. Human beings like to think we are logical, that we make all our decisions with our brain.


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Sorry that got a little long. I sure wish we could tell you when it would be done! I'd be very happy to hear what questions people have about Trapp and NPA/NTIC (to the extent you have any at all!)

Gordon Mayer

Betty Robinson

From: marisela gomez [rabbit21229@yahoo.com]
Sent: Friday, June 21, 2002 5:28 AM
To: lisa.williams@baltimorecity.gov; Kathleen; asetukante@yahoo.com; Betty Robinson; Pat Tracy; Violet
Cc: Randa Deacon
Subject: Biotech Bills Hearing Update]


Community Org report
to steeri...

Hi folks,

below is the recent info I had asked Barbara samules for.

I attached the workplan..please edit it as needed for the specific duties for SMEAC.

re: the organizing comm meeting, the discussion I had with Randa to meet during the day was regarding the mapping of the buildings (because she mentioned having the map). My thought it planning this and asking about John and Ms. Berryman was only for doing that one peice of all the tasks for the organizing stuff. When I left, I assumed folks would pick someone to convene the whole group of people interested in organizing and meeting next week while I was gone and plan who would do what. I was specifically talking about just that one issue about filling in the map. I asked about Ms. Berryman and John because they had already expressed interest in other discussions about this. Sorry about the confusion I might have caused.

That said, maybe you all can go ahead and meet next week and start the mapping and what is left, I can meet with whoever wants on July 1 and finish it.

If this isn't good, plan to meet without me on Monday. Myself, JOhn and Ms. Berryman are at a documentatry workshop that monday July 1 from 6-8 at SDC>

Hope this helps some of the confusion.
Marisela

--- Barbara Samuels <samuels@aclu-md.org> wrote:
> Date: Thu, 20 Jun 2002 13:03:02 -0400
> From: Barbara Samuels <samuels@aclu-md.org>
> To: marisela gomez <rabbit21229@yahoo.com>
> Subject: Re: [Fwd: Biotech Bills Hearing Update]
>
> Marisela:
>
> I am totally under water here and will not have time
> before tonite to
> write up something. I am attaching the memo I did
> several months ago
> for Betty Robinson. It didn't have a lot of
> legalese, but I don't think
> you need that to pick your priority issues. In
> fact, it might just get
> in the way.
>
> Since this is not your typical organizing campaign,

> I would not pick one
> or two issues to the exclusion of others. I think
> you need a
> comprehensive list of issues, and where possible,
> amendments, to the
> City Council and Laurie Schwartz. You should
> obviously decide going in
> what the most important issues are that can not be
> compromised, those
> that are important but not deal breakers, and those
> that could be
> bargained away in return for a concession by the
> city. I think the
> issue of across the board \$70,000 is both winnable
> and important (Paula
> branch has already said she would support it). I
> think the negotiation
> of a "right of return" agreement for occupancy of
> redeveloped units is
> winnable and important,. The phasing of acquisition
> is important but
> will get more resistance from the City.
>
> marisela gomez wrote:
>
> > Hey Barbara,
> > thanks for the feed back....we're having a
> steering
> > com meeting tomorrow night where we will regroup,
> pick
> > an issue, and plan a strategy (doubt we will
> > accomplish all this, we may be meeting the
> following
> > week.
> >
> > Any draft draft of the issues....I was hoping for
> us
> > to be able to use some of the legalize to decide
> on
> > which issue we would go after....
> > as a com organizer, I want an issue that we have a
> > good chance of getting a victory on...this is just
> the
> > beginning and we want people to see what happens
> when
> > they get together and organize...
> > I'm thinking two big issues...one that is a likely
> > win, and one that is more questionable....I'm
> hoping
> > that we will have legal backing for both if
> > necessary...of course, we will try to accomplish
> them
> > without legal action..but still want the legal
> peice
> > there for ammunition...let me know what you can do
> by
> > tomorrow...
> > the meeting is at 6pm...you are more than welcome
> to
> > come but there will be some debriefing of Pat,
> Lisa,
> > Betty being at the MIDwest Academy organizers
> training
> > as well.
> >
> > Okay...thanks
> > Marisela

> >
> > --- Barbara Samuels <samuels@aclu-md.org> wrote:
> > >
> > >
> >
> > > ATTACHMENT part 2 message/rfc822
> > > From: ArchPhips@aol.com
> > > Date: Fri, 14 Jun 2002 12:13:31 EDT
> > > Subject: Re: Biotech Bills Hearing Update
> > > To: samuels@aclu-md.org, brogers@friendsofmd.org
> > > CC: tgearhart@preservemd.org,
> > > Scot_Spencer@environmentaldefense.org,
> > > centennial2@prodigy.net,
> > > tracey@kennedykrieger.org,
> > > kphilipsen@archplan.com,
> > > kevin@jotf.org, klewand@aiabalt.com,
> > > MaclayPub@aol.com, JMIKEBUG@aol.com,
> > > JHH985@aol.com,
> > > gingerson@grantarchitects.com,
> > > dru@friendsofmd.org,
> > > dpovich@crosslink.net, DCHCasey@aol.com,
> > > david_c_casey@hud.gov,
> > > danp@balto-region-partners.org,
> > > clifford@jotf.org,
> > > chauna@progressivemaryland.org,
> > > Pencek@dhcd.state.md.us,
> > > BBezdek@law.umaryland.edu,
> > > bettyr@cphabaltimore.org,
> > > AmyM@cphabaltimore.org,
> > > adam@balto-region-partners.org,
> > > dglaros@gov.state.md.us
> > >
> > > All,
> > > Let me chime in on the interesting dialogue
> > > going on
> > > about last night:
> > >
> > > I left the hearing early leaving the verbal
> > > testimony on Urban Design to Brad
> > > because of the time constraints and the large
> > > number
> > > of speakers.
> > >
> > > UDA gave an impressive presentation on the plan
> > > which is getting better and
> > > more intricate. It is still not clear to me,
> > > though
> > > how the presented plan
> > > and its phasing etc. is linked to the actual
> > > bills
> > > before the Commission and
> > > Council. We might have to create this link.
> > > Most folks at the hearing were residents and had
> > > issues closer to home than
> > > urban design. The AIA Urban Design paper was
> > > submitted as written testimony
> > > to the Commission and is on record. (I attach it
> > > here
> > > for you).
> > >
> > > I suggest that the next step to be a session
> > > with
> > > Paula Branch/Laurie
> > > Schwartz, UDA, Planning Dept. to iron out the
> > > differences between UDA and AIA
> > > for the design guidelines. (Maybe there need to
> > > be

> > > several meetings with
> > > different topics?) The differences in urban
> design
> > > are mostly about the
> > > monolithic chunk of redevelopment (imposed on
> UDA as
> > > a prerequisite for the
> > > Biotech, I suppose), placement of the open
> spaces
> > > and the sanctity of the
> > > existing street grid. We would support all of
> > > Taylor's amendments.
> > >
> > > All in all I believe that the plan is pretty
> good
> > > but the City's process
> > > isn't yet and there are no safeguards that the
> plan
> > > is enforced. I also agree
> > > with all the questions about funding expressed
> by
> > > Barbara. Fewer homes should
> > > be condemned and the size of the "cloud" should
> be
> > > reduced allowing as much
> > > private investment on private homes as possible
> > > rather than preventing
> > > people from doing something with their homes.
> Folks
> > > that stayed put in the
> > > neighborhood as beacons of stability should be
> > > rewarded and not punished.
> > >
> > > Klaus Philipsen, AIA
> > > Co-chair of the Baltimore AIA Urban Design
> Committee
> > > Tel: 410-685-2002
> > > Fax: 410-685-2003
> > > e: kphilipsen@archplan.com
> > >
> > > Please use the above e-mail address for direct
> > > correspondence. The
> > > archphips@aol.com address will be discontinued.
> > >
> > >
> > > ATTACHMENT part 2.2 application/octet-stream
> > name=UrbanDsgnPrinciples06a02.doc
> > >
> > >
> > > Do You Yahoo!?
> > > Yahoo! - Official partner of 2002 FIFA World Cup
> > > <http://fifaworldcup.yahoo.com>
> > >
> > >
> > > ATTACHMENT part 2 application/msword
> > > x-mac-type=5738424E; x-mac-creator=4D535744;
> > > name=ReloSMEAC.doc

Do You Yahoo!?
Yahoo! - Official partner of 2002 FIFA World Cup
<http://fifaworldcup.yahoo.com>

Betty Robinson

From: Williams, Lisa [Lisa.Williams@baltimorecity.gov]
Sent: Thursday, July 25, 2002 10:10 AM
To: 'marisela gomez'; Williams, Lisa; Brad; Kathleen; Liz; Betty Robinson; Shreen; Patricia J. Tracey; Pat Tracye; Violet
Subject: RE: Meeting with Betty Deacon

Good Morning

I spoke with Bill Merit this morning he will add SMEAC to the mailing list for information on the Section 108. There is going to be amendment for HEBCAC with HUD; also, the meeting for Middle East has not been scheduled. I will keep in touch with him to get additional information,

-----Original Message-----

From: marisela gomez [mailto:rabbit21229@yahoo.com]
Sent: Wednesday, July 24, 2002 4:44 PM
To: 'lisa.williams@baltimorecity.gov'; Brad; Kathleen; Liz; Betty Robinson; Shreen; Patricia J. Tracey; Pat Tracye; Violet
Subject: Fwd: Meeting with Betty Deacon

>
> Please pass this email along to everyone.
>
> Meeting with Deacon is Thursday, August 1, 2002 at 4
> p.m. 1629 Thames
> Street, Fells Point (foot of Broadway, Brown's
> Wharf), suite 400.
>
> Still waiting on Harold Young to return my call.
>
> Thanks much
>
> Shrene
>

Do You Yahoo!?
Yahoo! Health - Feel better, live better
<http://health.yahoo.com>

Betty Robinson

From: chaunabrocht@starpower.net
Sent: Monday, July 22, 2002 4:59 PM
To: Betty Robinson; 'Patricia J. Tracey'; liz alex
Cc: marisela gomez; lisa.williams@baltimorecity.gov; kpatt94@netscape.net; Violet; chaunabrocht@starpower.net
Subject: Section 108

Hi everybody. I had some luck researching the Section 108 funds (I'm still waiting to hear more about TIFs). To refresh your memory, the city said it might use \$15 million in Section 108 funds for the biotech project. This is a "loan guarantee", which means that if the project fails and they can't pay back the funds, the city will lose the \$15 million Community Development Block Grant money which is supposed to go towards development in low-income communities.

I found a great little report that explains the Section 108 program from the Center for Community Change. It is at www.communitychange.org/cdbg/html/sec108.asp if you want to look at it. Three things from the report:

- * the project has to benefit lower income people as defined by HUD regulations.
- * there are separate regulations regarding compensation of residents who will be displaced by the project under Section 108, which are different than the Uniform Relocation Act regulations
- * the city has to apply to HUD to get the Section 108 money. They have to give notice when they apply, and then the public has 30 days to comment.

Hearing re
108 \$.

I called the Baltimore HUD office to see if the city had submitted an application. The man I spoke with (Charles Holmes, 410-962-2520, ex. 3049) was very helpful. He said that the city already had approval for a \$34.1 million Section 108 loan to redevelop the HEBCAC area. The city has about half of this money left. So the city plans to submit an application so that they can use the money for the biotech park (they haven't submitted the application yet, they have just been talking to HUD about it). He thinks they are going to use the money for buying properties and demolition.

17 million left

The city has to give notice when they submit the application, and provide a copy of their application to the public, but Mr. Holmes wasn't sure if there will be a hearing or not. The city only has to post a notice in the legal section of the paper (does anyone know where this is - I haven't looked for it yet), so we should start to monitor that. They also said we could call Bill Merit, who is the city's Section 108 coordinator (410-396-1542) and ask that he notify us directly, but he isn't required to. Should I call and ask him to notify me, or should we have him notify Pat (I need Pat's current phone number and address)?

Lisa called.

I tried to figure out the regulations about what the funds could be used for and what the regulations were about compensation for people who will be relocated, but I'm not a lawyer, so I don't think I'm the best person to be doing this. Do we have an attorney who is familiar with HUD that could help with this (maybe the ACLU or Community Law Center?). If so, I'd be happy to talk to them and tell them what I know and they could do the legal research. Otherwise, I can continue to muddle through it.
--Chauna

Save Middle East Action Committee, Inc.

Save Middle East Action Committee, Inc. (SMEAC) is fighting for our community to be "made whole" during redevelopment in an urban renewal district. We are a membership-based community organization located in an historic area of Baltimore with a very high crime rate. Half of our structures are vacant and we have one of the highest percentages of lead paint in the city. In an attempt to revitalize this blighted neighborhood, the city of Baltimore and Johns Hopkins Medical Institutions (JHMI) have developed plans for a Biotech park and mixed income housing on approximately 100 acres of land (30 city blocks) north of Johns Hopkins Hospital. Up to 1000 families now living in the neighborhood may have to be relocated, and those not relocated will be affected by 7-10 years of construction and increased traffic activity. SMEAC is dedicated to making sure that each resident is treated with justice and equity throughout this redevelopment process and that each resident is "Made Whole".

SMEAC believes that residents are entitled to:

* House for House ①

- A relocation package (consistent with the Federal Uniform Relocation Act) which includes:

1. Compensation for our houses which allows us to purchase a home that is the same size, square foot for square foot in a stable community.

2. The choice of staying within the Middle East Baltimore neighborhood, relocating outside of the neighborhood or returning to Middle East after redevelopment has been completed, with the same relocation benefit regardless of the location of the new neighborhood selected by residents.

Assurance that the city will keep the neighborhood clean and safe during redevelopment. Residents will have to put up with demolition of houses, increasing abandonment of blocks as well as new construction, not to mention the health effects of lead and dust. We insist on a commitment from the city that the effects on residents will be minimized.

② * Indep.
Housing counselors chosen by SMEAC for homeowners + renters

- Resident representation in all decisions regarding relocation, the redevelopment process and redesign of the neighborhood.
- A community planner to advise neighborhood residents about design, demolition and redevelopment issues.
- A guarantee that affordable housing options in stable neighborhoods will be made available to renters who will have to relocate.

(over)

Please support our efforts by:

- Writing your City Council representatives supporting our demand to be treated fairly and equitably.**
- Ask your organization to give testimony at the City Council hearings supporting our demands.
- Mobilize your members to attend the City Council urban renewal amendment hearings and other events to support us.
- Signing our petition

** Kathleen suggested that we attach the city council web site addresses and write up a sample letter to send around to people via e-mail.

Betty Robinson

From: chaunabrocht@starpower.net
Sent: Friday, July 26, 2002 10:04 AM
To: Betty Robinson; Marisela Gomez "E-mail 2"; 'chaunabrocht@starpower.net'; 'Patricia J. Tracey'; liz alex; 'ptracey@jhsph.edu'
Cc: Randa Deacon "E-mail"; lisa.williams@baltimorecity.gov; kpatt94@netscape.net; Violet
Subject: TIFs

That's great that you all are meeting with Mikulski's office and HUD. I think good things will come out of that. Let me know if it would be useful if I came to those meetings.

I wanted to let you know that I did follow up on the TIF district (the city plans to use \$70-80 million in Tax Increment Financing to fund the project). I didn't find too much else out. City Council has to pass an ordinance to declare the area a TIF district, then there will be a separate ordinance to issue the bond. We just have to keep our eyes on the City Council schedule to find out when those will be. It doesn't look like there are any requirements that the TIF is used in a "blighted" area. The one thing I did notice is that they can use this bond for relocation costs, although I don't know if they are planning on doing that or not.

So not much news on TIFs. We just have to keep an eye out for the hearings. --Chauna

>
> From: Betty Robinson <BettyR@CPHAbaltimore.org>
> Date: 2002/07/24 Wed AM 11:52:43 EDT
> To: "Marisela Gomez (E-mail 2)" <rabbit21229@yahoo.com>,
> "'chaunabrocht@starpower.net'" <chaunabrocht@starpower.net>,
> "'Patricia J. Tracey'" <ptracey@jhsph.edu>, liz alex
> <asetukante@yahoo.com>, "'ptracey@jhsph.edu'"
<ptracey@jhsph.edu>
> CC: "Randa Deacon (E-mail)" <rdeacon@ssw.umaryland.edu>,
> lisa.williams@baltimorecity.gov, kpatt94@netscape.net, Violet
> <vvboardley@yahoo.com>
> Subject: FW: URA and Biotech Development in East Baltimore
>
> Hi all, Here's a copy of the e-mail I got back from Ed Gramlich at
Center
> for Community Change plus my e-mail to him. A person who works with
him had
> given me his name. I know we are all on information overload -- when
you
> get more information, you learn that there's even more information out
there
> that you have to learn about, too. Anyway, I wanted to send this on
so
> everyone would have it. I'll try to get some of the information he
suggests
> -- unless someone tells me we already have it (like the HUD relocation
> booklet, etc).
>
> Sorry I had to leave so quickly last night but my guest hadn't had
dinner
> and needed to get up early today to go to DC. She enjoyed being at
the
> meeting.
>
> Betty
> -----Original Message-----
> From: Ed Gramlich [mailto:egramlich@communitychange.org]
> Sent: Tuesday, July 23, 2002 6:04 PM

> To: 'Betty Robinson'
> Subject: RE: URA and Biotech Development in East Baltimore
>
> Hi Betty,
> First I should tell you that my job here changed in february, so I
will not
> be able to devote any "real" time to helping you.
>
> Second, I am not a URA expert. So, I can't really assess the options
that
> the City is offering people. It seems weird to me that the City is
> structuring the offer as a "forgivable loan". URA is not a loan, it
is
> compensation for a public taking of someone's home or apartment.
>
> I take it that Johns Hopkins got a Section 108. You also said the
city did
> a lot of landbanking; was it CDBG-assisted landbanking?
>
> Therefore not only URA but the special CDBG antidisplacement
provisions kick
> in. On the CCC website, scroll down and look for my "Regs Workshops".
> There you will find "CDBG and Displacement". That piece is only half
the
> story -- I ran out of time. But it is a beginning. You might or
might not
> have a problem if 2/3 of the units are vacant; it depends if they have
been
> vacant for over a year. The key thing in this CDBG-special
displacement law
> is that there MUST be a one for one replacement of units lost.
(Although I
> bet the City could show that there are enough units elsewhere in the
city to
> get a waiver.) The half of the story that is not in my piece deals
with how
> much compensation the people must get -- generally this is better for
> renters than URA (owners are stuck with URA).
>
> URA regs are at 24 CFR Part 24. You might also want to get the HUD
> Relocation Handbook, # 1378 it is on HUD's website. It sounds like
you
> have a good attorney. That person might want to contact someone at
Legal
> Aid such as Greg Countess 355.4223 or Barbara Samuals at the ACLU of
Bmore
> (she is VERY good) 889.8555.
>
> As far as the Section 108 you should get the application from the city
and
> see what "national objective" they claim that they are meeting. I am
> betting that they are promising "jobs" for lower income people. I
don't
> know the project, but it probably can't meet the "areawide benefit
test".
> If these terms don't mean anything to you I urge you to download my
56-page
> guide book that is on the left hand side of the CDBG page.
>
> I will forward more thoughts to you as they percolate. Please feel
free to
> contact me with more questions.
>
> ed
>
> PS I got an email from ACORN about this yesterday.
>

Betty Robinson

From: Ed Gramlich [egramlich@communitychange.org]
Sent: Tuesday, July 23, 2002 6:04 PM
To: 'Betty Robinson'
Subject: RE: URA and Biotech Development in East Baltimore

Hi Betty,

First I should tell you that my job here changed in february, so I will not be able to devote any "real" time to helping you.

Second, I am not a URA expert. So, I can't really assess the options that the City is offering people. It seems weird to me that the City is structuring the offer as a "forgivable loan". URA is not a loan, it is compensation for a public taking of someone's home or apartment.

I take it that Johns Hopkins got a Section 108. You also said the city did a lot of landbanking; was it CDBG-assisted landbanking?

Therefore not only URA but the special CDBG antidisplacement provisions kick in. On the CCC website, scroll down and look for my "Regs Workshops". There you will find "CDBG and Displacement". That piece is only half the story -- I ran out of time. But it is a beginning. You might or might not have a problem if 2/3 of the units are vacant; it depends if they have been vacant for over a year. The key thing in this CDBG-special displacement law is that there MUST be a one for one replacement of units lost. (Although I bet the City could show that there are enough units elsewhere in the city to get a waiver.) The half of the story that is not in my piece deals with how much compensation the people must get -- generally this is better for renters than URA (owners are stuck with URA).

URA regs are at 24 CFR Part 24. You might also want to get the HUD Relocation Handbook, # 1378 it is on HUD's website. It sounds like you have a good attorney. That person might want to contact someone at Legal Aid such as Greg Countess 355.4223 or Barbara Samuals at the ACLU of Bmore (she is VERY good) 889.8555.

As far as the Section 108 you should get the application from the city and see what "national objective" they claim that they are meeting. I am betting that they are promising "jobs" for lower income people. I don't know the project, but it probably can't meet the "areawide benefit test". If these terms don't mean anything to you I urge you to download my 56-page guide book that is on the left hand side of the CDBG page.

I will forward more thoughts to you as they percolate. Please feel free to contact me with more questions.

ed

PS I got an email from ACORN about this yesterday.

> -----Original Message-----

> From: Betty Robinson [SMTP:BettyR@CPHAbaltimore.org]

> Sent: Tuesday, July 23, 2002 3:03 PM

> To: 'gramliche@commchange.org'

> Subject: URA and Biotech Development in East Baltimore

>
> Hi Ed, I just looked at the CCC fact sheet for the 108 Loan program
> and
> found it really clear and helpful. I've been meaning to contact you
> about

> a
> situation we are facing in Baltimore. Dave Beckwith, with whom I sit
> on

> the
> Steering Committee of the National Organizers Alliance, gave me your
> name

> as
> the person to contact at CCC on the URA. (I also know Lisa Smith who
> used

> to
> work with me here).

>
> The City and Johns Hopkins Hospital/Medical Institutions have plans to
> build

> a Biotech Park and gentrified neighborhood on 30 city blocks north of
> Hopkins. They will be displacing 1000 families (300 + homeowners and
> 700

> +
> renters -- 3300 houses in all, about 2/3 are vacant. There is an
> organization, Save Middle East Action Committee (SMEAC), which has
> been
> mobilizing residents to fight for a decent relocation package. I've
> been

> working with SMEAC as have two other folks as kind of informal
> advisers on
> their organizing strategy.

>
> The vast majority of the residents are elderly, living on fixed
> incomes.

> People are not really fighting the development because the
> neighborhood

> has
> experienced so much disinvestment. They just want to be treated
> equitably

> and justly in the relocation benefit. So far, the city is offering
> 1. FMV/equity in your house (about \$10,000) -- minus anything you owe.
> Of

> course, some folks owe quite a bit more than that due to improvements
> they
> made or home equity loans they took out.

> 2. the standard URA benefit of \$22,500

> 3. Up to \$ 47,500 more IF you relocate in an East Baltimore
> neighborhood

> right around the Biotech development -- the city is using the stable
> homeowners to stabilize the other neighborhoods which are now full of
> vacants, drug dealing, etc around the new development. OR up to \$
> 27,500

> if
> you move to another house in Baltimore City. So, if you elect to move
> outside the city you get just the \$ 22,500 and the FMV in your house.

> Both
> the \$ 47,500 and the \$ 27,500 would be a loan from the city and would

be
> repaid at 20% per year if you continue to live in the house. Thus
after 5
> years you would own the property free and clear.
> This is an increase in what the city had originally offered (if you
elect
> to
> stay in East Baltimore, \$ 40,000 plus \$ 22,500 plus FMV with the \$
40,000
> only being repaid when you sell the house -- so you never actually
"own"
> your new house).
>
> SMEAC has read some of the URA material and has taken up the slogan:
"a
> house for a house in a stable neighborhood" -- feeling that their
> neighborhood decline was not their fault but the city's failure to
keep up
> city services, and Johns Hopkins' fault because they bought up houses
for
> land banking -- and boarded them up to wait until more decline when
they
> could acquire the land.
>
> I'd love to know what your take on all of this is and what resources
are
> out
> there for us to know more about the URA, etc. We have an attorney who
has
> been helping out since she has worked with public housing tenants
moved
> after implosions of public housing complexes under Hope VI.
>
> And, one quick question, too, re the 108 loans. if the funds are
supposed
> to be used to benefit low income communities, can they justify a
Biotech
> park and a gentrified community as qualifying for 108 money? Do they
give
> this quite a broad interpretation?
>
> Thanks, Ed, for your time and thoughts.
> Betty
>
> Betty Robinson
> Citizens Planning and Housing Association
> Tel: 410-539-1369 Fax: 410-625-7895
>
> If you give me a fish, you feed me for a day...
> If you teach me to fish, then you have fed me until the river is
polluted
> or
> the shoreline is taken for development
> But if you teach me to organize, then whatever the challenge I can
join
> together with others and we will find our own solution
>

Betty Robinson

From: Ed Gramlich [egramlich@communitychange.org]
Sent: Wednesday, July 24, 2002 12:26 PM
To: 'Betty Robinson'
Subject: RE: URA and Biotech Development in East Baltimore

Hi Betty,

I'm glad Barbara is your helper. You are in exceptionally good hands.

Too bad JH did the landbanking privately. You might, however, look to see if the city has or intends to use CDBG "in connection" with the project by putting in new sidewalks, sewers, etc. Either way, Section 108 is CDBG money and its "Section 104(d)" obligations still hold.

If the city says BioTech "benefits low and moderate income people" by providing jobs, then at a minimum, 51% of the jobs must be for low and moderate income people. The "1/3 college grads" mostly won't count because HUD looks at household income; so, if the college kid is still living with the parents, the entire family's income is what is measured.

I'm sorry I really can't help you with the URA because I don't know enough about it. What little I did in the past was focused on renters.

HOWEVER, my gut tells me that the URA "limit" doesn't sound right. I have a feeling that I've heard of homeowners getting much more than that -- but maybe it is tied to some local benchmark. You really need to have somebody read those regs and maybe ask Barbara to put an inquiry on the Housing Justice Network list serve -- she will get a half-dozen responses from legal services attorneys from around the country.

Yes it was Chauna Brocht from ACORN. I'm glad they are working with you.

Keep in touch, and let me know if you have specific questions as you go forward. I will try to help.

ed

> -----Original Message-----

> From: Betty Robinson [SMTP:BettyR@CPHAbaltimore.org]
> Sent: Wednesday, July 24, 2002 11:39 AM
> To: 'Ed Gramlich'
> Subject: RE: URA and Biotech Development in East Baltimore
>

[Ed Gramlich] Hi Ed,

Thanks for the rapid and thorough reply! It was truly very helpful.

I know

we have lots of homework to do and will be in touch with questions as we

come across concerns. FYI, our "informal" attorney advisor is

Betty Robinson

From: Barbara Samuels [samuels@aclu-md.org]
Sent: Friday, June 14, 2002 12:27 PM
To: marisela gomez
Subject: Re: Redevelopment in East Baltimore

Marisela:

Great quote in today's paper! I can't believe they buried the article on p. 3 of the Maryland section though.

Paula Branch told me the same thing last nite as the hearing was ending. But I agree, it is important to keep the pressure on. SMEAC should ask her to amend the urban renewal ordinances to include the relocation benefits and in doing so, to make the \$70,000 across the board regardless of where the household relocates. (I would be happy to help Barbara Bezdec draft an amendment to the bills. I think this can be done without getting into the analysis of "comparability" but let me mull this over and get back to you on that.) *

It is important to get the coalition of groups put together by 1000 Friends of Maryland, CPHA, etc. to sign on to all of SMEAC's demands. The chair last nite specifically directed the staff to attach their "Vision" statement to the Planning Commission's recommendations. I think the demands should be put into the bills themselves and in a Memorandum of Understanding signed by SMEAC, the City, Hopkins and this new board. *

Think about what you all want to get out of Hopkins for this. The Broadway Tenant Council, for example, negotiated a \$500,000 package of funding for community programs and for the Tenant Council operations as part of the land swap.

marisela gomez wrote:

> Hi Barbara,
> good to see you last night and thanks for the pro-bono
> time/advice. It is greatly appreciated.
> Got a message on my phone when I arrived home last
> night from Paula Johnston Branch. Apparently she
> spoke to Laurie Schwart and told her that the
> relocation restricted to E.Balt was being felt as
> discriminatory by residents. PJB said that that
> restriction will now be removed. I just emailed her
> to repeat that in writing because I don't believe her
> further than I can throw her..smile.
> I also told her that if people can relocate outside of
> E.Baltimore, that means that the relocation packet has
> to changed..based on the "comparable replacement"
> dwelling reason.
> ONe cannot change without the other, right?
>
> So this is where I'm going to be begging you (if you
> have the time in the next few days) to put together
> that real real preliminary draft that talks about the
> two issues of the area to relocate, and the comparable
> dwelling....if you can of course.
>
> SMEAC will plan to meet with PJB next week and bring
> this to the table. We need to get them to start
> thinking this way so that by the time the hearings
> come around, we might actually get the language
> changed.

>
> Let me know what you think.
>
> Thanks again.
> Marisela
>
> --- Barbara Samuels <samuels@aclu-md.org> wrote:
> > Marisela:
> >
> > Hi! Sorry I couldn't be there last nite. I had an
> > important meeting with a client at 6:30 that
> > conflicted. I have been really tied up with some
> > deadlines and pressing things, and haven't had a
> > chance to think too much about this. I'll look at
> > your list and in this reply try to give you some
> > quick info, but unfortunately won't get to write
> > anything up:
> >
> > 1. Pro bono attorney: I've emailed with one
> > attorney who expressed some interest in/outrage
> > about the
> > displacement of so many folks in Middle East.
> > Haven't heard back yet whether he is available,
> > interested etc. to take on some role with SMEAC. If
> > he is willing, he would be very good. Have you
> > tried the MD. volunteer Lawyers Service yet?
> >
> > 2. Staffed relocation office: The relocation plans
> > for the high rise sites generally promised an
> > on-site relocation office and indicated the number
> > of staff positions that would be assigned. They did
> > not do very well at fulfilling these promises, of
> > course, but we did eventually get an on-site office
> > at Flag House. It is my understanding that when the
> > city did large scale urban renewal projects in the
> > '60's and '70's it would have a relocation office in
> > the project site area, but I was not around at
> > that time. This is the closest thing to that era,
> > certainly much more displacement than any other city
> > project in the last 30 years. I don't think this is
> > an unusual request. Also, it should be clear that
> > the City relocation staff is not sufficient to
> > undertake such a large project with so much
> > displacement
> > at its usual staffing levels. There are
> > companies/consultants that operate around the
> > country doing
> > relocation. For example, when Morgan State decided
> > to demolish Pentridge Apts on Loch Raven Blvd. it
> > hired an organization called "Housing Unlimited" out
> > of Boston to do the relocation piece. The same
> > group is a social service provider at the Broadway
> > HOPE VI project, so you can get an honest appraisal
> > of them from Harry Karas. Also, HABC has hired the
> > Community Assitance Network to carry out a "Second
> > Move Relocation" contract for Flag House --- to do
> > it right this time after screwing up the first time.
> >
> > 3. I did play around with a very first rough draft of
> > an amendment to the Ordinance, but I think it
> > should really be much stronger. Nonetheless, for
> > what it is worth I'll attach it here.
> >
> > 4. I don't think I would say that the City has to
> > provide an unlimited amount of Last Resort Housing
> > assistance, but you can say that in effect the city
> > has already determined that the \$22,500 is

> > insufficient and that amounts up to \$70,000 are
> > needed. You can further say that you are exploring
> > whether \$70,000 is sufficient, but that clearly, if
> > it is needed to provide comparable housing in the
> > HEBCAC area, it will be necessary to provide at
> > least that much to enable displaced households to
> > exercise their rights under the URA and civil rights
> > laws to choose comparable replacement housing in
> > other neighborhoods of the city and region,
> > including non-minority neighborhoods.

> > Here is the language from Para. 3-6 of HUD's Uniform
> > Relocation Act handbook describing "Last Resort
> > Housing Measures": "...whenever the payment ceiling
> > under Section 203 (\$22,500) or section 203 (\$5250)
> > of the URA is insufficient, additiional or
> > alternative assitance much be provided. Generally,
> > this is
> > done by providing additional cash assistance.
> > Section 206 of the URA authorizes the use of project
> > funds to provide such additional cash assistance."
> > The other authorized alternative is using project
> > funds to build or rehab housing, purchase land,
> > provide loans, etc. There is more, but you get the
> > idea. The cite to the applicable URA regulation is
> > 49 CFR 24.404.

> > The fair housing argument is a little complicated,
> > but basically it boils down to this: as the URA
> > Handbook says, the City must "provide a choice
> > between relocating within the displacement
> > neighborhood
> > and other neighborhoods, consistent with the
> > [City's] responsibility to affirmatively further
> > fair
> > housing. Whenever possible, minority persons shall
> > be given reasonable opportunities to relocate to
> > decent, safe and sanitary replacement dwellings, not
> > located in areas of minority concentration."
> > Para2-5(f)(4). They do not have to be provided with
> > additional money to relocate to a non-minority
> > area, but they can not be provided with less. Also,
> > the key is in determining what is "comparable
> > replacement housing." You don't want the city only
> > using as "comparables" houses in neighborhoods that
> > are as poor, segregated, and as distressed as Middle
> > East. That would deny housing opportunities in
> > non-minority areas and would not be consistent with
> > the City's duty to "affirmatively further fair
> > housing." If they have to fairly consider
> > comparables in racially integrated and/or
> > predominantly
> > white rowhouse neighborhoods, then the cost will be
> > more than \$22,500 and the City can be required to
> > provide "last resort housing" payments over and
> > above \$22,500.

> > Hope this helps. I plan to attend the hearing
> > Thursday nite and should have more time next week to
> > be
> > more helpful.

> > marisela gomez wrote:

> > > Hi Barbara,
> > > Thanks again for meeting with us. I'm not sure if
> > you

*URA on ceiling
being insufficient*

*URA
Non MIN
regulat*

> > > had followed up with Pat since our meeting, but
> > she is
> > > out of town at a Midwestern Training this week so
> > I'm
> > > not able to speak with her.
> > >
> > > We had a com meeting yesterday and I summarized
> > the
> > > main points you had made at the meeting. We asked
> > for
> > > volunteers to address each of these points in the
> > > public hearing coming up on this Thursday. Our
> > > strategy is to have community members include
> > these
> > > points in all their testimony and to attempt to
> > create
> > > a united voice in the list of demands from
> > residents
> > > affected by these issues.
> > >
> > > Some folks wanted some more information on some of
> > the
> > > points. I know you were going to write up what you
> > had
> > > discussed in the meeting and I'm sure your summary
> > is
> > > much more indept than mine. For example, in
> > asking
> > > for a fully staffed housing counselor site,
> > where/when
> > > in Baltimore has this been asked for and granted
> > in
> > > past redevelopment projects? Or if not in
> > Baltimore,
> > > other cities. I'm attaching a the 7 summarized
> > points
> > > I passed out last night.
> > >
> > > If you could glance at them and edit them with
> > > reference or appropriate history where these
> > things
> > > have happened, or the laws that support them, this
> > > would be really helpful. I would then pass this
> > > information on to the folks who have agreed to
> > testify
> > > and they would be able to include this in their
> > > testimony. The Public Hearing is the first one
> > for
> > > this redevelopment issue; it's the Planning
> > Commission
> > > Hearing. THursday 13, Dunbar High School, corner
> > of
> > > ORleans and Caroline, 6PM>
> > >
> > > Lastly, any suggestions for legal counsel
> > (pro-bono)
> > > that we can start looking at would be very
> > helpful. I
> > > think once we start putting these demands out
> > there,
> > > we will have to be prepared to back it up with
> > legal
> > > counsel and be prepared to go to Graziano and
> > > Schwartz.
> > >
> > > Hope this is not too overwhelming. Unfortunately,
> > Pat

Betty Robinson

From: Barbara Samuels [samuels@aclu-md.org]
Sent: Saturday, June 22, 2002 5:11 PM
To: marisela gomez
Subject: Re: [Fwd: Biotech Bills Hearing Update]



Unknown Document

Marisela:

I'm attaching some HUD information on relocation. It was prepared for the HOPE VI program so it is not all relevant to the Biotech project. However, skip ahead to what is labeled Attachment A --- it is a description of SOME of the Uniform Relocation Act requirements relevant to federally financed projects, including those with CDBG and Section 108 funds like the Biotech project. It has cites to federal regulations that spell this out in more technical detail.

I am on vacation this coming week. Will check in when I get back.

marisela gomez wrote:

> Thanks..I appreciate it...
> I've left a couple messages at the volunteer legal
> services.....do you hava a name I can ask for?
> Marisela
>
> --- Barbara Samuels <samuels@aclu-md.org> wrote:
> > Marisela:
> >
> > I am totally under water here and will not have time
> > before tonite to
> > write up something. I am attaching the memo I did
> > several months ago
> > for Betty Robinson. It didn't have a lot of
> > legalese, but I don't think
> > you need that to pick your priority issues. In
> > fact, it might just get
> > in the way.
> >
> > Since this is not your typical organizing campaign,
> > I would not pick one
> > or two issues to the exclusion of others. I think
> > you need to present a
> > comprehensive list of issues, and where possible,
> > amendments, to the
> > City Council and Laurie Schwartz. You should
> > obviously decide going in
> > what the most important issues are that can not be
> > compromised, those
> > that are important but not deal breakers, and those
> > that could be
> > bargained away in return for a concession by the
> > city. I think the
> > issue of across the board \$70,000 is both winnable
> > and important (Paula
> > branch has already said she would support it). I
> > think the negotiation
> > of a "right of return" agreement for occupancy of
> > redeveloped units is
> > winnable and important,. The phasing of acquisition

> > is important but
> > will get more resistance from the City.
> >
> > marisela gomez wrote:
> >
> > > Hey Barbara,
> > > thanks for the feed back....we're having a
> > steering
> > > com meeting tomorrow night where we will regroup,
> > pick
> > > an issue, and plan a strategy (doubt we will
> > > accomplish all this, we may be meeting the
> > following
> > > week.
> > >
> > > Any draft draft of the issues....I was hoping for
> > us
> > > to be able to use some of the legalize to decide
> > on
> > > which issue we would go after....
> > > as a com organizer, I want an issue that we have a
> > > good chance of getting a victory on...this is just
> > the
> > > beginning and we want people to see what happens
> > when
> > > they get together and organize...
> > > I'm thinking two big issues...one that is a likely
> > > win, and one that is more questionable....I'm
> > hoping
> > > that we will have legal backing for both if
> > > necessary...of course, we will try to accomplish
> > them
> > > without legal action..but still want the legal
> > peice
> > > there for ammunition...let me know what you can do
> > by
> > > tomorrow...
> > > the meeting is at 6pm....you are more than welcome
> > to
> > > come but there will be some debriefing of Pat,
> > Lisa,
> > > Betty being at the MIDwest Academy organizers
> > training
> > > as well.
> > >
> > > Okay...thanks
> > > Marisela
> > >
> > > --- Barbara Samuels <samuels@aclu-md.org> wrote:
> > > >
> > > >
> > > > ATTACHMENT part 2 message/rfc822
> > > > From: ArchPhips@aol.com
> > > > Date: Fri, 14 Jun 2002 12:13:31 EDT
> > > > Subject: Re: Biotech Bills Hearing Update
> > > > To: samuels@aclu-md.org, brogers@friendsofmd.org
> > > > CC: tgearhart@preservemd.org,
> > > > Scot_Spencer@environmentaldefense.org,
> > > > centennial2@prodigy.net,
> > > > tracey@kennedykrieger.org,
> > kphilipsen@archplan.com,
> > > > kevin@jotf.org, klewand@aiabalt.com,
> > > > MaclayPub@aol.com, JMIKEBUG@aol.com,
> > > > JHH985@aol.com,
> > > > gingerson@grantarchitects.com,
> > > > dru@friendsofmd.org,

> > > > dpovich@crosslink.net, DCHCasey@aol.com,
> > > > david_c._casey@hud.gov,
> > > > danp@balto-region-partners.org,
> > > > clifford@jotf.org,
> > > > chauna@progressivemaryland.org,
> > > > Pencek@dhcd.state.md.us,
> > > > BBezdek@law.umaryland.edu,
> > > > bettyr@cphabaltimore.org,
> > AmyM@cphabaltimore.org,
> > > > adam@balto-region-partners.org,
> > > > dglaros@gov.state.md.us
> > > >
> > > > All,
> > > > Let me chime in on the interesting dialogue
> > going on
> > > > about last night:
> > > >
> > > > I left the hearing early leaving the verbal
> > > > testimony on Urban Design to Brad
> > > > because of the time constraints and the large
> > number
> > > > of speakers.
> > > >
> > > > UDA gave an impressive presentation on the plan
> > > > which is getting better and
> > > > more intricate. It is still not clear to me,
> > though
> > > > how the presented plan
> > > > and its phasing etc. is linked to the actual
> > bills
> > > > before the Commission and
> > > > Council. We might have to create this link.
> > > > Most folks at the hearing were residents and had
> > > > issues closer to home than
> > > > urban design. The AIA Urban Design paper was
> > > > submitted as written testimony
> > > > to the Comission and is on record. (I attach it
> > here
> > > > for you).
> > > >
> > > > I suggest that the next step to be a session
> > with
> > > > Paula Branch/Laurie
> > > > Schwartz, UDA, Planning Dept. to iron out the
> > > > differences bewteen UDA and AIA
> > > > for the design guidelines. (Maybe there need to
> > be
> > > > several meetings with
> > > > different topics?) The differences in urban
> > design
> > > > are mostly about the
> > > > monolithic chunk of redevelopment (imposed on
> > UDA as
> > > > a prerequisite for the
> > > > Biotech, I suppose), placement of the open
> > spaces
> > > > and the sanctity of the
> > > > existing street grid. We would support all of
> > > > Taylor's amendments.
> > > >
> > > > All in all I believe that the plan is pretty
> > good
> > > > but the City's process
> > > > isn't yet and there are no safeguards that the
> > plan
> > > > is enforced. I also agree
> > > > with all the questions about funding expressed

> > by
> > > Barbara. Fewer homes should
> > > be condemned and the size of the "cloud" should
> > be
> > > reduced allowing as much
> > > private investment on private homes as possible
> > > rather than preventing
> > > people from doing something with their homes.
> > Folks
> > > that stayed put in the
> > > neighborhood as beacons of stability should be
> > > rewarded and not punished.
> > >
> > > Klaus Philipsen, AIA
> > > Co-chair of the Baltimore AIA Urban Design
> > Committee
> > > Tel: 410-685-2002
> > > Fax: 410-685-2003
> > > e: kphilipsen@archplan.com
> > >
> > > Please use the above e-mail address for direct
> > > correspondence. The
> > > archphips@aol.com address will be discontinued.
> > >
> > >
> > > ATTACHMENT part 2.2 application/octet-stream
> > > name=UrbanDsgnPrinciples06a02.doc
> > >
> > > _____
> > > Do You Yahoo!?
> > > Yahoo! - Official partner of 2002 FIFA World Cup
> > > <http://fifaworldcup.yahoo.com>
> >
>
> > ATTACHMENT part 2 application/msword
> x-mac-type=5738424E; x-mac-creator=4D535744;
> name=ReloSMEAC.doc
>
> > _____
> > Do You Yahoo!?
> > > Yahoo! - Official partner of 2002 FIFA World Cup
> > > <http://fifaworldcup.yahoo.com>

Betty Robinson

From: marisela gomez [rabbit21229@yahoo.com]
Sent: Wednesday, July 24, 2002 2:30 PM
To: Pat Tracey (E-mail); Marisela Gomez (E-mail 2); Liz Alex (E-mail); Lisa Williams (E-mail); Kathleen Patterson (E-mail); Randa Deacon (E-mail); Chauna Brocht (E-mail 2); Betty Robinson; Betty Robinson
Subject: Fwd: Re: Fwd: Section 108

--- Barbara Samuels <samuels@aclu-md.org> wrote:

> Date: Mon, 22 Jul 2002 18:42:04 -0400

> From: Barbara Samuels <samuels@aclu-md.org>

> To: marisela gomez <rabbit21229@yahoo.com>

> Subject: Re: Fwd: Section 108

>
> Hi! Yes, unfortunately it was over quick and
> reentry was sudden!

>
> I looked at the info. below. I think we knew that
> the City had already gotten
> approval for the 108 loan for HEBCAC --- it is
> useful to know that they are going to
> have to resubmit their application to get approval
> to use the money that is left for
> the Biotech Park. That gives you all an entry. My
> recollection is that they do have
> to hold a public hearing before they submit the
> application. But they will treat it
> as a formality unless SMEAC can make an issue of it
> --- i.e. it will be held in HCD's
> offices during the day when community people are not
> available to attend. There will
> be no pr; there will just be a notice in the legal
> notices section of the SUN (you
> definitely should monitor that; i read it every day
> and often find out more than I can
> from the articles in the SUN! It is in the back of
> the Maryland section with the
> classified ads.)

108 loan

>
> The relocation provisions for Section 108 (found in
> Section 104 of the CDBG law) are
> the same as the CDBG relocation provisions. They
> supplement the URA, but are a little
> better in certain respects (the most important one I
> can think is that tenants are
> entitled to reimbursement if they have to pay
> security deposits for relocation
> housing. But the city usually does this for URA
> relocation as well.) I have a chart
> that compares the benefits under both. Each
> individual can choose whether they want
> to go under the URA or Section 104 --- 90% of the
> time it doesn't make any difference.

>
> The City's relocation plan will be a part of its
> Section 108 application. Therefore,
> the fact that they have to submit a new one, gives
> you an opening to try to get them
> to change the plan to incorporate what SMEAC wants. *
> If the City refusing to do this,
> you can write to HUD opposing the application. The
> City will want to try to prevent

> this, so I think they are likely to negotiate if
> forced to do so. If not forced, they
> will just attach the plan that was handed out.
>
> It also gives you an avenue to lobby HUD. I would
> suggest meeting with Harold Young
> --- he is the chief liason in the Baltimore office
> to the public and local agencies.
> He is a good guy and his background is in CDBG. He
> also knows that the city's
> relocation record is not good (at least as far as
> the recent public housing
> relocations are concerned). So I think he will be
> open to hearing SMEAC's concerns
> and will make sure they are communicated to whoever
> makes the decision on the Section
> 108 application.

>
> Also, you should know that Senator Mikulski's
> Appropriation subcommittee is marking up
> the HUD budget bill this week. She will often put
> little pots of money in the bill
> for Baltimore. For example, she put \$1+ million in
> a couple years ago for Wagners'
> Point relocation. SMEAC could ask her to similarly
> put money in for Middle East
> relocation. (you could ask for \$5 million, but
> expect to get no more than \$2m.)
> Barbara Bezdek should ask Brenda Blom (one of her
> colleagues at the U of M Law Clinic
> who represented the Wagners' Point folks) how they
> went about getting Mikulski to do
> this. You should definitely try to schedule a
> meeting with Mikulski (or more likely
> her staff). Try calling her Baltimore office and
> ask for Betty Deacon. Mikulski got
> her start working on relocation and displacement
> issues so she should be
> sympathetic. Also, she has been fairly critical
> (or at least skeptical) about some
> of the City's approach to redevelopment projects
> (including the Biotech Park), so she
> knows what you all are up against. Since she has a
> lot of control over HUD's purse
> strings, they pay very close attention to what she
> says and what she wants. If she
> wants a relocation plan that provides up to \$70,000
> to everyone, without regard to
> where they relocate, you are likely to get that.

> Just a few ideas...hope it helps!

> marisela gomez wrote:

>
> > Hi,
> > hope your vacation was relaxing..surely not long
> > enough.
> > could you check out the email below re: the plan
> > for
> > using Section 108 funds for the biotech stuff and
> > the
> > different regs for relocation with these funds?
> > Thanks
> > Marisela
> >
> > --- chaunabrocht@starpower.net wrote:

> > > From: <chaunabrocht@starpower.net>
> > > To: Betty Robinson
> > > <BettyR@CPHAbaltimore.org>, "'Patricia J.
> Tracey' "
> > > <ptracey@jhsp.edu>, liz alex
> <asetukante@yahoo.com>
> > > CC: marisela gomez
> > >
> >
>
<rabbit21229@yahoo.com>, lisa.williams@baltimorecity.gov, kpatt94@netscape
.net, Violet
> > >
> <vvboardley@yahoo.com>, chaunabrocht@starpower.net
> > > Subject: Section 108
> > > Date: Mon, 22 Jul 2002 16:59:20 -0400
> > >
> > > Hi everybody. I had some luck researching the
> > > Section 108 funds (I'm still waiting to hear
> more
> > > about TIFs). To refresh your memory, the city
> said
> > > it might use \$15 million in Section 108 funds
> for
> > > the biotech project. This is a "loan
> guarantee",
> > > which means that if the project fails and they
> can't
> > > pay back the funds, the city will lose the \$15
> > > million Community Development Block Grant money
> > > which is supposed to go towards development in
> > > low-income communities.
> > >
> > > I found a great little report that explains the
> > > Section 108 program from the Center for
> Community
> > > Change. It is at
> > > www.communitychange.org/cdbg/html/sec108.asp if
> you
> > > want to look at it. Three things from the
> report:
> > >
> > > * the project has to benefit lower income people
> as
> > > defined by HUD regulations.
> > > * there are separate regulations regarding
> > > compensation of residents who will be displaced
> by
> > > the project under Section 108, which are
> different
> > > than the Uniform Relocation Act regulations
> > > * the city has to apply to HUD to get the
> Section
> > > 108 money. They have to give notice when they
> > > apply, and then the public has 30 days to
> comment.
> > >
> > > I called the Baltimore HUD office to see if the
> city
> > > had submitted an application. The man I spoke
> with
> > > (Charles Holmes, 410-962-2520, ex. 3049) was
> very
> > > helpful. He said that the city already had
> approval
> > > for a \$34.1 million Section 108 loan to
> redevelop

> > > the HEBCAC area. The city has about half of
> this
> > > money left. So the city plans to submit an
> > > application so that they can use the money for
> the
> > > biotech park (they haven't submitted the
> application
> > > yet, they have just been talking to HUD about
> it).
> > > He thinks they are going to use the money for
> buying
> > > properties and demolition.
> > >
> > > The city has to give notice when they submit the
> > > application, and provide a copy of their
> application
> > > to the public, but Mr. Holmes wasn't sure if
> there
> > > will be a hearing or not. The city only has to
> post
> > > a notice in the legal section of the paper (does
> > > anyone know where this is - I haven't looked for
> it
> > > yet), so we should start to monitor that. They
> also
> > > said we could call Bill Merit, who is the city's
> > > Section 108 coordinator (410-396-1542) and ask
> that
> > > he notify us directly, but he isn't required to.
> > > Should I call and ask him to notify me, or
> should we
> > > have him notify Pat (I need Pat's current phone
> > > number and address)?
> > >
> > > I tried to figure out the regulations about what
> the
> > > funds could be used for and what the regulations
> > > were about compensation for people who will be
> > > relocated, but I'm not a lawyer, so I don't
> think
> > > I'm the best person to be doing this. Do we
> have an
> > > attorney who is familiar with HUD that could
> help
> > > with this (maybe the ACLU or Community Law
> Center?).
> > > If so, I'd be happy to talk to them and tell
> them
> > > what I know and they could do the legal
> research.
> > > Otherwise, I can continue to muddle through it.
> > > --Chauna
> > >
> > >
> > >
> > >
> > >

> > Do You Yahoo!?
> > Yahoo! Health - Feel better, live better
> > <http://health.yahoo.com>
>

Do You Yahoo!?
Yahoo! Health - Feel better, live better
<http://health.yahoo.com>

Betty Robinson

From: marisela gomez [rabbit21229@yahoo.com]
Sent: Wednesday, July 24, 2002 2:28 PM
To: chaunabrocht@starpower.net; Betty Robinson; 'Patricia J. Tracey'; liz alex
Cc: Randa Deacon E-mail; lisa.williams@baltimorecity.gov; kpatt94@netscape.net; Violet
Subject: Re: FW: URA and Biotech Development in East Baltimore

There's a lot of info flying around on the URA, 108, Hope projects. I had forwarded stuff to everyone about 6 weeks ago on this (that Barbara had provided). I'm forwarding it again. In the back of one of the documents is a table comparing the relocation benefits for URA, 108, and Hope. It's also set up nicely in question/answer format. It's from the HUD website. I'm also forwarding (again) all the communications I have had with Barbara about this (including the last email I received yesterday from her, in response to Chauna's email). It is being sent as the most recent received first. Marisela

--- chaunabrocht@starpower.net wrote:

> Hi all. This is the same guy at CCC that I spoke
> with. I looked at the stuff on his web site that he
> mentioned, but it wasn't too helpful to me as a
> non-lawyer, and like he says, it is also incomplete.
> I think that Marisela passed on this info to a
> lawyer, which is what I think we need. --Chauna
> >

> > From: Betty Robinson <BettyR@CPHAbaltimore.org>
> > Date: 2002/07/24 Wed AM 11:52:43 EDT
> > To: "Marisela Gomez (E-mail 2)"
> <rabbit21229@yahoo.com>,
> > "'chaunabrocht@starpower.net'"
> <chaunabrocht@starpower.net>,
> > "'Patricia J. Tracey'" <ptracey@jhsph.edu>, liz
> alex
> > <asetukante@yahoo.com>, "'ptracey@jhsph.edu'"
> <ptracey@jhsph.edu>
> > CC: "Randa Deacon (E-mail)"
> <rdeacon@ssw.umaryland.edu>,
> > lisa.williams@baltimorecity.gov,
> kpatt94@netscape.net, Violet
> > <vvboardley@yahoo.com>
> > Subject: FW: URA and Biotech Development in East
> Baltimore
> >

> > Hi all, Here's a copy of the e-mail I got back
> from Ed Gramlich at Center
> > for Community Change plus my e-mail to him. A
> person who works with him had
> > given me his name. I know we are all on
> information overload -- when you
> > get more information, you learn that there's even
> more information out there
> > that you have to learn about, too. Anyway, I
> wanted to send this on so
> > everyone would have it. I'll try to get some of
> the information he suggests
> > -- unless someone tells me we already have it
> (like the HUD relocation
> > booklet, etc).
> >

Betty Robinson

From: Barbara Samuels [samuels@aclu-md.org]
Sent: Saturday, June 22, 2002 5:47 PM
To: marisela gomez
Subject: HUD Relocation information materials



Unknown Document



Unknown Document



Unknown Document

Marisela:

Here is more info put out by HUD for people effected by displacement and relocation. I think you might want to set up a meeting with HUD early on in this relocation process. A good person to meet with would be Harold Young at the Balto. HUD office. His job was formerly that of the head of the office, coordinating the various arms of HUD and being a liason to the larger community. He is now called a "Community Builder." Harold is very familiar with the CDBG program. He is also a very decent person, who cares about low income people, and has a healthy skepticism about HABC and Baltimore City DHCD.

You should ask him to make sure that HUD is providing strict oversight of the Biotech project generally, and specifically the displacement and relocation of residents. You should express your fair housing concerns about tiering relocation payments and also about whether there will be sufficient housing for renters given all the other relocation going on by HABC and HUD.

RELOCATION AUTHORITY FOR HOPE VI GRANTS

The purpose of this guidance is to summarize the various regulatory requirements for HOPE VI relocation. The Office of Public Housing Investments (OPHI) has issued separate guidance on the requirements of a HOPE VI Relocation Plan, which includes detailed information on mobility counseling and other services provided to residents faced with the prospect of moving from their homes due to HOPE VI revitalization.

I. SUMMARY OF RELOCATION AUTHORITIES

The regulatory framework for relocation is complicated because there are two different types of HOPE VI grants, several eligible activities, and a variety of relocation authorities. Since the HOPE VI Program does not have its own regulations but references other public housing regulations, the applicability of relocation requirements must be identified by all of these factors. The following charts summarize the various kinds of activities conducted with HOPE VI funds and indicate the relocation guidelines to use for each.

HOPE VI Activity	URA	Section 18	968.108	941.207
HOPE VI REVITALIZATION GRANTS				
Rehabilitation under Revitalization Plan	x		x	
Acquisition under RP	x			x
Disposition under RP		x		
Demolition under RP approved before 10/21/98	x	x		
Demolition under RP approved after 10/21/98	x			

HOPE VI Activity	URA	Section 18	968.108	941.207
HOPE VI DEMOLITION GRANTS				
Demolition per Section 18	x	x		
Demolition per approved part 971 Mandatory Conversion Plan	x			

II. DEFINITIONS

A. HOPE VI Revitalization Grants

HOPE VI Revitalization Grants are awarded to PHAs each year in accordance with the provisions of each year's Notice of Funding Availability (NOFA), and are regulated by the Grant Agreement executed between the Grantee and HUD. Activities which may be funded with Hope VI Revitalization grant funds which may trigger relocation requirements include but are not limited to:

1. total or partial **demolition** of buildings
2. **disposition** of property
3. public housing development through **acquisition** of land, or acquisition of off-site units with or without rehabilitation to be used as public housing
4. major **rehabilitation** and other physical improvement of housing and community facilities intended to facilitate the delivery of self-sufficiency, economic development, or other supportive services or residents
5. **New construction** of replacement rental housing on- and off-site, including mixed-financed developments.

B. HOPE VI Demolition Grants

HOPE VI Demolition Grants are awarded to PHAs each year in accordance with the provisions of each year's NOFA. Grants are regulated by a Grant Agreement executed between the Grantee and HUD. The demolition of occupied units funded with Hope VI Demolition grant funds triggers relocation requirements as described in Section III below.

C. Section 18 Demolition Application

Not to be confused with a HOPE VI Demolition Grant Application, a Section 18 Demolition Application is one that is submitted by a PHA to HUD's Special Applications Center in Chicago. Section 18 Demolition Applications are authorized by Section 18 of the 1937 Act. The proposed demolition must be included in the authority's PHA Plan.

D. Section 971 Conversion Plan

Units may be authorized to be demolished if they are included in an authority's Conversion Plan/Plan for Removal. This Plan is submitted pursuant to regulations at 24 CFR Part 971 and is also known as a Section 202 Conversion Plan, after the section of the 1996 HUD Appropriation. Any proposed demolition under a Conversion Plan must also be described in the authority's PHA Plan.

E. Uniform Relocation Act

The Uniform Relocation Act is authorized by 42 U.S.C. 4601 et seq, and implemented by regulations at 49 CFR Part 24. The URA applies to:

1. acquisition of a site pursuant to a HOPE VI RP
2. demolition carried out pursuant to a HOPE VI RP
3. demolition carried out pursuant to a Section 18 Demolition Application
4. demolition carried out pursuant to an approved 971 Conversion Plan

F. Displaced Person.

The definition of displaced person that the PHA uses is important in determining the extent of relocation assistance afforded. In general, this term is defined by the appropriate regulation for the applicable activity. For example, if the relocation is a result of the rehabilitation of units, the applicable definition of a displaced person can be found in 24 CFR Part 968. For activities such as acquisition or demolition under either an RP or an approved Mandatory Conversion Plan, which are subject to the URA, the applicable definition is found at 49 CFR 24.2(g). A copy of the URA definition is included in Attachment A.

G. Initiation of Negotiations

Another important concept in the area of relocation is that of Initiation of Negotiations. This is the trigger that determines when residents are eligible for relocation assistance. As with the above definition, this term is defined by the appropriate regulation for the applicable activity. For activities such as acquisition or demolition under either an RP or an approved Mandatory Conversion Plan, which are subject to the URA, the applicable definition is found at 49 CFR 24.2(k). A copy of the URA definition is included in Attachment A.

III. RELOCATION DUE TO DEMOLITION

A. Public Housing Reform Act

The Quality Housing and Work Responsibility Act of 1998 (PL 105-276) ("Public Housing Reform Act"), was enacted on October 21, 1998. This law made some important changes to relocation requirements as they pertain to HOPE VI-related demolition. Any references to this October 21, 1998 date reflect changes made by this law. Initial guidance on the Public Housing Reform Act was provided by HUD in a Notice published on February 18, 1999 in the Federal Register (Vol. 64 No. 32), and additional guidance was issued in PIH Notice 99-19, issued on April 20, 1999. Specific guidance on Sections 531 and 535 follows:

1. **Section 531** of the Public Housing Reform Act amends Section 18 of the U.S. Housing Act of 1937 ("the Act"), Demolition and Disposition of Public Housing. Section 531(a) amends Section 18(g) by stating that "The Uniform Relocation and Real Property Acquisition Policies Act of 1970 [URA] shall not apply to activities under this section," i.e., demolition and disposition of public housing. Therefore, any public housing demolition or disposition *approved under Section 18 of the Act* is not subject to the URA. Demolition carried out pursuant to a HOPE VI Revitalization Plan approved after 10/21/98 or an approved Section 202 conversion plan are still subject to the URA.
2. **Section 535** of the Public Housing Reform Act adds Section 24 of the Act, authorizing the HOPE VI Program, which has heretofore existed on an appropriation-by-appropriation basis. The new Section 24(g) of the Act specifies that "Any severely distressed public housing **disposed** of pursuant to a revitalization plan and any public housing developed in lieu of such severely distressed housing, shall be subject to the provisions of section 18 and therefore not subject to the URA. Severely distressed public housing **demolished** pursuant to a revitalization plan shall not be subject to the provisions of Section 18," and is therefore subject to the URA.

B. Categories of Demolition and Relocation Authorities

1. **Demolition carried out pursuant to a HOPE VI Revitalization Plan approved before October 21, 1998.** Such demolition must be submitted for approval through a Section 18 Demolition Application, and is subject to regulations at 24 CFR Part 970, which include the requirements of the URA.
2. **Demolition carried out pursuant to a Section 18 Demolition Application received but not approved by HUD before October 21, 1998.** The Demolition Application is reviewed and approved in accordance with 24 CFR part 970 which was in effect at the time of application submission. However, if HUD identifies a deficiency in the application, the PHA may either correct the deficiency in accordance with 24 CFR 970.5 or resubmit the application in accordance with the revised guidelines (as described below).

3. **Demolition carried out pursuant to a Section 18 Demolition Application approved after October 21, 1998.** The Section 18 Demolition Application is subject to revised guidance issued by HUD which incorporates the changes made by the Public Housing Reform Act to section 18. This guidance implements the provision that the URA does not apply to demolition activities under Section 18. This guidance, to be used until 24 CFR part 970 can be revised to conform with all of the changes made by the Public Housing Reform Act, provides that the following sections of 970.5 will continue to apply:
 - a. 24 CFR 970.5 (a), (b), (d), (e), (f), (g), (h)(2), and (j).
 - b. In addition, a PHA must provide a certification to HUD that:
 - (1) the PHA will notify each family residing in the development of the proposed demolition at least 90 days prior to the displacement date, except in cases of imminent threat to health and safety;
 - (2) the PHA will provide each family to be relocated with referrals to at least one comparable replacement dwelling;
 - (3) the development or portion of the development will be demolished;
 - (4) each family displaced by such action will be provided comparable housing that meets HQS and that is located in an area that is generally not less desirable than the location of the displaced person's housing. Such assistance may include:
 - (a) relocation to other PHA properties;
 - (b) relocation into housing subsidized with tenant-based or project-based assistance;
 - (c) payment of actual and reasonable moving costs;
 - (d) any necessary counseling.
 - (5) the PHA will not commence demolition until all tenants residing in the building are relocated.
4. Demolition carried out pursuant to a HOPE VI RP approved after October 21, 1998. Relocation carried out in conjunction with a demolition approved by a HOPE VI RP approved after October 21, 1998 is subject to the URA.

IV. RELOCATION DUE TO DISPOSITION

A. Public Housing Reform Act

1. **Section 531(a)** of the Public Housing Reform Act amends Section 18(g) by stating that "The Uniform Relocation and Real Property Acquisition Policies Act of 1970 [URA] shall not apply to activities under this section," i.e., demolition and disposition of public housing. Therefore, any public housing demolition or disposition *approved under Section 18 of the Act* is not subject to the URA.
2. **Section 535** added Section 24(g) of the Act, which specifies that any severely distressed public housing **disposed** of pursuant to a revitalization plan and any public housing developed in lieu of such severely distressed housing, shall be subject to the provisions of section 18 and therefore not subject to the URA.

B. Categories of Disposition and Relocation Authorities

1. Any disposition carried out pursuant to a HOPE VI Revitalization Plan is subject to 24 CFR part 970, and is not subject to the URA.
2. A disposition application received by HUD before October 21, 1998 will be reviewed and approved in accordance with 24 CFR part 970 which was in effect at the time of application submission. However, if HUD identifies a deficiency in the application, the PHA may either correct the deficiency in accordance with 970 or resubmit the application in accordance with the revised guidelines (as described below).
3. A disposition application received by HUD after October 21, 1998 is subject to revised guidance issued by HUD which incorporates the changes made by the Public Housing Reform Act to section 18. This guidance implements the provision that the URA does not apply to disposition activities under Section 18. This guidance, to be used until 24 CFR part 970 can be revised to conform with all of the changes made by the Public Housing Reform Act, provides that the following sections of 970.5 will continue to apply:
 - a. 24 CFR 970.5 (a), (b), (d), (e), (f), (g), (h)(2), and (j).
 - b. In addition, a PHA must provide a certification to HUD that:
 - (1) the PHA will notify each family residing in the development of the proposed disposition 90 days prior to the displacement date, except in cases of imminent threat to health and safety;
 - (2) the development or a portion will be disposed of;

- (3) each family displaced by such action will be provided comparable housing that meets HQS and that is located in an area that is generally not less desirable than the location of the displaced person's housing. Such assistance may include:
 - (a) relocation to other PHA properties;
 - (b) relocation into housing subsidized with tenant-based or project-based assistance;
 - (c) payment of actual and reasonable moving costs;
 - (d) any necessary counseling.
- (4) the PHA will not complete disposition until all tenants residing in the building are relocated.

V. RELOCATION DUE TO REHABILITATION

Any relocation that takes place as a result of rehabilitation carried out pursuant to a HOPE VI Revitalization Plan is subject to the provisions of Section 14 of the Act (Public and Indian Housing Modernization) and its implementing regulations at 24 CFR 968.108 (public housing modernization). The URA applies to rehabilitation-related relocation.

VI. RELOCATION DUE TO PUBLIC HOUSING DEVELOPMENT

Any relocation that takes place as a result of development carried out pursuant to a HOPE VI Revitalization Plan is subject to the provisions of Section 5 of the Act (Contributions for Lower Income Housing Projects) and its implementing regulations at 24 CFR part 941.207 (public housing development). In addition to the URA, the relocation regulations at 941.207 apply to both conventional development and mixed-finance development under 941 subpart F, as specified by section 941.602(a)(6) of subpart F.

VII. TEMPORARY RELOCATION

The URA does not provide for temporary relocation. Provisions covering temporary relocation are only contained in relevant regulations:

- A. Temporary Relocation due to Rehabilitation: 24 CFR 968.108(b)
- B. Temporary Relocation due to Acquisition: 24 CFR 941.207(b)

VIII. ADDITIONAL URA GUIDANCE

A. Determining Eligibility for Displaced Person Status

Time of tenant relocation relative to initiation of negotiations	Are there special circumstances?	Did tenant receive notice of relocation from PHA or HUD?	Eligible for displaced status?
After	No.	Yes	Yes
After	No.	No	Yes
Any time	HUD or the PHA determines that relocation is a direct result of demolition.	Yes	Yes
		No	
After	Tenant temporarily relocates and does not return, because they were not fully reimbursed for expenses, or other conditions are not reasonable.	Yes	Yes
After	Tenant moves from project after being relocated within the project because they are not fully reimbursed or other conditions are not reasonable.	Yes	Yes
Before	HUD or the PHA determines that the tenant was displaced as a direct result of the acquisition or rehabilitation.	Yes	Yes
		No	
Any time	Tenant evicted for cause or violated agreements.	Yes	No
		No	
Before	Tenant moves in and is notified that the PHA has applied for demolition and that they will not be eligible for relocation assistance.	Yes	No

B. Appeals of Eligibility Status

If a person disagrees with the PHA's determination concerning the person's eligibility for relocation assistance or the amount of assistance for which the person is eligible, the person may file a written appeal of that determination with the PHA. A lower-income person who is dissatisfied with the PHA's determination on his or her appeal may submit a written request for review of the PHA's determination to the HUD Field Office.

C. Compliance Responsibility Of PHA

1. Before receiving HUD financial assistance to undertake URA-applicable activities, the PHA must certify to HUD that it will comply with the URA and its implementing regulations at 49 CFR Part 24. The PHA is responsible for ensuring compliance with such requirements notwithstanding any third party's contractual obligation to the PHA to comply with such provisions.
2. The cost of required relocation assistance is an eligible project cost in the same manner and to the same extent as the other project costs. Such assistance may also be paid for with funds from other sources.
3. The PHA must maintain records in sufficient detail to demonstrate compliance with the provisions of the URA.
4. HUD will not approve an application for URA-related activities unless:
 - a. The PHA has prepared a certification regarding relocation of residents. If relocation is required, the Grantee must submit a HOPE VI Relocation Plan to its OPHI Grant Manager. In addition to description of the comprehensive supportive services to be provided to tenants, the HOPE VI Relocation Plan will include:
 - (1) the number of tenants to be displaced;
 - (2) a description of the counseling and advisory services the PHA plans to provide;
 - (3) a description of the housing resources that are expected to be available to provide housing for displaced tenants;
 - (4) an estimate of the costs for counseling and advisory services and tenant moving expenses, and the expected source for payment of these costs; and
 - (5) the minimum official notice that the PHA will give tenants before they are to move.

- b. Tenants who are to be displaced as a result of URA-applicable activities must be offered opportunities to relocate to other comparable units, as defined at 49 CFR 24.2(d) and can be found in Attachment A of this chapter. For the purposes of the URA, any other public housing unit is considered a comparable units.
5. Relocation to Other Publicly-Assisted Housing:
- a. The PHA must ensure that for relocation housing assisted under Section 8 of the U.S. Housing Act of 1937, including housing available for lease under the Section 8 Housing Voucher Program, the displaced tenants are provided referrals to comparable units where the family's share of the rent to owner following relocation will not exceed the Total Tenant Payment.
 - b. If the PHA provides referrals to comparable relocation housing, and a tenant with a rental voucher elects to lease a unit where the family's share of rent exceeds the amount calculated in accordance with 24 CFR part 5, the tenant will be responsible for the difference between the voucher standard and the rent to owner.
6. Relocation to Market Rate Housing

If there are no units with rents at or below the voucher payment standard to which the PHA may refer families, the PHA cannot use vouchers as a relocation housing source and may relocate families to market rate units. In that case, Section 206(a) of the URA provides that if the standard relocation payment is insufficient to cover the market rent, the PHA must augment that payment with project funds. The corresponding regulatory cite is 49 CFR 24.402.

ATTACHMENT A

The following are selected definitions from the implementing regulations of the URA, 49 CFR 24.2. These definitions apply only to relocation that is **strictly under the URA** and not subject to the other regulations cited in this chapter. The full text of 49 CFR part 24 can be accessed from the HOPE VI Home Page at www.hud.gov/pih/programs/ph/hope6/hope6.html.

(d) **Comparable replacement dwelling.** The term comparable replacement dwelling means a dwelling which is:

(1) Decent, safe and sanitary as described in paragraph (f) of this section;

(2) Functionally equivalent to the displacement dwelling. The term functionally equivalent means that it performs the same function, provides the same utility, and is capable of contributing to a comparable style of living. While a comparable replacement dwelling need not possess every feature of the displacement dwelling, the principal features must be present. Generally, functional equivalency is an objective standard, reflecting the range of purposes for which the various physical features of a dwelling may be used. However, in determining whether a replacement dwelling is functionally equivalent to the displacement dwelling, the Agency may consider reasonable trade-offs for specific features when the replacement unit is equal to or better than the displacement dwelling.

(3) Adequate in size to accommodate the occupants;

(4) In an area not subject to unreasonable adverse environmental conditions;

(5) In a location generally not less desirable than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and reasonably accessible to the person's place of employment;

(6) On a site that is typical in size for residential development with normal site improvements, including customary landscaping. The site need not include special improvements such as outbuildings, swimming pools, or greenhouses. (See also Sec. 24.403(a)(2).);

(7) Currently available to the displaced person on the private market. However, a comparable replacement dwelling for a person receiving government housing assistance before displacement may reflect similar government housing assistance.

(8) Within the financial means of the displaced person.

(i) A replacement dwelling purchased by a homeowner in occupancy at the displacement dwelling for at least 180 days prior to initiation of negotiations (180-day homeowner) is considered to be within the homeowner's financial means if the homeowner will receive the full price differential as described in Sec. 24.401(c), all increased mortgage interest costs as described at Sec. 24.401(d) and all incidental expenses as described at Sec. 24.401(e), plus any additional amount required to be paid under Sec. 24.404, Replacement housing of last resort.

(ii) A replacement dwelling rented by an eligible displaced person is considered to be within his or her financial means if, after receiving rental assistance under this part, the person's monthly rent and estimated average monthly utility costs for the replacement dwelling do not exceed the person's base monthly rental for the displacement dwelling as described at Sec. 24.402(b)(2).

(iii) For a displaced person who is not eligible to receive a replacement housing payment because of the person's failure to meet length-of-occupancy requirements, comparable replacement rental housing is considered to be within the person's financial means if an Agency pays that portion of the monthly housing costs of a replacement dwelling which exceeds 30 percent of such person's gross monthly household income or, if receiving a welfare assistance payment from a program that designates amounts for shelter and utilities, the total of the amounts designated for shelter and utilities. Such rental assistance must be paid under Sec. 24.404, Replacement housing of last resort.

(g) **Displaced person--** (1) General. The term displaced person means any person who moves from the real property or moves his or her personal property from the real property: (This includes a person who occupies the real property prior to its acquisition, but who does not meet the length of occupancy requirements of the Uniform Act as described at Sec. 24.401(a) and 24.402(a)):

(i) As a direct result of a written notice of intent to acquire, the initiation of negotiations for, or the acquisition of, such real property in whole or in part for a project.

(ii) As a direct result of rehabilitation or demolition for a project; or

(iii) As a direct result of a written notice of intent to acquire, or the acquisition, rehabilitation or demolition of, in whole or in part, other real property on which the person conducts a business or farm operation, for a project. However, eligibility for such person under this paragraph applies only for purposes of obtaining relocation assistance advisory services under Sec. 24.205(c), and moving expenses under Sec. 24.301, Sec. 24.302 or Sec. 24.303.

(2) Persons not displaced. The following is a nonexclusive listing of persons who do not qualify as displaced persons under this part:

(i) A person who moves before the initiation of negotiations (see also Sec. 24.403(d)), unless the Agency determines that the person was displaced as a direct result of the program or project; or

(ii) A person who initially enters into occupancy of the property after the date of its acquisition for the project; or

(iii) A person who has occupied the property for the purpose of obtaining assistance under the Uniform Act;

(iv) A person who is not required to relocate permanently as a direct result of a project. Such determination shall be made by the Agency in accordance with any guidelines established by the Federal agency funding the project; or

(v) An owner-occupant who moves as a result of an acquisition as described at Secs. 24.101(a) (1) and (2) , or as a result of the rehabilitation or demolition of the real property. (However, the displacement of a tenant as a direct result of any acquisition, rehabilitation or demolition for a Federal or federally-assisted project is subject to this part.); or

(vi) A person whom the Agency determines is not displaced as a direct result of a partial acquisition;
or

(vii) A person who, after receiving a notice of relocation eligibility (described at Sec. 24.203(b)), is notified in writing that he or she will not be displaced for a project. Such notice shall not be issued unless the person has not moved and the Agency agrees to reimburse the person for any expenses incurred to satisfy any binding contractual relocation obligations entered into after the effective date of the notice of relocation eligibility; or

(viii) An owner-occupant who voluntarily conveys his or her property, as described at Sec. 24.101(a)(1) and (2), after being informed in writing that if a mutually satisfactory agreement on terms of the conveyance cannot be reached, the Agency will not acquire the property. In such cases, however, any resulting displacement of a tenant is subject to the regulations in this part; or

(ix) A person who retains the right of use and occupancy of the real property for life following its acquisition by the Agency; or

(x) An owner who retains the right of use and occupancy of the real property for a fixed term after its acquisition by the Department of the Interior under Public Law 93-477 or Public Law 93-303, except that such owner remains a displaced person for purposes of subpart D of this part; or

(xi) A person who is determined to be in unlawful occupancy prior to the initiation of negotiations (see paragraph (y) of this section), or a person who has been evicted for cause, under applicable law, as provided for in Sec. 24.206.

(k) **Initiation of negotiations.** Unless a different action is specified in applicable Federal program regulations, the term initiation of negotiations means the following:

(1) Whenever the displacement results from the acquisition of the real property by a Federal agency or State agency, the initiation of negotiations means the delivery of the initial written offer of just compensation by the Agency to the owner or the owner's representative to purchase the real property for the project. However, if the Federal agency or State agency issues a notice of its intent to acquire the real property, and a person moves after that notice, but before delivery to the initial written purchase offer, the initiation of negotiations means the actual move of the person from the property.

(2) Whenever the displacement is caused by rehabilitation, demolition or privately undertaken acquisition of the real property (and there is no related acquisition by a Federal agency or a State agency), the initiation of negotiations means the notice to the person that he or she will be displaced by the project or, if there is no notice, the actual move of the person from the property.

(3) In the case of a permanent relocation to protect the public health and welfare, under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (Pub. L. 96-510, or Superfund) the initiation of negotiations means the formal announcement of such relocation or the Federal or federally-coordinated health advisory where the Federal Government later decides to conduct a permanent relocation.

Betty Robinson

From: Barbara Samuels [samuels@aclu-md.org]
Sent: Friday, June 14, 2002 12:48 PM
To: Scot_Spencer@environmentaldefense.org
Cc: tgearhart@preservemd.org; 'Adam Gordon'; 'Amy Menzer'; ArchPhips@aol.com; 'Bezdek, Barbara'; 'Betty Robinson'; 'Brad Rogers'; 'Rev. Iris Farabee-Lewis'; 'Chauna Brocht'; 'Clifford Collins'; 'Dan Pontious'; 'David Casey'; 'David Casey (Home)'; 'Danielle Glaros'; 'Deborah Povich'; 'Dru Schmidt-Perkins'; 'gordon ingerson'; 'Howard Henderson'; 'John Bugg'; 'Kevin Moreno'; 'karen lewand'; 'Klaus Philipsen'; 'John Maclay'; 'Bill Pencek'; 'Pat Tracey'
Subject: Re: Biotech Bills Hearing Update

Paula Branch also told me and Marisela independently that she would change the relocation provisions to provide the \$70,000 benefit across the board because the community viewed it as discriminatory. This should be incorporated in the bill before or when it goes to City Council as well. Similarly, the right to return/first priority should be hammered out and incorporated in the law.

Do people think there is a fighting chance to pare the list of properties in the bills down to Phase I and make them come back for authorization to take the Phase II and III properties? That way we could be sure there is financing before they take those properties and it would allow time to influence the project to include more preservation and rehab by existing homeowners and less condemnation and demolition. It would also allow a later opportunity to correct any valuation, relocation, etc. abuses that occur with Phase I.

Scot_Spencer@environmentaldefense.org wrote:

> A couple of things did come out in the end. The Planning Commission urged
> City Council to take "A Vision for East Baltimore..." into consideration
> because it was 'thoughtfully written and spoke to the quality of life
> issues that so many spoke about tonight' and it also recommended that the
> design guidelines that they had as a draft, be included in the urban
> renewal amendments BEFORE adoption by City Council. They appointed
> Doug
> McCoach, a member of the commission to work with the Planning staff to see
> that it is done.
>
> All in all, we did pretty damn good last night.
>
> Scot T. Spencer
> Transportation Specialist
> Environmental Defense
> 1875 Connecticut Ave. NW
> Washington, DC 20009
> 202-387-3500
> 202-234-6049 (f)
> sspencer@environmentaldefense.org
> www.environmentaldefense.org
>
>
> "Tyler Gearhart"

> <tgearhart@prese To: "'Brad
Rogers'" <brogers@friendsofmd.org>, "'Tyler
> rvemd.org> Gearhart'"
<tgearhart@preservemd.org>, Scot Spencer, "'Rev.
> Iris Farabee-Lewis'"
<centennial2@prodigy.net>, "'Pat
> 06/14/2002 11:13 Tracey'"
<tracey@kennedykrieger.org>, "'Klaus Philipsen'"
> AM
<kphilipsen@archplan.com>, "'Kevin Moreno'"
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> "'karen lewand'" <klewand@aibalt.com>," > "'John Maclay'"
> to tgearhart > <jmikebug@aol.com>,"
<maclaypub@aol.com>, "'John Bugg'" > <gordon ingerson'"
> "'Howard Henderson'" <JHH985@aol.com>," > Schmidt-Perkins'"
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Pontious'"
> <danp@balto-region-partners.org>, "'Clifford Collins'" > <clifford@jotf.org>,"
> "'Chauna Brocht'"
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> <ArchPhips@aol.com>, "'Amy Menzer'"
> <AmyM@cphabaltimore.org>, "'Adam Gordon'"
> <adam@balto-region-partners.org>, "'Danielle Glaros'"
> <dglaros@gov.state.md.us>

CC:
Subject: RE: Biotech

Bills Hearing Update

> > Thanks Brad. We all eventually testified, but as you said the
> unstructured
> format worked against us. I was also disappointed with the Sun
> article and
> it's placement. Only in Baltimore can a bill to condemn 3000
> properties be
> buried on page 3 in the second section.
> > I'm kicking myself for not using the public forum to shame the City
> into
> giving us copies of the market studies for housing and biotech and the
> new
> improved version of the plan. I will call Peter Auchincloss to see if
> I
> can rectify that.
>

> Attached is the letter and amendments I submitted last nite. I think
the
> next move is to meet with Paula Johnson and ask her to work with us on
> amendments. Are you willing to take the lead on setting that up?

>
> -----Original Message-----
> From: Brad Rogers [mailto:brogers@friendsofmd.org]
> Sent: Friday, June 14, 2002 10:00 AM
> To: Tyler Gearhart; Scot Spencer; Rev. Iris Farabee-Lewis; Pat
> Tracey; Klaus Philipson; Kevin Moreno; karen lewand; John
Maclay;
> John Bugg; Howard Henderson; gordon ingerson; Dru
Schmidt-Perkins;
> Deborah Povich; David Casey (Home); David Casey; Dan Pontious;
> Clifford Collins; Chauna Brocht; Brad Rogers; Bill Pencek;
Bezdek,
> Barbara; Betty Robinson; Barbara Samuels; ArchPhips@aol.com; Amy
> Menzer; Adam Gordon; Danielle Glaros
> Subject: Biotech Bills Hearing Update

>
> Thanks to everyone who showed up for last night's never-ending
> hearing.

>
> For those that weren't there, it was somewhat of a rubber stamp.

The
> dynamic was quickly created that the planning commission was
> presenting the plan to the residents, rather than the city
presenting
> it to the commission.

>
> The format of the evening didn't help, either. I had arrived an
hour
> early, and carefully signed up a well-scripted group of 15
people,
> each of whom had prepared for a particular topic. The idea was
to
> present a coherent, cogent, consistent set of policy
> recommendations. The talk-show format, with roving microphones
> going to random people, put an end to that sort of testimony.

As did
> the 2-minute time limit.

>
> For anyone who hasn't seen it, I am including today's article
from
> the Baltimore Sun.

>
> Brad

>
> Board OKs bill for east-side renewal
> City would buy up to 3,300 properties near Hopkins to create
biotech
> park;
> Residents voice a few concerns

>
> By Eric Siegel
> Sun Staff
> Originally published June 14, 2002

>
> The city Planning Commission unanimously approved last night
> legislation
> that would allow the municipal government to acquire up to 3,300
> properties
> in a dilapidated area of East Baltimore for a proposed biotech
park