

RECEIVED

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAN 26 2004

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

DOROTHY GAUTREAUX, et al.,)	
Plaintiffs,)	
)	
vs.)	No. 66 C 1459
)	
CHICAGO HOUSING AUTHORITY, et al.,)	Hon. Marvin E. Aspen
Defendants.)	
CABRINI-GREEN LOCAL ADVISORY)	
COUNCIL,)	
)	
Plaintiff,)	
)	
vs.)	No. 96 C 6949
)	
CHICAGO HOUSING AUTHORITY,)	Hon. David Coar
TERRY PETERSON, CITY OF CHICAGO)	
and RICHARD DALEY,)	
)	
Defendants.)	

STATEMENT OF INTEREST BY
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

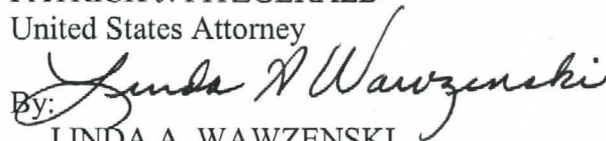
The United States Department of Housing and Urban Development (HUD), by Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, submits this statement of interest regarding the Chicago Housing Authority's and City of Chicago's joint motion for modification of the Consent Decree, pursuant to 28 U.S.C. 517.

Congress gave HUD authority to administer the federal HOPE VI grant program that is being used to finance part of the redevelopment at Cabrini-Green, including the redevelopment at North Town Park. HUD supports the proposed modification of paragraph VIII (B) of the

Consent Decree. HUD takes this position for two reasons. First, absent substantial private financing, the North Town Park development cannot proceed. HUD understands that this private financing cannot be secured if the tenants control the social services program and contracts. Second, HUD has long supported the need for tenant consultation on all HOPE VI issues, but public housing authorities (and their designees) must constitute a majority on all procurement panels, and further that public housing authorities (not tenants) must retain ultimate fiscal responsibility for these programs and final decision-making authority. HUD's position on community and resident involvement is more fully explained on its internet web site, a copy of which is attached hereto.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: 

LINDA A. WAWZENSKI
Assistant United States Attorney
219 S. Dearborn Street
Chicago, Illinois 60604
(312) 353-1994

Public and Indian Housing

About PIH

Public housing

CapFund

HOPE VI

FY 2003 funding

Demolition

Revitalization

Planning

Grant administration

Community &

Supportive Services

Mixed-Finance

Common questions

Resources & links

Training

About HOPE VI

Housing Choice Vouchers

Public Housing Reform

Indian Housing

Grants

Notices, rules & regulations

Library

Forums

Online systems

HUD news

Homes

Communities

Working with HUD

Resources

Tools

Let's talk

Webcasts

Mailing lists

Contact us

Help

[Home](#) > [About HUD](#) > [Public and Indian Housing](#) > [HOPE VI](#) > [Community & Supportive Services](#)

General Guidance on Community and Resident Involvement

Background

The participation of both public housing residents living at HOPE VI sites to be revitalized and the surrounding community is essential to the HOPE VI Program and community building efforts. Full resident involvement and community input are crucial elements of the HOPE VI Program. The spirit of the HOPE VI Program is one of full consultation and collaboration among the Grantee, affected residents and the broader community.

The Grantee must consider the advice, counsel, recommendations and input of affected residents and the broader community in its decision-making throughout the entire development process. As the Grantee of the HOPE VI funds, the PHA has the fiduciary responsibility for the grant, and therefore has final decision-making authority regarding the use of funds.

This guidance suggests ways that housing agencies can foster resident community involvement. PHAs are encouraged to implement approaches that address the needs of their particular residents and address the circumstances that are specific to their revitalization efforts.

Key Principles for Resident Involvement

Resident involvement must start with the duly elected Resident Council eye toward involving all residents in the development. All affected residents should be given reasonable notice of meetings about HOPE VI planning and implementation, and provide them with opportunities to provide input. Meetings should be open to all affected residents and their representatives. Conducting resident surveys on key issues is another way to obtain meaningful input from all affected residents.

There are four key principles of the HOPE VI Program with regard to resident involvement: Collaboration, inclusion, communication and participation.

1. Collaboration involves working together to create a vision that drives the HOPE VI revitalization effort. The objective is a cooperative partnership between residents and the Resident Council, in which the PHA and residents have shared commitment and a productive relationship. Residents are to be included in all phases of the application preparation, planning, implementation and operation of the HOPE VI development in this spirit of collaboration.

[Local information](#)

[Print version](#)

[Email this to a friend](#)

Jump to..

[Background](#)

[Key Principles for Resident Involvement](#)

[Resident and Community Involvement Prior to the Award of Grants](#)

[Resident and Community Involvement After Relocation](#)

[Procurement](#)

[Community Involvement](#)

[Conclusion](#)

2. Effective collaboration also requires inclusion. PHAs are responsible for communicating with and disseminating information to all affected residents and ensuring that all affected residents have opportunities to participate in the activities related to the HOPE VI planning and development process.
3. Regular communication and information sharing with the resident community. All aspects of the revitalization plan are essential to ensure continued resident involvement, support, inclusion and collaboration. All affected public housing residents must be informed of all revitalization activities, and must have access to documents such as the HOPE VI Application, Grant Agreement, Development Agreement, Revitalization Plan, Relocation Plan, Community and Economic Development Services Plan, and minutes of meetings with affected residents available on-site at the management office, or at another easily accessible location on-site. The information disseminated should be clear and understandable to the target population.

Technical language and complicated concepts may require simplification for both residents and the community-at-large. Where residents speak a number of languages besides English, PHAs can explore using interpreters, language-based focus groups and consider other means of getting information to residents. PHAs should put in place a public information strategy in order to get timely information to residents and the community. Reporting outcomes of development activities is one way to keep residents engaged in the process. Some PHAs use a quarterly HOPE VI newsletter to keep residents informed of the outcomes and the status of revitalization activities.

4. Residents should be encouraged to participate in the planning and implementation of the entire development process. For example, residents may participate on selection panels to choose development partners, consultants; attend meetings with the development team, program manager, public and private lenders, the city and other partners; participate in working and advisory groups (e.g., the Community Development Force). Where affected residents and/or community representatives are included on selection panels, the Grantee must constitute the majority of the panel membership.

PHAs and residents should be aware that Resident Councils often evolve and are redefined in the new mixed-income communities. Because residents who were relocated to other public housing developments or take Section 8 are not eligible to hold office in the Resident Council of the affected development, a HOPE VI Consultative Group should be formed. This group should be composed of residents who wish to return to the revitalized development and will have the responsibility of interacting with the PHA on all HOPE VI matters. This group is not required by 24 CFR 964. Therefore, a Memorandum of Understanding should be developed between the PHA and this body. After the site is redeveloped and eligible public housing residents have returned to the new development, residents have the option of creating a new Resident Council or becoming part of the larger community body. Active resident participation in the HOPE VI development process will assist with this transformation and ensure continued resident involvement.

Training

PHAs are responsible for providing or funding training to residents on the fundamentals of development issues related to procurement, financing, development of mixed income communities, demolition, relocation, Section 8

design and planning, and operations to enable residents to participate meaningfully in HOPE VI planning and implementation activities. Reside housing agencies should work together to identify specific needs and sources of training to meet those needs. For example, local universities organizations, and professional associations may be excellent sources of assistance and training for residents.

This participatory process seeks to build consensus while also assuring obtain valuable input from residents critical to creating a positive living environment. Residents need to see that their input is thoroughly considered in creating and implementing the revitalization plan. This input is integral to the planning and implementation of the HOPE VI Program without controlling

Resident and Community Involvement Prior to the Award of Grant

Resident and community participation are key ingredients to a successful application. Involving residents and the community in the planning process shaping the HOPE VI application should start well before the application is submitted, ideally a year or more before submission. Early discussions with residents and community members about the HOPE VI application should span the entire development process and how it works. Basic topics of discussion include: physical design of buildings and units including accessibility for persons with disabilities, demolition, unit mix, relocation, procurement, homeownership plans, lease agreements and community and supportive services. Affecting residents, as well as other stakeholders including persons with disabilities, should achieve a sense of ownership of the plan.

The effectiveness of resident and community participation in the planning application preparation process will be carefully assessed during the application review process. Notices of Funding Availability (NOFAs) explain the specific how resident involvement will be evaluated. NOFA applications have required to detail how affected residents and the broader community have had a continue to have full and meaningful involvement in the planning and implementation of revitalization.

Resident and Community Involvement after Relocation

PHAs must continue to involve affected residents in HOPE VI activities after relocation from the original public housing site. However, participation in Resident Council changes once residents are relocated to Section 8 housing. When relocating, residents have the option to choose among the following options: public housing, Section 8, private rental market, or affordable homeownership. Residents who relocate and choose Section 8 are not eligible to vote or serve as leaders of the Resident Council of the affected development since they are no longer public housing residents.

The HOPE VI Office is working with PHAs, public interest groups and resident groups to ensure the continuing involvement of all affected residents in the HOPE VI process after relocation. Further guidance will be developed and issued as an additional insert to this chapter of the HOPE VI Guidebook by December 2004.

Procurement

PHAs are encouraged to include Resident Council members or their design selection panels for the procurement of services related to the HOPE VI revitalization efforts, including the selection of the developer, program manager, etc. PHA officials or employees must constitute a majority on all selection

Typically, the PHA establishes an evaluation plan which sets up the criteria for evaluating the proposal, helps the panel reach consensus in the procurement decision and lends structure to the process. In addition, the HUD Procurement Handbook has specific guidelines that must be followed. Residents who serve on these panels must receive training on procedures, conflict of interest and substantive issues concerning the specific services to be procured so they can participate as informed panel members. Residents that serve on selection panels or as advisors to selection panels must comply with the PHA's procurement policy and HUD procurement regulations for grantees (PHAs) at 24 CFR in particular 24 CFR 85.36(b)(3) regarding conflicts of interest.

PHAs should ensure that such residents are provided related training on the PHA's procurement policies and 24 CFR 85.36, since such residents are considered agents of the PHA when serving on selection panels. Under all circumstances should there be communication between respondents to the panel members. In order to contract with resident-owned businesses, PHAs should follow the alternative procurement requirements under 24 CFR Part 96.3.

Community Involvement

In addition to affected public housing residents, neighbors, local business service providers, community groups, local officials, public agencies, and other stakeholders must be involved in the HOPE VI planning and implementation process. A Community Task Force (CTF) is one way to involve these different players, and foster broader collaboration and support for the HOPE VI Plan. The CTF provides advice, counsel and recommendations to the PHA on all aspects of the development process, including both the "hard" side and self-sufficiency activities. The PHA is responsible for ensuring that the CTF holds regular meetings. PHAs should support the CTF by disseminating information, providing sufficient notice about time and place of meetings, developing formal agendas, and providing meeting minutes and reports, etc.

Experience has shown that for effective integration and acceptance of public housing and low-income residents into the broader community, the broader community must be involved in developing the HOPE VI proposal. Collaboration, inclusion, communication and participation are also critical elements in the community involvement process. The support and involvement of the community surrounding the HOPE VI development and proposed scattered sites is critical to developing a sound and feasible development plan.

Conclusion

Every HOPE VI development is unique in terms of unit mix, geographic location, needs and desires, and social and economic history. Over the years, each PHA has developed a unique relationship with its residents and the surrounding community. That relationship must meet the needs and challenges of the particular plan and community. PHAs must create and maintain a framework of trust to build those relationships and truly transform distressed public housing and surrounding community, and the lives of residents. At a minimum:

- Resident and community involvement is required throughout the HOPE VI planning, development and implementation process.
- PHAs must provide information and training so that residents may participate fully and meaningfully throughout the entire development process.

Only through effective collaboration and consensus-building can a PHA

resident and community support of the plan, which is essential for a successful HOPE VI development which meets the spirit and principles of HOPE VI. This process together requires not only the solicitation and gathering of resident and community input, but also serious consideration and response to that input, even if the input ultimately is rejected. While residents are to participate in various aspects of the HOPE VI process, PHAs remain accountable for meeting the terms of the Grant Agreement, have fiscal responsibility for the funds, and have the final decision making authority.

Content updated June 18, 2001



U.S. Department of Housing and Urban Development
451 7th Street S.W., Washington, DC 20410
Telephone: (202) 708-1112 TTY: (202) 708-1455
[Find the address of a HUD office near you](#)



[Privacy](#)
[Home](#)

AFFIDAVIT OF SERVICE BY HAND DELIVERY

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

PAULA M. GABRIEL being first duly sworn on oath deposes and says that she is employed in the Office of the United States Attorney for the Northern District of Illinois; that on the 26th day of January 2004, she caused to be hand delivered a copy of a

1. **STATEMENT OF INTEREST BY DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

to the following individual(s):

Richard Wheelock
Legal Assistance
Foundation Metropolitan
Chicago
111 W. Jackson Blvd.
Chicago, IL 60604-3502

Robert Whitfield
Law Offices of
Robert D. Whitfield
10 S. LaSalle St., Ste 1301
Chicago, IL 60603

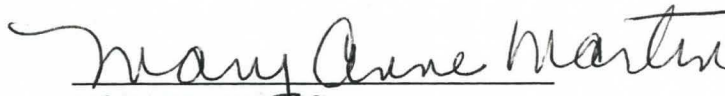
Mr. Edward Feldman
Miller, Shakman & Hamilton
208 S. LaSalle St., Ste. 1100
Chicago, IL 60604

Alexander Polikoff
Business & Professional People
for the Public Interest
25 E. Washington St., Ste. 1515
Chicago, IL 60602

Thomas E. Johnson
Johnson, Jones, Suelling,
Gilbert & Davis, P.C.
36 S. Wabash, Ste. 1310
Chicago, IL 60603



SUBSCRIBED AND SWORN TO before me
this 26th day of January 2004



NOTARY PUBLIC

My Commission Expires: 10/28/06

