

DUNKIRK'S CONSOLIDATED PLAN: 2008-2012

Executive Summary

Challenges for Dunkirk – Like many cities across America's mid-west, our relatively small city has suffered the consequences of loss of its historical manufacturing base to cheaper overseas markets, 'new economy' investment in the sunbelt and metropolitan centers that draw an educated workforce to other parts of the county, the flight of local wealth to surrounding community, and increasing need and burden for those that remain in the city. The 2000 census confirms a changing face and profile of Dunkirk.

There are fewer people in Dunkirk: In ten years between 1990-2000 Dunkirk lost 6.1% of its population, declining from 13,989 to 13,131 residents, for a net loss of 858 individuals. The loss of population continues a trend of population loss for the past three decades. In the past decade the city lost 178 households with a head of household 65 years of age or older.

We are a poorer: In the ten years between 1990 and 2000 individuals living in poverty in Dunkirk went up from 18.9% to 22.3%. More than one in every five families in Dunkirk lives at or below the federal poverty level. Children under the age of 18 have a poverty rate of 38%.

We are a more diverse city: In the 2000 census the percentage of the people living in the city categorized as minorities grew to 26%. In particular over the past decade there was a 33% increase of people of Hispanic origin, or a gain of 654 individuals.

We are a city with tremendous housing challenges: Census data shows a vacancy rate approaching 10%, meaning that approximately one in ten living units are vacant. A financially challenged population has a greater difficulty in making needed repairs to their homes. The rate of homeownership continued to fall through the last decade meaning more housing units were converted to rental housing or were lost through foreclosure. There were 343 fewer owner-occupied units and an increase of 193 renter-occupied units. The Dunkirk Housing Authority has low numbers of people on their waiting lists for public housing. There is no need for additional low-income housing in the city, and regional development of additional low-income housing threatens both landlord investment and HUD public housing occupancy.

With some of the oldest housing stock in the nation (58% built before 1940), many older homes in the city contain Lead Based Paint. The combination of people living in poverty, the age and condition of the city's older houses, the presence of lead paint and high energy and heating costs combine to make housing rehabilitation a high priority.

On the positive side, the lower home purchase costs make ownership a viable option for many families. A combination of education and assistance is needed to address these issues.

Plans for Success – Dunkirk must look to the future over the next five years. In 2007, the City of Dunkirk began to rely on a more resident driven decision making process through its CDBG Citizen Participation Plan, a Citizen Advisory Council, Harborfront Commission, Planning Board, Economic Development Committee and other shared decision making.

The Community Development Block Grant program will be adopting a new Neighborhood Revitalization Strategy Area approach to improving Dunkirk's more distressed neighborhoods and downtown area. A comprehensive, multi-faceted plan to direct resources to a mutually agreed upon

target area sought to improve housing, quality of life, infrastructure and downtown business development.

The City of Dunkirk will continue to place resources from the CDBG program and other sources into a variety of employment training, youth services, housing rehabilitation, sidewalk and streetscape improvements, homeownership and economic development incentives.

Specifically, the city of Dunkirk will encourage new or existing businesses that create employment opportunities for low and moderate-income city residents to be a part of the city's future with tailored incentive packages that might include pre-development costs for demolition and brownfield remediation. Economic development incentives will be requested in each CDBG Annual Action Plan in order to ensure assistance to local businesses and to aid the city in development of the downtown district.

Regionalism vs. Dis-investment - The true value of regionalism remains elusive for the City of Dunkirk. While the city holds the key to regional development with an established water purification and distribution system, and a fresh water source not subject to drought, it is often asked to support or export development outside its borders. A seat at the table of regionalism is not in itself enough to ensure the interests of the city are always the foremost consideration.

The City of Dunkirk supports regional development that creates employment opportunities, develops taxable real property, returns revenue through fees and taxes supports and grows businesses large and small, enhances the environment, and restores hope and confidence in Northern Chautauqua County as a place to find meaningful work and raise families. All those tangible and intangible benefits of development must come to Dunkirk in equal share to build the same level of prosperity as surrounding communities. The number of families with children living in poverty in Dunkirk cannot remain 32.8%, double the percentage in surrounding areas and almost four times the percentage in adjacent Fredonia.

Development of all kinds must be viewed through the lens of regional impact by Dunkirk's friends and neighbors, including decisions of where to site industry and commerce, public and private investment in systems and infrastructure, housing rehabilitation grant applications and governance. Dunkirk itself must adopt a strategy of self-interest based on reciprocity instead of an unfocused regionalism.

Conclusion – The future of the City of Dunkirk truly rests in the hands of its people. We must learn to work with what we have, seek partners who truly believe in the city's potential, welcome newcomers and think positively about the place in which we live, and make our own future.

City of Dunkirk Citizen Participation Plan for the Community Development Block Grant Process

Introduction

This Citizen Participation plan serves as a guide for how the City of Dunkirk will involve citizens in the process of developing the 5-year Consolidated Plan and Annual Action Plans. The City of Dunkirk is required by law to follow a detailed Citizen Participation Plan that describes the City's policies and procedures for public involvement in the Consolidated Plan process and the use of Community Development Block Grant (CDBG) funds. This Citizen Participation Plan must be available to the public.

Encouraging Public Participation

The law requires that our Citizen Participation Plan both provide for and encourage public participation in the development of the consolidated plan, any substantial amendments to the consolidated plan, and the performance report. This involvement is designed to emphasize involvement by low and moderate-income people, especially those living in low and moderate-income neighborhoods. Also, the U.S. Department of Housing and Urban Development (HUD) expects the City of Dunkirk to take whatever actions are appropriate to encourage participation of minorities, non-English speaking persons, and people with mobility, visual or hearing impairments.

The City of Dunkirk encourages the participation of residents of public and assisted housing developments and recipients of tenant-based assistance in the process of developing and implementing the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The City of Dunkirk shall make an effort to provide information to the housing agency about consolidated plan activities related to its developments and surrounding communities that the housing agency can make available in the annual public hearing required for the Public Housing Agency Plan.

Copies of the Citizen Participation Plan, as well as summaries of basic information about CDBG and the Consolidated Planning process will be made available, upon request to the City of Dunkirk Department of Development, in a format to be understood by persons with visual impairments and by non-English speaking persons.

The Role of Low Income People

The primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing decent housing, a suitable living environment, and growing economic development opportunities, principally for low and moderate income people. The City of Dunkirk will encourage the participation of all citizens in the Consolidated Plan process. The City has identified the following types of groups that relate to the primary purpose to be particularly targeted for outreach efforts when developing the Consolidated Plan and the Annual Action Plans.

- Persons who do not speak English
- Persons with HIV/AIDS and HIV/AIDS service providers
- Homeless and homeless service providers
- Public Housing residents and the Dunkirk Housing Authority

- Community Development Corporations and residents served
- Mental health and retardation agencies/organizations and clients
- Alcohol and drug agencies/organizations and clients
- Private housing developers/banks/Fair Housing Council of WNY
- Residents of assisted housing
- Elderly and elderly service providers
- Health department and the Division of Lead Abatement
- Persons with disabilities and service providers for persons with disabilities
- Economic Development, job creation agencies and community businesses
- Children and youth and children and youth advocacy group

Because the amount of federal CDBG money allocated to Dunkirk each year is mostly based upon the severity of both poverty and substandard housing conditions in Dunkirk, it is necessary that public participation genuinely involve low income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process, including identifying needs, setting priorities amongst those needs, suggesting how much money should be allocated to each high priority need, and suggesting the types of programs to meet high-priority needs, as well as, overseeing the way in which programs are carried out.

Displacement

Although the City of Dunkirk Department of Development attempts to minimize the displacement of persons by concentrating housing efforts on those that are currently vacant, the department outlines services to be provided to households displaced as a result of HUD-assisted activities or the Division of Code Enforcement actions that designate a structure to be unfit for habitation. Services include assistance in identifying alternative housing and payments of benefits based upon federal guidelines. All displacement/relocation services and benefits provided as a result of HUD-assisted activities will be in accordance with Section 104 of the Housing and Community Development Act or the Uniform Relocation Act, and with the direction from staff of the Department of Community Development.

Selected Stages of the Consolidated Plan Process

1. CDBG request for proposals are distributed to agencies, organizations and other individuals/agencies/organizations that have requested to be added to a mailing list. Availability is also advertised in a legal notice which is placed in the Dunkirk Observer newspaper.
2. A review committee will review all applications, prioritize applications, and prepare budget recommendations for the Common Council of the City of Dunkirk.
3. A draft Action Plan/Consolidated Plan is presented to the Common Council to determine any recommendations after draft allocations.
4. Public hearing(s) are held to determine the views of citizens on housing and community development needs, including priority non-housing community development needs. This occurs before the proposed Annual or consolidated plan is published for comment.
5. Preparation of a draft use of funds for the upcoming year called the draft Annual Action Plan or the draft Five-Year Strategic Plan (Consolidated Plan) takes place in December.
6. A Public Meeting is held, sponsored by the City of Dunkirk Department of Development, where the draft Annual Plan or Five-Year Consolidated Plan is available for public review and comment. This starts the 30-day comment period. Citizens are invited and encouraged to comment at the public meeting and during the 30-day comment period following the public meeting.

7. The Director of Development, Community Development staff, and the City Council meet to review comments, recommendations and draft budget.

8. The City of Dunkirk Common Council holds a Public Hearing and makes formal approval of the final Annual Action Plan or Five-Year Consolidated Plan in February.

*On occasion during the year, it might be necessary to change the use of the money already budgeted in an Annual Action Plan, or to change the priorities established in the Five-Year Strategic Plan (Consolidated Plan). In that case, a formal substantial amendment will be proposed, considered and acted upon. Description of a substantial amendment and necessary procedures is outlined further in the Citizen Participation Plan.

9. After a program year is complete, an Annual Performance Report will be drafted by the Department of Development for a 15 day public review and comment period.

Public Notice

Items Covered by the Public Notice Requirement

There shall be advanced public notice once a federally required document is available, such as the draft Annual Action Plan or Five-Year Consolidated Plan; any proposed Substantial Amendments to the Action Plan or Consolidated Plan, and the Annual Performance Report.

In addition, there shall be advanced public notice of all public meetings or hearings relating to the funds or planning process covered by this Citizen Participation Plan.

Adequate Public Notice

Adequate advance notice is timely; it is given with enough lead-time for the public to take informed action. Although the amount of lead-time can vary, depending on the event, a standard of 5 business days notice will be provided for all public meetings or hearings, unless otherwise specified. Specific amounts of time are given for different events later in this Citizen Participation Plan. The content of notices will give residents a clear understanding of the event being announced as well as a summary of the contents, purpose and location of availability of a document being discussed.

Forms of Public Notice

1. Public notices will be published in legal section of the Dunkirk Observer.
2. Notice will also be given through letters or flyers to area agencies, neighborhood organizations, public housing resident groups, religious organizations in lower income neighborhoods, and agencies providing services to lower income people.
3. Notice will be sent to any person or organization requesting to be on a mailing list. Anyone interested in being added to the mailing list should contact the City of Dunkirk Department of Community Development.

Public Access to Information

Citizens, public agencies, and other interested parties, including those most affected, must have the opportunity to receive information, review and submit comments on any proposed submission concerning the proposed activities, including the amount of assistance the jurisdiction expects to receive, and the range of activities that may be undertaken, including the estimated amount that will

benefit persons of low and moderate-income.

The City of Dunkirk will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. Regarding the past use of funds, reasonable public access will be given to records about any uses of these funds during the previous five years. Also, the City of Dunkirk will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

Standard Documents

Standard documents include the draft and final Annual Action Plans, the draft and final Five-Year Consolidated Plan, draft and final Substantial Amendments to either an Annual Plan or Consolidated Plan, Annual Performance Reports, and the Citizen Participation Plan.

Availability of Standard Documents

In the spirit of encouraging public participation, copies of standard documents will be provided to the public at no cost and within three working days of a request for all Final Annual Action Plans/Consolidated Plans.

These materials will be available in a form accessible to persons with disabilities, when requested.

Places Where Standard Documents are Available

Standard documents will also be available at the City of Department of Development and the Dunkirk Free Library.

Public Hearings

The City of Dunkirk must provide for at least two public hearings per year in order to obtain the public's views, and to provide the public with the City's responses to public questions and proposals. Public hearings held by the City of Dunkirk will address housing and community development needs, review the proposed uses of funds, and review how funds were spent during the previous program year. The City of Dunkirk will hold a public hearing before the draft consolidated plan is published to obtain the views of citizens on housing and community developments needs, including priority non-housing community development needs. A public hearing will be held after the 30-day public comment period of the draft consolidated plan to discuss the proposed activities seeking funding. A final public hearing will be held after the 15-day comment period of the Annual Performance Report.

Access to Public Hearings

Public hearings will be held only after there has been adequate notice, as described in the section titled "Public Notice" of this Citizen Participation Plan, including display advertisement in the legal section of the newspaper five days prior to the public hearing.

Public hearings will be held at a time convenient to most people who might benefit from the use of funds, such as after normal business hours.

Public hearings will be held at places not only accessible by bus and otherwise convenient to most people who might benefit from the use of funds, but also accessible by persons with disabilities.

Public Hearings and Populations with Unique Needs

All public hearings will be held at locations accessible to people with disabilities, and provisions will be made for people with hearing or sight disabilities when requests are made at least five working days prior to a hearing.

Translators will be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

The Conduct of Public Hearings

Each resident choosing to speak will be allowed a maximum of five minutes to make a verbal presentation in order to allow everyone who wishes to speak a chance to do so. Comment cards will also be available for those wishing to make comments, but not verbal presentations. Written comments can be made to the City of Dunkirk Department of Development, City Hall, 342 Central Avenue, Dunkirk, New York, 14048.

The Stages in the Process

A. Identifying Needs

Because the housing and community development needs of low and moderate income people are so great and so diverse, priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason for the Consolidated Plan.

At least one public hearing about needs will be completed before a draft Annual Action Plan is published for comment so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan.

B. The Proposed Annual Action Plan (and/or Five-year Strategy)

The law providing the funds covered by this Citizen Participation Plan calls for improved accountability of jurisdictions to the public. In that spirit and in compliance with the terms of the law, the City of Dunkirk will use the following procedures.

Request for Proposals

The Department of Development will provide organizations/agencies with an application (request for proposal) for funding through CDBG monies. The applications will be sent out and notification given to the public through the manner describe in the "Public Notice" section of this Citizen Participation Plan. Applicants will be given at least four weeks to complete the request for proposal and return it to the Department of Development.

General Information

In the request for proposal, the City of Dunkirk will provide the public with an estimate of the amount of CDBG funds it expects to receive in the upcoming year, along with a description of the range of

types of activities that can be funded with these resources. The estimated amounts and range of activities available to receive funding will also be provided in the (legal notice of the) newspaper.

Technical Assistance

City of Dunkirk Department of Development staff will work with organizations and individuals representative of low and moderate-income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff within the Department of Development for technical assistance before completing a proposal form.

Availability of a Draft Annual Action Plan

The City of Dunkirk will notify the public that a Draft Annual Action Plan is available. The means of notice described earlier in this Citizen Participation Plan will be used.

The date the Draft Annual Action Plan is available to the public will be at least 30 days prior to the date a Final Annual Action Plan is approved by the Mayor and City Council so that low and moderate-income people will have a reasonable opportunity to examine it and submit comments.

So that low and moderate-income people can determine the degree that they might be affected, the Draft Annual Action Plan will be complete, containing: all HUD-required sections; the HUD-required Priorities Tables; and a written description of all proposed uses of CDBG. At a minimum, the written description shall include the type of activity, its location, the amount of federal money to be allocated for the activity, and the amount of money allocated to benefit low and moderate income individuals. Copies of the Draft Annual Action Plan will be made available to the public to view at the Department of Development. In addition, copies will be available at the locations specified above in the section, "Public Access to Information".

Executive summaries will be available at the City of Dunkirk Department of Community Development and also available at the public meeting held after the Draft Annual Plan is released and public hearing following the 30-day comment period.

Public Hearing and Further Action

The City of Dunkirk will hold at least one public hearing before the draft consolidated plan is published to obtain the views of citizens on housing and community developments needs, including priority non-housing community development needs. Community Development will conduct a public meeting to release the Draft Annual Action Plan and the summary of the plan, receive comments on the proposed activities seeking funding, and begin the 30-day public comment period. After the 30-day public comment period, the Common Council will hold a public hearing before the Final Annual Action Plan is approved so that the elected officials can consider the public's comments.

In preparing a Final Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at a public hearing or submitted in writing during the review and comment period. The Final Annual Action Plan will have a section that presents all comments, plus explanations why any comments were not accepted.

C. The Final Annual Action Plan (and/or Five-year Strategy)

Copies of the Final Annual Action Plan and its summary will be made available to the public at no

charge and within two days of a request. In addition, copies will be available at the locations specified in the section, "Public Access to Information".

D. Amendments to the Annual Action Plan (and/or Five-year Strategy)

The Final Annual Action Plan will be amended anytime there is: (1) a change in one of the Priorities presented on the FTUD-required Priority Table; (2) a change in the purpose, location, scope, or beneficiaries of an activity (described more fully later). The public will be notified whenever there is an amendment as per the "Public Notice" section of this Citizen Participation Plan

Substantial Amendments

The following will be considered substantial amendments:

1. A change in the use of CDBG money from one category activity to another category activity.
2. The elimination of an activity originally described in the Annual Action Plan.
3. The addition of an activity not originally described in the Annual Action Plan.
4. A change in the purpose of an activity, such as a change in the type of activity or its ultimate objective.
5. A meaningful change in the location of an activity.
6. A change in the type or characteristics of people expected to benefit from an activity.
7. A change in the scope of an activity, such that there is a 20% increase or decrease in the amount of money allocated to the activity.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following specifically for Substantial Amendments:

1. Once citizens have been provided with reasonable notice of any Substantial Amendment to the Annual Action Plan, a 30-day comment period will begin.
2. A detailed written description of the proposed Substantial Amendment will be made available to the public at no cost within two working days of a request. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
3. There will be a public hearing regarding the proposed Substantial Amendment conducted by the City of Dunkirk Department of Community Development. This public hearing will not take place until the public has had 30 days to review and/or comment on the proposed Substantial Amendment.
4. In preparing a Final Substantial Amendment, careful consideration will be given to all comments and view expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments, plus explanations why any comments were not accepted.

E. The Annual Performance Report

Every year, the City of Dunkirk must send to HUD an Annual Performance Report within 90 days of the close of the program year. In general, the Annual Performance Report must describe how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate-income people.

Public Notice and Public Hearing for Annual Performance Report

There must be reasonable notice that an Annual Performance Report is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Annual Performance Reports:

1. Once citizens have been provided with reasonable notice of the Annual Performance Report, a 15-day public comment and review period will begin.
 2. A complete copy of the Annual Performance Report will be made available to the public at no cost within two working days of a request. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
 3. There will be a public hearing conducted by the City of Dunkirk Department of Development regarding the Annual Performance Report.
 4. This public hearing will not take place until the public has had 15 days to review and/or comment on the Annual Performance Report.
 5. In preparing an Annual Performance Report, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Annual Performance Report will have a section that presents all comments, plus explanations why any comments were not accepted.
- Contents of the Annual Performance Report

The Annual Performance Report presented to the public will contain at least as much detail as was required by HUD for Grantee Performance Reports. The Annual Performance Report will have an accounting for each activity in any Action Plan, until an activity is officially "closed-out" or "re-programmed" with HUD by the City of Dunkirk. For each activity the details presented will include, but are not limited to:

1. Activity Number from the Action Plan.
2. Name of the Activity plus its HUD "Activity Title" with regulation reference.
3. A description of the activity that is in enough detail for the public to have a clear understanding of the nature of the activity.
4. The name of the entity carrying out the activity.
5. The location of the activity.
 - a. Generally, this should be a street address or some other information showing specifically where the activity was (or is being carried) out.
 - b. For public facility activities such as street reconstruction, location includes a specific street address providing beginning and ending points,
 - c. For activities claiming to meet the "area wide benefit test", the location should also include the census tracts and/or block groups making up the service area of the activity. Also, the percentage of low/mod persons in the service area will be indicated,
 - d. For multi-family housing activities, the address of each building and the number of units in the building both before and after assistance will be

given.

6. The description of economic development activities will include: the amount of the loan, and the number of permanent, full-time jobs to be created and/or retained.
7. Float Loan Funded activities should be clearly identified as such.
8. The date the activity was initially funded.
9. The national objective the activity claims to meet.
10. The status of an activity, such as whether it is completed, underway or canceled.
11. The amount of dollars budgeted and the amount spent. The amount spent shall be given for the year, and separately for the life of the activity to date.
12. The accomplishments for the activity should be a description of what was actually done, including numerical measures when appropriate, such as number of units of housing rehabbed, number of individuals or households served.
13. For activities that provide a direct benefit to individuals or households, show: the number of individuals or households served; the number which were moderate income; the number which were low income; the number which were white, black, Latino, or Asian.

Complaint Procedures

Written comments regarding the Consolidated/Annual Plan, Amendments to the Plan, or the Annual Performance Report can be sent to the City of Dunkirk Department of Development. Written complaints from the public will receive a meaningful, written reply within 15 working days upon receipt.

Coordination with the Dunkirk Housing Authority

The City of Dunkirk will consult with the Dunkirk Housing Authority (DHA) and residents of the Dunkirk Housing Authority during the process of developing and implementing the consolidated plan. The City of Dunkirk Department of Development shall work with the DHA staff to provide information to the residents through coordinated public meetings, flyers, announcements or other actions appropriate to encourage the participation of residents of public and assisted housing in identifying and addressing housing and community development needs, reviewing proposed use of funds and reviewing how funds were spent during the previous year.

Amendments to the Citizen Participation Plan

There must be reasonable notice of a proposed amendment to this Citizen Participation Plan so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following specifically for Amendments to the Citizen Participation Plan:

1. Once citizens have been provided with at least 5 business days of any Amendment to the Citizen Participation Plan, a 30-day comment period will begin. This notice will be published in the Dunkirk Observer in the legal section of the newspaper.
2. A detailed written description of the proposed Amendment will be made available to the public at no cost within three working days of a request. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
3. There will be a public hearing regarding the proposed Amendment to the Citizen Participation Plan conducted by the City of Dunkirk Department of Development. This public hearing will not take place until the public has had 30 days to review and/or comment on the proposed amendment.
4. In preparing a final Citizen Participation Plan, careful consideration will be given to all comments

and view expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final Citizen Participation Plan will have a section that presents all comments, plus explanations why any comments were not accepted.

BACKGROUND OF THE CONSOLIDATED PLAN

Consultation: The 2008-2012 Consolidated Plan is the first prepared by this administration for the City of Dunkirk. For this plan it was possible to consult with the 2000 US Census.

Following the Citizen Participation Plan, the city and its CDBG Administration consulted with city residents and officials as well as numerous private organizations and public agencies in preparing for the Consolidated Plan.

The following organizations and agencies serve the City of Dunkirk and provided information, assistance and insights to this plan:

New York State Division of Housing and Community Renewal
New York State Department of Labor
Dunkirk-Sheridan Empire Zone
Southern Tier Environments for Living Housing Options Made Easy
Chautauqua County Department of Social Services
Chautauqua County Health Department
Chautauqua County Office for the Aging
Chautauqua County Industrial Development Agency
Chautauqua County Planning and Development Department
Chautauqua Opportunities Inc.
AIDS Community Services
Private Industry Council
Chautauqua County Homeless Coalition
The Workforce Investment Board
The Resource Center
Rural Ministry
United Way of Northern Chautauqua
Dunkirk Housing Authority
NAACP - National Association for the Advancement of Colored People
Dunkirk Local Development Corporation
Representatives of local businesses
Core Area Preservation Company
Office of the Mayor
City Clerk
Dunkirk Fire Department
Dunkirk Police Department
Dunkirk Code Enforcement Office
Dunkirk Department of Public Works
Dunkirk Department of Development

Lead Agency. The lead agency for the Consolidated Plan is the City of Dunkirk, contracting with Chautauqua Opportunities, Inc. as CDBG administrator, preparing the text and coordinating the planning effort with all of the CDBG recipients and agencies serving city residents.

All public housing in Dunkirk is administered by the City of Dunkirk Housing Authority, which is the lead agency for public housing. A shelter allowance is provided for public assistance clients by the Chautauqua County Department of Social Services. There is constant formal and informal communication and cooperation between these two agencies in the provision of housing assistance

The various agencies and organizations that provide housing, health, mental health and social services, are aware of each other and work together in various ways.

Institutional Structure. The City will use two major vehicles to carry out the Consolidated Plan: direct administration and agreements with service providers. Direct administration of the city's CDBG program is currently within the City of Dunkirk's Department of Development. The City has employed a Director of Development, who works with the city's CDBG Administrator.

Formal agreements with service providers are second-party contracts or sub-recipient agreements directing CDBG or other funding to a local organization for provision of services to residents. The CDBG administrator draws up the agreements and has direct oversight of these agreements. Formal agreements also exist between the City and subrecipients. In addition, the City has entered into numerous contracts associated with grants and other forms of aid with the State and Federal governments.

Coordination. Appropriate coordination of CDBG-funded activities is part of the program's planning and administration. During the development of each year's Action Plan, attention is given to potentially duplicative activities, resolved either by parceling out funding among various agencies, or more commonly by issuing a Request for Proposals. Coordination of selected activities is handled by the CDBG administrator as required.

Coordination of publicly-funded economic activities that impact Dunkirk but are not city- or CDBG-funded presents a larger challenge. The City is taking steps to increase the likelihood that city residents and officials will be at the table, with an effective voice, when regional or county agencies are making decisions that could negatively affect the city, such as moving agency headquarters and jobs out of the city or adding more low-income rental housing in an adjacent community when the city has, as it does at present, an unacceptable 10% vacancy rate.

A. Community Development Needs

The Community Development Needs outlined here are addressed in Part I. of the 5 -year Strategy section of this Consolidated Plan.

Needs relating to job creation and business growth

1. **Lack of sufficient living wage jobs.** Add 15 living wage jobs for Dunkirk residents each year, making appropriate incentives available for growing new or existing businesses, including meeting high-tech and other training needs, continuing efforts in brownfield issues, and meeting American Disabilities Act requirements.
2. **Vacant storefronts** in the downtown area. Downtown Dunkirk is a mixture of older businesses and agencies, recently added tenants like the CDBG-funded dental clinic that accepts Medicaid, and the county's offices, and some large vacant buildings that can be filled with the help of incentives such as those offered by the Empire Zone and block grant assistance. Keep downtown storefront occupancy at 90% or better. Ensure that downtown businesses and service providers receive needed technical and financial assistance to sustain a healthy city center. Encourage location of businesses and agency offices in the downtown core through incentive packages that may include site development of new sidewalks, curbing and tree planting, facade improvement, re-location costs, Brownfield remediation, and Americans with Disabilities Act (ADA) requirements
3. **Lack of economic utilization of the city's lakefront.** . An intensive marketing effort with the Clarion Hotel, The Horizon, Demetri's, the Dunkirk Boardwalk Market, Walleye Willies and the other businesses and attractions in the harbor to make travelers aware of the existing attractions of the harbor, parks, fishing, and lake vistas—inviting them to cross over the Thruway to visit the city and its lake front. Promote the boat tour industry for fishing, scuba diving, and pleasure day trips—a niche market in a protected harbor not available elsewhere on the Chautauqua County shoreline of Lake Erie. The development of destination attractions such as the Dunkirk Boardwalk Market to create a year round venue that will attract visitors to Dunkirk and create business and tourism development on the Dunkirk waterfront. Promote efforts to find funding for continued improvements to the entire waterfront and lakeshore area, including completion of the waterfront recreational trail, improvement of public waterfront parks to create better public access and use of the harbor area, drainage and waterline infrastructure improvements and seawall construction along Lakefront Blvd and the harbor area, maintaining an attractive pier, boat launch and fishing station.
4. **Lack of pride in the community.** Dunkirk's beautiful harbor and elegant downtown go largely unnoticed by city residents. Like many of the "rust-belt" cities of the Midwest and Northeast, the city needs more self-esteem.

Needs relating to employment barriers

1. Equal access for minorities to living wage jobs, particularly those funded by

public money. African- Americans in the city have a poverty rate of 47% and median household income of \$16,196. Hispanics have a poverty rate of 48% and median household income of \$17,563. Unemployment of those in the work force % is severe among black males, 33%, and high for Hispanics, 15% for males and 17% for females. See Analysis of Impediments to Fair Housing Choice for additional analysis.

2. Job training for living wage jobs for residents of all ages. Educational levels in Dunkirk are not high. Only 75% of residents 25 and older have completed high school. As the job market becomes increasingly technological, people seeking employment need appropriate skills. To provide a school to work program that consists of several components. The overall goal will be to increase the number of City of Dunkirk students engaged in local businesses through various formats as well as to increase the number of businesses working with school age youth in meaningful ways. Create an **outreach and recruitment** system utilizing on-site training programs, job fairs, human resource professionals, churches, Dunkirk school system, JCC, SUNY Fredonia, SUNY Fredonia Business Incubator, workforce development agencies, Business & Industry Leaders; include professional presentations teaching tolerance and sensitivity to employers, educators, community members.

Needs relating to public facilities

1. **Streetscape Improvemnets**, The City of Dunkirk would like to concentrate the majority of its efforts on specific areas in the NRSA that need more comprehensive improvements and rehabilitation including but not limited to sidewalk repairs, curbing and tree planting, creating more handicapped accessible areas, making the downtown and waterfront areas more pedestrian friendly and better accessible for the public; improving downtown building facades, improving the two downtown underpasses to ensure safety of public, etc.

2. **Access to crime prevention equipment** to enable the Dunkirk Police Department to properly identify suspects, obtain criminal history responses and timely identification of wanted suspects residing in the community with warrants from other jurisdictions.

Needs relating to better quality of life

1. **Youth facilities and programs are not enough to meet the need**, which is unique to each group of young people.

2. **Aging playground equipment** needs replacement. In times of economic difficulty, recreation tends to take a back seat. Dunkirk's parks and playgrounds need continual planned improvements.

3. **Recreational opportunities** are lost for lack of beach and park improvements, bike paths and skateboarding venues. A community like Dunkirk, with its spectacular natural attraction, could increase tourism by increasing ways for visitors (as well as residents) to enjoy the city's greatest asset. Encourage exterior rehabilitation to improve appearance of both commercial and residential areas with targeted code enforcement, commercial facade, and both owner-occupied and rental rehab funds where appropriate.

4. Improve the downtown and waterfront districts with comprehensive streetscape improvement program including sidewalk replacements, curb replacements, façade projects, tree replacements, planters, lighting, underpass improvements, etc.

5. A combination of **poverty, loss of population, and regional commercial sprawl**

has resulted in neglected and deteriorated commercial and residential areas.

6. Strengthen clean-up efforts in all parts of the City. Police involvement in issuing littering citations, discouraging shopping cart theft and abandonment, tickets followed by City Court fines for violators.

Anti-Poverty Strategy

Dunkirk's critical community development need is to reduce poverty. The 2000 level of 22.3% is unacceptable. The needs pertaining to job creation and business growth are all relevant to reducing community poverty. In particular, the goal of adding 15 family-sustaining jobs per year, supported specifically by Development Priority 2-A, is the key anti-poverty strategy.

Reducing employment barriers is another element in reducing poverty. Items addressed in Development Priority 3 include create and retain jobs and a strong workforce, equal access for minorities to living wage jobs, and job training for residents of all ages.

Quality of life issues are important in mitigating poverty. Development Priority 4 includes youth programming and improved residential environment or improving the quality of life.

Development Priority 1, "Ensure adequate public facilities for the future," is essential to maintaining the city and its economic infrastructure for all residents, including those in poverty.

An anti-poverty resource in danger of being lost to Dunkirk residents in poverty is addressed in the section **Workforce Investment Crisis**.

B. Housing Needs

Introduction

This section presents the City of Dunkirk's assessment of the housing needs of its residents for the five-year period covered by the Plan (2008-2012). It reflects a local analysis of data from the 2000 U.S. Census, as well as information from Dunkirk area housing providers and other interested parties. The analysis is presented in four major sections: general affordable housing needs, the needs of the homeless, the housing needs of non-homeless persons with special needs, and an Analysis of Impediments to Fair Housing. It follows the requirements contained in Section 24 CFR 91.305, Consolidated Submission for Community Planning and Development Programs.

About the Data

For the City of Dunkirk, the CHAS estimates were that households would increase by 4.53%, that renters would be 35.98% of households, and that elderly population would increase by 1.03%. Actual data from the 2000 census presents an opposite picture, declining households and population and increased renting. The number of households decreased by 150 households, 2.7%, from 5,627 to 5,477. Renter households went from 1,984, 35.3% of all households, to 2,132, 38.9% of all households. And the elderly population decreased sharply, from 2,635 persons 65 and over in 1990 to 2,317 in 2000, a decline of 12.1%.

Along with the CHAS estimates, HUD has provided a suggested methodology for estimating numbers in each income category and percentage with housing problems/cost burden.

In addition, supplementary information was provided in a series of community meetings and a housing focus group meeting held in the City of Dunkirk in October 2007. Participants included the Dunkirk Housing Authority, Chautauqua Opportunities, Inc., the Chautauqua County Planning Department, and representatives from the City of Dunkirk's Building and Zoning Office and the Department of

Development.

The first section below is a narrative description of the City of Dunkirk's estimated housing needs for the five-year period covered by the Consolidated Plan from 2008-2012.

General Five Year Housing Needs Statement

Food, clothing, and shelter are acknowledged to be life's most basic needs. This Consolidated Plan affirms the need for all Dunkirk residents to live in safe, affordable and decent shelter. Housing in Dunkirk will be available in a variety of forms including ownership and rental units, and will provide for temporary shelter for those who become dispossessed and those with special needs. The City of Dunkirk herein states a strategy that promotes actions that will ensure an adequate supply of safe housing options in a wide range of affordability, that the housing will be available in viable and vital neighborhoods, that will remove where necessary housing that is blighted and dangerous, a strategy that discourages exploitation of its residents putting property at risk of abandonment and foreclosure, and that views housing as a regional strategy equal with economic development, transportation, infrastructure, and planning.

Housing and Population Change

According to the 2000 Census, the population of Dunkirk decreased from 13,989 persons in 1990 to 13,131 in 2000. This loss of 858 persons represents a 6.1% population loss and continues a trend of population loss from the previous decennial census counts. While this decline in population has ramifications for housing policy, it should be considered within the context of other population changes in the City. The 2000 census reports that 20% of the Dunkirk population was composed of single women living alone. The average household size was 2.37 persons compared to 2.59 nationally, and the average family size in Dunkirk was 3.02 persons compared to 3.14 nationally.

The increase in poverty in Dunkirk from 19% to 22% impacts a strategy in housing affordability as it becomes more difficult for very-low income families to find reasonable cost rental units. There was a 5.7% drop in homeownership rates over the last decade, from 64.9% in 1990 to 61.2% in 2000, despite some efforts late in the decade to encourage new ownership.

Of the 6,071 housing units in the city in the 2000 Census, 3,549 units, 58%, were built before 1940. The impact on housing strategy is clear: older housing requires more effort to remain viable through remodeling and rehabilitation to remain safe and decent. With lower incomes and older housing stock, dedicated efforts must be made to preserve housing.

Code enforcement

In the fall of 2002, the City of Dunkirk Office of Housing, Building and Zoning conducted a survey of all of the residential properties in the City's CDBG Target Area, which includes all or part of census block groups 354.1, 354.2, 355.1, 355.2, 355.3, 354.1, and 357.1. over three-thousand violations have been given out and over half of those violations have been corrected by the residents with the help of the City of Dunkirk's Code Enforcement Office, funded through CDBG and the City's Building Inspector.

Lead Based Paint

A problem with older housing units is the likelihood that they contain Lead Based Paint, a serious health issue for young children and women of childbearing age. All federal funds now require that rehab be done following Lead-Safe Work Practices. The City continues its efforts to provide Community Development Block Grant (CDBG) funds to assist low and moderate-income residents in making needed and lead-safe repairs to their homes with Owner-occupied and Rental Rehabilitation programs. The City of Dunkirk also works to access other housing rehabilitation funds from partnerships with non-profit housing agencies as

well as seeking rehab grant funding on its own. All contractors working with Chautauqua Opportunities, Inc. are required to take Lead-Safe Work Practices training. COI is an EPA-licensed Lead Company and for Lead Hazard Control works with six local housing rehab contractors who are also EPA-licensed.

Vacancy Rate

A startling statistic in the 2000 census is that the vacancy rate, the number of unoccupied units in the city, has more than doubled, from 4.8% in 1990 to 9.8% in 2000. As housing choice generally drives marginal units to the bottom of the housing supply, a strategy to address un-useable or derelict housing can be adopted. The City of Dunkirk will acquire demolition funds through Chautauqua County, through general revenues, and annually through the CDBG program to methodically acquire and demolish structures that can no longer be used.

Overcrowding

Of the 5,476 housing units in the 2000 census, 3.3%, or 178 units, meet the definition of overcrowded, having more than 1 person per room. 1.3%, or 73 units, are severely overcrowded with more than 1.5 persons per room. The figures by tenure are 7.2% of rental units overcrowded, 154 units of 2,125, and 3.3% severely overcrowded, 70 units; and of owner units less than 1%: 0.7% overcrowded, 24 of 3,351, and 0.1% severely overcrowded, 3 units.

Strategic Housing Policy Initiatives

Because the City of Dunkirk cannot fully staff a Building and Zoning office to manage all of the business of monitoring, preserving and maintaining the City's housing stock it will try to keep city properties maintained through a series of strategic housing policy initiatives.

- Targeted Code Enforcement - Annual expenditures of CDBG funds will be directed at maintaining housing in the City's more distressed neighborhoods by exterior code enforcement efforts. Modest allocations of CDBG funds will keep pressure on property owners to maintain their buildings or face housing court action.
- Support responsible landlords with periodic rental rehabilitation funding from CDBG and other grant funding. Support initiative for additional Section 8 housing vouchers.
- Examine the issue of untaxed non-profit property without use or development plans, and scrutinize 'for profit' use of non-profit owned property that competes with commercial or housing property that is taxed.

Other Strategic Housing Policy Initiatives

- Provide occasional CDBG funding to present Landlord and Tenant trainings to encourage positive relationships and communication between these housing partners to diminish the number of complaints being filed in Dunkirk Housing Court. The Landlord/Tenant trainings will also advise all parties of the dangers and remedies to Lead Based Paint poisoning and of grant funds to address them.
- Require registration of contracting firms doing home repair and home improvement business in the city to ensure legitimate business conduct, professional workmanship, and eliminate opportunities for exploitation through high interest improvement financing, high cost materials, and fair treatment of minorities and women.
- That no city CDBG or other grant funding for homeownership or housing rehabilitation be expended on properties where the deed is not in the purchaser's name and been duly recorded in the County Clerk's office.
- Support neighborhood viability by committing general fund revenues and CDBG funds to maintaining neighborhood infrastructure such as waterlines, curbing, storm drainage, sidewalks, tree plantings, and

street paving to maintain suitable living environments.

- Encourage the Dunkirk Housing Authority and other housing providers to build no more low-income subsidized housing units in the City as the need for subsidized units has been met as evidenced by reduced demand and short waiting lists.
- Encourage the Dunkirk Housing Authority to acquire derelict or abandoned housing units near its properties for demolition with Public Housing Authority funding to create more 'green space' and lower density.
- Support homeownership, especially in low and moderate-income neighborhoods through annual allocations of CDBG funds for high quality ownership education and funds to reduce the barriers to ownership such as matching funds for down payment and closing costs.

Dunkirk seeks a healthy balance of housing within its boundaries, with a majority of owner-occupied housing, a percentage of market rate rental housing, and some subsidized housing for senior, low-income, or special needs housing.

Development outside of Dunkirk city boundaries that negatively affects the vacancy rates and property value of the city's housing mix cannot be supported by city government, the investor community, or city-supported public housing and non-profit housing providers. When regional needs require participation of the City of Dunkirk to succeed, such as water distribution and economic development strategies, regional partners and surrounding municipalities need to ensure that all proposed development is in the best interest of all parties, including the city. The expansion of regional housing development through the public planning and permitting process needs to consider the negative impact on the City of Dunkirk as it strives to remain a viable community of mixed income residents and businesses, including landlords.



Analysis of Fair Housing Impediments

Executive Summary

The City of Dunkirk has a history of supporting the purpose and goals of fair housing within its jurisdiction. The City is committed to achieving equal housing opportunity goals through its administration of federal, state, and local programs. In recent years, Dunkirk's manufacturing base has steadily declined. The heavily industrialized plants and foundries that once predominated in Dunkirk have either closed or reduced their scope of operations. The downsizing of the industrial base has had a significant impact on the community and its residents. City leaders believe, however, that Dunkirk can utilize its locational assets and natural resources to rebuild the economy.

HUD has made no formal finding of violations of the Fair Housing Act, Title VI, or Section 504, or regulations implementing these laws, in any federally funded housing or housing-related activities in the City

nor has HUD placed contract conditions on grants or loans awarded to the City, nor has it denied funding because of evidence of a violation of one or more applicable civil rights laws.

A variety of mechanisms are in place and being implemented to facilitate the increase of affordable housing, to improve existing housing, and to further fair housing within this jurisdiction. The City of Dunkirk intends to continue taking an affirmative stance to further housing opportunities for its diverse population. The City will make every attempt possible to be sensitive to the needs of all its residents in formulating housing policies and programs.

Preface

This study is designed to meet the requirements of 24 CFR 570.904 (c) (1), for Entitlement Local-Government CDBG Grantees of the United States Department of Housing and Urban Development. This comprehensive study includes a comparative analysis of public and private impediments to local fair housing choice and of affirmative counter measures. It concludes with a listing of specific actions which may be taken to overcome barriers to equal and fair housing opportunities within the City of Dunkirk.

This assessment should serve as a tool to the City of Dunkirk in establishing, maintaining, and furthering local housing policies. The City continues to be strongly committed to furthering fair housing within its jurisdiction.

Purpose of the Assessment

The Housing and Community Development Act of 1974. (Public Law No. 93-383, August 22, 1974) established the Community Development Block Grant (CDBG) program, which authorizes the federal Department of Housing and Urban Development (HUD) to make public works funds available for local communities to develop "viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate incomes," [42 U.S.C 5301(c).]

One of the goals of the CDBG program is to reduce "the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial de-concentration of housing opportunities for persons of lower income." [42 U.S.C. 5301 (c) (6).]

In order for a grantee of CDBG federal funds to maintain eligibility, its housing and community development programs or activities must not impede fair housing choices within its jurisdiction. Furthermore, the grantee must demonstrate a good faith effort in taking affirmative steps to overcome the effects of conditions that may limit local fair housing choices. In order to determine whether or not impediments to fair housing choices exist within the CDBG grantee's jurisdiction, it is essential that a thorough analysis be formally conducted. Consequently, the United States Department of Housing and Urban Development (HUD) promulgated regulations that such formal needs assessment studies be conducted at least once by grantees.

This assessment has the dual purpose of meeting HUD requirements for a formal needs assessment and also ascertains the extent of impediments to fair housing in the City of Dunkirk and how the City is addressing

them.

Definition of Fair Housing

Fair Housing is defined by HUD in 24 CFR 570.904 (c) (1) to mean the ability of persons of similar income levels to have the same housing choices regardless of race, color, religion, sex, handicap, familial status or national origin. In essence, discrimination in sale or rental of housing is prohibited against these protected classes [See the Fair Housing Act, 42 United States Codes, Section 3601, et seq]. Fair housing laws are intended to further equal opportunity in housing, mortgage lending, and the purchase of mortgage insurance.

Federal fair housing law is based primarily upon the Fair Housing Act, Title VIII of the 1968 Civil rights Act as amended (42 U.S.C. 3601), and the 1866 Civil Rights Act (42 U.S.C. 1982).

The Fair Housing Act prohibits discrimination in the sale, rental, lease or negotiations for real property based on race, color, religion, sex, national origin, handicap or familial status. It also prohibits steering, blockbusting and discrimination in housing finance. Owner-occupied single or multi-family dwellings with less than 5 units are exempt from these regulations.

The 1866 Civil Rights Act grants all citizens the same rights with respect to property. Court interpretation has included all non-white and Hispanic Americans within its protection. The provisions of the act reach all property transactions, even those involving owner-occupied single-family homes.

The Equal Credit Opportunity Act and the Community Reinvestment Act prohibit racial discrimination in the mortgage and credit industries and encourage banks to issue credit in low-income communities where credit has been lacking. The Community Reinvestment Act also requires banks to lend money for affordable homes and poor neighborhoods. HUD is the federal agency primarily charged with the administrative enforcement of fair housing law. HUD's authority usually is called upon after substantial and equivalent state and local remedies have been exhausted. And is authorized to receive, investigate, and conciliate complaints filed within 180 days of the discriminator incident.

The Department of Justice is empowered to file suit where there is a pattern of discrimination. Under the latest amendments to the law, HUD would attempt to resolve the difference between the involved parties using mediation. If these efforts failed, the case could be brought before an administrative law judge by HUD.

Provisions are made in federal law for private suits, as well as suits by the Justice Department, where a pattern and practice of discrimination is found to exist.

Importance of Fair Housing

Pursuant to 42 U.S.C. Section 3601, it is the policy of the United States Government to provide for, within constitutional limitations, fair housing throughout the country. Assuming barriers to fair housing choice exist to some verifiable degree, an effective fair housing program becomes essential to a jurisdiction's annual certification for continued eligibility of federal CDBG funds. Any fair housing services must be capable of taking specific affirmative action steps through institutionalized processes to counteract barriers to fair housing choice. The local fair housing program should clearly illustrate in the annual HUD performance reports that it has a significant local impact toward preventing, reducing and/or eliminating apparent barriers to fair housing choice within the Grantee's jurisdiction.

Judicial precedents concerning the impact of unlawful housing discrimination practices indicate that the dignity of the individual victim is severely damaged, and that such practices limit the development of harmony and peace among members of a civil and just society. Furthermore, it is indicated that discrimination practices tend to restrict individuals of certain groups to geographical pockets having an abnormal amount of deteriorated housing. Housing discrimination also tends to force members of these groups to pay more than the majority for equivalent housing, to live in poorer housing conditions, making it less likely that they could ever own homes comparable to the majority with similar income status. In addition, such neighborhoods often possess inferior employment opportunities and public services such as schools.

Scope of Assessment

Specifically, this fair housing assessment:

- reviews applicable federal, state, and local policies;
 - analyzes, the residential distribution of protected classes using available data;
 - presents statistics of housing discrimination complaints;
 - assesses the impact of public and private sector policies and practices on fair housing choice;
 - considers fair housing services provided by community organizations;
 - makes policy recommendations to address existing problems; and
- demonstrates the conformity of the City of Dunkirk with 24 CFR 570.904 (c) (1) and other applicable HUD regulations.

Compliance

This assessment demonstrates the conformity of the City of Dunkirk with federal requirements. Throughout the years, the City of Dunkirk has demonstrated a strong commitment furthering equal housing opportunities within its jurisdiction to the extent permitted by law and resources.

Federal housing discrimination law lists seven protected class categories: race, color, religion, sex, handicap, familial status, and national origin. Housing discrimination against any member of these protected classes is forbidden. Federal policy essentially concludes that housing discrimination harms society as a whole and especially harms the individual directly involved.

Primary Types of Discrimination

The study focused on a range of discriminatory practices including:

- **Discrimination on the basis of race, color or national origin** - During the last few decades, all levels of government and many private organizations and individuals have been attempting to remedy the problem of racial and ethnic discrimination.

Discrimination on the basis of religion - In today's society this type of discrimination is less common than some other forms; however, hate crimes, often directed toward Jews, have increased in recent years. Hate crimes have been shown to intimidate victims and drive them from neighborhoods in which they have chosen to live.

Discrimination on the basis of sex - In housing this type of discrimination often takes the form of loan denial on the basis of sex or in sexual harassment of female tenants by landlords. This discrimination limits women's autonomy to live where they choose.

Housing discrimination on the basis of familial status - This type of discrimination typically manifests itself in landlord's refusal to rent to families with children. This remains a particularly serious problem throughout Chautauqua County in light of the shortage of affordable housing.

Discrimination on the basis of handicap - This is often a hidden discrimination, at least to someone who is not handicapped. However, simple accommodations, such as wheelchair ramps, can enable the handicapped to lead independent lives.

Fair Housing Concerns

Identification of Fair Housing Concerns/Problems

The identification of fair housing concerns and problems in Dunkirk involved the collection of information from both the public and private sectors and generally covered the following elements: review of fair housing complaints, violations, or lawsuits; relevant public policies; the degree of segregation within the community; and institutional practices within the real estate industry.

Fair Housing Complaints, Violations, or Lawsuits

To assist the City in analyzing potential impediments to fair housing choice, the Consultant requested information from HUD regarding the number of complaints received by the Department from the jurisdictions. There have been no complaints received from the Department of Development or the Dunkirk Housing Authority regarding Fair Housing in the city.

HUD has made no formal finding of violations of the Fair Housing Act, Title VI, or Section 504, or regulations implementing these laws, in any federally funded housing or housing-related activities in the City nor has HUD placed contract conditions on grants or loans awarded to the City, nor has it denied funding because of evidence of a violation of one or more applicable civil rights laws.

Barriers to Affordable Housing

The potential barriers to implementing an effective affordable housing strategy in the City of Dunkirk are those typically faced by other communities throughout the country. The City has reviewed relevant public policies, assessed potential obstacles to implementing a housing strategy, and suggested mitigation measures where applicable. The City of Dunkirk supports both the purpose and the goal of fair housing and works to achieve these goals by administering federal, state, and local programs. The City also supports the development of affordable housing stock which is necessary for fair housing in Chautauqua

County's aging housing market.

The City of Dunkirk operates all of its housing related programs and activities free of discrimination. This is the City's policy and is contained in the guidelines and regulations established by HUD which sanction many of these programs. In addition, the City includes anti-discrimination provisions in all of its contracts and agreements. In particular, rental agreements and tax-exempt bond-funded projects contain required anti-discrimination provisions.

In accordance with Section 104 (d) of the Housing and Community Development Act of 1974, the City has established a Residential Anti-displacement and Relocation Assistance Plan. The City's Plan explicitly follows Section 104 (d)'s requirements with respect to housing replacement, relocation practices, and efforts to minimize the displacement of persons. In order to better provide for the wide range of incomes within Dunkirk, the City's zoning ordinance contains a variety of zoning districts which allow a range of housing types. The City supports a variety of cultural activities and celebrations which honor the diverse groups of its population.

While the analysis of fair housing impediments generally concludes that the City of Dunkirk has undertaken some admirable efforts to advance fair housing choice and increase affordable housing opportunities within the community, it is important to note the absence of a formal structure for fair housing advocacy (information and educational programming) or enforcement and monitoring.

Effective fair housing advocacy and enforcement lies at the heart of a comprehensive program to affirmatively further fair housing. Fair housing planning is not comprehensive if it fails to address the lack of knowledge in the general public and among government and other community officials and leaders about actions constituting discriminatory behavior, fair housing laws, and fair housing objectives.

All of the agencies contacted were involved in housing advocacy or development, support and assistance of low income persons and special needs groups. The responding agencies serve a wide range of special needs populations including developmentally and physically disabled groups, elderly, persons with HTV or AIDS, and homeless persons. All agencies agreed that their organizations were involved with housing in the City of Dunkirk.

Many of the respondents mentioned local community resistance to development projects which propose affordable or special needs housing. However through the application of fair housing rules and regulations the housing has, most often, been established and successful.

Respondents were asked about their experience in the development of affordable housing. Those who had experience developing housing were asked to comment on their experience of the development process. One respondent said that the community was supportive of their plan for a low income housing development, while the other five unanimously agreed that the resistance toward developing low income housing is great. The majority of the respondents felt that Dunkirk's leaders would strenuously resist the development of affordable housing within the City limits. One respondent noted that they seek sites outside of the City limits when developing special needs housing in order to avoid resistance from elected officials and residents.

All respondents felt that the community as a whole shares a negative attitude toward low income people and the Hispanic population in the City. Other recent studies and surveys confirm the respondent's

perception of racism as an important problem facing the City of Dunkirk. Racism was ranked as the #6 most pressing concern by Community Challenge participants, and rated as a moderate or serious problem by 59.3% of respondents to the United Way survey. With an increasing Hispanic population in Dunkirk, prejudice has caused polarization between ethnic groups in the City. Participants at the Community Challenge Conference suggested multicultural events, festivals, and other activities to bring people together. They also noted that respect and tolerance should begin with kids in school.

Related to the problem of racism is the lack of cultural awareness in the community. Although two bilingual dispatchers have been added to the police force, there is currently only one Hispanic police officer and no African-Americans. The officers have not been provided with the sensitivity training necessary to effectively deal with non-white residents. This is particularly apparent as Dunkirk employs a large number of migrant workers and immigrants in the area.

A couple of agencies market their services through public education efforts and endeavor to eliminate the stereotypes associated with providing housing for special needs clients. One agency mentioned establishing good relations with their neighbors and open communication systems to reduce confusion and resistance. Other agencies actively advocate for their client to assure fair treatment.

Many of the respondents reported having established policies and practices for managing discrimination complaints. One agency offers translation services for those residents who do not speak English as their first language, to enable them to make complaints. Another respondent uses the fair housing logo when advertising for apartments and encourages all tenants to report allegations of discrimination. One respondent noted that they work with the county-wide Community Housing Resource Board, and offer training on fair housing to both landlords and tenants.

Each respondent reported negative community attitudes resulting from moves into traditionally white neighborhoods by ethnic minorities and people with disabilities. Respondents indicated that the prevalence of these attitudes had sharply increased during the last decade where a notable growth in the Hispanic community had been evidenced. Other respondents indicated that candidates for elective office and other politicians added to negative community perceptions when they stated their opposition to housing development, especially special needs and low income housing development during public meetings and televised candidate debates.

When asked about housing availability in the community, all respondents identified the availability, affordability and quality of housing for large families as a problem. The lack of planned development of new and infill construction prompted a number of residents to predict that the housing shortage would surely worsen in the future as currently available units deteriorated with age, use and deferred maintenance. Many respondents indicated that Section 8 voucher holders face difficulty identifying units that meet established housing quality standards and pass inspection. Few respondents indicated any awareness of discriminatory lending practices by banks or real estate agents. One respondent credited the banks with providing translators, and training for first-time low income homebuyers.

Respondents were asked for recommendations of programs or initiatives which might improve the fair housing climate in the City of Dunkirk. One respondent felt that there should be more training for tenants on their rights and responsibilities. Another respondent felt that the building inspector should be commended and supported for taking a pro-active stance.

Public perception ignorance

Proponents of affordable housing are increasingly confronted with community opposition that is based primarily on a false perception of specific special needs population to be housed. The public needs to understand that, without the establishment of affordable housing options, an increasing number of people will be left homeless as others struggle with burdensome rent and mortgage payments. Without supervised housing and supportive services for the fragile population (drug dependent individuals, battered women, the mentally-ill, etc.), these groups have only the sanctuary of the streets.

This public misperception has dangerously crystallized into the phenomenon known as "NIMBYism" ("Not In My Back Yard"). The NIMBY factor has been used to describe a disturbing trend evident nationwide, where existing residents rally against almost any type of new development that they perceive as inappropriate.

Zoning

While there are some concentrations of low and moderate income housing in the City of Dunkirk current zoning and related policies and procedures generally appear to have a neutral effect on the existence of such concentrations. The City has prepared a greatly-needed subdivision and property maintenance code to address barriers to housing development and improve code enforcement, but its adoption has been temporarily delayed by the City Council.

In the single family residential zones, requirements for minimum lot size, yard setbacks, minimum dwelling space size, and density restrictions tend to limit new housing development that is only affordable to higher income households. It should be noted however that the zoning is consistent with the pattern of existing single family development in the City. Where there is vacant and developable land within the City, the zoning regulations permit some medium and high density residential development.

The City of Dunkirk reports no adverse court decisions or settlements which affect the jurisdiction's zoning, building, occupancy, or other policies and regulations relating to the provision of housing for lower income households and persons with disabilities. There are also no known court decisions or settlements relating to housing site selection by the Section 8 administrator, HUD-insured, or private market housing providers.

Barriers to Community and Economic Development

Impediments to economic opportunity are the greatest frustrations facing low income persons who are desperately trying to improve their station in life.

Language differences pose one of the single greatest obstacles for non-English speaking residents. This extends from the classroom to the workplace, doctor's office, and City Hall. Bright, hardworking persons are frustrated and missing opportunities due to the inability to effectively communicate.

Neighborhood Revitalization, Municipal and Other Services

One aspect of fair housing choice is neighborhood revitalization and the provision of good services to areas in which low and moderate income families live. African Americans, Hispanics, and other urban minorities

—who are most concentrated in such neighborhoods—will benefit from better neighborhood environments so critical to good housing.

Frequently, the quality or extent of public services and facilities varies dramatically among residential neighborhoods. Public services and facilities include schools, recreational facilities and programs, social service programs, parks, roads, transportation, street lighting, trash collection, street cleaning, crime prevention, and police protection activities. Lower income, densely populated residential areas too often lack the level and array of services that are provided in less impacted, more affluent neighborhoods. The City has endeavored to equalize services as part of its fair housing planning.

While policies and programs to promote better living conditions in lower income, minority neighborhoods is a significant part of a comprehensive approach to furthering fair housing for lower income minorities, jurisdictions should not focus solely on linking such efforts. Jurisdictions should extend efforts to provide lower income housing opportunities for minorities, families with children, and persons with disabilities to non-minority and more economically advantaged neighborhoods. The City of Dunkirk has undertaken a number of partnership efforts with nearby Fredonia and Erie County to ensure mobility and transportability for low income residents.

In assessing public services available in the City of Dunkirk, there are no apparent inequities in the extent and quality of services and facilities available to all areas within the jurisdiction. Regular trash and garbage collection is carried out throughout the City from every household from all neighborhoods once per week. Parks and recreation facilities in each census tract of the City are well maintained and accessible to households of all income levels. In many instances, parks located in census tracts with the highest concentrations of low and moderate income households have received CDBG funds to assist with park and recreation improvements.

Public Housing and Section 8 Programs

HUD is undertaking several initiatives to change the manner in which the public housing and Section 8 Certificate and Voucher Programs have operated in providing housing choices to minority home seekers. One such initiative is the metrowide or regional FHP. Jurisdictions that participate will work together to establish a centralized, consolidated applicant database through which applicants will be selected to receive housing assistance in all of the assisted housing programs in the metropolitan area. The process is intended to provide an expanded selection of offers to persons eligible for housing assistance while at the same time allow them to select an opportunity through the program for which they have expressed a preference (for example, the Section 8 existing housing or voucher programs, public housing, or project-based Section 8 programs).

According to Chautauqua Opportunities, Inc. (COI) the local Community Action Agency and coordinator of the County's Section 8 program this regional cooperation already exists in and around Chautauqua County. COI coordinates the Section 8 program county-wide, including in the region's urban centers: Dunkirk and Jamestown.

Jurisdictions are also encouraged by HUD to establish a nonprofit clearinghouse mechanism to administer the process. The clearinghouse would provide counseling and other services, if possible, to encourage participants to look for and select housing in a wide variety of locations, including those outside low income and minority areas. As a principal coordinator of community based services in the County, COI offers virtual one-stop-shopping for low and moderate income residents seeking services. On-site services

include Section 8, housing programs, weatherization, WIC and Headstart in addition to a range of supportive services programs for homeless persons and others with special needs.

Section 8 Program Administration

The HUD Section 8 rental program is viewed by the City of Dunkirk as a terrific "win win" opportunity for many. Locally, they encourage those on Section 8 to participate in the Family Self Sufficiency program; however program administrators indicate that many participants are discouraged because they lose benefits before they are ready for self sufficiency. Chautauqua Opportunities operates a Section 8 program with application, tenant selection and assignment policies approved by HUD. The program offers all written material in English and Spanish and has bi-lingual staff available to assist with application processing and selection. COI has identified no concentration of tenants by race or income in its program - except to the degree that minority family members have elected to live in proximity to each other.

COI encourages the participation of disabled persons in the Section 8 program by advertising and networking with organizations who serve disabled residents and by maintaining a listing of accessible properties. COI has an administrative plan which describes policies and procedures, including policies which advance housing opportunities for disabled people. The plan is updated regularly and circulated for comment and review prior to adoption.

It is the perception of COI that minority concentrations in the Jamestown and Dunkirk areas occur primarily by tenant choice, rather than steering on the part of the program administrator or landlords. Section 8 voucher holders are able to select any affordable residence that meets housing quality standards. COI has no role in the tenant's ultimate selection of housing. COI does maintain a landlord list but offers no recommendations to tenants about which landlord or housing facility to select. COI also offers realtors a bulletin board in their offices where they may post any and all vacancies for prospective tenants to review.

COI maintains an active partnership with the surrounding region, especially Erie County and works cooperatively to ensure that voucher holders have optimal mobility and transportability. COI reports that few people "transport out" of the Dunkirk area because almost all of the surrounding areas offer less affordable housing. The exception to this trend are large families who find it very difficult to locate affordable large rental units, and are compelled to look for housing outside of the City limits. COI indicates that many larger families eventually locate housing outside of the City of Dunkirk. In some instances where the family is non-English speaking COI has advocated with the local school district and other service providers to ensure accessible services are provided in the family's new community.

COI assists all voucher holders to find suitable housing by offering a range of supportive programs including free inspection services, weatherization service, transportation and case management. For homeless clients and families they offer a range of re-housing services including assistance in reviewing and negotiating leases. COI offers information to all housing seekers regarding public and community facilities located nearby including schools, day care, health and welfare and other social service agencies, employment centers, and public transportation.

Dunkirk Housing Authority

The City of Dunkirk Housing Authority develops policies and programs in full compliance with established HUD guidelines. Anyone can apply regardless of current residency; the household is given a number and put on a waiting list according to number of bedrooms needed. When their name comes to the top of the list, the housing authority completes verification of income, police check, credit check, landlord reference (of the previous 5 years) and a home visit. Eligibility is determined based on the result of this selection process.

The Executive Director of the Dunkirk Housing Authority reports that most tenants are African American or Hispanic, but does not view this situation as representing a pattern or concentration of minority residents. Clearly the housing authority's current tenant pool does not reflect the ethnic and racial composition of the community as a whole. The director reports a recent increase in the number of white families making application, and is hopeful that the authority will ultimately achieve a better balance. Efforts to actively desegregate the units are difficult because placement depends on where tenants fall on the waiting list. The authority makes every effort to balance the units they administer but reports that many minority community residents select units in areas of minority concentration to be near friends or family.

The Housing Authority offers wheelchair accessible apartments and maintains a waiting list for these apartments. Physically disabled persons receive a preference for these apartments, but the authority will not hold a handicapped accessible apartment vacant if there is no waiting list.

Applicants at the Dunkirk Housing Authority are allowed to state a preference for a specific housing unit or location. The Authority makes every effort to accommodate tenant choice. If the applicant refuses a certain placement they will be placed at the bottom of the list. The last Section 504 evaluation was completed more than 2.5 years ago. Self-assessments have taken place annually since that time.

Sale of Subsidized Housing and Possible Displacement

In the sale of subsidized housing, the objective should be to preserve lower income housing opportunities to the maximum extent feasible. However, if any displacement of current minority or disabled low income families occurs, the objective then should be to provide other housing opportunities to displaced households by giving them a real choice to relocate inside and outside minority neighborhoods or predominantly minority occupied buildings. Because a relocation plan often places sole reliance on the provision of certificates or vouchers to displaced households, a good program to promote real choice in the use of certificates and vouchers is essential.

Dunkirk Housing Authority currently has no plans to sell any of their housing. The Director is interested in exploring the possibility selling some single family properties to current tenants and using the money to provide new services to the project tenants. If any public housing tenant were placed in such an initiative, they would be given maximum feasible choice in relocation, within the limited amount of housing available.

Property Tax Policies

As incorporated governmental units in the State of New York, Cities are permitted to exempt real property from taxation to the extent permitted by New York State laws. These exemptions enhance the affordability of housing for the city's less affluent residents.

Article XVI, Section 1 of the New York State Constitution, which provides that the power to tax rests exclusively with the Legislature, also permits the State to enact laws delegating to local government the power to impose specific taxes. Additionally, under New York State's Constitution, exemptions from taxation may only be given pursuant to general law approved by the State Legislation and the Governor. New York State has enacted many laws creating mandatory and permissive exemptions from taxes on real property.

Under certain statutes, housing created under programs designed to benefit populations with special needs and low income households, including public housing, is exempt from taxation. This has the effect of reducing the amount of rent necessary to meet the expenses of the project. Other legislation makes possible tax relief for low income senior citizens.

Current real property taxation policies may also be barriers. Cities assesses new construction and improvements to buildings thereby raising the tax bills of the owner. This often discourages significant residential expansion. Buildings in disrepair often have their assessments reduced and pay lower taxes. In order to encourage good maintenance of the structures, new tax laws and policies must be established that penalize those who do not properly care for their real estate and reward the efforts of those wishing to improve the housing stock.

Tax Exemptions for Affordable Housing Project

Exemptions from taxation exists under the State's Private Housing Finance Law and Public Housing Law as referenced in Real Property Tax Law Section 414 for real property owned by municipal housing authorities.

Tax Exemptions for Special Population Groups

Improvements made to a one, two or three family residence to facilitate and accommodate its use by a physically disabled person who resides there, whether as the owner or a member of the owner's household, may increase the value of the property and result in a higher assessment. Real Property Tax Law Section 459 allows counties, cities, towns or villages to adopt a local law after a public hearing, or a school district to adopt a resolution, which exempts from taxation improvements made to accommodate a resident's disability.

Municipal corporations may adopt local laws exempting from taxation to the extent of fifty percent of the assessed valuation thereof, property which is owned and used exclusively for residential purposes by, and is the legal residence of, persons aged 65 years and over. This statute (Real Property Tax Law 467) further provides income limitations on eligibility for this exemption and a sliding exemption scale, thereby ensuring that these benefits are targeted to low income households. Veterans exempting is authorized under the Real Property Tax Law 458. There are no income limits imposed on the veteran who has exemptions from 15% to 100%.

Tax Exemptions for Conservation of Resources

In addition to exemptions which act directly to reduce the tax burden of low and moderate income households, certain exemptions reduce housing costs in other ways.

Sections 487 and 487-a of the Real Property Tax Law encourage the installation of equipment and materials which conserve energy. Real property which includes a solar or wind energy system approved in accordance with Real Property Tax Law Section 487 is for a period of fifteen years exempted from taxation to the extent of any increase in assessed value realized from the solar or wind energy installation. This exemption is mandatory for solar or wind energy systems existing or constructed prior to July 1, 1988 or constructed subsequent to January 1, 1991 and prior to January 1, 1996, except that localities and school districts may adopt laws or resolutions providing otherwise for systems constructed after January 1, 1991.

Insulation and other energy conservation measures added to one, two, three or four family houses qualifying for financing under a home conservation plan pursuant to New York's Public Service Law, or for any conservation related State or federal tax credit for deduction are exempt from real property taxation under Real Property Tax Law 487-a to the extent of any resulting increase in the value of those homes.

Community Development Block Grant Program

Since the time the City of Dunkirk attained entitlement status under the Community Development Block Grant (CDBG) program it has focused on redeveloping deteriorated housing. With the involvement of neighborhood agencies, the City's CDBG Program responded to the needs of neighborhoods by renovating existing but deteriorated housing and repairing substandard housing conditions dangerous to life, safety or health.

With a clear focus on the CDBG Program's primary objective, to provide decent housing and a suitable living environment for persons of low and moderate income, the City of Dunkirk implemented a five year consolidated plan in 2008.

Summary of Consolidated Plan 5-Year Program

The City of Dunkirk's five year plan was developed with significant public participation, which was obtained through a combination of resident surveys and public meetings. Through this process, the City has focused its efforts and allocated its resources to projects which emphasize:

- the restoration of neighborhood environments through rehabilitation of substandard owner-occupied housing, rental rehabilitation and provision of affordable homeownership opportunities;
- community development needs, particularly the creation of environments conducive to business growth and job creation and improved quality of life;
- programs to assist the elderly and disabled;
- improvement of public housing living conditions and abatement of lead-based paint.

The City has recognized that housing program planning and delivery is not efficiently organized and is establishing a housing partnership to facilitate greater collaboration among the City and various housing agencies and related service providers. In addition, one of the strategies for improving public housing living conditions is to increase resident participation in management and planned activities.

The City anticipates that planned owner and rental housing rehabilitation projects will improve housing choice and availability. These CDBG programs have focused on similar moderate and low income neighborhoods with the same objective of preserving and maintaining affordable housing and the neighborhood environment. As part of its Consolidated Plan, the City of Dunkirk has forged a long term commitment to retain this direction for the expenditure of federal community development block grant and state funding.

The Degree of Segregation

To some extent, racial and ethnic minorities are concentrated in certain neighborhoods. Census tract 355, for example, accounts for 24.3% of Dunkirk's population as a whole, but 31.7% of all Hispanic residents and 44.4% of all African-American residents.

Given that households headed by African Americans or Hispanics in Dunkirk are far more likely to be low or very low income than those headed by whites, it is perhaps not unexpected that areas of low income concentration and areas of minority concentration overlap.

Institutional Practices Within the Real Estate Industry

Government policies and procedures that regulate, monitor or otherwise impact on rental, sales, and property insurance practices can play a significant role in promoting fair housing choice. Where private sector practices appear to discriminate or otherwise contribute to restricted housing choice, the City of

Dunkirk should seriously consider reviewing their current policies and procedures to determine what, if any, changes might be made to strengthen their role.

Lending Policies and Practices

Initiatives to revitalize neighborhoods are severely constrained by the unwillingness of many financial institutions to invest in declining and deteriorated neighborhoods. The presence or absence of sustained residential and commercial investment by banks and other financial institutions in low income and minority neighborhoods is the most important factor in maintaining neighborhood vitality. Without investment in mortgage and home improvement loans, residential areas decline rapidly. Without investment in small and disadvantaged businesses, many neighborhood commercial enterprises cannot thrive.

HMDA and FDIC Data Analysis

In order to provide a full picture of the lending climate in the City of Dunkirk as it relates to the enhancement of fair housing the City's consultant undertook an analysis of Home Mortgage Disclosure Act data and Federal Depository Insurance Corporation data for the community.

The following lending institutions are required to report under the Home Mortgage Disclosure Act:

- All depository institutions with assets of at least \$10 million and one branch in the MSA in question.
- Mortgage company affiliates of banks, bank holding companies, and service corporations.
- Independent mortgage companies with assets greater than \$10 million.
- Small mortgage companies that originate 100 or more home loans per year.

Dunkirk 2008-2012 Consolidated Plan 5-Year Strategy

I. Community & Economic Development Strategy

Development Priority #1: Ensure adequate public facilities for future

Objective A: Streetscape Improvements

Goals: The City of Dunkirk would like to concentrate the majority of its efforts on specific areas in the NRSA that need more comprehensive improvements and rehabilitation including but not limited to sidewalk repairs, curbing and tree planting, creating more handicapped accessible areas, making the downtown and waterfront areas more pedestrian friendly and better accessible for the public; improving downtown building facades,

improving the two downtown underpasses to ensure safety of public, etc.

Funds: CDBG support, State and Federal grants, General City Budget

Objective B: Crime Prevention Equipment

Goals: To enable the Dunkirk Police Department to properly identify suspects, obtain criminal history responses and timely identification of wanted suspects residing in the community with warrants from other jurisdictions.

Funds: CDBG funds, Dunkirk Police Department Funding

Objective C: Maintain and develop recreational facilities

Goals: New equipment in area playgrounds, clean and improved beaches and parks, completion of waterfront recreational trail and a year round sports complex.

Funds: CDBG funds, State & Federal Grants, General City Budget

Development Priority #2. Support Business Growth and Job Creation

Objective A: Be positioned to assist city businesses with growth potential

Goals: Add 15 living wage jobs for Dunkirk residents each year, making appropriate incentives available for growing new or existing businesses, including meeting high-tech and other training needs, continuing efforts in brownfield issues, and meeting American Disabilities Act requirements.

Funds: In addition to funding through the Chautauqua County Industrial Development Agency, New York State Empire State Development, the Dunkirk-Sheridan Empire Zone, and the Dunkirk Local Development Corporation, monies from both future Dunkirk CDBG entitlements and unspent CDBG funds currently held by the DLDC will be made available to projects which meet HUD low-mod benefit and/or slums and blight criteria, to encourage business growth and job creation. In addition, the City of Dunkirk will request an annual allocation of CDBG entitlement funds for economic development incentives/projects, which can be applied to ADA adaptations and/or to address "Brownfield" issues, which can be used in conjunction with funding from NYS DEC and/or the EPA, to include asbestos removal, for sites and structures within the City and also be used to assist the private sector to assist with business development and/or retention. A collaboration of agencies including the IDA, Empire Zone, JCC, SUNY Fredonia, CODI, the Small Business Development Center, ChautauquaWORKS, SUNY Fredonia Technology Incubator and others will be encouraged to provide technical and on-the-job training support to businesses that create jobs for low-mod Dunkirk residents with CDBG funded allocations.

Objective B: Support existing and new businesses in the Downtown area

Goals: Keep downtown storefront occupancy at 90% or better. Ensure that downtown businesses and service providers receive needed technical and financial assistance to sustain a healthy city center. Encourage location of businesses and agency offices in the downtown core through incentive packages that may include site development of new sidewalks, curbing and tree planting, facade improvement, re-location costs, Brownfield remediation, and Americans with Disabilities Act (ADA) requirements.

Funds: Funds: In addition to funding through the Chautauqua County Industrial Development Agency, New York State Empire State Development, the Dunkirk-Sheridan Empire Zone, and the Dunkirk Local Development Corporation, monies from both future Dunkirk CDBG entitlements and unspent CDBG funds currently held by the DLDC will be made available to projects which meet HUD low-mod benefit and/or slums and blight criteria, to encourage business growth and job creation. In addition, the City of Dunkirk

will request an annual allocation of CDBG entitlement funds for economic development incentives/projects, which can be applied to ADA adaptations and/or to address "Brownfield" issues, which can be used in conjunction with funding from NYS DEC and/or the EPA, to include asbestos removal, for sites and structures within the City and also be used to assist private sector to assist with business development and/or retention. A collaboration of agencies including the IDA, Empire Zone, JCC, SUNY Fredonia, CODI, the Small Business Development Center, Chautauqua WORKS, SUNY Fredonia Technology Incubator and others will be encouraged to provide technical and on-the-job training support to businesses that create low/mod jobs for Dunkirk residents with CDBG funded allocations.

Objective C: Continue to Develop the lake front and Dunkirk Harbor as a strong tourism destination.

Goals:

1. An intensive marketing effort with the Clarion Hotel, The Horizon, Demetri's, the Dunkirk Boardwalk Market, Walleye Willies and the other businesses and attractions in the harbor to make travelers aware of the existing attractions of the harbor, parks, fishing, and lake vistas—inviting them to cross over the Thruway to visit the city and its lake front.
2. Promote the boat tour industry for fishing, scuba diving, and pleasure day trips—a niche market in a protected harbor not available elsewhere on the Chautauqua County shoreline of Lake Erie.
3. The development of destination attractions such as the Dunkirk Boardwalk Market to create a year round venue that will attract visitors to Dunkirk and create business and tourism development on the Dunkirk waterfront.
4. Promote efforts to find funding for continued improvements to the entire waterfront and lakeshore area, including completion of the waterfront recreational trail, improvement of public waterfront parks to create better public access and use of the harbor area, drainage and waterline infrastructure improvements and seawall construction along Lakefront Blvd and the harbor area, maintaining an attractive pier, boat launch and fishing station.

Funds: Because tourism can provide employment for low-income persons and much of the waterfront is in the city's low-mod area, CDBG funds could be used to attract other funding, both public and private.

Objective D: Use open city land and vacant buildings for development

Goal: Appropriately exploit open waterfront land for development that logically links to waterfront uses.

Goal: Non-waterfront commercial open land owned by the city will be actively marketed to developers, and may be packaged with incentives to encourage appropriate use where jobs or area wide benefit will occur.

Goal: Residential and/or commercial open land owned by the city with sufficient space for development under the building codes may be turned over to qualified developers with concrete plans to build new single, two-family homes, townhouses, and/or condominiums as part of an 'in-fill' housing strategy. Open land acquired by the city through tax foreclosure or other means where codes prevent new construction can be sold to adjoining property owners.

Goal: Underutilized, unsafe and/or vacant residential and commercial structures located in the NRSA, specifically, the waterfront/harbor area may be picked up by the City for either re-use purposes or demolition purposes to better utilize the property through marketing to developers or for other economic development and waterfront development projects.

Funds: CDBG, Private Investors/Developers

Objective E: **Make the Dunkirk Local Development Corporation (DLDC) an effective agent for the City for business and industrial expansion**

Goal: Encourage business development and expansion of existing businesses with low interest loans through the DLDC, and the use of CDBG funds held by the DLDC as economic development incentives or grants in the form of deferred loans where job creation results for low and moderate-income city residents. CDBG funds used as deferred loans will be in proportion to the number of employment opportunities to be created. Deferred loans will be forgiven incrementally by month through a lien period to ensure compliance with hiring goals and reporting requirements. Lien periods will be based on one year for each \$50,000 of incentive offered, with a minimum lien period of one year. The City of Dunkirk may at its discretion include allocations of CDBG funds in their Annual Action Plan to re-capitalize CDBG funds in the DLDC for additional eligible lending or economic development incentives.

Funds: CDBG funds, DLDC funds

Development Priority # 3. Create and Retain Jobs & A Strong Workforce

Objective A: **Provide Greater Workforce Recruitment**

Goals: To provide a school to work program that consists of several components. The overall goal will be to increase the number of City of Dunkirk students engaged in local businesses through various formats as well as to increase the number of businesses working with school age youth in meaningful ways.

Goals: Create an **outreach and recruitment** system utilizing on-site training programs, job fairs, human resource professionals, churches, Dunkirk school system, JCC, SUNY Fredonia, SUNY Fredonia Business Incubator, workforce development agencies, Business & Industry Leaders; include professional presentations teaching tolerance and sensitivity to employers, educators, community members.

Funds: CDBG funds, Local, Federal and State agency funds, Private Sector Investment

Objective B: **Assist with Brain Gain**

Goals: To develop tools and strategies to promote Dunkirk and local career opportunities to high school and college alumni as well as Dunkirk students currently in college. This would involve local high school and college students in developing "virtual and multi-media" tools for outreach to alumni through internet, ambassadors and by hosting a reunion event.

Goals: To assist with marketing and recruitment efforts through providing relocation grants to young professionals that would move into targeted neighborhoods in the City of Dunkirk for five years.

Goals: To assist with marketing and recruitment efforts through providing grants to young professionals for student loan debt that would commit to move into targeted neighborhoods in the City of Dunkirk for five years.

Goals: Partner with local industry and business leaders in the City of Dunkirk and the SUNY Fredonia Business Incubator to strategically target SUNY Fredonia Alumni, Current College Students and Dunkirk-Fredonia area residents who have moved out of the area to move into/back to the City of Dunkirk

Funds: CDBG funds, Private Sector Investment, DLDC funds, SUNY
Fredonia, Local, State and Federal Funds

Objective C: Prepare low-moderate income residents of all ages for living wage jobs

Goals: Provide a variety of work skill trainings to low-moderate income Dunkirk residents, with typical annual goals as follows:

Job readiness: 30 persons

Funds: Existing funding for city, school, housing, economic and workforce development programs as well as CDBG.

Development Priority #4: Improve the Quality of Life

Objective A: Develop needed Youth programming and facilities

Goals: Adequate and/or expanded facilities and programs for youth-serving agencies, new recreational activities such as intergenerational programming, camp transportation, basic basketball developmental clinic and the summer playground programming.

Funds: Private and public sources, including CDBG

Objective B: Continue to beautify the city

Goals: Annually replace trees in targeted areas

Goals: Encourage exterior rehabilitation to improve appearance of both commercial and residential areas with targeted code enforcement, commercial facade, and both owner-occupied and rental rehab funds where appropriate.

Goals: Improve the downtown and waterfront districts with comprehensive streetscape improvement program including sidewalk replacements, curb replacements, facade projects, tree replacements, planters, lighting, underpass improvements, etc.

Goals: Strengthen clean-up efforts in all parts of the City. Police involvement in issuing littering citations, discouraging shopping cart theft and abandonment, tickets followed by City Court fines for violators.

Funds: Private and public, CDBG

II. Priority Housing Strategy

Housing Priority #1: Encourage and Support Homeownership

Objective A: Educate and provide incentives to first-time home buyers

Goals: 5 successful new home buyers per year, having received a high quality housing education program to guarantee successful homeowners and to reduce the likelihood of foreclosure. At least 15 prospective buyers each year take homeownership training and receive one-on-one counseling available in both English and Spanish.

Funds: CDBG funds, State and federal leveraging funds

Objective B: Acquisition and Demolition

Goals: Clearance and demolition of uninhabitable properties, either because of on-going neglect, fire and/or other emergency situations, will continue. Funds will be used in targeted areas that have been identified for rehabilitation efforts. Asbestos removal costs are always the unknown factor in any demolition project. Therefore, if necessary, we may reallocate old, unused funds towards this program as well.

Funds: CDBG funds, City funds, other leveraging funds

Objective C: Assist low-moderate income residents with sidewalk replacement

Use CDBG funds to replace deteriorated sidewalks in front of residential properties owned by low-moderate income residents.

Objective D: Utilize targeted Code Enforcement to preserve neighborhoods

Goals: Conduct exterior inspections of the approx. 2000 units in the City's CDBG target area over the period, as well as interior inspections to follow up on complaints, referring owners of units that fail to appropriate rehab resources.

Funds: CDBG funds

Objective E: Meet emergency repair needs of very-low-income households

Goals: Provide allocation to meet emergency repair needs of very low-income (60%AMI) city households.

Funds: CDBG funds, State and Federal funds

Housing Priority #2. Restore and Strengthen Neighborhoods

Objective A: Adopt a Neighborhood Revitalization Strategy Area

Goal: Submit in 2008 and have approved by the US Dept. of Housing and Urban Development (HUD) a Neighborhood Revitalization Strategy Area plan consistent with the target area. The Strategy Area will continue focused efforts to improve the central core of the city, including the downtown business core and its most distressed adjoining neighborhoods.

The strategy will employ CDBG funds and funding from other sources for improvements in owner-occupied and rental housing, sidewalk replacement, infrastructure replacement including tree replacement, business facades, and economic development incentives to businesses, including demolition, that will provide jobs to residents of those neighborhoods or major employment service providers who locate there.

Objective B: Rehabilitate substandard owner-occupied housing

Goals: 5-10 units per year to address code violations and health and safety issues; 25-50 over five years through private and public funding sources. Use CDBG funds in two-thirds of the projects, 5-10 per year, 25-50 total for the five years of the Plan.

Funds: CDBG funds, Matching money through private funds or through housing non-profits from other sources such as Federal Home Loan Bank and HOME, NYS Affordable Housing Corporation and Weatherization programs.

III. Special Needs Strategy

Special Needs Priority # 1: Assist the Disabled

Objective A: **Eliminate accessibility barriers to public facilities**

Goals: By 2012, the following public places will be handicapped accessible: Dunkirk Free Library, Dunkirk Boardwalk Market, and Memorial Park

Funds: City, private funds and CDBG allocations

Objective B: **Increase curb cuts to make city ADA user-friendly**

Goals: Determine work to be done to meet ADA requirements and schedule it.

Funds: City and CDBG

Objective C: **Enough accessible housing for need**

Goal: Quantify need by 2008, increase owner and rental units as needed by 2012

Funds: State, federal, private and CDBG funds as available

Special Needs Priority #2: Assist the Elderly Objective A:

Meet emergency repair needs

Goals: Provide allocations for emergency repairs for low-income; offer registry of reliable contractors for non-low-income residents

Funds: CDBG funds for low-income elderly households

Objective B: **Provide Senior Nutrition Program**

Goals: Provide home delivered meals to the elderly who can no longer cook due to physical or mental limitations. Each meal will be required to contain 1/3 USRDA requirements. To increase the number of low to moderate income seniors/and or disabled persons who will receive nutritious meals, a check on their well-being and assistance to remain independently at home.

Funds: CDBG funds, agency leveraging funds