

INGLEWOOD TRANSIT CONNECTOR



RELOCATION ASSISTANCE POLICY

1.0 POLICY

Displaced persons who permanently or temporarily move from their place of business as a result of the City of Inglewood ("City) Inglewood Transit Connector Project are provided relocation assistance in conformance with the City's Inglewood Transit Connector Project Relocation Assistance Policy, all applicable federal, state and local laws and regulations, including when applicable, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), 49 CFR Part 24, dated January 4, 2005, titled Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs, Final Rule (Final Rule); Moving Ahead for Progress in the 21st Century Act (MAP-21) and revisions to 49 CFR Part 24 Final Rule effective June 3, 2024 which updates existing regulations of the Uniform Act, FTA Circular 5010.1F (revised November 1, 2024), California Eminent Domain Law, Part 3, Title 7 of the California Code of Civil Procedure, Section 41135 of the California Health and Safety Code, Section 7260 et seq., of the California Government Code, Guidelines adopted by the Department of Housing and Community Development (Title 25, Chapter 6), Title VI of the Civil rights Act of 1964 (42 U.S.C. 2000d et seq.), Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq. as amended), and Executive Order 1163 (3 CFR, 1959-1963 Comp., page 652). The Uniform Act was adopted to: (1) ensure that uniform, fair and equitable treatment is afforded to persons displaced from their homes and businesses as a result of public projects; and (2) in the acquisition of real property by a public agency, to ensure consistent and fair treatment to owners of real property, to encourage and expedite acquisition by agreement and to promote confidence in public land acquisition activities. There are no residential displacements resulting from the Project. This Policy relates only to commercial displacements.

Displaced person is generally defined as any person who permanently or temporarily moves from the real property or moves his or her personal property from the real property:

- (a) as a direct result of a written notice of intent to acquire, rehabilitate, and/or demolish, the initial of negotiations for, or the acquisition of such real property in whole or in part for the project;
- (b) as a direct result of rehabilitation or demolition of improvements on such real property for the project; or
- (c) as a direct result of a written notice of intent to acquire, or the acquisition, rehabilitation or demolition of, in whole or in part, other real property on which the person conducts a business for a project.

The City's Relocation Assistance Program consists of two elements: advisory assistance and financial assistance. Every person or business permanently or temporarily displaced as a result of the acquisition of real property required for the Inglewood Transit Connector Project will be provided advisory assistance in relocating to a replacement business location. When certain eligibility requirements are met, permanently or temporarily displaced persons are also entitled to financial assistance in relocating their personal property and for the increased costs of buying or renting a replacement business location or reestablishing a business pursuant to the eligible payment amounts currently in effect under the Uniform Act. These services and benefits are in addition to compensation received by the property owner for the real property.

Persons Required to move temporarily (24.202(a))

- (1) Appropriate notices must be provided in accordance with §24.203 and appropriate advisory services must be provided in accordance with §24.205;
- (2) If a person's business is shut-down due to the Project, which either requires the occupant to vacate the property or denies physical access to the property, the business may be temporarily relocated and reimbursed for all reasonable out of pocket expenses or may be determined to be permanently displaced, at the City's option;
- (3) Payment is provided for all out-of-pocket expenses incurred in connection with the temporary relocation as the City determines to be reasonable and necessary, associated with a comparable business location, and incidental to selecting a temporary comparable replacement site. Such payments may include the reasonable and necessary costs of temporarily moving personal property from the real property and returning to the real property. Storage of personal property may be allowed when approved by the City;
- (4) A person's temporary move from their business for the project may not exceed 12 months. The agency must contact any person who has temporarily moved when the temporary move has lasted for a period beyond 12 months because that person is considered permanently displaced and eligible for relocation assistance as a permanently displaced person. The City shall offer such eligible persons all required relocation assistance benefits and services for permanently displaced persons. The City may not deduct any temporary relocation assistance benefits previously provided when determining permanent relocation benefits eligibility; and
- (5) A person who is not lawfully present in the United States and who has been determined to be ineligible for relocation assistance in accordance with federal or state laws is not eligible for temporary relocation assistance unless such denial of benefits would create an extremely unusual hardship to a designated family member.

This Policy is written in compliance with federal and state laws, policies and regulations and covers business displacements. The Inglewood Transit Connector Project has NOT identified any residential displacements affected by the Project.

1.1 RELOCATION PLANNING

During the early stages of development, projects will be planned in such a manner that problems associated with the displacement of businesses and non-profit organizations are recognized and solutions developed to minimize the adverse impacts of displacement. Project planning involves the preparation of a relocation survey or study (Relocation Plan) that may include the following:

- An estimate of the number, type, and size of the businesses and non-profit organizations to be displaced and the approximate number of employees that may be affected.
- A survey of the real estate market in the vicinity of the project to determine if an adequate supply of suitable replacement locations for businesses and non-profit organizations will

be available to meet the needs of the displaced entities in a timely manner.

- When an adequate supply of replacement sites is not expected to be available, the impacts of displacing or temporarily moving the businesses should be considered and addressed. Planning for permanently and temporarily displaced businesses which are reasonably expected to involve complex or lengthy moving processes or small businesses with limited financial resources and/or few alternative relocation sites should include an analysis of business moving problems.
- An analysis of the problems anticipated in the relocation of the project displacees including any special relocation advisory services that may be necessary.

1.2 RELOCATION ADVISORY ASSISTANCE

The City shall implement a relocation assistance advisory program that satisfies the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*), Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 *et seq. as amended*), and Executive Order 11063 (3 CFR, 1959-1963 Comp., p 652). Relocation advisory assistance is made available to all businesses and non-profit organizations displaced by the City and includes such measures, facilities, and services as may be necessary or appropriate to:

- Determine the relocation needs and preferences of each business and non-profit organization to be displaced or, when determined to be necessary by the funding agency, temporarily displaced, and explain the relocation payments and other assistance for which the displacee may be eligible, the related eligibility requirements, and the procedures for obtaining assistance. This shall include a personal interview with each business to determine the need for outside specialists that will be required to assist in planning the move, assistance in the actual move, and in the reinstallation of machinery and/or other personal property.
- Determine the business's replacement site requirements, current lease terms and other contractual obligations, and the financial capacity of the business to accomplish the move.
- Provide current and continuing information on the availability, purchase price, and rental costs of suitable replacement sites.
- Minimize hardships to displacees by providing counseling and advice as to other sources of assistance that may be available, and any other help as may be appropriate.
- Supply persons to be displaced with appropriate information concerning federal and state disaster loans and other programs administered by the Small Business Administration and other federal and state programs that offer assistance to displaced businesses and non-profit organizations, and provide technical help to displacees applying for assistance.
- Provide an estimate of the time required for the business to vacate the site.

If the City determines that a person occupying property adjacent to the real property acquired for the Project is caused substantial economic injury because of such acquisition, it may offer advisory services to such person.

1.3 RELOCATION FINANCIAL ASSISTANCE

The City provides Relocation Assistance to businesses and non-profit organizations. A business

that qualifies as a Displaced Person may be eligible to receive compensation as follows pursuant to the provisions of the Uniform Act as amended:

- *Payment for actual reasonable moving and related expenses.* The actual, reasonable and necessary moving and related expenses for moves from a business or nonprofit organization pursuant to eligible expenses as described in the Uniform Act as amended. A displaced business may select to conduct a Self-Move. If a displaced business selects a Self-Move, the payment may be based on one or a combination of the following:
 - The displaced business shall be entitled to payment based on the lower of two bids prepared by a commercial mover or qualified staff person. At the City's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate; or
 - Supported by receipts for labor and equipment. Hourly labor rates should not exceed the rates paid by a commercial mover to employees performing the same activity and equipment rental fees should be based on the actual rental cost of the equipment but not to exceed the cost paid by a commercial mover.
 - A qualified City staff person may develop a move cost finding by estimating and determining the cost of a small uncomplicated non-residential personal property move of \$5,000 or less with the written consent of the business owner. The estimate may include only the cost of moving personal property which does not require disconnect and reconnect and/or specialty moving services for activities including crating, lifting, transportation and the setting of items in place.
- *Related Non-Residential Eligible Expenses.* Payment may be made for (a) expenditures for the connection to available utilities from the replacement site's property line to improvements at the replacement site, and (b) impact fees and one-time assessments for anticipated heavy utility usage, as determined necessary by the City.
- *Fixed payment for moving expenses.* A business may be eligible to choose a fixed payment in lieu of payments for both actual moving and related expenses as well as actual reasonable reestablishment expenses. Such fixed payment, except for payment to a nonprofit organization, shall equal the average annual net earnings of the business but not less than **\$1,000** nor more than **\$53,200**.
- *Reestablishment Expense.* In addition to the payments described above, a small business or non-profit organization is entitled to receive a payment, not to exceed **\$33,200**, for expenses actually incurred in relocating and reestablishing a small business or nonprofit organization at a replacement site.
- *Nonprofit organization.* A displaced nonprofit organization may choose a fixed payment of \$1,000 to \$53,200, in lieu of the payments for both actual moving as well as related expenses and actual reasonable reestablishment expenses, if the City determines that it cannot be relocated without a substantial loss of existing patronage (membership or clientele). A nonprofit organization is assumed to meet this test, unless the City demonstrates otherwise. Any payment in excess of \$1,000 must be supported with financial statements for the two 12-month periods prior to the acquisition. The amount to be used for the payment is the average of 2 years annual gross revenue less administrative expenses.

2.0 RESPONSIBILITIES

The Right-of-Way Team (“ROW Team”) is responsible for administering the City’s Relocation Assistance Program. A Relocation Consultant may be contracted, on behalf of the City, to provide the displaced person with all relocation notices and information services and calculating payments to which the displaced person is eligible, so that the parcel will be vacated by the established need date for the project. The Relocation Consultant assembles all documentation to support a relocation claim and maintains a current and accurate written diary of all contacts with displacees. The ROW Manager is responsible for providing the Consultant with timely information and assistance when requested.

The ROW Team reviews and approves all relocation claims submitted by the Relocation Consultant and submits the request for payment to the City for approval and payment. The Public Works Director is authorized to approve relocation claims up to a total of \$250,000 and the City Manager is authorized to approve relocation claims up to a total of \$500,000, either in a single claim or a cumulatively from one party. All claims \$500,000 or more, either a single claim or a cumulative claim from one party, must be approved by the City Council.

ROW Team members include:

ROW Director: Responsible for the final internal departmental review of relocation claims submitted for payment.

ROW Coordinator: will provide administrative support relating to consultant coordination, document management, and financial processing.

ROW Advisor: responsible for providing strategic guidance and assistance to the ROW Team on an as-needed basis.

ROW Legal Counsel: shall serve as a supporting member of the ROW Team for legal advisory services relating to acquisitions and eminent domain matters.

Real Estate Services Consultants: will provide appraisal, acquisition, relocation, and environmental investigation services to assist the ROW Team to complete the proper acquisition of real estate and relocation of businesses in accordance with federal and state law and applicable policies.