

EXHIBIT B

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL FAIR HOUSING
ALLIANCE, TEXAS LOW INCOME
HOUSING INFORMATION SERVICE,
and TEXAS APPLESEED,

Plaintiffs,

STATE OF NEW YORK,

Intervenor-Plaintiff,

v.

BEN CARSON, Secretary of the U.S.
Department of Housing and Urban
Development, in his official capacity,

And

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,

Defendants.

Civ. Action No. 1:18-cv-01076-BAH

DECLARATION OF ADAM SALGADO

Pursuant to 28 U.S.C. § 1746(2), I, Adam Salgado, hereby declare as follows:

1. I am the Operations Manager at the Department of Development of the City of New Rochelle, NY.
2. The Department of Development plans and guides the physical advancement of the City by proposing and managing projects that enhance the built

environment and improve the City's quality-of-life. The Department's priorities include community and economic development and affordable housing.

3. The Department of Development also coordinates the administration of the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership Program.

4. In 2017, the U.S. Department of Housing and Urban Development (HUD) awarded the City \$1,295,836 in CDBG funds and \$304,806 in HOME funds. In 2018, New Rochelle will receive \$1,441,129 in CDBG funds and \$417,212 in HOME funds.

5. As a condition of receiving these funds, New Rochelle has a statutory obligation to affirmatively further fair housing.

6. In 2017, the City of New Rochelle submitted an Assessment of Fair Housing (AFH) in compliance with the Affirmatively Furthering Fair Housing (AFFH) final rule issued in 2015.

7. As Operations Manager, I oversaw the process of preparing the City's AFH.

8. The City began working on the AFH in late 2016 and submitted it to HUD about one year later, on October 17, 2017. HUD subsequently accepted the City's AFH.

9. In order to prepare our AFH plan, we hired a consultant, whom we paid with administrative funds that were cost-distributed among our HUD grants. Based on input that we provided, the consultant helped us analyze HUD data and formulate

metrics. The consultant was also tasked with other elements of the AFH, including assisting with the citizen participation process, analyzing the housing market, and conducting a housing-needs assessment.

10. Our decision to hire a consultant was not based on any deficiencies with the Assessment Tool. Rather, we hired a consultant because we have a small staff, none of whom are experts at analyzing demographic data. Moreover, because the AFH process only occurs once every five years, it is more cost effective for us to hire a consultant to help with the AFH than to hire a full-time employee.

11. Indeed, similar considerations led us to hire a consultant to help prepare our 2012 Analysis of Impediments, 2018-2022 Consolidated Plan, and 2018 Action Plan.

12. As part of the AFH process, we attended two trainings provided by HUD. We also received hands-on assistance from HUD's staff. For example, on December 13, 2016, a group of HUD staff members came to our office to work with us. They told us that because New Rochelle was one of the early submitters under the new AFFH Rule, our AFH would be a "flagship" report. As they worked with us on our AFH, it was clear that they were still learning how the process would work and trying to figure out which HUD employees would be responsible for reviewing which portions of the report.

13. Now that New Rochelle has completed its first AFH, I expect that we will be able to complete our next AFH with greater ease and with less assistance from HUD. Although the AFH process—and particularly the community-participation

component—will always require significant time and work, we will have the benefit of our prior experience and knowledge of the process.

14. I understand that HUD has withdrawn the local Assessment Tool based on certain deficiencies that it identified with the Tool. The reasons that HUD has given for withdrawing the Assessment Tool are inconsistent with New Rochelle's experience.

a. Community Participation: We had a clear understanding of our community-participation obligations and undertook what I believe was a robust public-engagement process, which included interviews and consultations with fair housing advocates, housing developers, non-profit organizations, and government agencies; two web-based surveys, one for the general public and one for other interested stakeholders; and public hearings at community centers throughout the City. Although the process was time-consuming, it gave us a deeper understanding of fair-housing issues in New Rochelle and the interventions necessary to address those issues, especially when we combined feedback from the public with the results of our data analysis.

b. Local Data and Knowledge: We used local data and knowledge that we compiled in the course of administering our HUD programs. To cite just a few examples, our AFH described (1) the housing pressures that result from having three colleges located in the City; (2) the level of community opposition to affordable-housing development in New Rochelle; and (3) the lack

of private investments in specific neighborhoods.

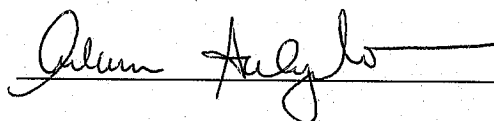
c. Regional Analysis: We did not have any trouble conducting a regional analysis of fair-housing issues in our AFH. Because we are located in Westchester County, which has been sued several times for failing to comply with the Fair Housing Act, there is an abundance of available data about fair-housing issues in our region. Throughout the Fair Housing Analysis section of our AFH plan, we included regional data about a number of fair housing issues, including segregation, disproportionate housing needs of protected classes, availability of publicly supported housing, and disability access. We also described regional issues that came to our attention through the public-engagement process. For example, at meetings with stakeholders, we learned that although New Rochelle has a considerable amount of senior housing and affordable housing for a community of its size, households from other parts of Westchester County often move into New Rochelle when housing is unavailable in their towns, increasing competition for housing in our City. Similarly, we learned that some of the more affluent communities in Westchester County have their own Housing Choice Voucher (HCV) programs with higher rent limits than New Rochelle. Many of these voucher holders are able to attain housing in New Rochelle because their assistance amount is greater, again creating competition for New Rochelle residents.

d. Goals Section and Identification of Contributing Factors: after reviewing our draft report, HUD helped us improve our metrics for measuring

our goals and encouraged us to identify additional contributing factors. At the same time, we also had to give feedback to HUD. For example, we explained that some of the metrics that HUD thought appropriate—such as building a certain number of units of affordable housing—were not achievable in New Rochelle, given our high building and development costs. This iterative process between the City and HUD ultimately resulted in an improved AFH, and I believe gave HUD a greater understanding of what we can accomplish with our funding. Our AFH plan now sets forth clear and measurable metrics for achieving our goals. For example, to achieve our goal of achieving housing affordability goal, we indicated that we would annually provide rental assistance to help 10-12 households afford housing; use HUD funds to assist a developer in establishing 3-5 affordable housing units within 5 years through the City's inclusionary housing policy; and create a resource guide for affordable housing developers to help them navigate the City's processes and reduce barriers to developing affordable housing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4 day of June, 2018

A handwritten signature in black ink, appearing to read "Adam Salgado", written over a horizontal line.

Adam Salgado