

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION**

Lucy Hollman, Shirlnice Givens, Mai Yang, Charlotte Brown,
Vanessa Boateng, Lia Shoua Pha, Anne Balentine, Josephine Hill,
Joyce Charles, Her Hang, Marlene Halloway, Patricia Scott,
Gertrude Marks, Michelle Barnes, Earline Robertson, Jacqueline
Trass, and Lawrence Madison, on behalf of themselves and all
others similarly situated,
Plaintiffs,

Civil 4-92-712

v.
Mel Martinez, in his official capacity as Secretary of the
Department of Housing and Urban Development ("HUD");
Thomas T. Feeney, in his official capacity as Acting Minnesota
State Coordinator of HUD; Cora McCorvey, in her official
capacity as Executive Director of the Minneapolis Public Housing
Authority ("MPHA"); MPHA, in and for the City of
Minneapolis, a public body corporate and politic; the Minneapolis
Community Development Agency ("MCDA"), a public body
corporate and politic; the City of Minneapolis, a public body
corporate and politic,

**STIPULATION AND
AMENDED CONSENT
DECREE, AMENDMENT
NO. 5**

Defendants,

Cora McCorvey, in her official capacity as Executive Director of
the MPHA; MPHA; MCDA, and City of Minneapolis,

Defendant Cross-Claimants,

v.

Mel Martinez, in his official capacity as Secretary of HUD;
Thomas T. Feeney, in his official capacity as Acting Minnesota
State Coordinator of HUD,

Defendants.

WHEREAS, Paragraphs 11 and 16 of the Decree obligate the parties to update the definition
of concentrated areas once new census data becomes available; and

WHEREAS, data is now available from the 2000 census to update definitions for both
"minority concentrated area" and "poverty concentrated area;" and

WHEREAS, in addition, demographic changes in Minneapolis since 1990 have caused the
parties to reconsider the appropriate definition of "minority concentrated area;" and

WHEREAS, the combination of the following factors suggest that applying the parties'
original definition of "Minority Concentrated Area" to 2000 census data may not be appropriate: the

DEC 15 2003
RICHARD D. SLETTEN, CLERK

JUDGMENT ENTERED _____
DEPUTY CLERK'S INITIALS _____

substantial increase in the Minneapolis minority population and its greater numbers in many more Minneapolis census tracts; the simultaneous shrinkage in the Minneapolis poverty population both city-wide and in many minority concentrated census tracts; and the substantial increase in census tracts which would be considered concentrated by applying current definitions to 2000 data, thus increasing the difficulty of using either tenant-based or project-based *Hollman* vouchers in Minneapolis locations; and

WHEREAS, the parties believe that it is more appropriate to apply the definition of Minority Concentrated Area to those Minneapolis tracts which are minority concentrated, but which also have a poverty population above the city-wide average so as not to rule out the use of *Hollman* vouchers in middle class minority neighborhoods; and

WHEREAS, the parties' proposed Amendment, illustrated by the attached list of census tracts and map, would have a more moderating effect in increasing the number of concentrated census tracts in Minneapolis from 44 tracts in 1990 to 47 tracts in 2003, as opposed to an increase in 56 tracts if the parties applied the original definition to 2000 census data; and

WHEREAS, by decreasing somewhat the area in Minneapolis which would be considered concentrated in comparison to what would result from applying previous definitions to 2000 census data, the changes the parties propose will make it easier to use project-based or tenant-based *Hollman* vouchers in Minneapolis, making it easier for MPHA to comply with the Decree by issuing all *Hollman* vouchers by October 2004;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, through their respective counsel, to an Order by the Court that Paragraphs 11 and 16 of the Consent Decree be amended as follows:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the Consent Decree approved by the Court on April 20, 1995 be further amended by making the changes to Paragraphs 11 and 16 set out below:

11. Minority Concentrated Area means: any census tract in the Metropolitan Area with a minority population which is twenty percentage points greater than the percentage of minority population in the Minneapolis-St. Paul Metropolitan Statistical Area (MSA). To qualify as a Minority Concentrated Area in Minneapolis, the census tract must also have a poverty population greater than the city-wide average. As of the date of this Amendment and based upon year 2000 census data, any census tract with a minority population greater than 35.3% is a minority concentrated area, except in the case of Minneapolis where a census tract must also have a poverty population greater than 16.9%.
16. Poverty Concentrated Area means: (1) in Minneapolis or St. Paul, a census tract with a population at or below poverty which is fifteen percentage points greater than the percentage of population below poverty in the City. As of the date of this Amendment and based upon year 2000 census data, Minneapolis census tracts with a population at or below poverty of at least 31.9% of the census tract population and St. Paul tracts with a poverty population of at least 30.6% of the tract population are poverty-concentrated areas. (2) In the suburbs, a census tract with a poverty population which is one and a half times greater than the percentage of population below poverty in the Metropolitan Area as a whole are poverty concentrated areas. As of the date of this Amendment and based upon year 2000 census data, suburban census

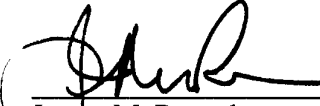
tracts with a poverty population of at least 10.4% of the census tract population are poverty-concentrated areas.

2. Prior notice to class members of these Decree amendments is not necessary because the amendments are consistent with the Decree goals and are likely to significantly benefit class members, with little or no detriment to such class members.

3. The amendments set out above area hereby approved and incorporated within the Amended Decree.

4. The Stipulation may be signed in counterpart.

Dated: December 11, 2003



James M. Rosenbaum
Judge of District Court

2000 Census Data - Concentrated Areas

With Minority Concentration Definition Amendment

Census Tract	Total Population	Non-Hispanic White	Percent Minority	Percent Poverty
1.01	3,170	1,728	45.5%	15.7
1.02	4,448	2,665	40.1%	13.4
3	3,491	2,542	27.2%	4.8
6.01	4,837	3,843	20.5%	10.6
6.03	2,788	2,535	9.1%	2.0
11	2,175	1,655	23.9%	9.7
17	2,030	1,459	28.1%	12.6
22	1,724	325	81.1%	40.8
24	2,005	1,467	26.8%	24.2
27	2,822	254	91.0%	31.2
32	1,935	296	84.7%	17.4
33	2,587	198	92.3%	37.6
35.01	716	196	72.6%	36.6
35.02	799	689	13.8%	2.1
38	4,173	3,134	24.9%	41.1
59.01	3,060	1,361	55.5%	36.3
59.02	3,307	645	80.5%	42.0
68	4,463	2,765	38.0%	19.0
73.01	1,815	175	90.4%	42.5
73.02	2,332	443	81.0%	26.9
77	2,048	933	54.4%	22.1
78.01	1,813	532	70.7%	30.9
78.02	2,050	578	71.8%	30.6
79	1,604	412	74.3%	28.8
81	3,503	3,039	13.2%	7.1
82	4,597	1,927	58.1%	30.0
83	2,364	592	75.0%	38.6
84	2,760	678	75.4%	27.1
85	4,501	1,559	65.4%	26.5
95	3,113	844	72.9%	21.1
96	3,575	1,971	44.9%	15.3
106	2,692	2,522	6.3%	3.2
107	2,416	2,256	6.6%	2.2
110	3,500	2,687	23.2%	5.6
117.03	4,031	3,653	9.4%	0.7
117.04	2,993	2,608	12.9%	2.9
118	4,524	4,004	11.5%	3.3
119.98	4,058	3,496	13.8%	4.3
120.01	5,741	5,200	9.4%	2.4
120.03	4,948	3,411	31.1%	8.7
121.01	3,076	1,904	38.1%	14.3
121.02	2,984	2,405	19.4%	3.8
1002	3,798	2,312	39.1%	14.1
1004	3,362	1,388	58.7%	21.1
1005	1,949	1,496	23.2%	13.8
1007	3,440	1,764	48.7%	16.9
1008	4,386	1,710	61.0%	14.4
1009	5,603	1,735	69.0%	24.7
1012	4,730	4,093	13.5%	6.3
1013	1,876	485	74.1%	26.4
1014	2,393	561	76.6%	31.1
1015	2,289	576	74.8%	31.2
1016	3,168	621	80.4%	43.9
1018	3,605	2,471	31.5%	21.8
1019	2,944	2,222	24.5%	15.4
1020	2,531	658	74.0%	26.3
1021	3,064	529	82.7%	27.1
1023	1,595	293	81.6%	40.3
1025	2,920	2,116	27.5%	17.3
1026	2,159	1,408	34.8%	27.8

Minority Concentration

2000 MSA Average: 15.3 Percent

2000 Hollman Definition **35.3 Percent**

(except those CT less than 16.9% poverty population)

Poverty Concentration

2000 Minneapolis Poverty: 16.9 Percent

2000 Hollman Definition: **31.9 percent**

1990-2000 Comparison

1990 Minority Threshold: **28.7 Percent**

2000 Minority Threshold: **35.2 Percent**

(except those CT less than 16.9% poverty population)

1990 Poverty Threshold: **33.5 Percent**

2000 Poverty Threshold: **31.9 Percent**

1990 Minority Census Tracts: **38**

2000 Minority Census Tracts: **44**

1990 Poverty Census Tracts: **32**

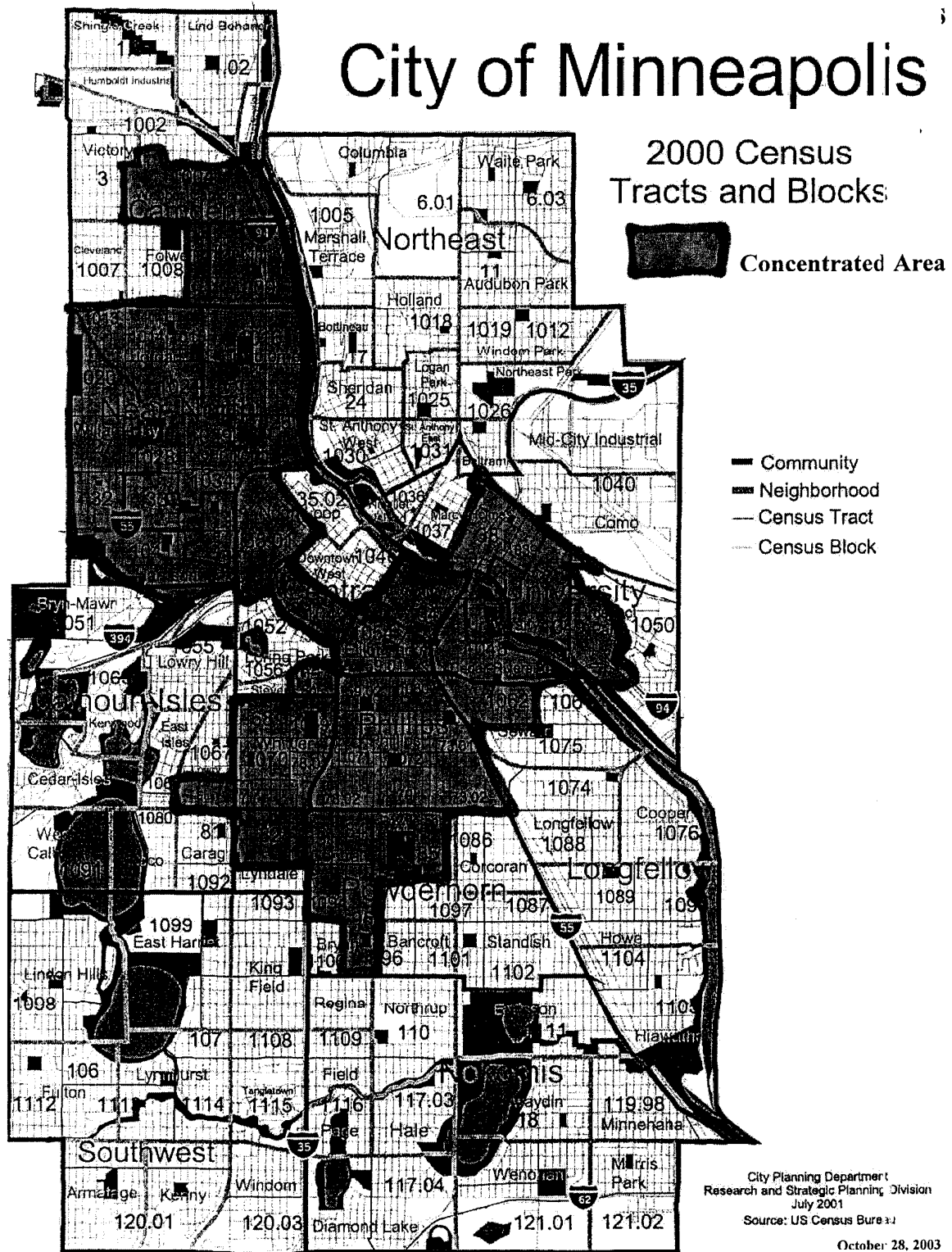
2000 Poverty Census Tracts: **20**

Tim Thompson - 2000 concentrated census tracts.xls

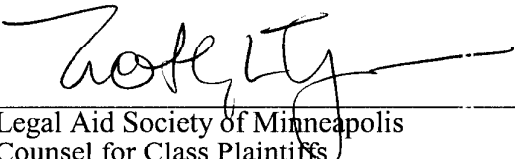
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1028	2,989	380	87.3%	37.1
1029	1,466	335	77.1%	26.1
1030	1,801	1,399	22.3%	22.0
1031	2,148	1,620	24.6%	17.1
1034	1,381	46	96.7%	45.2
1036	1,650	1,402	15.0%	9.5
1037	3,204	2,318	27.7%	26.5
1039	1,632	1,210	25.9%	48.9
1040	5,706	4,462	21.8%	24.2
1041	4,156	934	77.5%	37.3
1044	1,499	917	38.8%	27.1
1046	3,082	2,079	32.5%	15.7
1047	128	77	39.8%	51.9
1048	7,534	3,058	59.4%	42.0
1049	8,036	6,179	23.1%	46.3
1050	2,327	2,078	10.7%	13.2
1051	2,662	2,449	8.0%	2.3
1052	4,721	3,697	21.7%	17.3
1054	3,416	1,833	46.3%	40.1
1055	3,967	3,652	7.9%	8.3
1056	3,851	2,995	22.2%	14.4
1057	2,877	1,621	43.7%	24.6
1060	3,462	986	71.5%	34.0
1062	3,356	1,749	47.9%	23.3
1064	1,799	1,213	32.6%	17.7
1065	4,837	4,487	7.2%	5.6
1066	2,368	2,194	7.3%	7.6
1067	5,224	4,374	16.3%	13.8
1069	3,121	1,729	44.6%	21.9
1070	4,490	1,715	61.8%	19.9
1071	2,721	973	64.2%	39.5
1072	2,514	624	75.2%	27.3
1074	1,713	1,036	39.5%	11.0
1075	2,019	1,625	19.5%	11.0
1076	3,448	2,985	13.4%	4.5
1080	3,517	3,153	10.3%	4.4
1086	3,087	1,227	60.3%	15.8
1087	3,550	2,100	40.8%	14.8
1088	3,813	2,331	38.9%	12.7
1089	2,430	2,019	16.9%	6.2
1090	1,831	1,627	11.1%	2.2
1091	3,866	3,565	7.8%	4.0
1092	3,916	3,411	12.9%	5.3
1093	4,218	2,724	35.4%	8.8
1094	2,022	232	88.5%	26.9
1097	2,247	1,249	44.4%	12.7
1098	3,854	3,547	8.0%	3.5
1099	3,923	3,280	16.4%	4.6
1100	1,573	176	88.8%	16.7
1101	2,945	2,071	29.7%	8.2
1102	3,518	2,701	23.2%	6.6
1104	2,929	2,205	24.7%	4.5
1105	4,438	3,928	11.5%	3.9
1108	4,250	3,507	17.5%	5.5
1109	3,647	1,498	58.9%	4.8
1111	3,149	2,587	17.8%	5.8
1112	2,726	2,560	6.1%	3.0
1113	4,468	4,220	5.6%	1.3
1114	3,770	3,516	6.7%	2.3
1115	5,196	4,650	10.5%	2.4
1116	3,050	2,541	16.7%	4.2

Source: US Census Bureau; Census 2000



Date: 12-2-03

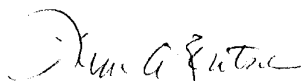


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Stipulation and Amended Consent Decree, Amendment No. 5

Dated: July 14, 2003

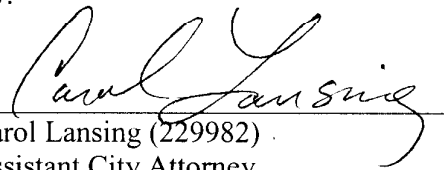
THOMAS B. HEFFELFINGER
United States Attorney

A handwritten signature in cursive script, appearing to read "Lynn A. Zentner".

BY: LYNN A. ZENTNER
Assistant U.S. Attorney
Attorney ID Number 137571

For the CITY OF MINNEAPOLIS
and the
MINNEAPOLIS COMMUNITY DEVELOPMENT AGENCY

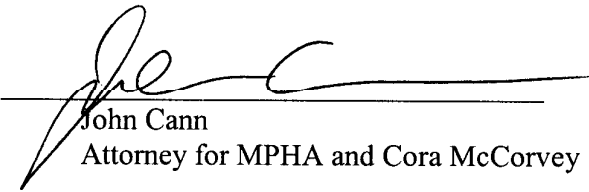
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Counsel for Defendants City of
Minneapolis and the Minneapolis
Community Development Agency

Dated November 26, 2003



John Cann
Attorney for MPHA and Cora McCorvey