

## **Citizen Participation Requirements and Plan**

Development of the Plan (Section 91.115(b)(1)): Prior to adoption of the ConPlan, the State made available to citizens, public agencies, and other interested parties information about the amount of assistance the State 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 and the plans to minimize displacement of persons and to assist any persons displaced. The State made this information available, prior to adoption of the ConPlan, on HCD's website, to the State's electronic mailing lists for the affected federal programs, at County Planning Departments, State Depository Libraries, at the public hearing locations, and upon request. This information was made available at least 30 days prior to adoption of the Plan.

Availability of Plan (Section 91.115 (b)(2)): For future Annual Plan Updates (APs) of the ConPlan, the State will publish the proposed AP and make it available as noted above. Copies will be provided upon request to any interested party. In addition, summaries of the AP will be published in at least 3 major newspapers of general circulation throughout the State. The summary will describe the contents and purposes of the Plan and will describe how copies of the entire Plan can be reviewed.

Public Hearing on Consolidated Plan (Section 91.115 (b)(3)): The State will hold at least one public hearing to solicit comments on housing and community development needs prior to publishing the AP and the ConPlan for review. This hearing will be held in conjunction with the public hearing(s) on the CAPER, which typically occur in September.

Public Hearing Notice (Section 91.115(b)(3)(i)): The State will provide notification of the public hearings concerning the draft AP and ConPlan at least 14 days prior to the public hearing. Notification of the public hearing(s) concerning the CAPER will be provided at least 7 days prior to the public hearing(s). The notification will be provided by posting on HCD's website, electronic mailings to interested parties, and through a notice in major newspapers of general circulation. The State will consult with interested public and private agencies to encourage wide distribution of notices of the public hearings. Copies of notices will be provided to public and private agencies upon request, for distribution to their members.

Location of Public Hearings (Section 91.115(b)(3)(ii)): Public hearings on the AP will be held in at least two locations throughout the state at times and locations designed to facilitate attendance by potential and actual beneficiaries and ensure adequate accommodation for persons with disabilities. The current locations of public hearings reflect requests by members of public and private agencies; the State will consider requests for additional or alternative locations to ensure adequate opportunities for interested parties to participate.

Non-English Speaking Needs (Section 91.115(b)(3)(iii)): The State will make every effort to accommodate the needs of non-English-speaking residents at all public hearings. A translator for Spanish speaking residents can be available at all hearings upon prior request. The State will solicit information about the need for translators for public hearings in the notification of the hearing. All requests for assistance will be accommodated to the extent possible. HCD maintains a list of staff that can provide translating services in American Sign Language.

Comments (Section 91.115(b)(4-5)): The State will provide a minimum comment period of 30-days for comments on the ConPlan and AP, and 15 days for comments on the CAPER.

The State will consider written comments, including via facsimile or e-mail, received and provided at the public hearings on the ConPlan, AP and CAPER. The State will also solicit and consider comments received in a manner convenient to the public. The three documents will be revised as appropriate to include written responses to all comments received.

Amendments (Section 91.115(c)): The State will amend its ConPlan under the following circumstances:

- (1) to reflect a major change in the allocation priorities or a major change in the method of distribution of funds;
- (2) to conduct an activity with program funds or income, not specifically described in the action plan; or
- (3) to revise the purpose, scope, location, or type of beneficiaries of proposed activities.

It is the intent of the State, except when necessary, not to initiate changes in the AP that would require a substantial amendment to the ConPlan except when the ConPlan is otherwise being revised (e.g., 5 year updates and annual APs). This will ensure that interested parties will be adequately aware and informed of opportunities to participate in the revision and implementation of the ConPlan. The State will, however, entertain requests and recommendations at any time for consideration in subsequent planned amendments. The State will also amend the Con Plan, AP, or CAPER as necessary to implement changes necessitated by HUD.

The criteria for determining what constitutes a substantial amendment include:

- (1) Any proposed change that would, in effect, constitute a revision in funding priorities or a major change in the method of distribution of funds.
- (2) Any proposed change that would substantially alter the ability of applicants to compete for funds or substantive changes in the specified uses of funds. Minor adjustments to scoring criteria would not constitute a substantial amendment and only need to be reflected in the Notices of Funding Availability (NOFAs).
- (3) Any proposed change that would substantially limit the beneficiaries of the activity.
- (4) Any proposed activity not previously described in the action plan that is inconsistent with existing activities or priorities.

Any substantial amendment will only be adopted after adequate public participation has been provided in accordance with the requirements of this Citizen Participation Plan. Such participation shall include wide distribution of proposed substantial amendments (including but not limited to county planning departments, depository libraries, distribution through electronic mailing lists of the affected federal programs, and posting on HCD's website), at least a 30-day public comment period, and may include at least one public hearing.

The State will consider all comments and views of citizens and local governments received in writing, or orally at public hearings in preparing and adopting any substantial amendment of the ConPlan. A summary of all comments and the State's responses will be included in any substantial amendment of the ConPlan.

Citizen Participation Requirements for Local Governments receiving CDBG (Section 91.115(e)): The State encourages participation of citizens in all aspects of the State's CDBG program, including the planning and development of the State's program, the local application and implementation process, and by program beneficiaries. To promote participation of citizens as program beneficiaries, especially targeted income group persons, the State encourages applications by local governments where high rates of poverty exist, and encourages eligible local governments to use CDBG funds to principally benefit targeted income group households. The State requires local governments that receive CDBG funds from the State to comply with at least the following citizen participation requirements:

- (1) Local governments that apply for and administer CDBG funds must have active citizen participation processes that encourage participation by targeted income persons and by residents of neighborhoods with high concentrations of housing and community development needs and targeted income group individuals and households.
- (2) In accordance with federal regulations (24 CFR, §570, 570.486), the State requires local governments to meet federal citizen participation and noticing requirements. The required citizen participation activities include holding accessible public hearings after proper notice. Proper recordkeeping is required. The State monitors for compliance with these federal requirements during its review of each grantee's performance.
- (3) Local governments must meet the needs of non-English speaking persons where significant numbers exist. The State requires local governments to include in their applications maps showing concentrations of non-English speaking persons, and the State reviews local grantee records to verify that the grantee has addressed the needs of non-English speaking persons in the local citizen participation process, including in the distribution of notices and other materials.
- (4) In accordance with CPD Notice CPD-05-03, issued by the U.S. Department of Housing and Urban Development (HUD), Community Planning and Development, on June 6, 2005, regarding the New Freedom Initiative, local governments participating in the CDBG Program are encouraged to expand their outreach efforts to persons with disabilities. This expansion is intended to ensure that persons with disabilities are aware of the support that may be available to them through CDBG-assisted programs in the jurisdictions in which they reside. The State recommends that local government applicants and grantees of the State CDBG Program notify and partner with local disability advocacy groups, Independent Living Centers (ILCs), and persons with disabilities to identify the needs of persons with disabilities and to determine how best to address the identified needs. The New Freedom Initiative is

intended to remove the barriers to community living that are present in the lives of persons with disabilities.

Availability of Plan to Public (Section 91.115(f)): The ConPlan, AP, any substantial amendments, and the CAPER are available upon request to the public and any interested party. These materials are provided in a form accessible to persons with disabilities upon request. Copies are available for review at HCD and on the HCD website.

Records Access (Section 91.115(g)): The State will maintain complete and accurate records relating to the ConPlan and the State's use of assistance under the programs covered by the plan for the preceding five years. The State will provide timely access to this information and records to any citizen, public agency, or interested party upon request.

Performance Reports (Section 91.115(d)): The State shall provide adequate notice of and opportunity to comment on annual performance reports (ie, the CAPER). Such notice will be provided by wide distribution of the notice (including but not limited to county planning departments, depository libraries, distribution through electronic mailing lists of the affected federal programs, and posting on HCD's website), including at least a 15-day public comment period, and at least one public hearing. In addition to comments received through public hearings, the State will accept public comments in any form convenient to the public, including through written responses, facsimile, and e-mail.

The State will consider all comments and views received in writing or orally at public hearings in preparing the CAPER. A summary of all comments and the State's responses will be included in the CAPER.

Complaints (Section 91.115(h)): The State will appropriately respond to all complaints regarding the ConPlan, amendments, and performance reports. Specifically, the State will provide a written response within 15 working days, where practical, to every written citizen complaint regarding the ConPlan, amendments, and performance reports. Comments received during the public hearing and comment period described above will be addressed as described in Section 91.115(b)(4-5). The State will respond to all complaints in a timely manner and in a form most appropriate for the circumstances. Records of all complaints received and their responses will be maintained by the State for a period of five years. In addition to the processes described above, the State encourages public participation

through the establishment of advisory committees and technical assistance workshops and ongoing technical assistance efforts