

CITY OF DESOTO, TEXAS

CITIZEN PARTICIPATION PLAN

City of DESOTO

Adopted by DeSoto City Council on 01-20-15

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CITIZEN PARTICIPATION PLAN

I. INTRODUCTION

The following Citizen Participation Plan provides a framework and process by which the City's consolidated planning efforts comply with the citizen participation requirements published by the U.S. Department of Housing and Urban Development (HUD). This Citizen Participation Plan is prepared and implemented in accordance with the guidance provided in HUD Regulations 24 CFR Part 91.105.

The City of DeSoto is entitled to receive annual grant funding from the Community Development Block Grant (CDBG) Program. It is the policy of the City to ensure adequate citizen involvement, with particular emphasis on participation by low- and moderate-income persons, in the planning, implementation, and evaluation of its housing and community development programs.

II. DEFINITIONS

Annual Action Plan: This document updates the Consolidated Plan on an annual basis and allocates one year's funding (entitlement and program income) to specific projects and activities for the CDBG, HOME, and ESG Programs.

CAPER (Consolidated Annual Performance Evaluation Report): This document reports on the progress made in carrying out the Consolidated Plan and Annual Action Plan. The City prepares the report annually in accordance with 24 CFR Part 91.

CBO (Community Based Organization): A public or private nonprofit organization of demonstrated effectiveness that is representative of a community or significant segments of a community; and which provides social, educational, or related services to individuals in the community.

CDBG (Community Development Block Grant): A HUD grant which provides for a variety of community development programs that benefit low- and moderate-income persons.

Citizen Participation Plan: The City's Citizen Participation Plan (CPP) sets forth City policies and procedures for citizen participation for the use of Community Development Block Grants (CDBG), HOME Investment Partnerships Act (HOME) allocations, Emergency Solutions Grants (ESG) and other HUD grants and funding programs. The CPP provides an opportunity for the community to work to identify needs and to allocate CDBG, HOME, ESG and other funds.

Community Development Division: A unit within the City Manager's Office, or other department as assigned by the City Manager, that is responsible for the administration and implementation of funds and programs from the U. S. Department of Housing and Urban Development (HUD). These funds are primarily designed to help improve the overall housing stock within the City of DeSoto and to maintain a quality standard of living for its citizens.

Consolidated Plan: This document is submitted to HUD and serves as the planning document of the jurisdiction and application for funding CDBG, HOME, and ESG grants. The document is developed in accordance with 24 CFR Part 91 and sets forth the priorities and strategies of the programs for a five-year period.

ESG: The Emergency Solutions Grants program, formerly the Emergency Shelter Grants Program, is a competitive grant that awards funds to private nonprofit organizations, cities, and counties to provide the services necessary to help persons that are at-risk of homelessness or homeless to quickly regain stability in permanent housing.

HOME (Home Investment Partnerships Programs): A HUD grant that provides funds to expand the supply of decent and affordable housing for low-income households.

HUD: The U.S. Department of Housing and Urban Development.

Low- and Moderate-Income Persons: An individual from a household with a total income that does not exceed eighty percent (80%) of the median household income for the area adjusted for family size. HUD calculates and publishes these income limits yearly.

Needs Identification Analysis: The examination of current housing and community needs, identifying strategies, priority needs, and objectives for meeting housing, community development, and economic development goals. It also provides a basis for prioritizing project proposals for CDBG funding consideration.

Participating Jurisdiction: The City of DeSoto is the participating jurisdiction.

Program Monitoring Policies: The City develops and implements policies to monitor the use of funds and to measure the progress and effectiveness of grant programs. These policies are in accord with HUD requirements.

Program Year: The twelve-month period in which HUD funds are to be spent for eligible activities; usually the period beginning October 1 and ending September 30.

Proponent: An entity that has or is considering submission of a proposal for the use of CDBG funds

Public Meeting: A meeting in which the members of the public may exchange their ideas on a particular issue and provide the sponsoring entity with their views on the subject at hand. Though elected officials may attend the meeting, no formal actions are taken at that time.

Public Hearing: A formal opportunity for a governing body or other entity to receive public opinion on subjects that may require action. Notices of public hearings are advertised through various forms of media.

Relocation: The movement of a person as a direct result of the implementation of federally-assisted acquisition, demolition, conversion, or rehabilitation activities.

Sub-recipient: A public or private nonprofit agency, authority or organization, or a for-profit entity receiving funds from the grantee or another sub-recipient to undertake activities eligible for assistance. The term does not include contractors providing supplies, equipment, construction or services subject to the procurement requirements in 24 CFR 85.36 or in 24 CFR Part 84, as applicable.

Substantial Amendment: A substantial amendment is a change to the jurisdiction's planned or actual activities as published in the Consolidated Plan or Annual Action Plan. The City establishes and publishes in the Citizen Participation Plan thresholds to define what constitutes a substantial amendment.

III. THE CITIZEN PARTICIPATION PLAN FOR THE CITY ADDRESSES EACH OF THE FOLLOWING ELEMENTS

A. Participation

It is the policy of the City to encourage and facilitate the wide-range participation of residents, service providers, government agencies, and others in the development of all HUD-required consolidated planning documents including the Five-Year Consolidated Plan, Annual Action Plans, Substantial Amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER).

The primary purposes of the participation will be needs identification, priority setting, funding allocations, and program recommendations related to the consolidated planning process. The City shall provide for and encourage citizen participation with particular emphasis on

- Low- and moderate-income persons;
- Persons residing in predominantly low- and moderate-income neighborhoods or slum and blighted areas; and
- Persons residing in areas where the use of CDBG funds is being proposed.

The primary purposes of the HUD programs covered by this Citizen Participation Plan are to improve communities by providing decent housing, a suitable living environment, and growing economic opportunities. The City encourages the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

Information about all meetings, hearings, and availability of documents for review will be placed at strategic locations such as the DeSoto Town Center Posting Boards located at City Hall entrances, the Senior Citizens Center and the DeSoto Public Library, as well as on the City website.

MEETING THE NEEDS OF NON-ENGLISH SPEAKERS 24 CFR 91.105 (e)(4)1

To encourage the participation of Spanish-speaking persons in our community, the City of DeSoto will provide a translator at all citizen participation meetings when the request is made beforehand. The City will make every effort to ensure that limited English-proficient persons have meaningful access to federally-funded programs, services and written materials.

B. Public Hearings

The City must conduct at least two public hearings per year to obtain the views and comments of residents, service providers, government agencies, and other stakeholders regarding the HUD-funded programs in the participating jurisdiction's HUD program areas. The hearings generally address housing, social, community development needs, propose activities, and review program performance. The hearings will be conducted at a minimum of two different stages of the program year – at least one of these hearings will be held prior to the adoption of the proposed Consolidated Plan and/or Annual Action Plan.

Citizens will be given adequate notice of all hearings and meetings through advertisements in the newspaper(s) of record, publications of general circulation, and/or other media outlets serving the community of affected citizens. Public hearings and community meetings will be advertised at least 14 calendar days in advance of the hearing and/or at the beginning of the official public comment period, whichever occurs first. Public notices shall indicate the date, time, place and purpose(s) of the hearing or meeting, as well as disclose information that will contribute significantly to the public's understanding of the issues to be discussed at the hearings or meetings. The notices will also be posted on the City Website (www.desototexas.gov). Additional means of advertising may be utilized, as appropriate, including, but not limited to mailing flyers, distributing or posting notices at the library, parks, and other public areas; developing press releases; and sending notices to community organizations. If and when the need is identified, the City's hearing or meeting notice will be published in English and in the appropriate other language.

The City will also follow the above public noticing process for other "non-public hearing" HUD-related actions to be taken by the City Council.

The hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities. When the need is anticipated, or it is requested, language translation services shall be made available.

Table A, at the end of this document, summarizes the public notice requirements for the various reports and documents.

The participating jurisdictions are required to conduct their own citizen participation activities for their residents, especially low-and moderate-income residents. At a minimum, these cities will be publicly notified and hold at least one public meeting to discuss proposed uses of the HUD grant fund allocation.

C. Access to Meetings

It is the policy of the City to plan and conduct public meetings related to the Consolidated Plan and Annual Action Plan. These meetings shall be held at times and locations convenient to potential and actual program beneficiaries. When appropriate, these public meetings may be conducted as part of regularly-scheduled meeting of another community-based entity. The use of existing community-based forums for the public meetings enhances the potential for participation by citizens, service providers, government officials, and other stakeholders.

As part of the Consolidated Plan effort, a series of needs-identification meetings will be conducted to invite input from public agencies and other interested parties regarding housing and community development issues, needs or problems; to provide information on the consolidated-planning process and applicable grant program; and to encourage the submission of project proposals. Attendees will also be afforded the opportunity to complete and submit Needs Assessment Surveys. Prior to public meetings, notices will be published in newspapers of general circulation – including translation in Spanish when the need is identified – announcing the purpose, date, time, and location of the meetings. All meetings will be held in locations accessible to persons with disabilities with additional accommodations available upon request. When the need is anticipated or it is requested, language translation services shall be made available for non-English speaking residents.

D. Public Comments

It is the policy of the City to provide residents, service providers, government agencies, and other stakeholders a sufficient time period (not less than thirty (30) days) to review and comment on the proposed Five-Year Consolidated Plan, Annual Action Plans, and Substantial Amendments and not less than fifteen (15) days to review and comment on the Consolidated Annual Performance and Evaluation Report (CAPER). All public notices invite interested persons to submit comments. Contact information will be provided on all public notices, at public meetings, as well as on any of the documents or materials being considered. All comments will be reviewed and considered. Documents presented for City Council consideration will include a summary of all comments received during the public comment period and a summary of comments not accepted and the reasons therefore.

E. Strategic Plan Development

Public meetings and hearings for development of the Five-Year Consolidated Plan shall be held with representatives of participating jurisdictions, public agencies, and organizations, as well as interested citizens. During the preparation of the Consolidated Plan, meetings are held to consider the regional strategy for the use of the City's HUD funds. These meetings shall confirm the development planning process and will be held to encourage citizen views and proposals on needs and priorities for a consistent strategy.

The following program information will be provided to the public:

- a. The estimated amount of HUD grant funds available to the jurisdiction including program income for community development and housing activities;
- b. The eligible program activities that may be undertaken with these funds;
- c. The areas and locations proposed for utilizing the available funding; and
- d. The proposed allocation of federal funds to participating non-profit organizations, participating jurisdictions, and basic eligible program categories and proposed funding allocations for local funding programs.

F. Substantial Amendments

From time-to-time, it may be necessary for the City to process a "substantial amendment" to the Five-Year Consolidated Plan or an Annual Action Plan, to allow for new HUD funded activities; modification of existing activities; or other program administrative actions.

Any proposed amendment that is considered a “substantial amendment” is subject to the citizen participation process, requires formal action by the City Council, and approval by HUD. A thirty (30) day public notice will be published to provide the opportunity for the public to review and comment on the proposed substantial amendments. The City will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR 91.105 (c)(3). A summary of these comments and views, including comments or views not accepted (and the reason why) shall be attached to the substantial amendment.

The City is required by HUD [24 CFR 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a *Substantial Amendment*. The following criteria will be used by the City – if any one criterion applies, a substantial amendment will be required.

1. A new activity not previously listed and described in the Consolidated Plan/Annual Action Plan;
2. When a proposal is made to amend the description of an existing activity in such a way that the newly described purpose, scope, location, or beneficiaries differ significantly from the original activity’s purpose, scope, location, or beneficiaries; or
3. In an effort to efficiently utilize HUD funds, the City will consider the reprogramming of unspent CDBG balances from completed and cancelled HUD-funded activities to other eligible activities. Activities under the stated thresholds may be cancelled for cause and funds reprogrammed without resulting in a substantial change. Examples of cause are
 - a. cancellation requested by the sub-recipient,
 - b. determination of the City that insufficient funding prevents accomplishment of the activity, or
 - c. determination by the City that the project cannot be carried out in a timely or eligible manner.

In the event that any “administrative” reprogramming actions are over the threshold limits, and come under the “substantial amendment” criteria, the proposed actions are subject to the citizen participation process and will require formal action by the City Council, as well as notification to HUD.

In the event of a declared emergency, it may be necessary to reprogram funds to meet urgent community needs. In these situations, requirements related to public notice and public comment period may be suspended.

G. Amendment to Citizen Participation Plan

During the administration of the HUD programs, it may become necessary to amend the Citizen Participation Plan. Any proposed amendment to the Citizen Participation Plan requires a thirty (30) day public notice, formal action by the City Council, as appropriate, and approval by HUD.

H. Access to Information

The City shall provide opportunities for residents, public agencies, and other interested parties, including those most affected, with reasonable and timely access to information

and records relating to the jurisdiction's Five-Year Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan.

Standard documents will be available for public review at the office of Lora Stallings, Assistant City Manager, DeSoto Town Center, 211 East Pleasant Run Road, DeSoto, Texas 75115 or the City website www.desototexas.gov. These materials will also be available in a form accessible to persons with disabilities, upon request. A reasonable number of free copies of the Plan will be provided to citizens and groups that request it; additional copies may be obtained on a first come, first served basis from the City Manager's Office in accordance with the City of DeSoto's fee policy for copies. Comments, questions or suggested amendments should be directed to Lora Stallings, Assistant City Manager.

Standard program documents that shall be made accessible for public review and comment throughout the preparation process include: the proposed and final Consolidated Plan, Annual Action Plan, Consolidated Annual Performance Report (CAPER), Substantial Amendments, and this Citizen Participation Plan.

It is the policy of the City to maintain and provide access to all applicable and appropriate records pertaining to the administration of the CDBG program. Records retention is a component of the City's File Management System. Accordingly, the City will maintain and provide access to documentation and records for a period of five (5) years.

I. Performance Reports

Each fiscal year the City is required to prepare and submit a performance report to HUD for the previous program year. The information compiled in this document is necessary to assess the progress on funding received by the two entities, participating jurisdictions, sub-recipients and other agencies or organizations. Data collected in the compilation of the performance report will be used to supply information to HUD and the public on the accomplishments and services provided. The information will include the number of people served, ethnicity, income category, objective and outcome, and type of service received, as well as the current status on housing, public facilities and improvements, and other projects. The information is also used to determine future funding considerations.

The final CAPER report will be available to citizens for review and comment at least 15 days prior to the public comment period. A public comment period will be advertised in the adjudicated newspaper and/or other targeted publications of general circulation at least 14 days in advance of the public comment period so that citizens will be provided reasonable notice to review and present comments on performance reports. A copy of the CAPER will be available at the City Manager's Office for review and can be located on the following web site: www.desototexas.gov. The CAPER shall be submitted to HUD within ninety (90) days after the end of the program year. Final reporting documents will also be made available to any interested parties upon request.

In accordance with HUD program regulations, City Administration continually monitors all HUD-funded sub-recipients and their activities. The City Program Monitoring Policies will be developed to ensure compliance with 24 CFR 570.502 (CDBG) and 24 CFR Part 85.40 (a) which provides for the general program monitoring responsibilities of the City in the administration of the HUD-funded programs.

The City of DeSoto must monitor grant and sub-grant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved. The City of DeSoto's monitoring must cover each program, function, or activity.

J. Technical Assistance

Technical assistance is available as necessary to groups and organizations representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under the Five-Year Consolidated Plan.

The City will make technical assistance available to current subrecipients and potential proponents through City Manager's Office staff, who are the main source of information of HUD programs and the application process. City Manager's Office staff provides assistance at community meetings and during proposal preparation, evaluation, review, and monitoring. The City has implemented mandatory proposal and sub-recipient training, which provides background and understanding of the programs and processes. Although the staff members are the primary contact to the communities and service providers, all City Manager's Office resources will be made available.

K. Relocation

The City policy is to administer the HUD funded programs without displacement. In the event displacement is unavoidable, the City and/or other responsible party(s) will comply with the regulations of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended, and Section 104(d) of the Housing and Community Development Act of 1974, as amended.

Consistent with the goals and objectives of activities assisted under the Act, the City of DeSoto will take appropriate steps to minimize the direct and indirect displacement of persons from their homes.

L. Complaints

Residents or other interested parties may submit complaints to the City in relation to administration of the HUD-funded programs. Complaints may be made in writing to the City of DeSoto, 211 East Pleasant Run Road, DeSoto, Texas 75115. The City Manager's Office will receive, log-in and file all written complaints and grievances. A letter responding to each complaint or grievance will be written and sent to the party or parties from whom the complaint or grievance was received.

Citizen complaints regarding fair housing issues in the City of DeSoto will be referred to the U. S. Office of Fair Housing and Equal Opportunity.

The complaining party should state the nature of the complaint, what prior efforts have been made to resolve the problem and any other pertinent information which would help staff determine a solution. All complaints will receive careful consideration and a timely, substantive response will be provided within fifteen (15) working days – perhaps longer for complaints that were referred to the U. S. Office of Fair Housing and Equal Opportunity.

TABLE A

CDBG Public Notice Summary				
Type of Document	Public Hearing	Hearing Notice	Public Comment Period	Notices in Public Areas
Consolidated Plan and/or Annual Action Plan	2	Publish a notice in a local newspaper at least 14 calendar days prior to first hearing; 30 days notice when publishing projects and notice of second meeting.	30 day public comment period	Post notice listing all meetings/hearings for the planning/adoption phase with enough detail for the public to recognize the purposes of the meetings, draft document locations and dates for comment periods
Substantial Amendments to Consolidated Plan and/or Annual Action Plan	As needed	Run a display notice in newspapers at least 14 calendar days prior to <u>each</u> hearing or at the beginning of the public comment whichever is first	30 day public comment period	Post notice describing amendment items and location of drafts for public review & comment and reported in the CAPER
Annual Performance Report/CAPER	N/A	Run a legal ad in newspapers at least 14 calendar days prior to the beginning of the public comment whichever is first	15 day public comment period	Post notice identifying purpose of comment period & location of drafts for public review and comment
Analysis of Impediments	1 Can be at time of Approval	Run a display notice in newspapers at least 14 calendar days prior to hearing	No public comment period needed	Post notice listing all meetings/hearings for the planning/adoption phase with enough detail for the public to recognize the purposes of the meetings, draft document locations and dates for comment periods
<p>Display ads will be run in the adjudicated newspaper and/or in other key publications in the affected areas.</p> <p>Documents and drafts for public comment will be available on the City website, which will also provide updates to the process and links to other information.</p>				