

# 2021-7131- CDBG CITIZEN PARTICIPATION PLAN FFY2021-2025

FFY2021-2025

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## Introduction

The City of Goodyear (City) is committed to encouraging citizens to participate in the planning, implementation, and assessment of the performance of its HUD-funded Community Development Block Grant (CDBG) Program. The Citizen Participation Plan emphasizes providing citizens with information and affording them the opportunity to give meaningful input.

This Citizen Participation Plan (CPP) provides opportunities for and encourages citizens to participate in the development of and any revision or substantial amendment to the following documents prepared by the City of Goodyear:

1. The 5-year HUD Consolidated Plan;
2. The Annual Action Plan; and
3. Consolidated Annual Performance and Evaluation Report (CAPER).

This plan may be obtained in alternative languages, upon request. Este plan se puede obtener en diferentes language, a pedido. This plan may be obtained in a format accessible to persons with disabilities, upon request.

## Citizen Participation Plan Adoption and Amendments

The Citizen Participation Plan (CPP) is adopted by the City Council and may be amended as needed at any time during the Consolidated Plan period.

The City will provide citizens a reasonable opportunity to comment on the CPP and on substantial amendments to the CPP, and will make the CPP public. The CPP will be made available in a format accessible to persons with disabilities, upon request. This CPP is hereby made a part of the City of Goodyear 5-year Consolidated Plan and is subject to all citizen comments.

## Citizen Participation Summary

| Activity  | Frequency     | Due Date     | Comment Period | Public Hearings (minimum)  |
|---|---------------|--------------|----------------|--|
| Five-year Consolidated Plan                               | Every 5 years | May 15       | 30 days        | 2: one prior to publishing draft plan and one during public comment period |
| Annual Action Plan  | Annually      | May 15       | 30 days        | 1  |
| Consolidated Plan or Annual Action Plan Amendment         | If needed     | --           | 30 days        | 1  |
| Consolidated Annual Performance Evaluation Report (CAPER) | Annually      | September 30 | 15 days        | --   |

## Encouragement of Citizen Participation

The Citizen Participation Plan (CPP) is designed to facilitate and encourage public participation. In particular, the Citizen Participation Plan seeks to encourage the involvement of low- and moderate-income people, people living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income areas where at least 51% of residents have income below 80% of the area median income.

The City will take the following actions to encourage the participation of all residents, including minorities, non-English speaking persons, and persons with disabilities.

1. Comply with the Americans with Disabilities Act and make accommodations for persons with special needs. Public hearings and the review of Consolidated Plan documents will be held at the City Hall or a location accessible to people with disabilities. Additional provisions will be made for people with disabilities when requests are made at least three (3) working days prior to a hearing.
2. Interpreters will be provided for people who do not speak English when requests are made at least three (3) working days prior to a hearing.

## Language assistance for those with Limited English Proficiency

The City assessed language needs to identify the need for translation of notices and other vital documents and found no language that meets the criteria for LEP. Four factors were considered in determining language needs: 1) The number or proportion of Limited English Proficiency (LEP) persons served or encountered in the eligible service population; 2) The frequency with which LEP individuals come into contact with the program; 3) The nature and importance of the program, activity, or service provided by the program; and 4) The resources available to the City and costs.

## Consolidated Plan and Annual Action Plan

In the process of developing and implementing the Consolidated Plan and Annual Action Plan, the City will encourage the participation of local and regional institutions, the Continuum of Care, the Maricopa County Public Housing Authority, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-, neighborhood- and faith-based organizations) that are involved with or affected by the programs or activities covered by the Consolidated Plan and Annual Action Plan. The City will also encourage the participation of public and private organizations in the process, including broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies.

The City may utilize alternative public involvement techniques that encourage a shared vision of change and the review of program performance, such as the use of the Internet, surveys, interviews, focus groups or other consultation methods to solicit input.

### Public Comment Periods and Document Availability

The City will provide not less than thirty (30) days for the public to review and comment on the Consolidated Plan and Annual Action Plan.

The document(s) will be made available on the City website, at City Hall and/or public facilities, and to the public housing authority. The City will provide a reasonable number of free copies of the Consolidated Plan and/or Annual Action Plan to residents or groups that request it.

On or before April 1 of any given year, the City will make available the draft Annual Action Plan. If HUD annual funding allocations have not been released by March 15, the timeline for the draft and subsequent submission to HUD may be delayed.

### Public Hearings

The City will hold at least two public hearings concerning the Consolidated Plan and/or Annual Action Plan. All public hearings will be held at times and locations convenient to prospective and actual program beneficiaries, and will be conducted with accommodation for persons with disabilities and non-English speaking persons when requested at least three (3) working days in advance.

### *Consolidated Plan*

The first hearing will be held during Consolidated Plan formulation and preparation, while the second will be held once a draft Consolidated Plan has been completed and during the 30-day public comment period. One or both of the public hearings will include the following:

1. The amount of CDBG resources anticipated to be made available during the program year, and the range of eligible activities that may be undertaken.
2. The amount of CDBG resources anticipated to benefit income qualified persons during the program year.
3. Plans to minimize the displacement of persons from the intended uses of CDBG resources anticipated to be invested during any given fiscal year.
4. Perspectives on priorities and housing and community development needs in the City.
5. Proposed strategies and actions for affirmatively furthering fair housing.
6. Other aspects of the Consolidated Plan, including review of program performance, as applicable.

### *Annual Action Plan*

The City will hold at least two public hearings concerning the development of the Annual Action Plan. The first hearing will be held during Annual Action Plan formulation and preparation, while the second will be held once a draft Annual Action Plan has been completed and during the 30-day public comment period. One or both of the public hearings will include the following:

1. The amount of CDBG resources anticipated to be made available during the program year, and the range of eligible activities that may be undertaken.

2. The amount of CDBG resources anticipated to benefit income qualified persons during the program year.
3. Other aspects of the Annual Action Plan, including review of program performance as applicable.

### Public Notices

At least seven (7) calendar days prior to a public hearing or public comment period, the City will publish a notice in a newspaper of general circulation and on the City website announcing the thirty (30) day public review and comment period and public hearing for the draft document(s). The City may use supplemental forms of notification, such as use of the Internet or distribution to the City's mailing list. The public notice will:

1. List the locations where the document(s) will be available for review, and describe the content and purpose of the Plan(s).
2. Provide information regarding the date, time and location of the public hearing.

### Consolidated Plan and Annual Action Plan Substantial Amendments

The City will use the following criteria for determining what changes in planned or actual activities constitute a substantial amendment to the Consolidated Plan or Annual Action Plan:

1. Changes made to funding priorities in the Consolidated Plan when not undertaken through submission of an Annual Action Plan.
2. Changes in the use of CDBG funding from one eligible activity to another in an amount greater than twenty percent (20%) of the annual CDBG allocation, including project deletions, and reprogramming funds from one activity or project to another.
3. Changes made in allocation priorities or methods of distribution.
4. Funding an activity not described in the Annual Action Plan.
5. Receipt of any additional federal funds considered part of the Consolidated Plan.

When a substantial amendment is made to the Consolidated Plan or Annual action Plan after its formal adoption, the City will:

1. Provide reasonable public notice of the proposed amendment(s) in a newspaper of general circulation to enable review and comment by the public for at least thirty (30) days.
2. Make the amendment available for public review and comment, and post the amendment on the City website.
3. Conduct a public hearing on the subject of the proposed amendment during the 30-day comment period.
4. Obtain City Council approval of the amendment.

## Consolidated Annual Performance and Evaluation Report (CAPER)

In early September of each year, the City will make available the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the previous fiscal year on its website, and may distribute the CAPER to housing authorities, libraries and other public facilities for a minimum fifteen (15) day public comment period to end no later than September 30.

## Emergency or Disaster Procedures

In the event of a local, state, or federally declared disaster or emergency, the City may follow expedited procedures approved by HUD.

## Technical Assistance

The City will provide assistance to very low- and low- income persons and groups representative of them that request such assistance in commenting on the Consolidated Plan, or in developing proposals for CDBG funding.

## Access to Records

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to public records relating to the Consolidated Plan, substantial amendments, the performance report, and their past use of CDBG and related assistance for the previous six years. This information will be made available to interested parties and persons with disabilities in alternate formats as reasonably requested and will be so noticed.

## Comments and Complaints

Any citizen, organization or group desiring to make a comment or complaint regarding the Consolidated Plan, any activity related to the implementation of the Consolidated Plan, amendments, or performance reports may do so in writing to the City. Comments or complaints may also be made verbally during public hearings and submitted in writing during a public comment period. At all times, citizens have the right to submit complaints directly to the Department of Housing and Urban Development. All comments and complaints are recorded in the Citizen Participation Record in the Consolidated Plan, Annual Action Plans, CAPERs, along with the response and any changes, if made, as a result of the comments. The City will respond to written comments or complaints in writing within 15 working days from receipt.

### *Comments Received at Public Hearings*

Prior to transmitting to HUD any Consolidated Plan, Annual Action Plan, substantial plan amendment, or Consolidated Annual Performance and Evaluation Report, the City will compile any comments or views of citizens received in writing or orally at public hearings. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the related document for final submission to HUD.

## Anti-Displacement Plan

This policy is necessary to minimize displacement and ensure compliance with the Uniform Acquisition and Relocation Act when displacement is unavoidable. This policy follows Guide form Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended.

The City will replace all occupied and vacant units that will be demolished or converted to a use other than as low/moderate income housing using CDBG funds. (One-for-one replacement)

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. This includes any property obtained through a public undertaking. Before obligating or expending funds that will directly result in such demolition or conversion, the City will make public and submit to the HUD Field Office the following information in writing.

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for low/moderate income dwelling units as a direct result of the assisted activity;
- A time schedule for the commencement and completion of the demolition or conversion;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source of funding and a time schedule for the provision of replacement dwelling units; and
- The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy (i.e.: Deed of Trust, Deed Restriction, etc.).

The City will provide relocation assistance, as described in 570.606(b)(2), to each low/ moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use using CDBG funds. Benefits will be provided to relocated and displaced persons according to the calculation of benefits derived pursuant to requirements of regulations promulgated under the Uniform Property Acquisition and Relocation Act of 1970, as amended.

## Assistance to Aliens

An alien who is not lawfully present in the United States is prohibited from receiving assistance under the Uniform Relocation Act, per 49 CFR 24.208, and assisted housing programs. Circumstances may dictate that determination that an alien is ineligible would result in exceptional and extremely unusual hardship to a spouse, parent, or child who is a United States citizen. A final determination on the eligibility of the request will be made by HUD before any assistance is provided.



### Permanent Displacement

Permanent displacement is defined as the permanent movement of person(s) or other entities from a dwelling unit or business location resulting from CDBG funded code inspection, rehabilitation, demolition, or acquisition. In the event displacement is caused by a CDBG funded project, the project plan will:

- Avoid or minimize permanent displacement whenever possible and only take such action when no other viable alternative exists.
- Consider impact on existing persons and properties in the development of CDBG funded projects.
- Inform citizens of CDBG project area(s) through information made available as part of the annual plan for use of CDBG funds.
- Follow current regulations, HUD notices and policies when preparing informational statements and notices.
- Provide written notification of intent to eligible property owners or tenants who may be displaced and/or relocated due to an approved project activity.
- Assist those displaced in locating affordable, safe, decent and comparable replacement housing.
- Ensure that "just compensation" for CDBG acquired property (as determined by appraised fair market value) is paid with relocation benefits, if applicable.
- Provide for reasonable benefits to any person permanently displaced as a result of the use of CDBG funds to acquire or substantially rehabilitate property.
- Provide information about equal opportunity and fair housing laws in order to ensure that the relocation process does not result in different or separate treatment on account of race, color, national origin, religion, sex, disability, familial status or source of income.
- Contingent upon availability, displaced households may be provided assistance through Section 8, Conventional Public Housing or any other federally funded program for which they might qualify.

### Temporary Displacement

CDBG funded activities may involve temporary displacement. While strict adherence to provisions of the Uniform Relocation Act are not specified, it is the policy of the City to take steps to mitigate the impact of CDBG funded code inspections, rehabilitation, demolition or acquisition that results only in temporary movement of person(s) from a dwelling unit. Such temporary displacement primarily involves demolition and reconstruction of a single-family owner-occupied home or lead based paint abatement during rehabilitation of a residential unit. Temporarily displaced persons will be provided full information and the following appropriate steps will be taken to ensure that fair and equitable provisions are made to:

- Provide temporary living accommodations while their CDBG funded unit is being rehabilitated or demolished and reconstructed.

- Move and temporarily store household goods and effects during the rehabilitation or demolition and reconstruction project.
- Reimburse all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including moving costs and any increased rent and utilities.