



CITIZEN PARTICIPATION PLAN

DRAFT For Public Comment

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The **Coronavirus Aid, Relief and Economic Security Act (CARES Act)** has made available supplemental funding, flexibility and waivers in response to COVID-19 pandemic. CDBG-CV funds provided by the CARES Act are to prevent, prepare for, or respond to the impact of Coronavirus.

Additionally, the CARES Act provides CDBG grantees with flexibilities to make it easier to use CDBG-CV funds, 2019 and 2020 CDBG funds and authorized HUD to grant waivers and alternative requirements. To take advantage of the funds and flexibility the City is required to amend the approved plans affected by these changes including the Citizens Participation Plan, Annual Action Plans for 2019, 2018, and related Consolidated Plans. The HUD waivers applicable to this amended Citizens Participation Plan (CPP) are:

Citizen Participation Public Comment Period for Consolidated Plan Amendment

- a. Explanation: A CPD grantee may amend an approved consolidated plan in accordance with 24 CFR 91.505. Substantial amendments to the consolidated plan are subject to the citizen participation process in the grantee's citizen participation plan. The citizen participation plan must provide citizens with 30 days to comment on substantial amendments.
- b. Justification: Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i) as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA or ESG funds.
- c. Applicability: This 30-day minimum for the required public comment period is waived for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment. The waiver is available through the end of the recipient's 2020 program year. Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan.

Citizen Participation Reasonable Notice and Opportunity to Comment

- a. Explanation: As noted above, the regulations at 24 CFR 91.105 (for local governments) set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. The citizen participation plan must state how reasonable notice and opportunity to comment will be given.
- b. Justification: HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.
- c. Applicability: This authority is in effect through the end of the 2020 program year.

I. Introduction

The City of Salem annually receives Community Development Block Grant (CDBG), and HOME Investment Partnerships Program (HOME) funds on behalf of the Salem-Keizer Consortium from the U.S. Department of Housing and Community Development (HUD). The federal resources are administered through the City of Salem's Urban Development Department. In 1995, the Department of Housing and Urban Development (HUD) combined the CDBG and HOME application cycles, creating the Consolidated Plan process. This process is used to evaluate needs, set priorities, and allocate funds to implement projects using CDBG and HOME resources. As a recipient of these entitlement program funds, the City is required to produce the following documents:

1. **Consolidated Plan:** A five-year plan that documents Salem and Keizer's housing and community development needs, outlines strategies to address those needs, and identifies proposed program accomplishments.
2. **Annual Action Plan:** An annual plan that describes specific CDBG and HOME funded projects that will be undertaken over the course of the upcoming fiscal year.
3. **Consolidated Annual Performance and Evaluation Report (CAPER):** An annual report that evaluates the use of CDBG and HOME funds.

The City will also implement the Citizen Participation Plan if the City amends the Consolidated or Action Plans.

In addition to these reports, program recipients must also have in place an approved Citizen Participation Plan as a requirement of the Cranston-Gonzalez National Affordable Housing Act and Section 508 of the Housing and Community Development Act of 1974, as amended, for direct recipients of HUD programs. This Citizen Participation Plan has been developed to provide citizens and other interested agencies and organizations with opportunities to participate in an advisory role in the planning, implementation and evaluation of the CDBG and HOME programs which primarily benefit low- and moderate-income residents and to review and comment on each of the documents listed above.

II. National Objectives

The primary purpose of these formula grant programs is to assist low to moderate income persons achieve the following goals:

1. Provide decent, safe, and sanitary housing
2. Provide a suitable living environment
3. Expand economic opportunities

Furthermore, under HUD regulations, each activity to be funded must meet one of the above objectives if it does one (or more) of the following:

- Serve low- or moderate-income residents (low- or moderate-income residents are defined as individuals, families, or households with an annual income less than the Section 8 low income limits. These limits are generally defined as 80 percent of the median area income or less, but greater than 50 percent of the median area income as established by HUD to qualify as low and moderate income individual, families, or households; or equal to 50 percent of the median area income or less as established by HUD to qualify as very low income individuals, families, or households)
- Eliminate or reduce slum or blight
- Meet an “urgent need” (damage caused by a flood or hurricane, etc.)

III. Administration

The programs are administered by the City of Salem Urban Development Department. Throughout each step of the funding process, the City will be responsible for notifying agencies, organizations, and the public regarding funding availability, and assisting the City Council with funding decisions. Also, the City will execute agreements with sub-recipients and other City Departments in order to articulate specific program responsibilities including:

- Oversight of the procurement process for design and construction work
- Review and approval of reimbursement requests
- Performance monitoring of sub-recipient performance
- Preparation of plans and reports as required by HUD

IV. Development of the Consolidated Plan

HUD regulations 24 CFR 91.205 to 91.230 requires recipients of CDBG funding to prepare a Five-Year Consolidated Planning Strategy (Consolidated Plan). The Consolidated Plan identifies and prioritizes community development needs, project proposals, and the specific funding needs of programs. The City will solicit community input for the Consolidated Plan in order to understand and prioritize community needs, and to further explain the consolidated planning process. The consolidated planning process is completed in several stages summarized below:

- Data Collection and Tabulation
- Drafting of Plan
- Public Viewing of the Plan
- Editing of the Plan
- Submission of the Plan to HUD

A number of methods may be employed to gather input from community members including residents, non-profit organizations and agencies, and members of the business community including: surveys, direct consultation with individual groups, and community outreach programs. The City also conducts public hearings, which encourage the participation of residents, the public housing residents, and affordable housing participants, prior to the development of each Annual and Consolidated Action Plan. In an effort to maximize the participation of the low to moderate income community; meetings are held in a low to moderate income areas of the city and are advertised to residents as well as local and regional institutions, agencies, businesses, developers, and community and faith based organizations. At the public hearings, UD staff will review several topics including:

- Encourage feedback on housing and community development needs;
- Amount of assistance received from HUD annually (grants & program income);
- The development of activities that may be under-taken using these funds; including the estimated amount that will benefit persons of low- and moderate-income.
- The areas of the City where activities may be undertaken; and
- A description of the projects programs and services that are underway using; currently available funds; and efforts to minimize displacement.

In addition to holding public hearings, UD staff participate with the local Continuum of Care and collaborate with the Housing Authority of the City of Salem to directly discuss the needs assessment of each upcoming Action Plan.

V. Consolidated Annual Performance Evaluation Report (CAPER)

Pursuant with 24 CFR 91.105(a)(2)(i) The City of Salem will, prior to submitting any Consolidated Annual Evaluation Report (CAPER) to HUD, make available to citizens, businesses, public agencies, and other organizations a draft CAPER. A draft will be made available in order to provide for and encourage citizens to participate in the development of the Performance report. The City will provide a reasonable opportunity for these groups to examine and comment on the draft through the following actions:

- The City will publish a legal notice in a local daily newspaper of general circulation such as the Statesman Journal, summarizing the contents and purpose of the CAPER and include a list of the locations where copies of the entire draft may be examined. The notice will also specify the deadline and place to which comments may be submitted. The City will allow for a minimum of a 15-day period for comments to be received.
- A public hearing will be held prior to submitting the final CAPER report to HUD. The public hearing will follow the same protocol and procedures as those detailed in Section VI below.
- A draft of the CAPER report will be posted on the city website in a format that is available for citizens to examine and download. The opportunity to return comments will be made available by email at cityclerk@cityofsalem.net.

VI. Public Hearing Process

1. Frequency. The City will hold a minimum of two public hearings annually, at different times during the Consolidated Plan process to obtain citizen input on proposed programs and projects. These meetings will coincide with development of the Consolidated Action Plan, Annual Action Plan, and CAPER Performance report. A minimum of one public hearing will be held for both the development of the Consolidated/Annual Action plan and the Annual Performance report (CAPER).
 - It is anticipated that the draft Consolidated Plan or Action Plan will be issued on or about the second week of March/April of each year and the plans shall be adopted and submitted to HUD no later than the 15th of June each year.
 - It is anticipated that the draft Performance Report (CAPER) will be issued on or before the 15th of September of each year and the report shall be submitted to HUD no later than the 30th of September of each year.

2. Location. Hearings will be held in City Chambers on a weekday evening. It will be broadcast on CCTV and through other widely used social media. In-person locations will be ADA compliant.
3. Outreach. Notification of Public Hearings will be given in accordance with HUD regulations and the State of Oregon Public Meeting Laws. Public meeting notices will be published in English, and in other languages, as requested.
 - Public meeting notice in English will be published on the City's website.
 - Special Accommodations – In order to encourage participation among minority groups, non-English speaking persons, and persons with disabilities; the City will, with a minimum of five (5) days advanced notice to UD by phone, mail, or e-mail, arrange for an interpreter, a sign interpreter, services for the visually impaired or other special accommodations for persons with disabilities (e.g. providing Braille, oral, electronic, or large print copies).
 - Surveys may be distributed to community members to collect additional input.
 - Outreach to the LMI Community - Public Notices will be sent to each of the CDBG funded public service providers and to participating organizations based in the Neighborhood Revitalization Areas for posting in public areas.
 - Fliers of the meeting will be posted and distributed in the following locations throughout the City:
 - Mailing to all public service agencies with a request that the fliers be posted and if needed translated, into languages other than English, if this is appropriate for their constituency.
 - Community Development Department for the City of Keizer
 - Main branch of the Salem Public Library
 - Front desk of Urban Development Department
 - Other locations as deemed appropriate
4. Accessibility. All hearing/meeting locations will be handicapped accessible. Meetings will be advertised in English (and other languages as appropriate). All ads, notices and fliers will include a TTY phone number and contact information to arrange for special accessibility requirements. Persons with disabilities who need auxiliary aids and services for effective communication, written materials in alternative formats, or reasonable modifications in policies and procedures in order to access the programs and activities, are invited to make their needs known to UD staff:
5. Information Provided. At the first public hearing after the City receives information on the amount of assistance it expects to receive from HUD (including grant funds and program income), the City will provide this information to the public. Generally, at each hearing the following information is to be provided:
 - Amount of assistance received from HUD annually (grants & program income);
 - The development of activities that may be undertaken using these funds, including the estimated amount that will benefit persons of low to moderate income;
 - The areas where activities may be undertaken;
 - A description of the projects programs and services that are underway using currently available funds; and efforts to minimize displacement;
 - Review of program performance;
 - The most recently published consolidated plan; performance report; and other relevant documents will be placed on the City of Salem website and in electronic format, upon request.

VII. Notification to Public Housing Authority

The City will provide information on a regular basis to the Housing Authority of the City of Salem. Consolidated plan activities related to its developments and surrounding communities will be provided for that the PHA can:

- Make this information available at the annual public hearing required under the PIH Comprehensive Grant program.
- Encourage participation among residents in the process of developing and implementing the consolidated plan.

VIII. Amendment Policy

The following criteria will require that the City enact its outlined citizen participation plan in order to solicit and obtain feedback from the low- and moderate-income community, in accordance with 24 CFR 91.105:

- To make a change in its allocation priorities or a change in the method of distribution of funds.
- To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan.
- To change the purpose, scope, location, or beneficiaries of an activity.

Amendments will be considered substantial changes and require official action if:

- Grant funds are allocated to a new activity for the first time;
- A funding increase in a current activity, or a change in the use of funding from one eligible activity to another, of more than \$50,000 in CDBG or HOME funding; or if,
- A funded activity is cancelled during the program year and reprogrammed.

Changes which are less than substantial are changes which represent less than the amounts listed above, and which do not have a significant impact on the project's purpose, scope, location, or beneficiaries.

If an activity is not funded in the current year, but is the same or similar to an activity funded in another program year, and the addition is less than amounts above, and there is no significant change in the project (purpose, scope, location, or beneficiaries), it is not considered a substantial change.

The authorized City official may approve changes which are less than substantial.

Reallocation of funding among program years is not considered a substantial change.

Program income will be allocated consistent with the Annual Action Plan and with HUD requirements.

The City must submit a copy of each amendment to HUD. HUD allows amendments as they occur or at the end of the program year.

The City of Salem will hold a public hearing on substantial amendments and will provide notification of the proposed amendment not less than 30 calendar days prior to the public hearing. The public hearing will follow all the protocol and procedures detailed in Section VI. The notice will summarize the nature of the proposed amendment, the date, time and location of the public hearing, and procedures for submission of comments.

The City may make this notification by publishing a notice in the newspaper of general circulation along with notification sent to agencies or organizations affected by the amendment. The notice will also be posted on the City's website. Within five business days after the public hearing, the City of Salem will determine whether to adopt the proposed amendment, adopt a revised version of the amendment or reject the amendment. The determination will be posted on the City's website. If the amendment is adopted, the change will be incorporated into the Consolidated Plan, along with a summary of comments on the amendment and the City's response to such comments.

IX. Citizen Comment on the Consolidated Plan / Amendments, and Performance Reports

1. Notification. According to 24 CFR 91.105(a)(3), the city will publish notification of the availability of the proposed Consolidated Plan, Consolidated Annual Performance Evaluation Report (CAPER), and any substantial amendments in a newspaper of general circulation and on the City website giving citizens not less than 30 days for the Consolidated Plan and amendments and not less than 15 days for the Performance Report (CAPER) to comment. This notice will include:
 - The date on which the plan will be available and the date by which comments must be received;
 - The name of the person and/or agency where comments should be directed;
 - The form that comments should take (written, email, fax etc.).
2. Location. The City will make the plan available at the following location for a period of not less than 30 days so that citizens may comment on the plan:
 - Main branch of the Salem Public Library;
 - Community Development Department, City of Keizer;
 - Urban Development Office;
 - By email as requested; and,
 - On the City of Salem website at www.cityofsalem.net. Persons who are visually impaired may contact UD to arrange for any accommodations.

Consideration of Comments. All comments or views of Citizens received in writing, or orally at the public hearings will be considered in preparing the final consolidated plan. A summary of these comments or views shall be attached to the final Consolidated Plan, amendment to the Plan, CAPER or Citizen Participation Plan and submitted to HUD as appropriate. A summary of these comments or views shall be attached to the final Consolidated Plan, amendment to the Plan, CAPER or Citizen Participation Plan and submitted to HUD as appropriate. The City shall respond in a timely manner, within 15 days where practical, to all written complaints, grievances, and requests for information about the Consolidated Plan.

Emergency or Disaster Actions

In the event of an emergency or disaster that presents a serious and immediate threat to the health and welfare of the citizens of the cities:

- Noticing requirements for public hearings shall be reduced to five calendar days or the time frame allowed by HUD, State of Oregon, or local officials.
- Salem will use alternative methods for public participation and will allow for reasonable notification and access for citizens.

Reprogramming of funds in the event of such an emergency will require approval by City Council.

X. Availability to Access Public Records

The City of Salem will publish the entire final Consolidated Plan, related amendments, and performance report (CAPER). The City of Salem will also publish and make available the entire Citizen Participation Plan. These documents will be made available to the public at the following locations and by the following means:

- Main branch of the Salem Public Library;
- Community Development Department, City of Keizer;
- Urban Development Office;
- By email as requested; and,
- On the City of Salem website at www.cityofsalem.net. Persons who are visually impaired may contact UD to arrange for any accommodations.

These documents will also made available in a format accessible to persons with disabilities upon request (e.g. providing oral, Braille, electronic, or large print copies for the visually impaired and delivering copies to the homeward bound).

XI. Technical Assistance

The City and UD Federal Programs Staff will be available during business hours to answer questions and provide technical assistance to citizens, public agencies, and other interested parties in developing proposals for funding under any of the programs covered by the Consolidated Plan. CDBG and HOME applicants will be encouraged to contact the UD Federal Programs staff prior to the submission of application materials to ensure that the proposal meets program eligibility requirements.

XII. Citizen Complaint Process

The UD Federal programs staff will be responsible for responding to complaints from citizens regarding the Consolidated Plan, any related amendments, the performance report (CAPER), and the citizen participation plan. Complaints may be submitted in writing to the UD staff by mail, email, or in-person. When submitting a complaint, citizens shall provide a description of the specific activity and/or project, information on the organization responsible for carrying out the activity and/or project, and a statement of the grievance. Complaints must be emailed, mailed or hand delivered to:

City of Salem Urban Development Department
Federal Programs Staff
350 Commercial Street NE
Salem, OR 97301

A summary of these comments or views shall be attached to the final Consolidated Plan, amendment to the Plan, CAPER or Citizen Participation Plan and submitted to HUD as appropriate. The City shall respond in a timely manner, within 15 days where practical, to all written complaints, grievances, and requests for information about the Consolidated Plan.



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