

CDBG CITIZEN PARTICIPATION PLAN **Amended in compliance with HUD COVID Waiver**

Purpose

The purpose of the Citizen Participation Plan is to set forth the City of Coeur d'Alene's procedure for citizen participation. This Plan applies to the City's use of U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) funds. The Plan will provide information that outlines the steps to be taken to assure that its citizens have an opportunity to participate and contribute ideas in the development of CDBG related items/publication. The Citizen Participation Plan was drafted in accordance with Sections 91.100, 91.105, and 91.505.

HUD issued a memo on March 31, 2020 regarding Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19.

These waivers allow for alternative hearing formats (i.e., virtual meetings) and reduced public comment period of 5 days. Waivers 8 and 9 under Consolidated Plan Requirements apply as waiver 8 regarding Citizen Participation Public Comment Period for Consolidated Plan Amendment and waiver 9 is Citizen Participation Reasonable Notice and Opportunity to Comment. The waiver language is provided as an attachment at the end of this plan. In accordance with HUD's direction, this Citizen Participation Plan has been amended with the waivers as noted below under "Public Meetings," "Location," and "Public Comment" sections of this plan.

Citizen Involvement

This Plan provides for and encourages all citizens of the community, public and community agencies, minorities, persons with special needs and/or persons who are often underrepresented in public process, specifically low and moderate-income persons, and persons residing in neighborhoods where CDBG funds are proposed such as those that are considered slum and blight areas, and persons who are homeless, to participate in:

- Development of a Five-Year Consolidated Plan;
- Annual Action Plans;
- Consolidated Annual Performance & Evaluation Reports (CAPER);
- Substantial amendments to a Consolidated Plan and/or Action Plan;
- Citizen Participation Plan amendments; and
- Assessment of Fair Housing Plan.

Public Meetings

The City considers any regular or special meeting of City Council and/or any public forum conducted for the purposes of obtaining citizens' views and to respond to proposals and questions as meeting the public hearing requirements under HUD's Consolidated Plan regulations.

The City will conduct at least two (2) public hearings during the plan year which will occur at two different stages in the program year. Together, the hearings will address housing and community development needs, development of proposed activities, and review of program performance.

Consolidated Plan/Annual Action Plan – During the development of the five-year **Consolidated Plan** approximately three (3) public forums will be held in various locations throughout the City, with an emphasis on low and moderate income areas. A minimum of one forum will be held before the proposed Consolidated Plan is published for comment. One forum will be held during the day to accommodate persons with disabilities, seniors, and others who have limited ability to attend evening meetings. Thereafter, for the **Annual Action Plans** prepared each year of the Consolidated Plan, one (1) public forum will be held to inform residents of how CDBG funds were used in past program years and to obtain citizen input about current needs and spending priorities. This forum will be held before the Action Plan is published for comment.

Prior to the final adoption of the Consolidated Plan/Annual Action Plan (1) meeting will be held before the City Council to present the Consolidated Plan goals, proposed activities, the estimated annual funding the City expects to receive, and the expected beneficiaries. This meeting will be held during the thirty (30) day public comment period.

Consolidated Annual Performance and Evaluation Report (CAPER)- A public hearing will be held for the purpose of obtaining citizens' comments on the Consolidated Annual Performance and Evaluation Report (CAPER) and can be combined to address current housing and community development needs in the development of the Consolidated Plan and/or Action Plan. This hearing may be held during the CAPER fifteen (15) day public comment period.

NOTE: HUD COVID-19 Waiver 8 allows for a reduced 5-day comment period.

Applicability: The 15 and 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 during this emergency period. 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.

Assessment of Fair Housing Plan (AFH) – The City of Coeur d’Alene is Affirmatively Furthering Fair Housing by establishing fair housing goals, through the development of a Fair Housing Plan. During the development of the AFH, approximately 3 public forums will be held in various locations throughout the City, with an emphasis on low and moderate income areas. These forums may be held in conjunction with the Consolidated Plan update. At least one forum will be held during the day to accommodate person with disabilities, seniors, and others who have limited ability to attend evening meetings. Prior to the final adoption of the AFH a meeting will be held before the City Council to present the Assessment of Fair Housing Plan. This meeting may be held during the thirty (30) day public comment period.

The City will provide appropriate materials, equipment, and interpreting services to facilitate the participation of non-English speaking persons and persons with visual and/or hearing impairments, with at least seven (7) days advance notice prior to the meeting date.

Notification

Public Meetings - notices will be published at least two (2) weeks in advance of any public meeting date. The City will advertise through notice in the local newspaper of record (Coeur d’Alene Press). The notice shall provide sufficient information regarding the subject of the meeting to permit informed comments from the public.

Other forms of notification to citizens of public meetings may include distribution by means of e-mails, brochures, personal contact with agencies and advocates, announcements on the City’s website, CDATV channel, and press releases.

Comment Periods – notices will be published to coincide with the commencement date of the comment period. The notice shall include a summary description of the documents content and purpose and list locations where full copies are available for examination. Notices of comment periods will also be sent by mail or email to citizens or groups who attended any of the CDBG forums or public hearings.

Location

Public Forums will be held at various locations to ensure easy access to the community. The following are possible locations: the Police Station to the North, City Hall to the South, Fire Station 3 to the East, Lake City Center to the West. Additional locations may include the Kroc Community Center (North), the Library (South), Head Start Center (East), Fire Station 4 (North) and North Idaho College (West).

All public meetings will be held in locations accessible to low- and moderate-income residents, potential and actual beneficiaries, and people with disabilities.

NOTE: HUD COVID-19 Waiver 9 allows for alternative hearing formats (i.e., virtual meetings).

In addition to the HUD waiver, the Governor of Idaho has also authorized public meetings to take place virtually in an effort to contain COVID-19 and limit public gatherings, recognizing that there is a need to respond quickly to the growing spread and effects of COVID-19.

The City of Coeur d'Alene has been using Zoom meetings (and will continue to use that or any other similar software) to allow for regular City Council meetings and public hearings to take place virtually. Staff allows opportunities for the public to provide oral testimony during the Zoom meetings and encourages comments be submitted in advance via email. The City will allow for public comments on CDBG items following this same method to ensure ample opportunity to participate.

Applicability: *This authority is in effect through the end of the 2020 program year.*

Public Comment

The City will make available in draft form the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, the CAPER, the Assessment of Fair Housing Plan and substantial amendments for citizens' review and comments. Full copies of these documents will be made available at City Hall and posted on the City's website at <http://www.cdavid.org/cdbg>. Summary descriptions will be included in the published comment period notice.

Comment periods:

30-days: No less than thirty (30) days for the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing Plan, and any substantial amendments.

15-days: No less than fifteen (15) days for the Consolidated Annual Performance and Evaluation Report (CAPER).

NOTE: HUD COVID-19 Waiver 8 allows for a reduced 5-day comment period.

Applicability: *The 15 and 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 during this emergency period. 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.*

Comments or views of citizens both in writing or orally at public hearings will be considered in the development of the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, CAPER, Assessment of Fair Housing Plan, and any related substantial amendments. A summary

of the comments and a summary of comments not accepted and the reasons for dismissal will be attached to the final documents.

Limited English Proficiency (LEP)

The City of Coeur d'Alene adopted a Limited English Proficiency (LEP) Plan in 2010 which provides the following guidance:

Although there is a very low percentage in the City of Coeur d'Alene of LEP individuals, that is, persons who speak English "not well" or "not at all," the city will address the LEP need as a reasonable accommodation.

The Policy includes that the City staff take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communication in English.

The following resources will be available to accommodate LEP persons:

1. Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time-period.
2. Language interpretation will be accessed for all other languages through a telephone interpretation service.

Amendments

Occasionally, circumstances warrant amendments to the Consolidated Plan. Amendments are defined as follows:

1. A change in allocation priorities or a change in the method of distribution of funds;
2. Carrying out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or
3. Change in the purpose, scope, location or beneficiaries of an activity.

Amendments as noted above shall be provided to HUD prior to the end of the program year.

Substantial Amendments

Recognizing that changes may be necessary to the Consolidated Plan, Annual Action Plan, Assessment of Fair Housing Plan and related documents, HUD allows for these amendments. The following criteria shall constitute a substantial amendment.

Any change in use of CDBG funds from one eligible activity to another, that involves an increase or decrease of funding of any approved activity, or project that is greater than twenty percent (20%) of the annual allocation.

Any changes to the AFH Plan shall be considered Substantial and shall follow the formal Substantial Amendment Process due to a material change in circumstances in the City that affects the information on which the AFH is based, to the extent

that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. A Substantial Amendment to the AFH plan will occur when any of the following criteria are met:

- A goal must be added due to new information
- A goal must be removed due to new information
- A natural or man-made disaster has re-directed City resources for an extended period of time – 2 years or more.

A public notice is required for all substantial amendments. The notice will give a summary description of the proposed amendment and list locations where full copies of the document are available for examination. A summary of the comments, and a summary of comments not accepted and the reasons for dismissal will be attached before the documentation is submitted to HUD for review and approval.

Assessment of Fair Housing Plan

The City is required to Affirmatively Furthering Fair Housing, which will be met through the establishment and updating of a Fair Housing Plan to include goals for the 2018 – 2022 program years.

HUD has set out four clear fair housing goals for all communities to ensure greater opportunities for all Americans:

- 1) Reduce segregation, and build on the nation’s increasing racial, geographic, and economic diversity.
- 2) Eliminate racially and ethnically concentrated areas of poverty.
- 3) Reduce disparities in access to important community assets such as quality schools, job center, and transit.
- 4) Narrow gaps that leave families with children, people with disabilities, and people of different races, colors, and national origins with more severe housing problems, a.k.a. disproportionate housing needs.

The public, residents, public agencies, stakeholders, and other interested parties will have access to any HUD-provided data and other supplemental information the City plans to incorporate into its Assessment of Fair Housing (AFH) at the start of the public participation process, or as soon as feasible after. The City may make HUD provided data available to the public by cross-referencing to the data on the HUD website.

City staff meets with stakeholders and community groups to review HUD data tables and HUD maps to develop the Assessment of Fair Housing Plan goals. The process of conducting the Assessment of Fair Housing will be completed in accordance with policies and procedures described in 24 C.F.R §§ 903.13, 903.15, 903.17, and 903.19 and will obtaining feedback from the stakeholders and community for addressing complaints.

Public comments will be considered and included in as applicable into the final Assessment of Fair Housing (AFH) Plan.

Access to Records

Citizens, stakeholders, public agencies, or other interested persons will be granted timely access to information and records relating to the City's Consolidated Plan and the City's use of federal funds covered by this document during the preceding five (5) years.

Copies of the Consolidated Plan as adopted, Annual Action Plan, AFH Plan, substantial amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER) will be available for review in the Administration Department of the City and are also available for download in an electronic version, at no cost, from the City's web site at <http://www.cdavid.org/cdbg>.

Citizen Participation List

An electronic distribution mailing list known as the Citizen Participation List shall be the primary method of notifying interest persons of CDBG program activities. Interested persons who do not have access to electronic notifications will be mailed paper notices via the postal system. The Citizen Participation list is made up of members of the stakeholders list, representatives of government agencies, community planning organizations, public housing developments, neighborhood associations, all persons who have submitted project proposals in the last project proposal cycle, and any persons requesting to be placed on the mailing list and email distribution list.

Complaint Procedures

The City will provide a substantive written response to all written citizen complaints related to the Consolidated Plan, Annual Action Plan, AFH Plan, Substantial Amendments, and the CAPER within fifteen (15) working days of receiving the comments and complaints. Written complaints must clearly state the complainant's name, address, and zip code. A daytime telephone number should also be included in the event further information is needed. If a response cannot be prepared within a fifteen (15) day period, the complainant will be notified of the approximate date of when a response can be provided.

Consultation with Organizations and City Agencies

When preparing the Consolidated Plan, Annual Action Plan, AHF Plan and related documents, the City will actively consult with public and private agencies that provide housing, health, and social services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons) in order to ensure that the interests and needs of all groups are being adequately addressed. Additionally, the City shall consult with state and local health and child welfare agencies regarding data related to lead based paint hazards and poisonings including health department data on the addresses of housing units in which children have been identified as lead poisoned. The consultation will occur through

the regional forums, interviews and/or focus groups. At least one focus group or series of interviews with relevant stakeholders will be conducted during the creation of the Consolidated Plan, Annual Action Plan and AFH Plan.

Technical Assistance

The City, through its Administration Department and/or designated consultant, will also provide technical assistance to individuals and organizations representing low, very low and extremely low income people, who are interested in submitting a proposal to obtain funding for an activity. Such assistance may include offering application guidance, information resources, and trainings regarding the funded programs, but will not include preparing proposals on behalf of such individuals or organizations, nor may it provide any assurances that activities discussed will receive funding under an Action Plan as a result of the City's provision of technical assistance.

Policy to Minimize Displacement

The City will make every reasonable effort to avoid displacement. Where that is not possible, every effort will be made to minimize the number of persons displaced by activities funded through the federal resources described in the City's Consolidated Plan and Annual Action Plans. In the event that a person is displaced in undertaking an activity, assistance will be offered in accordance with the City of Coeur d'Alene Anti-Displacement Resolution (Res. No. 04-011), which is on file in the City Clerk's office. The City adheres to the Federal Uniform Acquisition and Relocation Assistance Act.

Attachment:

HUD COVID Waiver 3/31/20: Consolidated Plan Requirements

Attachment

HUD COVID WAIVER 3/31/20: CONSOLIDATED PLAN REQUIREMENTS

8. Citizen Participation Public Comment Period for Consolidated Plan Amendment Requirement: 30-day Public Comment Period.

Citations: 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401

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.

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.

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.

9. Citizen Participation Reasonable Notice and Opportunity to Comment

Requirement: Reasonable Notice and Opportunity to Comment.

Citations: 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401

Explanation: As noted above, the regulations at 24 CFR 91.105 (for local governments) and 91.115 (for States) 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.

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.

Applicability: This authority is in effect through the end of the 2020 program year.