

Citizen Participation Plan



Prepared by:
CDBG Citizens Advisory Committee

Committee Staff:
~~Mike Wilcox~~ Jake Warner
CDBG Program Administrator
10000 Centennial Parkway
Sandy, UT 84070

Introduction

Sandy City is required by law to have a detailed Citizen Participation Plan, which contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of CDBG money. This Citizen Participation Plan must be available to the public.

Encouraging Public Participation

The law requires that our Citizen Participation Plan both provides for and encourages public participation, emphasizing involvement by low and moderate-income people, especially those living in low and moderate-income neighborhoods. Also, the U.S. Department of Housing and Urban Development (HUD) expects Sandy City to take whatever actions are appropriate to encourage participation of minorities, people who do not speak English, and people with disabilities.

Copies of this Citizen Participation Plan, as well as summaries of basic information about CDBG and the Consolidated Planning process are available in the languages of residents who comprise a significant portion of the low and moderate income population. Currently, Sandy City has materials in English. Residents needing materials in other languages are encouraged to contact City Community Development staff.

Participants in the Plan

Many different groups are instrumental in the citizen participation plan process and in ensuring that its objectives are carried out. This section briefly identifies each group and their role in the process.

City Council

As elected representatives of the citizens of Sandy City, is the policy making body and the ultimate authority in the citizen participation structure. City Council approves the budget for the federal grant programs (CDBG and any other special grant programs for which the City may make application) and thus is the final authority in all matters regarding the programs at the local level. All City Council meetings are open to the public except as limited by law. City Council meets in formal session on every Tuesday.

The Community Development Department

This group represents the City Staff that is responsible for planning, implementing and assessing the federal grant dollars received by the City from the U.S. Department of Housing and Urban Development (HUD). The role of the Community Development Department is to advise City Administration and City Council on matters related to the federal grant programs

and provides technical assistance and informational support to all other components of the Citizen Participation structure. The Community Development Department acts as a solicitor of citizen input and is responsible for ensuring compliance with the rules and regulations governing the federal grant programs administered on behalf of the City.

CDBG Citizens Advisory Committee

The City ~~will~~ utilizes a CDBG Citizens Advisory Committee to review and analyze programs and services provided under the federal block grant programs. This committee ~~will~~ reviews proposals submitted for funding under the federal grant programs and assists in the development of plans required by HUD (as applicable). Staff will forward the recommendation of this committee to the City Council for final approval. The ~~C~~committee consists of no less than ~~73~~ nor more than ~~157~~ members. ~~2/3's~~ No more than 5 members of the ~~C~~committee ~~members~~ are appointed by the City Council, and ~~4/3~~ no more than 2 by the Mayor. The ~~C~~committee typically meets 8 times during the calendar year, including public hearings and field trips. Committee meetings, including public hearings may be held electronically by telephone, computer, or other telecommunication device as determined necessary or requested by a member of the committee and approved by the Chair. All meetings are open to the public. Agendas are posted in City Hall, and the City Website.

The Role of Citizens

The primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing: decent housing, a suitable living environment, and growing economic opportunities, all principally for low and moderate-income people.

Because the amount of federal CDBG money that Sandy City receives each year is primarily based upon the severity of both poverty and substandard housing conditions within the community, it is necessary that public participation genuinely involve low income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process, including:

- Identifying needs
- Prioritizing identified needs and suggesting the types of programs to meet high-priority needs.

The Various Stages of the Consolidated Plan Process

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general, these stages or events include:

- Identification of housing and community development needs.
- Preparation of a draft use of funds for the upcoming year called the proposed Annual Action Plan or the development of the new ~~five-year~~ Consolidated Plan.
- Public review of draft plans, including public comment period and a public hearing.
- Formal approval by the City Council of a final Annual Action Plan or new five-year Consolidated Plan.
- Occasionally during the year, it might be necessary to change the use of budgeted funds in an Annual Action Plan, or to change the priorities established in the five-year Consolidated Plan. In that case, a formal Substantial Change Amendment will be published for citizen input and acted upon by City Council if the necessary change meets the substantial change definition.
- After a program year is complete, an Annual Performance Report must be drafted for public review and comment and then sent to HUD.

The Program Year

~~The~~ program year ~~chosen by~~in Sandy City ~~is~~runs from July 1st through June 30th of the following year.

PUBLIC NOTICE

Items Covered by the Public Notice Requirement

There shall be advanced public notice once a federally required document is available for public review and comment, such as the Proposed Annual Action Plan or five-year Consolidated Plan, any proposed Substantial Amendment to the Action Plan or Consolidated Plan, and the Annual Performance Report.

In addition, there shall be advanced public notice of all public hearings relating to the funds or planning process covered by this Citizen Participation Plan.

Public Notice

Advance notice will be given with enough lead-time for the public to take informed action the amount of lead-time can vary, depending on the event. Specific amounts of time are given for different events later in this Citizen Participation Plan. The content of notices will give residents a clear understanding of the event being announced.

Forms of Public Notice

- Public notices will be published in ~~the Salt Lake Tribune in the legal notice section~~a newspaper of general disbursement throughout the City.
- ~~We~~**The City** may also use display ads and press releases in public service announcements.
- Where applicable by the program being noticed~~s~~, ~~we~~**the City** may also give notice through letters or emails to neighborhood organizations, public housing representatives, and agencies providing services to lower income people.
- Public Notices will be posted on the Sandy City web site at www.sandy.utah.gov and the Utah Public Notice website.
- Notice will be sent to any person or organization requesting to be on a mailing or email list.

Formatted: Indent: Left: 0.5", No bullets or numbering

PUBLIC ACCESS TO INFORMATION

As required by law, Sandy City will provide the public with reasonable and timely access to information and records relating to the data or content of ~~the~~ Consolidated Plans and Annual Action Plans, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan.

Also, as required by law, Sandy City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

Standard Documents

Standard documents include:

- The proposed and final Annual Action Plans.
- The proposed and final five-year Consolidated Plan
- Proposed and final Substantial Amendments to either an Annual Action Plan or the five-year Consolidated Plan.

- Consolidated Annual Performance Reports
- The Citizen Participation Plan.

Availability of Standard Documents

~~In the spirit of encouraging public participation, a limited number of e~~Copies of the standard documents will be provided to the public within three working days of a request (minimum of three available). These materials will be available in a form accessible to persons with disabilities if requested. Electronic versions of these standard documents may also be made available.

Places Where Standard Documents Are Available

Standard documents will be available at the City's Community Development Office and at the City's internet website (www.sandy.utah.gov)

Formatted: Font color: Auto

Formatted: No underline, Font color: Auto

PUBLIC HEARINGS

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

Public hearings will be scheduled ~~at all stages of the process, including at least a hearing about to review~~ community needs, ~~a public hearing~~ to review proposed uses of funds and draft plans, and a public hearing to assess how funds were spent during the previous program year.

The block grant budget is part of the City budget cycle and as such, the City will follow its public input schedule for the City budget.

Access to Public Hearings.

Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan, including publication in the legal notice section of the newspaper no less than 10 days prior to the public hearing.

Public hearings will be held at times and locations convenient to and accessible by people who might benefit the most from the use of funds.

Public Hearings and Populations with Unique Needs.

All public hearings will be held at locations accessible to people with disabilities, and provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Translators will be provided for people who do not speak English when requests are made at least seven working days prior to a hearing.

THE STAGES IN THE PROCESS

1. Identifying Needs

In order to encourage public involvement, at least one public hearing to determine the specific needs and priorities identified by low and moderate-income people, will be held ~~in a location other than the main City Administration building (city hall).~~

Public hearings about needs will be completed before a draft of the Annual Budget is published for comment, so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan.

2. The Proposed Annual Action Plan (and/or ~~five-year~~ Consolidated Plan)

The law providing funds covered by this Citizen Participation Plan calls for improved accountability of jurisdictions to the public. In that spirit and in compliance with the terms of the law, Sandy City will use the following procedures:

A. General Information

At the beginning of this stage, Sandy City will provide the public with an estimate of the amount of CDBG funds it expects to receive in the upcoming year, along with a description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds, which will be used in ways that will benefit low and moderate-income people.

B. Anti-Displacement Policy

~~The City has adopted an anti-displacement and relocation assistance plan.~~ The City will make every attempt not to displace individuals or families as a result of projects funded with ~~federal block grant-CDBG~~ funds. The City will replace all occupied and vacant occupiable lower income housing demolished or converted to a use other than lower income housing in connection with a project assisted with funds provided by federal block grant funds.

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion, Sandy City will make public by publication in a newspaper of general circulation and submit to HUD the following information in writing:

- A description of the proposed assisted project.
- The address, number of bedrooms and location on a map of low income housing that will be demolished or converted to a use other than low income housing as a result of an assisted project
- A time schedule for commencement and completion of the demolition or conversion.
- To the extent known, the address, number of bedrooms and relocation on a map of the replacement housing that has been or will be provided.
- The source of funding and a time schedule for the provision of the replacement housing.
- The basis for concluding that the replacement housing will remain low income housing for at least 10 years from the date of initial occupancy.
- Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g., a two bedroom unit replaced with two one bedroom units), is appropriate and consistent with the housing needs and priorities identified by the City and included in the Consolidated Plan.

If the specific location of the replacement housing and other data in items 4 through 7 is not available at the time of the general submission, the City will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data is available. The Community Development Department is responsible for tracking the replacement of lower income housing and ensuring that it is provided within the required time period.

C. Technical Assistance

City staff will work with organizations that represent low and moderate income people and who are interested in submitting a proposal to obtain funding for an activity. All potential applications for funding are encouraged to contact City staff for technical assistance before completing a proposal.

D. Availability of the Proposed ~~Annual Action~~ Plan.

The proposed Annual Action Plan or Consolidated Plan will be made available to the public for at least 30 days prior to approval~~submittal~~ of the final Annual Action Plan ~~by City Council to~~ HUD, unless less time is otherwise determined necessary by the Committee and approval

provided by HUD, so that citizens will have a reasonable opportunity to examine it and to submit comments. A limited number of copies of the proposed Annual Action Plan will be made available to the public upon request and at the locations specified above in the section, *Public Access to Information*.

E. Public Hearing and Further Action

In preparing the final Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final Annual Action Plan will include all comments and explain why any comments were not accepted.

3. The Final Annual Action Plan and/or five-year Consolidated Plan

A limited number of copies of the final Annual Action Plan and/or five-year Consolidated Plan will be made available to the public within three working days of request. In addition, copies will be available at the locations specified above in the section, *Public Access to Information*.

4. Amendments to the Annual Action Plan and/or five-year Consolidated Plan

The final Annual Action Plan and/or five-year Consolidated Plan will be amended any time there is: a change in one of the priorities ~~presented on the HUD required Priority Table~~; a change in the use of money to an activity not mentioned in the final Annual Action Plan and/or Consolidated Plan; or a change in the purpose, ~~location, scope~~funding, or beneficiaries of an activity.

Substantial Amendments

Any substantial change in the programs must be approved by City Council ~~at following~~ a public hearing. It will then be submitted to HUD ~~for informational purposes~~. ~~The public hearing will be at a time and place that is conducive for the inclusion of all persons who would be affected by the change.~~ In addition, any substantial change will be published in a newspaper of general circulation and citizens will be given 30 days to comment on the change(s). The following changes are considered substantial amendments:

- ~~■ The proposed amendment requires prior HUD approval;~~
- The proposed amendment involves the transfer of funds of \$25,000 or more from one project to another;
- The amount involved in the proposed amendment exceeds 50% of the total project cost;
- The proposed amendment deletes an activity described in the Consolidated Plan;

- The proposed amendment changes the beneficiaries of an activity by more than 50%; or
- The proposed amendment adds an activity not described in the Consolidated Plan.

Any proposed amendment(s) to the approved Consolidated Plan that does not meet the above definition of a substantial change will be subject to the following procedures:

- The Community Development Block Grant Program Administrator may approve changes involving a cumulative amount ~~of up to \$24,999 less than \$25,000~~ per line item. A record of the transaction will be included in the budget file.
- Any change that comes about as a result of a disaster declared by either the Mayor or the Governor shall be included and notice of change will be given to the public. However, in this case, the 30-day comment period is not applicable.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that citizens will have an opportunity to review it and comment. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

- A detailed written description of the proposed Substantial Amendment will be made available to the public within three working days of the request and copies will be available at the locations indicated earlier in this Citizen Participation Plan under *Public Access to Information*.
- The public hearing on the Substantial Amendment will take place, ~~and after~~ the public ~~has had~~ will have 30 days to review and comment, ~~unless less time has been determined necessary by the Committee and approved by HUD,~~ on the proposed Substantial Amendment.
- In preparing a final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final Substantial Amendment will include all comments and explain why any comments were not accepted.

The Annual Performance Report

Every year, Sandy City must submit to HUD ~~an~~ Consolidated Annual Performance Report (CAPER) within 90 days of the close of the program year. In general, the ~~Annual Performance Report~~ CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefitted low and moderate-income people.

Public Notice for the Annual Performance Report

There must be reasonable notice that an ~~Annual Performance Report~~ CAPER is available so that citizens will have an opportunity to review it and comment. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for ~~Annual Performance Reports~~ CAPER:

- There will be a 15 day review and comment period for the ~~Annual Report~~ CAPER before it is submitted to HUD.
- A complete copy of the ~~Annual Performance Report~~ CAPER will be made available to the public within three working days of a request and at the locations indicated earlier in this Citizen Participation Plan under *Public Access to Information*.
- In preparing an ~~Annual Performance Report~~ CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public. The ~~Annual Performance Report~~ CAPER sent to HUD will include all comments and explain why any comments were not accepted.

COMPLAINT PROCEDURES

All complaints related to any phase of the programs covered under the Consolidated Plan should be delivered in writing to the ~~Community Development Block Grant~~ CDBG Program Administrator in the Community Development Department for Sandy City, Utah at 10000 Centennial Parkway, Sandy, Utah 84070. Complaints can also be mailed to the same address. All complaints will be given consideration and answered in writing within 15 days of their receipt by Sandy City.

CHANGING THE CITIZEN PARTICIPATION PLAN

This Citizen Participation Plan can be changed only after the public has been notified of intent to modify it, and after the public has been given 30 days, from the date of publication, to review and comment on the proposed substantial changes to it.

This plan complies with section 91.105 of the Code of Federal Regulations.