



2015 – 2019 CITIZEN PARTICIPATION PLAN

Community Development Block Grant Program

Division of General Services

Adopted Date: August 18, 2016



CITIZEN PARTICIPATION PLAN

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INTRODUCTION

The Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments and communities with the resources necessary to meet the needs of low- to moderate-income residents. Annually, the Department of Housing and Urban Development (HUD) issues entitlement funds to local governments, including states, counties and cities, allowing those units of government flexibility to develop programs that meet the unique needs of their community. Citizen participation is necessary in order for the needs of Temple's residents to be determined, priorities that address those needs to be set, and the community to be enhanced through cooperation and teamwork in the development and implementation of the CDBG plans. The City of Temple (City) receives an annual CDBG entitlement from HUD and created this Citizen Participation Plan (CPP) to work as an integral part of the planning and implementation process for the CDBG Program.

Though HUD sets forth that the document should be a Citizen Participation Plan, it should be noted that neither HUD nor the City of Temple limits participation to U.S. Citizens, but encourages participation by any resident of the city or any party interested in how the City spends its CDBG funds.

The CPP must ensure that all residents, businesses, non-profits and other interested parties have clear direction on how they can become involved in how federal funds are spent at the local level. According to Part 24 of the Code of Federal Regulation, section 91.100, participation by residents in the CDBG Program is a requirement of HUD as is the development of a Citizen Participation Plan. Part 24 CFR 91.105 states the requirements of the Plan. The Plan must set forth the City's policies and procedures for involving residents and stakeholders in the CDBG planning and implementation process. The CPP must provide for and encourage residents, particularly low- to moderate-income residents, those living in low- to moderate-income neighborhoods or blighted neighborhoods, racial/ethnic minorities and the disabled, to participate in the development of the plans and evaluation reports. The main reports that are based on public input are the 5-Year Consolidated Plan, 5-Year Fair Housing Plan (Assessment of Fair Housing – AFH), and Annual Action Plans. Additionally, the annual Environmental Review Records and Consolidated Annual Performance and Evaluation Report (CAPER) are also open for public review and comment.

Often times during the implementation period, the City must alter its originally stated plans. The Citizen Participation Plan will specify the City's criteria for determining what changes in activities or funding constitute a substantial amendment to the Consolidated Plan and/or Annual Action Plan and how these actions must comply with federal regulations in involving residents in the amendment process.

In order to remain attuned to the needs of the community, this Citizen Participation Plan is updated at least every five years in conjunction with the CDBG Consolidated Plan; or as deemed necessary.

ENCOURAGING CITIZEN PARTICIPATION

The City of Temple recognizes that building a community requires involvement from a number of invested partners. The City is committed to involving residents and stakeholders in the planning, implementation and evaluation processes of the CDBG Program to the greatest extent possible. The City is especially committed to involving low- to moderate-income, minority, and disabled persons as well as those living in areas with blighted conditions or without equal amenities to the rest of Temple. In addition to participation by residents, local businesses, non-profit agencies, advocacy groups, and the local Housing Authority, everyone who wants to invest in the sustainable future of the Temple community is strongly encouraged to participate.

The Citizen Participation process is an on-going element of the CDBG program and encourages public participation during every phase of the program. Community Development staff is available throughout the year to discuss programs and receive public comments. Reasonable advance notice is afforded through the City's website (www.templetx.gov) and the Temple newspaper of general circulation, when public comments are actively being solicited for specific purposes such as:

- During the development of local funding priorities found in the five year Consolidated Plan;
- During the development of the annual Action Plan and budget;
- During requests for substantial amendments to the Consolidated Plan and/or Annual Action Plan; and
- During the formulation of the Consolidated Annual Performance Evaluation Report (CAPER).

The City welcomes recommendations regarding additional or better methods to encourage involvement and participation.

PLANNING PROCESS

Plan Development Process: Public participation in the plan development process involves 2 phases: (1) identification of priorities, issues and concerns; and (2) proposal of activities and allocation of funds. The City incorporates any and all public input and comments into each planning document.

Identification of Priorities, Issues and Concerns: Early in the Consolidated Planning process as well as the Annual Action Plan process, the City of Temple will inform residents and interested parties of the process and provide a public hearing for residents and stakeholders to voice their views on priority needs and allocation of funds.

Specifically during the Consolidated Planning process, which occurs every 5 years, the City will make available a survey for residents and stakeholders to complete, rating the level of need for each of the CDBG-eligible activities. Additionally, open-ended questions will be asked to solicit free-form comments about the levels of need and methods for addressing the needs. A sample of the most recent survey in English and Spanish are located in Exhibit A.

During the Consolidated Planning process, the City will also inform residents and interested parties about fair housing choice and the Fair Housing Plan with its Assessment of Fair Housing (formerly Analysis of Impediments). A portion of the Consolidated Plan public hearing will be devoted to fair housing issues and City staff will solicit comments regarding any incidences where the Fair Housing Act may have been violated directly or indirectly. Part of the Consolidated Plan survey will also be devoted to questions regarding fair housing violations and perceptions of unequal treatment for protected classes.

During the Consolidated Planning process and Fair Housing Plan development, City staff or its consultants will interview key stakeholders regarding fair housing and equal rights issues. The stakeholders may include

advocacy groups, social service agencies, foundations, researchers, developers, realtors, lending institutions, homeowner associations, and other groups or individuals responsible for complying with, enforcing, or advocating for fair housing.

During the Annual Action Plan process, the City will host a public hearing to review the priorities set in the Consolidated Plan, past funding allocations, activities conducted, and current available funding. The attendees will be asked to comment on potential activities for the up-coming year. In conjunction with the first Annual Action Plan public hearing, the City will conduct a pre-application workshop for potential subrecipients who are interested in applying for funding.

As with the Consolidated Planning process, a public hearing during the Annual Action Plan process will include information on fair housing and City staff will solicit comments regarding any incidences where the Fair Housing Act may have been violated directly or indirectly.

Proposal of Activities and Allocation of Funds: Approximately 2 to 3 months after the initial public hearings and release of surveys during the Consolidated Planning process, the City will conduct a second public hearing to detail resulting funding priorities and actual proposed activities for the upcoming year.

As part of the Consolidated Planning process conducted every 5 years, this second public hearing will also involve discussion about the Fair Housing Plan and its Analysis of Impediments. The impediments will be discussed as well as the City's plans during the coming 5 years to address the impediments and to affirmatively further fair housing choice in Temple.

A draft of the proposed plan(s) will be made available and attendees will be encouraged to voice their opinions and concerns. During this second public hearing for the Annual Action Plan, there will again be a time to discuss fair housing issues and City staff will solicit comments from attendees.

The second public hearing may serve to launch the 30-day public comment period for the draft plan(s). As an option the City may choose to hold the second public hearing at any time during the public comment period.

The City staff will present the plan(s) to City Council each year in 2 stages. The proposed activities and funding allocations will be presented to City Council for approval. During the public comment period of the Council meeting, residents will have the opportunity to voice their opinion. The final plan(s) will be presented during a second City Council meeting. At that time, residents will have another opportunity to voice their opinion. The City will cease accepting public comments for the plan(s) prior to the City Council adopting the final document(s).

Amendments: During the program year, the City may opt to amend either the Consolidated Plan or the Annual Action Plan. A substantial amendment will occur when:

- An activity is proposed that was not listed or given a high priority in the Consolidated Plan;
- An activity is proposed that was not listed in the Annual Action Plan;
- An activity that was listed in the Annual Action Plan is to be cancelled;
- CDBG Target Areas have changed that requires mid-year corrections/changes of activities;
- The location of a public facility or infrastructure project detailed in the Annual Action Plan has changed; or
- 25% or more of the City's annual allocation is to be re-distributed among existing or new activities.

Minor amendments that do not require public notice, a public hearing or public comment period include, but not limited to:

- Less than 25% of the City's annual allocation is to be re-distributed among existing or new activities;

- The number of persons to be served by an activity has changed;
- Activities have been delayed and are to be initiated or completed at a later date; or
- The approved activity will be carried out by a different organization.

Public Notification: The public notices for public hearings will be posted at least 72 hours prior to the opening of the hearing. The public notice for the public comment period will be posted in conjunction with the notice for the second public hearing. Notification will be in the main news section of the local general circulation newspaper, on the public notice board at City Hall, on the City’s website and on the City’s social media site. Samples of the public notices are in the Exhibits in the Appendix.

Term of Participation/Comment: Public comments may be submitted at any time, and are generally received for incorporation in the decision-making process and in the final documents from approximately early winter to mid-summer of each year for the Consolidated and Annual Action Plans. However, the official HUD-mandated public comment period will be at least 30 days, not including the day of publication, and will generally occur from early June through early July of each year for the Consolidated and Annual Action Plans. The public comment period for amendments to the plans will also be 30 days. The public comment period will end prior to the City’s submission of the plan(s) to HUD for review and approval, thus giving staff time to incorporate any comments.

Environmental Review Process: The City will solicit comments and responses from agencies and entities responsible for the evaluating and maintaining the health and environment of the region. City staff will review documentation available from county, state and federal agencies to insure that no negative environmental or social impact results from projects to be undertaken during the year which are categorically excluded but not converting to exempt or require an Environmental Assessment. When required, the City will notify the agencies responsible for overseeing the element of the environment that might be impacted by the project. The agencies will be given at least 30 days to respond to the request for comment.

After sufficient time for the internal review and for any contacted agencies to respond to the notification of projects to be undertaken, the City will notify the public of its intent to conduct the non-exempt projects, its finding of no significant impact, and its intent to request a release of funds from HUD.

Public Notification: The public notice for public comment on the Environmental Review Records will combine the Finding of No Significant Impact (FONSI) and Notice of Intent (NOI) to request release of funds and will be posted in the legal notices section of the local general circulation newspaper, the Temple Daily Telegram, and on the City’s website, www.templetx.gov. A sample of the public notice is included as Exhibit E.

Term of Participation/Comment: The public will be given 18 days, not counting the day of public notice, to comment. The public comment period will end at least 1 day prior to the City’s submission of the Request for Release of Funds (RROF) to HUD for review and approval.

Additional Components

Fair Housing

With each Annual Action Plan the City must certify that it has taken and will continue to take steps to affirmatively further fair housing choice. Positive actions toward reducing or eliminating barriers to fair and affordable housing must occur each year for the City to continue to receive HUD funds. During the Consolidated Planning Process every 5 years, the City will also develop a Fair Housing Plan with an Assessment of Fair Housing (formerly Analysis of Impediments). This plan will outline the actions to be taken during the ensuing 5 years to reduce or eliminate impediments to fair and affordable housing choice. Each year the City must report its progress in implementing the action steps.

The public participation for the development of this plan will coincide with the participation for the Consolidated Plan and be conducted simultaneously, though at least one housing forum will be held in conjunction with a public hearing to have an open discussion with landlords, realtors, housing developers, subsidized housing providers, public service agencies and advocacy groups regarding fair housing issues. The forum will be open to the public and the comments will be included in the Consolidated Plan and the Fair Housing Plan.

Most of the actions to reduce housing discrimination are the responsibility of the private sector, public service and advocacy agencies and the residents themselves. Throughout the year, the City will have information posted on its website and social media about fair housing choice and the rights of residents. At least one public hearing for the Consolidated Planning process will include a section on fair housing choice and the Fair Housing Act.

Each April a special activity will be planned during Fair Housing Month. The City will post fair housing posters in public locations of public building(s) and will make posters available to public service subrecipients. Information will be provided on the City website and with public service agencies about what constitutes a fair housing violation and processes for filing a fair housing complaint. Outreach will encourage landlords, realtors, housing developers, subsidized housing providers, public service agencies and advocacy groups and residents to understand Fair Housing, laws, what constitutes a violation and the process for filing a complaint.

Public Notification: The public notices for the Fair Housing Plan development will be an element of the public notices for the Consolidated Plan and will be placed in the news section of the local newspaper, as well as on the City's website.

Term of Participation/Comment: Public comments may be submitted at any time, and are generally received for incorporation in the decision-making process and in the final documents from February through approximately mid-summer every five (5) years for the Fair Housing Plan in conjunction with the Consolidated Plan. However, the official HUD-mandated public comment period will be at least 30 days, not including the day of publication, in conjunction with the preparation of the Consolidated Plan. In addition, the City maintains a log of all those who inquire about fair housing or wish to file a fair housing complaint. These contacts occur throughout the year.

Assisting the Public with Fair Housing Issues: Any resident, or resident-advocate, who is the victim of or observes possible fair housing violations may contact the Division of General Services, Office of Community Development, to obtain assistance in determining if the issue is a violation. If the issue is a potential violation City staff will explain the complaint process and will assist the complainant in filing a fair housing complaint with HUD. If the alleged violation could be a violation to the City's Code of Ordinances, the appropriate City staff will be alerted to investigate the issue and take whatever legal action is indicated.

Fair Housing at the City of Temple
Division of General Services
Office of Community Development
101 N Main St.
Temple, TX 76501
cdbg@templetx.gov
www.templetx.gov/fairhousing

Fair Housing Complaints: Complaints may be taken through the HUD online complaint form. The complainant may complete the form directly or with the assistance of City staff. The complainant may file directly with HUD at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/online-complaint

Or contact the Fort Worth Regional Office of HUD at:
FHEO Office
U.S. Dept of HUD
801 Cherry Street, Unit #45
Suite 2500
Fort Worth, TX 76102
(888) 560-8913

Evaluation Process

Each year the City of Temple conducts an evaluation of the past year's performance. As part of the evaluation, and as required by HUD, the City develops a Consolidated Annual Performance and Evaluation Report (CAPER). The City notifies the public of the availability the CAPER for review and public comment. The City receives and incorporates any and all pertinent public comments into the document.

Public Notification: The public notice of the availability of the CAPER for public review/comment will be posted in the local newspaper. A sample of the public notice is included as Exhibit F.

Term of Participation/Comment: The public will be given 15 days, not counting the day of public notice, to comment. The public comment period will end prior to the City's submission of the CAPER to HUD for review and approval; so that City staff has adequate time to incorporate comments into the CAPER.

Every fifth year, the City prepares a 5-year Consolidated Plan to take effect the following year. The Consolidated Plan describes the housing and community development needs and priorities as well as a 5-year strategy for addressing those needs. The City must submit this 5-Year Consolidated Plan to HUD in order to receive the annual CDBG entitlement grant. This document is specifically designed to:

- Promote citizen participation in the development of local priority needs and objectives by providing comprehensive information on the jurisdiction that is easy to understand;
- Summarize statutory requirements in such a manner as to achieve the purpose of these requirements in a comprehensive way;
- Promote the development of Annual Action Plans that coincide with the Consolidated Plans' priorities and provide a basis for assessing performance; and
- Encourage consultation with public and private agencies, including those outside the jurisdiction, to identify shared needs and solutions.

Beginning with the 2015-2019 Consolidated Plan, the City of Temple must complete an on-line plan in HUD's Integrated Disbursement and Information System (IDIS) as well as have online and paper copies available for the public to review. The Community Development staff, using the guidance of this Citizen Participation Plan, establishes the goals set forth in the Consolidated Plan. Exhibit B shows a list of the 2015-19 funding priorities derived from a combination of resident responses to a comprehensive survey in English and Spanish, Community Development staff priorities, input from stakeholders and from other City departments. In order to solicit a broad range of information from the community, the City conducts:

- A survey of residents through on-line access and paper copy in English and Spanish;
- Group meetings and/or individual meetings and phone interviews with various housing, social service, economic development, advocacy, and community-based organizations; and
- At least 2 public hearings open to all interested parties.
- The City encourages all interested citizens or groups to present opinions or proposals to the City for consideration under the CDBG program. Citizens may become involved by:
- Attending CDBG public hearings and presenting ideas, suggestions, and proposals;
- Submitting comments, concerns, and recommendations through email or in writing to City staff;

- Contacting the Community Development office for discussion, or assistance with preparation of complaints, suggestions, or proposals;
- Pursuing other means of participation that are not mentioned but may be available.

The City may also seek public comments, advertise for specific events or solicit public participation for certain programs. At that time, information will be distributed to local organizations and businesses for posting. For example, postings asking for comments or participation regarding housing programs may be distributed to the Temple Housing Authority, placed at neighborhood parks, schools and churches. Additionally, these types of postings may be sent to businesses serving the area that may be affected by the activity. When seeking public comments from a specific segment of the population or area, the City will make every effort to distribute postings, announcements and flyers to areas that will directly reach the intended audience.

Annually, the City solicits citizen participation in the preparation of various documents. Invitations to submit comments will be included with all public hearing notices. The public hearing notice will also specify how to submit a comment and the deadline for submitting such comments. Written comments relating to CDBG may be submitted to the Community Development office at any time during normal business hours. Additionally, public comments may be submitted in person to the Office of Community Development located at 101 N. Main ST., Temple, TX 76501, or via email at CDBG@Templetx.gov. The public may also choose to attend any CDBG related public meeting or hearing in order to submit public comments.

The City may also seek public comments through other emerging avenues such as social media.

BUILDING COMMUNITY AWARENESS

The City will continue to use the expertise of the Public Information Office in the development and distribution of information about the CDBG program. The Public Information Office is tasked with keeping residents informed about city policies, programs, services and neighborhoods. Its services to the community currently includes:

- News Releases;
- Public service announcements;
- CH10, the municipal access channel broadcast on cable TV and streamed online with original programming and a rotating informational bulletin board;
- City website that provides information, applications, forms and interactive features such as maps;
- Social media, including Facebook, Twitter, Instagram, and YouTube; and
- The Bridge, a printed newsletter that is available to Temple residents.

PUBLIC NOTICE OF PROJECTS – PUBLIC HEARINGS AND MEETINGS

Notice of Funding Source: All of the displacement/relocation projects undertaken with CDBG funds will have posted an on-site public notice indicating that Federal HUD funds are being used wholly or in part to carry out the activities. This allows the public the opportunity to contact the City or HUD to comment on the project/activity itself or the manner in which the activity is being carried out.

Public Notification: The public notice for a public hearing regarding displacement will be posted at least 72 hours prior to the opening of the hearing. The notice will be posted in the Temple Sun and at the site of the pending displacement. The public notice of the funding source will remain on-site during the term of the activity. The notice will be posted during the construction of or improvements to facilities or infrastructure that required the displacement. For major improvements or new facilities, the inclusion of HUD as the funder will be posted in a place visible to the public – either through signage or a notice in the main area of the

facility. For housing rehabilitation, a sign in the front yard will be posted during renovations. For public services, a notice may be posted in a public area of the building in which the public service is being conducted. An example of the public notice can be found as Exhibit G.

The City may elect, and is encouraged, to hold some public meetings in other neighborhoods that may be affected by the activities of the CDBG program. Occasionally, public meetings will be held at other venues where at least 51% of the residents in the area are low- to moderate-income (CDBG Target Areas). Examples of other venues include recreation buildings, churches and public schools in the area.

Public meetings (for the purposes of the CDBG program) are defined as informal, but documented, meetings between City staff (and relevant contractors) and City residents. These meetings are designed to promote the open and honest exchange of ideas, to enhance the impact of CDBG funds for the communities of Temple. Public meetings will be held to collect information (formal and informal comments), to review performance and to generally encourage understanding of, and participation in, CDBG project development and implementation. City staff and relevant contractors, may host public meetings at various locations throughout the City, in a location that meets ADA accessibility standards; to solicit input on any aspect of the CDBG Program.

Public hearings (for the purposes of the CDBG program) are defined as City Council meetings at which a CDBG agenda item is to be presented to Council, and attendees. During the development of the Annual Action Plan (once per year), the City will host two public hearings. The two public hearings are:

- Proposed Annual Action Plan public hearing (generally held in June)
- Adoption of AP (generally held in July)

During the development of the Consolidated Plan (once every five years), an additional four public hearings will be held. The four public hearings are:

- Proposed Citizen Participation Plan & Fair Housing Plan public hearing (generally held in October)
- Needs assessment public hearing for the Consolidated Plan (generally held in the Spring)
- Proposed Consolidated Plan public hearing (may, or may not, be at same Council meeting as proposed AP public hearing; generally held in June)
- Adoption of Consolidated Plan public hearing (may, or may not, be at same Council meeting as adoption of AP public hearing; generally held in July)

All residents of Temple will be affected, directly or indirectly, by Community Development activities and are encouraged to participate in the planning and implementation of the activities to be undertaken with CDBG funds. Persons interested in participating, or learning more about the CDBG Program, are urged to attend the public hearings.

Purpose Of Public Hearings/Meetings

HUD requires the City to hold public hearings so that the public can express its views and so that the City can respond to questions and proposals for the use of CDBG funds. According to HUD, public hearings are to be held at all stages of the planning process, including the needs assessment, identification of priorities, allocation for funds to meet the needs, review of proposed activities and review of program performance. The City holds at least two – six public hearings during the CDBG Consolidated Planning and Annual Action Planning process, and during times of amendments to programs, activities or funding allocations. If comments

are received during these public hearings, a summary of all pertinent public comments are submitted to HUD along with the appropriate document.

Notification Of Public Hearings/Meetings

Notices of all public hearings held in regards to the CDBG program shall be placed in the local newspaper and by the City Secretary at City Hall at least 72 hours prior to each hearing. In addition, the notice posted by the City Clerk will include an agenda that lists all items to be considered.

Approximately two weeks prior to the first public hearing for the Consolidated Plan and all Annual Action Plans, a notice will be published in the local newspaper and placed on the City's website. This notice will advise citizens that planning for the use of CDBG funds is underway for the next program year. The notice will include the amount of funds expected to be available, the types of activities that are eligible for funding and other important program requirements.

All notices for public hearings will state that Spanish translation and interpretive services for the deaf will be made available if requested within 48 hours of the hearing. Occasionally, public hearing notices will be posted at gathering places throughout the CDBG Target Areas. Exhibit C is an example of a Community Development public hearing notice.

Time And Location Of Public Hearings/Meetings

Public hearings are held at Temple City Hall in a location that meets ADA accessibility standards (generally in Council Chambers). Reasonable accommodations will be made for people with disabilities, upon advance request. Language interpreters will be provided for non-English speaking participants, upon advance request. Citizens wishing to speak on this matter may do so by either signing up for Public Comments at the beginning of the meeting (there will not be any dialogue with the Council); or during the Public Hearing of the item. The City will consider the views of citizens, organizations and agencies, and other interested groups in preparing all plans and reports as part of the CDBG process. Additionally, these locations are on the transit bus route, which makes it further accessible to low- to moderate-income and/or disabled residents interested in attending the meetings.

Citizen Participation At Public Hearings/Meetings

During the CDBG public hearings and public meetings, the public is encouraged to communicate their needs, express preferences in regard to proposed activities, or present comments to be considered by Community Development staff. Residents may elect to participate at the public hearing/meeting or submit a written comment outlining their concerns and/or support of a specific project. Citizen input from public hearings and meetings, as well as written comments and suggestions will be incorporated into the applicable document(s) and submitted to HUD for review.

When services for the disabled, ASL interpretation, and/or Spanish translation are requested at least 48 hours prior to the meeting, such services will be provided.

The City is committed to providing technical assistance to the community to make all knowledgeable about the CDBG program. As awareness of the CDBG Program increases, it is the hope of the City that citizens will contribute ideas to solving some of the community's needs. The Community Development staff is available, by appointment, weekdays from 8:30 a.m. to 4:40 p.m. excluding holidays to:

- Provide technical assistance in preparing proposals to benefit low and moderate-income groups;
- Explain CDBG program requirements;

- Explain the requirements/benefits of all funded activities;
- Discuss proposed and ongoing community development activities; and
- Receive and investigate complaints relating to the CDBG Program.

PUBLIC WORKSHOPS

Annually, in conjunction with the Action Plan, the City of Temple sponsors a Technical Assistance Workshop that is free of charge and open to the public. At the workshops, attendees are given a brief overview of the CDBG Program and the City’s Request for Proposal and budget process. Occasionally, special topics such as “grant writing” are presented. During the workshops, Community Development staff is available to provide one-on-one assistance in the development of proposals and ideas for funding.

Technical assistance in understanding the various program requirements or any other substantive matter relating to the program is available from staff during normal business hours. Spanish summaries of basic information will be made available upon request.

Agency Training And Coaching

During the year, the Community Development staff will provide technical assistance to any current or prospective subrecipient of HUD funding or agency seeking to secure and allocate resources in the CDBG Target Areas or for low- to moderate-income residents. The assistance may be in open workshops/trainings or thorough one-on-one sessions with the particular entity. The assistance is aimed at advising, supporting and assisting the agencies to better serve the low- to moderate-income households and CDBG target areas. Also, during monitoring of subrecipients, the staff will provide technical assistance regarding program management, beneficiary eligibility, financial management or any other topics related to the provision of services and management of funds.

Additionally, any subrecipient receiving CDBG funding for the first time receives an on-site monitoring/technical assistance visit by Community Development staff to ensure compliance and successful project completion.

Every effort is taken to provide the public with information regarding the CDBG Program as well as addressing each citizen’s questions and comments. A written reply to a citizen’s written questions, comments, or complaints is prepared as soon as the matter is given careful consideration by City staff and discussed with all involved parties.

REQUESTING INFORMATION

Interested parties requesting written information from the Office of Community Development must make a written request to the City Secretary’s Office through the Public Information Act. Requests to the City Secretary’s Office may be made in person or via the City’s website at www.templetx.gov. Special arrangements may be made for individuals who are not able to visit the City Secretary’s Office or the Office of Community Development during regular office hours. If applicable, a fee may be assessed for copies of the requested information. Charges for copies will be based on current City of Temple policies and in accordance with the Public Information Act.

The City will provide a written response to all comments received within fifteen (15) working days of receipt. If a final response is not possible within this period of time, an interim response specifying the reason for the delay and any deliverable information providing that information is currently available. All comments or

written ideas which are submitted to the City, will receive a final notice of disposition as soon as possible. Citizens may request access to any non- confidential records regarding the Consolidated Plan activities.

General program information such as guidelines, applications and the like will be made available on the City's website and in the Community Development Office at no charge to the public.

Access To Information

All technical and explanatory information concerning the CDBG program provided to the Office of Community Development or City Council is available for viewing in the Community Development Office. Other locations where CDBG documents may be made available for citizen review may include: City Hall, Temple Public Library, recreation centers, Temple Housing Authority and other public facilities. All locations will be in areas where at least 51% of the residents are low to moderate income. When required, there will be at least three copies available in various areas of the City for document review. Most documents may also be available for review on the City's website.

Copies of the most recent Action Plans, Consolidated Plans, CAPER, Citizen Participation Plan, and other pertinent documents are available for public inspection during normal operating hours in the Community Development Office located at 101 N Main ST. Temple, TX 76501; as well as online at www.templetx.gov/cdbg.

HUD allows the City of Temple the ability to amend the 5-year Consolidated Plan, the Annual Action Plan and the Citizen Participation Plan. When the City elects not to carry out an activity that was previously described and approved by HUD; to substantially change the purpose, scope, location or beneficiaries of an activity; or add a new activity an amendment must be submitted to HUD. In those instances, the City will use the following guidelines in determining when an amendment is substantial or minor. All amendments, substantial or minor, will be included in the CAPER.

AMENDMENTS

Amendments are sometimes needed throughout the implementation of the Consolidated Plan pending funding allocations and continued assessment of community needs.

Substantial Amendments

If more than 25% of the City's annual allocation changes from its original purpose, then the amendment is considered a substantial amendment. If the activity is being carried out by a subrecipient or contractor, there must be an amendment to the subrecipient agreement as well as to the Annual Action Plan.

Substantial changes to the Consolidated Plan and/or Annual Action Plan may include, but are not limited to the following:

- Any transfer of funds over 25% of the City's annual allocation
- Cancellation of a planned activity;
- Addition of a new activity not previously proposed for public review; or
- Change in the primary purpose or scope of an activity, such as a change in intended beneficiaries or organizational support.

The City will provide the public with a period of not less than thirty (30) days to comment on any substantial amendment before the amendment is implemented. Notices are provided to the public through the local

newspaper and through the City’s website. Exhibit D is an example of a CDBG substantial amendment public notice.

The substantial amendment is presented to City Council for approval. Once the City Council approves, the substantial amendment is submitted to HUD. As with the other plans, HUD has 45 days to review and approve the amendment. Once HUD has sent formal written approval or the 45 day review period has expired, the funds are transferred to the approved program.

Minor Amendments

Other changes to the Consolidated Plan or Annual Action Plan that do not meet the level of a substantial amendment are considered a minor amendment. For example, an amendment to re-distribute less than 25% of the City’s annual allocation will be considered a minor amendment.

Notice of minor amendments are given in the local newspaper and on the City’s website; and open for public comment for at least fifteen (15) days. Minor amendments are reviewed, considered and approved by the Division of General Services Manager and Community Development staff, but do not require City Council action. Minor amendments are submitted to HUD as part of the year-end CAPER.

Emergency Amendments

Occasionally, as in the case of natural disasters, such as a hurricane, it becomes necessary for the City of Temple to request a substantial amendment to the Action Plan or Consolidated Plan. During times of disaster, the City may request, and HUD may approve a waiver or reduction in the amount of days required for public notice and/or public comment. If approved by HUD, the City will follow HUD’s direction with no further notice to the public. Emergency amendments require the signature of the City Manager or his/her designee. If approved, activities undertaken as a result of emergency amendments will comply with the City’s purchasing and contract procurement procedures during the course of the disaster.

Re-Allocating Funds

If a funded program is not utilizing or will not utilize all of the awarded CDBG dollars, the unused funds can be re-allocated to a new or existing project.

Amending The Citizen Participation Plan

If at any time, it becomes necessary to amend this Citizen Participation Plan, the City will provide public notice in the local newspaper and on the City’s website. The City will provide the public with a period of not less than fifteen (15) days to review and comment on the changes. Changes to this Citizen Participation Plan will be approved by the Temple City Council prior to submission to HUD.

Changes to the Citizen Participation plan will follow this process regardless of the scope of the change; substantial changes and minor changes will follow the same process.

UNIFORM RELOCATION ACT

Whenever federal funds, such as CDBG are used for projects involving acquisition, rehabilitation or demolition of real property, a federal law known as the Uniform Relocation Act (URA) may apply. The purpose of the URA is to provide uniform, fair and equitable treatment of persons whose real property is acquired or persons displaced as a result of a CDBG-funded project or activity. During the preparation of the

Citizen Participation Plan, HUD requires entitlement communities to review all CDBG funded programs to ensure no person is involuntarily removed or displaced from their residential dwelling without providing proper remedies to the household.

Displacement

Displaced persons are those individuals, households, or businesses who move from their home or place of business as a direct result of acquisition, demolition or rehabilitation of the property using federal funds. Displaced persons may be eligible for relocation assistance under the URA. However, persons displaced temporarily from their dwelling for less than 12 months while it is being rehabilitated are not considered to be displaced and are not eligible for relocation assistance. All displacement activities will be discussed with the HUD Relocation Specialist to ensure that HUD concurs with the City on whether or not the person is displaced, and meets the criteria for assistance under the URA.

In the event that the City opts to use CDBG funds for an activity that would result in the displacement of renters of residences or commercial property, or other activities that would result in the taking of property through eminent domain, the City will conduct a public hearing for the plan(s), whether or not an amendment to the current Consolidated or Annual Action Plans is required. The City will explain the activity, solicit comments and concerns from the public and outline the displacement process. The activities will be such as to minimize displacement in all ways possible. Should displacement be necessary, the City will provide details concerning its implementation plan, timeline and assurance that there will be no undue burden placed on those affected.

Whenever possible, the City will give minority persons reasonable opportunities to be relocated to decent, safe and sanitary housing not located in an area of minority concentration providing that the dwelling units are within their financial means.

According to 49 CFR 24.2(a)(2)) and 8 CFR 103.12 the City of Temple legally cannot provide displacement/relocation assistance to aliens no in the United States legally.

Prior to engaging in activities that will cause displacement, the City will provide to HUD a certification that it will comply with the Uniform Relocation Act and applicable program regulations.

The public notice both for displacement and non-displacement will describe the relocation assistance to be provided, and contain the name, address and phone number of the City official responsible for providing the assistance or determining that no assistance is required. Exhibit H is an example of a public notice for displacement and non-displacement.

Relocation

In the event that the City initiates an activity that requires displacement, that uses CDBG funds, the City must have a plan for temporary or permanent relocation. HUD requires that relocation assistance be provided to persons displaced in connection with federally funded projects and that decent, safe and sanitary housing be available within the displaced person's financial means. Relocation payments may be for actual, reasonable moving costs and related expenses or based on a reasonable fixed schedule. In the cases where the displaced person's move is performed by the City or subrecipient at no cost to the displaced person, the person shall receive a \$100 relocation allowance.

Displaced occupants who have lived in the unit to be vacated for 90 days or more shall receive a rental assistance payment of the difference between the monthly rent and utilities of the vacated dwelling and that of a comparable decent, safe and sanitary replacement dwelling up to a total payment of \$5,250 or a period of 42 months, whichever occurs first.

Displaced owner occupants who have lived in the vacated unit for 180 days or more and whose dwelling has been acquired shall receive an assistance payment of the difference between the acquisition price of the acquired unit and the purchase price of a comparable decent, safe and sanitary replacement unit up to a total payment of \$22,500. Owner occupants who have lived in the acquired unit for 90 to 180 days may be eligible for similar assistance as tenant occupants.

In the case of temporary rental relocation (less than 1 year), all reasonable out-of-pocket expenses incurred in connection with the temporary relocation will be paid, including the cost of moving to and from the temporary housing and any increase in monthly rent and utility costs.

Owners who are being temporarily displaced for demolition/reconstruction or housing rehabilitation through the use of CDBG funds may or may not be eligible for assistance. If applicable, the City will contact the Relocation Specialist with the Fort Worth HUD Office for clarification.

Any displaced person may file a complaint with the HUD Relocation Specialist in the HUD Region 6 Office in Fort Worth, Texas. Currently, Sara M. Neira is the specialist for Region 6 and can be reached at:

801 Cherry St. Unit #45, Suite 2500
Fort Worth, TX 76102
(817) 978-5937
Sara.M.Neira@hud.gov

Notice of Funding Source: All of the displacement/relocation projects undertaken with CDBG funds will have posted an on-site public notice indicating that CDBG funds are being used wholly or in part to carry out the activities. This allows the public the opportunity to contact the City or HUD to comment on the project/activity itself or the manner in which the activity is being carried out.

Public Notification: The public notice for a public hearing regarding displacement will be posted at least 72 hours prior to the opening of the hearing. The notice will be posted in the Temple Sun and at the site of the pending displacement.

The public notice indicating the funding source being used to carry out the project will remain on-site during the term of the activity. The notice will be posted during the construction of or improvements to facilities or infrastructure that required the displacement. For major improvements or new facilities, the inclusion of HUD as the funder will be posted in a place visible to the public – either through signage or a notice in the main area of the facility. For housing rehabilitation, a sign in the front yard will be posted during renovations.

SECTION 3

Section 3 is a provision of HUD that helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment and contracting opportunities to low- to moderate-income residents. Section 3 is a starting point to obtain job training, employment or contracting opportunities leading to self-sufficiency for those who are currently low- to moderate-income.

Section 3 residents are:

- Public housing residents; or
- Those living in Temple or the immediate area and have a household income that is at or below 80% of the area's median income.
- In addition, companies may be a Section 3 business concern if:
- 51% or more is owned by Section 3 residents;

- It employs Section 3 residents for at least 30% of its full-time permanent staff; or
- It provides evidence of a commitment to subcontract to Section 3 business concerns 25% or more of the dollar amount of the awarded contract.

The City of Temple is committed to providing business opportunities to Section 3 firms, encouraging firms to hire Section 3 employees and to hiring Section 3 employees within the City whenever possible. In conjunction with the annual fair housing event, the City will provide certification forms for firms and individuals to complete to become Section 3 certified. In addition, the City will ensure that social service agencies that serve low-income individuals will distribute information about Section 3 and the Section 3 certifications. The City will coordinate with the Temple Housing Authority to ensure that the same certifications for the housing authority are being used by the City. The City may provide information to Temple Housing Authority residents for Section 3 applications for certification. Applications for certification/registration as a Section 3 resident or business concern can be obtained at the City of Temple's Office of Community Development. A copy of the applications are included as Exhibit J.

Priority for training and employment under Section 3 is given to:

- Persons in public or other assisted housing;
- Persons in the area of Temple where the project for which HUD funds are spent, or secondarily residents of other areas of Temple;
- Participants in HUD Youth build programs; and
- Homeless persons.

Priority for contracting is given to businesses that meet the definition of a Section 3 business concern and are otherwise qualified for and suited for the contract.

More information about Section 3 can be found in Exhibit J and on the HUD website at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/section3/section3

COMPLAINTS

The City of Temple strives to create and maintain an exemplary CDBG program. Its quality strategy involves internal quality assurance, but also the incorporation of resident comments and complaints into a process of continuous improvement.

Complaints about the CDBG program may be made verbally or in writing. Any written complaint made to the City of Temple about the CDBG program that deals with preparation of the any plans, selection of projects, citizen participation opportunities or the effectiveness/appropriateness of on-going programs or projects shall be answered with a written response within fifteen (15) working days of the date upon which the complaint was received.

Complaints received verbally may receive a verbal response over the telephone or a meeting between the parties may be arranged to discuss the complaint and the response. Documentation of the call or the meeting will be placed in the appropriate project or general file. Some verbal complaints may receive written responses. These and any other written responses to written complaints will be completed and mailed within fifteen (15) working days of the receipt of the written complaint.

If a question or comment has not received a response or was not adequately answered, citizens can object to the approval of the City's Consolidated Plan and/or Annual Action Plan by contacting HUD directly. If objecting to the approval of any one of the aforementioned plans, citizens are urged to contact HUD within thirty (30) days of publication of the Plan. However, complaints must reach HUD before or during HUD's

forty-five (45) day review process, if applicable. Specific grounds for objection are that the City (a) did not comply with regulations or that (b) the City misrepresented facts on the preparation of these applicable document(s).

HUD contact:

U.S. Department of Housing and Urban Development – Fort Worth Field Office
Office of Community Planning and Development
801 Cherry Street, Unit #45
Suite 2500
Fort Worth, TX 76102
(888) 560-8913

For more information regarding the City of Temple Citizen Participation Plan for the CDBG Program or any other elements of the CDBG Program, please contact the City at:

City of Temple
Division of General Services
Community Development
101 N Main ST
Temple, Texas 76501
cdbg@templetx.gov

EXHIBITS

Exhibit A: Consolidated Planning Surveys (example)

Exhibit B: 2015-19 Consolidated Plan Funding Priorities

Exhibit C: Public Hearing Notice (example)

Exhibit D: Substantial Amendment Public Notice (example)

Exhibit E: Public Notice for Environmental Review's (example)

Exhibit F: Public Notice for CAPER (example)

Exhibit G: Public Notice for Projects (example)

Exhibit H: Public Notice for Displacement (example)

Exhibit J: Section 3 Information

RESOLUTION NO. 2018-9209-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE PROPOSED AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT 2015-2019 CITIZEN PARTICIPATION PLAN; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple annually receives Community Development Block Grant (CDBG) Entitlement funds from the U.S. Department of Housing and Urban Development;

Whereas, as a recipient of these entitlement program funds, the City is required to produce a Citizen Participation Plan which outlines how and when changes to the Consolidated Plan and Annual Action Plan are required;

Whereas, the Citizen Participation Plan, as currently adopted, contains conflicting language as to what allocation percentage is the benchmark for when a substantial amendment is required and is not required and Staff proposes to set the threshold percentage to 25% of the annual allocation uniformly throughout the plan;

Whereas, these proposed changes will align the criteria in the Planning Process with the criteria in the Amendments, creating a cohesive process - setting the allocation percentage of change to 25% of the annual allocation will allow the adopted plans to move forward uninterrupted from seeking amendments that may be of a minimal amount;

Whereas, the presentation and public hearing on this proposed amendment to the 2015-2019 Citizen Participation Plan was held on June 21, 2018, and was followed by a 30-day public comment period which ended on July 21, 2018 - no comments were received; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the proposed amendment to the adopted Community Development Block Grant 2015-2019 Citizen Participation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council approves the proposed amendment to the adopted the Community Development Block Grant 2015-2019 Citizen Participation Plan.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 2nd day of **August**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney