Appendices

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CITY OF HOUSTON

2010 CITIZEN PARTICIPATION PLAN

FOR THE

CONSOLIDATED PLAN

March 2010

601 Sawyer

Houston, TX 77007

713-868-8300

Web: www.houstontx.gov

Introduction

The purpose of the Citizen Participation Plan (CPP) is to establish a viable means by which citizens of the City of Houston (City), public agencies and other interested parties can actively participate in the development of activities undertaken with Community Development Block Grant funds and to sets forth the jurisdiction's policies and procedures for citizen participation.

The Citizen Participation Plan has been prepared and implemented pursuant to federal regulations (U. S. Department of Housing and Urban Development (HUD) Regulations 24 CFR Part 91.105) and the City of Houston's desire to encourage and support public participation in the development of the Consolidated Plan (and subsequent annual updates to the Consolidated Plan).

The actions delineated in this Citizen Participation Plan relate to the planning and expenditure of funds provided to the City by the U. S. Department of Housing and Urban Development (HUD) Office of Community Planning and Development (CPD). CPD entitlement funds received by the City include the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for People with AIDS (HOPWA), and other such grants as may be added by law.

Encouragement of Citizen Participation

It is the intent of the City of Houston to encourage and facilitate the participation of residents in the formulation of priorities, strategies and funding allocations related to the Consolidated Plan, Substantial Amendments to the Plan and the Performance Report process, emphasizing involvement by low and moderate income persons, especially those living in slum and blighted areas, areas where the funds are proposed to be used, and low and moderate income neighborhoods. The City encourages the participation of local and regional institutions and other organizations (including businesses, developers, and community/faith-based organizations) in the process of developing and implementing the Consolidated Plan. The City also encourages participation of all citizens including minority populations, people who do not speak English and persons with disabilities.

To encourage citizen participation emphasizing the involvement of low and moderate income residents the City of Houston will continue to work with public housing authorities, neighborhood task forces and organizations representing the City's lower income areas.

The Plan assures that citizens, non-profit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports covering the City's federally funded housing and community development programs.

Technical Assistance

The City will provide technical assistance as requested to lower income groups to develop proposals for housing and community development activities in the City of Houston. The technical assistance will be offered any time proposals for the use of funding are requested.

Access to Records

The City of Houston will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan.

The public will be provided reasonable access to housing assistance records, subject to state and local laws regarding privacy and obligations of confidentiality. Confidential documents will be set apart from public information, and any requestors of this information will be promptly informed.

In the spirit of encouraging public participation, copies of standard documents will be provided to the public. These materials will be available in a form accessible to persons with disabilities, upon request to the CDBG Program Administrator at (713) 868-8300.

All standard Housing and Community Development Department documents will be placed on file in the City of Houston, Housing and Community Development Department file room located at 601 Sawyer, 3rd floor, Houston, Texas 77007.

Copies of standard documents will be available for review at the following locations:

- Housing and Community Development Department – 601 Sawyer, Suite 400
- City of Houston Secretary's Office – 900 Bagby, Parking Level
- City of Houston Website – www.houstonhousing.org
- City of Houston Main Public Library

Additional single copies may be obtained from the Housing and Community Development Department at no charge.

The following standard public documents are available during regular business hours:

- This Citizen Participation Plan
- Proposed and Final Consolidated Plans
- Proposed and Final Consolidated Action Plans
- Proposed and Final Substantial Amendments to an Annual Action or Consolidated Plan
- Draft and Final Consolidated Annual Performance Reports (CAPER)

Public Hearings

Public hearings will be held at key stages of the process to obtain the public's views and to provide the public, to the greatest extent possible, with responses to their questions and comments. The City holds public hearings to obtain input regarding community needs during development of a Consolidated Plan, to review proposed uses of the funds in each Annual Action Plan, and to review program performance.

Pursuant to HUD regulations, the City of Houston will conduct a minimum of two (2) public hearings prior to submission of the Consolidated Plan, to ensure participation in grant development.

The Director of the Housing and Community Development Department, in consultation with staff, will establish the time and location of all public hearings and meetings concerning CPD entitlement funds received by the City including Community Development Block Grant (CDBG),

Home Investment Partnerships (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for People with AIDS (HOPWA).

Public hearings shall be held after adequate (14 days) notice at times and locations convenient to potential or actual beneficiaries, and with accommodations for the disabled. At all public hearings, upon an advance request, translators will be available for those who do not speak or understand English and the hearing impaired.

Meetings and Public Hearings Schedule

October – Notification to Public Service Agencies and citizens for submission of funding requests. Notice of funds available (NOFA) is advertised in public notices.

November/December – First Public Hearing on Consolidated Plan (performance review and citizens express their needs during plan development)

January – City Council Districts Public Hearings on Budget, Capital Improvement, and Consolidated Plan

March – Draft of Consolidated Plan is made available to public and the 30 day review period begins

April – Second Public Hearing on Consolidated Plan (citizens express concerns or agreement on draft Plan)

April/May – Submittal of Consolidated Plan to HUD

September – Draft of Consolidated Annual Performance Evaluation Report (CAPER) is made available to public, a 15 day review period, and submittal to HUD

Development of the Consolidated Plan

Before the Consolidated Plan (and annual updates) is adopted by the City Council and submitted to HUD (i.e., mid-May), the City will make the plan available to citizens, public agencies, and other interested parties for review, and will also establish the means to submit comments. Information made accessible to the public will include the amount of grant funds the City expects to receive (including program income), the range of activities to be undertaken, and the anticipated number of low and moderate income persons to benefit from funded activities.

Information will also include the steps the City will take to eliminate the need for displacement of persons. If displacement will occur due to any planned actions, the City will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as described in 49 CFR Part 24.

The City will publish its draft and final Consolidated Plan (and annual updates) so that all affected residents will have sufficient opportunity to review and comment on the plan. A summary describing the contents and purpose of the Consolidated Plan will be published in one or more newspapers of general circulation. To the extent feasible, the draft plan document will

be posted on the City's website. Additionally, the entire plan will be made available for review at the following locations:

- Housing and Community Development Department – 601 Sawyer, Suite 400
- City of Houston Secretary's Office – 900 Bagby, Parking Level
- City of Houston Website – www.houstonhousing.org
- City of Houston Main Public Library

A reasonable number of free copies will be available at the City of Houston, Housing and Community Development Department (601 Sawyer, 4th floor).

Amendments to the Consolidated Plan

From time-to-time, it may be necessary for the City to process a "Substantial Amendment" to the Five Year Consolidated Plan or the One Year Action Plans to allow for new CDBG, ESG, HOPWA or HOME funded activities; modification of existing activities; or other CPD program administrative actions.

Any proposed amendment that is considered a "Substantial Amendment" is subject to the Citizen Participation process, requires formal action by the City Council, and approval by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on the proposed substantial amendments. The City will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR 91.105 (c) (3). A summary of these comments and views, including comments or views not accepted (and the reason why) shall be attached to the substantial amendment.

For the purpose of this Citizen Participation Plan, amendments to the Consolidated Plan are divided into four categories: Substantial Amendments, Minor Amendments, One-Percent Amendments, and Emergency Amendments.

The City of Houston is required by HUD [24 CFR 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a "Substantial Amendment". The following criteria will be used by the City:

Substantial Amendments

1. Addition of a new activity or project not previously described in its Consolidated or Action Plan
2. Deletion of an activity or project previously described in its Consolidated or Action Plan
3. Change in the purpose, scope, location or beneficiaries of an activity or project previously described in its Consolidated or Action Plan
4. Change in the use of CDBG funds from one eligible activity or project to another previously described in its Consolidated or Action Plan
5. Change in an activity or project (previously described in its Consolidated or Action Plan) ***total dollar amount*** *allocated* or budgeted by more than 25 percent

Minor Amendments

Minor amendments represents any changes to the Consolidated Plan or Action Plan that do not qualify as "substantial amendments", and are more than 1 percent change in funding including correction of errors in the original plan. Minor amendments require the signature of the City of Houston, Housing and Community Development Department director or designated representative, but do not require public notice of 30 days or City Council approval.

One-Percent Amendments

A one-percent amendment represents any change in the funded amount of a project that is one-percent or less change. These amendments require the signature of the City of Houston, Housing and Community Development Department director or designated representative, but do not require public notice of 30 days or City Council approval.

Emergency Amendments

From time-to-time a natural disaster (such as, hurricane) or other catastrophic occurrence within the City of Houston may necessitate a Consolidated Plan amendment which could meet the definition of a Substantial Amendment. The City of Houston may request and obtain from HUD a complete waiver or reduction in days of the required 30 days public notice period for Substantial Amendments. These amendments require the signature of the City of Houston, Housing and Community Development Department director or designated representative, adherence to state and local laws regarding contracts and procurement, and HUD waiver and/or approval, but do not require public notice of 30 days.

Anti-Displacement and Relocation

All of the City of Houston's Consolidated Plan activities are designed to eliminate (or minimize) the occurrence of displacement. Program guidelines and limitations are structured so that temporary displacement is unlikely.

Tenants in occupied rental properties are made aware of their rights with respect to displacement and relocation. Property owners are made aware of their rights and responsibilities: property owners must assume the financial responsibility for the displacement and relocation of their tenants.

If an *involuntary* displacement should occur, it is the City of Houston's policy to provide housing referral assistance and, if required, make relocation payments in accordance with local, state and federal law.

Consolidated Annual Performance Evaluation Report (CAPER)

The City is required to submit a CAPER for its CPD programs to HUD no later than 90 days from the end of a program year (i.e. late – September). In general, the CAPER describes how funds were actually spent and the extent to which these funds were used for activities that benefitted low and moderate income people.

The City will publish notice that its CAPER is available for review so the public will have sufficient opportunity to review and comment on the report. The notice will be published in one or more local newspapers of general circulation. There will be a 15 day public comment period prior to the submission of the CAPER to HUD.

Complaints

Written complaints from the public about the City's Citizen Participation, Consolidated Plan/Annual Action Plan, Substantial Amendments, or Performance Reports process will receive careful consideration and will be answered in writing within 15 business days (where practicable).

Written complaints should be sent to the Director's Office at the following address: City of Houston, Housing and Community Development Department, 601 Sawyer, Suite 400, Houston, Texas 77007.