Citizen Participation Plan

Commerce City, Colorado

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CITIZEN PARTICIPATION PLAN

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Prepared for the
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Community Development Department
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Table of Contents

Introduction 4

1. Encouragement of Citizen Participation 4

2. Public Review Meetings 5

3. Public Notices and Outreach 5

4. Publication of Proposed Plan Documents 6

5. Public Comment Period: Consolidated Plan & Annual Action Plan 6

6. Amending the Consolidated Plan & Annual Action Plan 7

7. Public Comment Period: Substantial Amendments 8

8. Public Comment Period: CAPER 8

9. Access to Records 8

10. Technical Assistance to Citizens & Organizations 9

11. Complaint and Appeal Process 9

DRAFT

Introduction

The following Citizen Participation Plan provides a framework and process by which the City's consolidated planning efforts comply with the citizen participation requirements published by the U.S. Department of Housing and Urban Development (HUD). This Citizen Participation Plan is prepared and implemented in accordance with the guidance provided in HUD Regulations at 24 CFR Part 91.105.

The City of Commerce City is entitled to receive annual grant funding from the Community Development Block Grant (CDBG) program. It is the policy of the City to ensure the meaningful participation of its citizens in the development of any consolidated plan, any substantial amendment to a consolidated plan, and the annual performance report, with particular emphasis on participation by low- and moderate-income residents and residents living in low- and moderate-income neighborhoods. The facilitation of a citizen participation process accessible to all residents regardless of minority status, disability, or English fluency is essential.

1. Encouragement of Citizen Participation

It is the policy of the City to encourage and facilitate the full and meaningful participation of residents, service providers, government agencies, and others in the development of all HUD required consolidated planning documents including the Five-Year Consolidated Plan, Annual Action Plans, Substantial Amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER).

The primary purpose of the participation will be in needs identification, priority setting, funding allocations, and program recommendations related to the consolidated planning process. The City shall provide for and encourage citizen participation with particular emphasis on:

- Low and moderate-income persons, particularly those living in areas where CDBG funds are proposed to be used;
- Residents of predominantly low and moderate-income neighborhoods;
- Minorities;
- People with Limited English Proficiency;
- People with Disabilities;
- Residents of public and other assisted housing developments; and
- Local and regional institutions, the regional Continuum of Care and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations).

Commerce City is committed to keeping all interested groups and individuals informed of each phase of the consolidated planning process, and of activities being proposed or undertaken with CDBG funds. Opportunities to comment on or participate in planning, community development, and affordable housing activities and projects will be publicized and disseminated throughout Commerce City using a variety of media.

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2. Public Review Meetings

Commerce City shall conduct at least two Public Review Meetings each year to obtain the views and comments of residents and other stakeholders regarding the City's housing and community development needs; proposed activities; and the review of program performance. The Public Review Meetings will be held prior to submission of the Consolidated Plan, Annual Action Plan, and CAPER. Public Review Meetings will take place at different stages of the consolidated planning process and together address:

- Housing and community development needs;
- Proposed use of program funds, and
- Program performance during the past year.

At least one Public Review Meeting will be held in the third quarter of the calendar year to solicit comments on the draft Consolidated Plan and/or Annual Action plans, which include the proposed use of CDBG funds. The information provided to the public on or before this Public Review Meeting must include:

- The amount of assistance the City expects to receive (including grant funds and program income);
- The range of activities that may be undertaken;
- The estimated amount of funding that will benefit persons of low- and moderate-income
- The City's plan to minimize displacement of persons and to assist any person displaced, specifying the types and levels of assistance the City will make available (or require others to make available) to persons displaced, even if no displacement is expected to occur

This information will be presented at the Public Review Meeting and/or will be contained in the text of the Consolidated Plans and Annual Action Plans under review.

In addition, a second Public Review Meeting will be held in the fourth quarter of the calendar year (usually December) during the Consolidated Annual Performance and Evaluation Report process, to solicit feedback on the City's housing and community development needs and to review program performance during the past program year.

Commerce City may hold additional Public Review Meetings for the purpose of reviewing amendments to Commerce City's Consolidated Plan or Action Plan. Public Review Meetings will be held at convenient times and locations to permit broad participation from the community. Reasonable accommodations will be granted by Commerce City for persons requiring such assistance. The City will also provide translation and interpretation services for clients with limited English proficiency upon request.

3. Public Notices and Outreach

Information about the time, location, and subject of each Public Review Meeting will be provided to citizens at least two weeks in advance by publication in a local newspaper of general circulation

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(e.g. The Commerce City Sentinel), via relevant email distribution lists, and via publication on the City's website at www.c3gov.com/CDBG.

Every effort will be made to ensure that Public Review Meetings are inclusive. Public Review Meetings will be held at convenient times and locations and in places where people most affected by proposed activities can attend. The City will utilize facilities that are accessible to persons with disabilities. If notice is given at least seven days before a Public Review Meeting date, the City will provide appropriate materials, equipment, and interpretation services to facilitate the participation of non-English speaking people and people with visual and/or hearing impairments. Interpreters will be provided at public review meetings where a significant number of non-English speaking residents can be reasonably expected to participate.

4. Publication of Proposed Plan Documents

The City will publish proposed Consolidated Plans and Annual Action Plans in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine their contents and submit comments. The proposed Consolidated Plan shall include:

- The amount of CDBG funds the City expects to receive (including grant funds and program income); and
- The range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-incomes.

A description of the purpose of the proposed Consolidated Plan and/or Annual Action Plan will be published in one or more newspapers of general circulation at the beginning of the required public comment period and include a list of locations where copies of the entire proposed Consolidated Plan and/or Annual Action Plan may be obtained or examined. Copies of the public comment draft will be made available for inspection at Commerce City's Community Development Department located on the first floor of the Commerce City Civic Center at 7887 E. 60th Avenue, Commerce City, CO 80022.

Citizens and groups may obtain a reasonable number of free copies of the proposed Consolidated Plan and/or Annual Action Plan by contacting the Commerce City Community Development Department at (303) 289-3683 or stimms@c3gov.com.

5. Public Comment Period: Consolidated Plan & Annual Action Plan

Commerce City will receive comments from citizens on its proposed Consolidated Plan and/or Annual Action Plan for a period not less than 30 days prior to adoption by City Council and submission of the Plan(s) to HUD. All comments or views of citizens received in writing or orally at Public Review Meetings will be considered in preparing the final Plan(s). A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore shall be attached to the final Plan(s). Oral comments outside of the Public Review

DRAFT

Meeting will not be considered unless they are also provided directly to City staff via email, letter, or other legible written form at one of the following addresses:

Commerce City Community Development Department
Attn: CDBG Comments
7887 E. 60th Avenue
Commerce City, CO 80022

Or via email to: stimms@c3gov.com

The final version of the Consolidated Plan and/or Annual Action Plan as submitted to HUD will be posted on the City's webpage at www.c3gov.com/CDBG.

6. Amending the Consolidated Plan & Annual Action Plan

From time to time, it may be necessary for the City to amend the Five-Year Consolidated Plan or an Annual Action Plan to allow for new CDBG projects or activities; modification of existing projects or activities; or other program administrative actions.

HUD regulations at 24 CFR Part 91.505 require amendments to the Consolidated Plan and/or Annual Action Plans whenever there is a change in the allocation priorities or method of distributing funds presented in the plan; a change in the use of funds to an activity not described in the Annual Action Plan; or a change in the purpose, scope, location, or beneficiaries of an activity.

Some amendments will be considered Substantial while others will be considered Administrative. The need to prepare a Substantial Amendment shall trigger use of the public participation requirements described in Section 7, below. Comments from the public will be given due consideration by City staff before written notice of the plan amendment is sent to HUD. Administrative Amendments do not require public consultation and may be implemented upon approval of Commerce City's Community Development Director.

HUD regulations at 24 CFR Part 91.505 (b) require the City 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 – if any one criterion applies, a Substantial Amendment will be required:

- A change in the use of funds from one eligible activity category to another (e.g. from housing to public services, or to any other broad category within CDBG funding);
- Funding of a CDBG activity not previously described in the Consolidated Plan or Action Plan;
- A change in the description of an existing activity in such a way that the newly described purpose, scope, location, or beneficiaries of an activity differ significantly from the original activity's purpose, scope, location, or beneficiaries; or

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- An increase in the CDBG funds allocated to an existing activity in an amount greater than $50,000 over the current funded amount.

Administrative Amendments, including those made necessary by a change in HUD regulations, will be considered narrative changes to be completed by the City's Community Development Director and will be incorporated into the plans and made available online within a reasonable time after they are made.

In the event of a declared emergency, it may be necessary to reprogram funds to meet urgent community needs. In these situations, requirements related to public notice and the public comment period may be suspended for a limited and defined period of time at the discretion of the City Manager.

7. Public Comment Period: Substantial Amendments

Once drafted, Commerce City shall make the text of the substantial amendment available for public comment and submit it to the City Council for adoption. Notice and opportunity to comment will be given to citizens through a public notice published in a local newspaper of general circulation (e.g. The Commerce City Sentinel), via relevant email distribution lists, and via publication on the City's website at www.c3gov.com/CDBG. A public comment period of not less than 30 days will be provided prior to adopting or implementing any substantial amendments to the Consolidated Plan and/or Annual Action Plan. City staff will prepare a summary of all comments received.

8. Public Comment Period: CAPER

An annual performance report known as the Consolidated Annual Performance and Evaluation Report (CAPER) must be prepared by the City for annual submission to HUD within 90 days of the conclusion of the City's program year. Commerce City will provide a preliminary draft of the CAPER to the City Council and publish a notice announcing that the public shall have no less than 15 days to review and comment on the document. A copy of the CAPER shall be placed for review at Commerce City's Community Development Department located on the first floor of the Commerce City Civic Center at 7887 E. 60th Avenue, Commerce City, CO 80022 and will be posted to the City's website at www.c3gov.com/CDBG.

A Public Review Meeting, as described in Section 2, shall be held regarding the CAPER. All public comments received orally at the Public Review Meeting or submitted in writing regarding the CAPER will be considered and a summary of these comments or views and staff responses shall be attached to the document before it is finalized and submitted to HUD.

9. Access to Records

A reasonable number of free copies of Commerce City's Consolidated Plan, Annual Action Plan, the Consolidated Annual Performance and Evaluation Report (CAPER), as well as all amendments to the Consolidated Plan and Annual Action Plan will be available to citizens and groups requesting them. These documents shall be maintained for not less than 5 years at the City's

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Community Development Department and on the City's web site. Materials will also be made available in a form accessible to persons with disabilities and limited English proficiency upon request.

10. Technical Assistance to Citizens & Organizations

Commerce City will provide technical assistance to Commerce City residents and agencies, particularly to those of low- and moderate-income who request such assistance in developing CDBG project proposals, or who request other information (compliance requirements, program performance, funding information, etc.) outlined in the current Consolidated Plan. A meeting with an appropriate City staff representative will be arranged for individuals and groups when necessary to explain the project eligibility, application and approval process and other implementation requirements. Commerce City staff may also meet with various non-profit organizations and individuals to provide other specific technical assistance related to housing, community development and human services programs, as requested

11. Complaint and Appeal Process

Commerce City shall accept written complaints concerning the Consolidated Plan, Annual Action Plan, amendments thereto, and performance reports and shall provide a substantive written response to any written citizen complaint within fifteen (15) working days, when practicable. Complaints, comments and questions should be directed to:

Commerce City Community Development Department
Attn: CDBG
7887 E. 60th Avenue
Commerce City, CO 80022

The complaint must contain the following information:

- Name and address of the person(s) filing the complaint;
- A description of the act or acts considered to be in violation;
- Other available pertinent information that will assist in the review and resolution of the complaint.

Such complaints should be filed within thirty (30) days of the alleged discriminatory act. A written response as to the disposition of the complaint will be issued by the Community Development Director no later than fifteen (15) working days following receipt of the complaint, when practicable. A person who is dissatisfied with the response, or if the response is delayed more than fifteen (15) working days, may appeal in writing to:

City Manager
City of Commerce City
7887 E. 60th Avenue
Commerce City, CO 80022

DRAFT

A written response on the disposition of the complaint will be issued by the City Manager not later than thirty (30) working days following the receipt of the complaint. If the complainant is dissatisfied with the response of the City Manager, he/she may submit the complaint, in writing, to:

United States Department of Housing and Urban Development
Regional Office of Community Planning and Development
1670 Broadway
Denver, CO 80202

No person shall intimidate, threaten, coerce, or discriminate against any person because he/she has made a complaint, testified, assisted, or participated in any matter in an investigation, proceeding, or hearing related to a complaint.

The identity of complainants shall be kept confidential, except to the extent necessary to carry out or conduct investigations, hearings, or judicial proceedings in any matter in an investigation, proceeding, or hearing related to a complaint.

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