

PY 2019 CARES ACT WAIVER: AMENDMENTS TO CITIZEN PARTICIPATION PLAN

to support the Coronavirus Aid, Relief and Economic Security Act (CARES Act) (Public Law 116-136); and articulated by U.S. Department of HUD April 9, 2020 Memorandum entitled "CARES Act Flexibilities for Community Development Block Grant (CDBG) Funds Used to Support Coronavirus Response."

City of Westminster Community Development Block Grant (CDBG) Program & Home Investment Partnership Act (HOME) Program Citizen Participation Plan Revised April, 2015; Amended May, 2020

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Introduction:

The United States Department of Housing and Urban Development (HUD) makes available federal funds to the City of Westminster, Colorado, through the Community Development Block Grant (CDBG) program. The goals of these CDBG grants are:

- *To provide decent housing; including assisting homeless persons to obtain affordable housing; preservation of existing affordable housing stock; increasing the availability of permanent housing that is affordable to low income persons without discrimination; and increasing supportive housing that includes structural features and services to enable persons with special needs to live in dignity.*
- *To provide a suitable living environment; including improving the safety and livability of neighborhoods; increasing access to quality facilities and services; providing affordable housing opportunities to low income and moderate income citizens dispersed throughout the City of Westminster; revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.*

DEFINITION: HUD defines low to moderate income households based upon the median income in a community on an annual basis. Median income is the point where half of all incomes are above and half of all incomes are below the area income. Extremely low income households are

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for purpose of CARES Act CDBG-CV Fund acceptance*

at or below 30% of the AMI, very low income households are at or below 50% of the AMI, and low/moderate income households are at or below 80% of the AMI.

- *To expand economic opportunities: including the creation of jobs accessible to low income persons; providing access to credit for community development that promotes long-term economic and social viability; and empowering low income persons to achieve self-sufficiency in federally assisted and public housing programs.*

Additionally, the City also receives an annual allocation of Home Investment Partnership Act (HOME) funds that are administered directly by the Adams County Office of Community Development pursuant to a consortium agreement between Adams County and the City (IGA). HOME provides formula grants that communities use, often in partnership with local nonprofit groups, to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

In order to ensure that the grants meet the needs of the community, HUD requires that the City prepare and adopt a Consolidated Plan every five years. This Consolidated Plan is a strategic plan that sets forth a specific course of action. The first part of the Consolidated Plan assesses the existing assets of the community and analyzes the needs related to the above goals. The second sets forth goals and objectives as well as five year performance benchmarks for measuring progress toward meeting those goals. The third part sets out specific actions and a One Year Plan tied to available funding.

A key component in creating the Consolidated Plan is citizen participation throughout all steps of the process. In order to ensure that citizens have the opportunity to take part in creating the Consolidated Plan, the City has developed and commits to the following Citizen Participation Plan.

Participation:

It is the intent of the City to reach every resident of the City and provide access to all aspects of the CDBG and HOME programs. This access includes the opportunity to apply for CDBG and HOME funds, to comment on how the funds should be spent in upcoming years, to comment on the City's performance in carrying out CDBG and HOME funded projects, and to comment on drafts of reports such as the Five Year Consolidated Plan, the annual action plan, and the annual Consolidated Annual Performance Report (CAPER - the report prepared by the City at the end of each fiscal year).

The City will emphasize the involvement of moderate, low, very low, and extremely low income residents in areas where housing and community development funds may be spent. The City will also encourage participation of persons with special needs and/or persons who are often underrepresented in the public process, including minorities, non-English speaking persons, persons with disabilities, and persons who are homeless. The City will encourage the participation of Public Housing Authorities and their residents in the development of the Consolidated Plan. Finally, the City will inform and offer opportunities for comment to all residents falling within the scope of the Consolidated Plan.

The City will provide accommodations for non-English speaking citizens in case of public meetings or hearings where a significant number of non-English speaking residents can reasonably be expected to participate. Residents requiring special accommodations will need to request needed adaptations within a reasonable amount of time (one to two weeks) prior to the meetings or hearings in order for the City to make arrangements. Please contact the City's Department of Community Development staff in advance if you would like to request translation services for community meetings, public hearings, as well as written documents.

The City will provide accommodations for hearing-impaired and sight-impaired citizens in case of community meetings or public hearings where a significant number of residents can reasonably expect to participate. These citizens will need to request needed adaptations within a reasonable amount of time (one to two weeks) prior to the meetings or hearings in order for the City to make arrangements. Please contact the City staff in advance if you need these services, or if you need written documents in a format accessible to persons with disabilities. For hearing or speech impaired residents, please use 711 for the Colorado Relay Number. The City will seek to have all on-line documents in a format that is compatible with web readers who are visually impaired.

The City will make reasonable efforts to consult with other public, nonprofit, and private agencies that provide housing assistance, health services, and various social services including those focusing on services to children, elderly persons, and persons with disabilities. The City will also encourage participation of other local and regional institutions, including businesses, developers, churches and community and faith-based organizations not already mentioned. The City will also consult with other general offices of government, including Adams and Jefferson Counties, surrounding jurisdictions, and the Colorado Division of Housing (CDOH), to notify them of the Plan process and solicit their input.

Participation Activities:

The following activities shall be held to obtain citizens' views. Community Meetings and Public Hearings shall address and respond to proposals and comments on: housing and community development needs; development of proposed activities; review of proposed uses of funds; and review of program performance.

- Community meetings for the Five-Year Consolidated Plan: A minimum of two meetings shall be held at convenient times and locations, to include at least one early evening meeting. All locations shall be accessible and accommodate persons with disabilities. Meetings may be held at Public Housing Authority owned multi-family housing locations if accessible. These may be City owned or other agency owned public housing developments, such as the Adams County Housing Authority (ACHA). The City may include one focus group of low-moderate income and/or public housing residents as one of the community meetings.
- Public Hearings for the Five-Year Consolidated Plan and Annual Action Plans: A minimum of two public hearings shall be held at convenient times and locations, to include at least one early evening meeting.

These meetings will be held at two different times during the program year. At least one of these hearings must be held before the proposed Five Year Consolidated/Annual Action Plan is published for comment. All locations shall be accessible and accommodate persons with disabilities. The Final Public Hearing shall be held at the City of Westminster Council Chambers, 4800 W. 92nd Avenue, Westminster, Colorado 80031.

- The Citizen Participation Plan shall be addressed during the two required public hearings for either the Five Year Consolidated or an Annual Action Plan. The final Citizen Participation Plan shall be incorporated into and publicized along with the appropriate Five Year Consolidated/Annual Action Plan.
- Availability to comment during required comment period via direct contact with City staff and/or on the City's website: www.cityofwestminster.us

Notification of Participation Activities:

- Required: Public Notices for Community Meetings and Public Hearings shall be published on the City's official website: <https://www.westminstereconomicdevelopment.org/housing/cdbg/>. Public Notices shall be published for not less than two weeks (14 days) prior to any meeting/hearing. (Other notice periods are specified below under Comment Periods).

The City of Westminster has chosen to publish Public Notices on the City's website, rather than in a local weekly newspaper, since no federal, state or local law has been specifically found to require printed notification. Over 37,000 households, or 80% of Westminster, had access to the Internet in 2006. Several years of experience has shown that publication of notices in the local weekly newspaper has yielded literally no citizen participation in the CDBG program. In fiscal year 2004, the City spent approximately \$1,700 on legal notices that were ineffective in supporting citizen participation. In 2005, the CAPER was posted on the City's website, with a notice placed for two weeks on the City's home page, and a notice was placed for two months thereafter on the Cityscape section of the website. These notices resulted in hundreds of hits by Internet users. It appears that posting of notices and reports on the Internet has several advantages:

1. Easy access by 80% of City residents.
2. Citizens who might not otherwise have been looking for CDBG information may discover the information while accessing the City website for other purposes.
3. Saves a significant sum of money that can be redirected to service delivery.
4. Allows the City to provide access for long periods of time at no additional cost.
5. Allows the City to provide lengthier reports directly to residents without requiring them to visit a public building to review such reports.

6. Encourages comment by email, which may be more convenient for citizens than attending a meeting, mailing a letter or a phone call.

7. Website publication has demonstrably resulted in many more people accessing the information than use of other methods of communication.

PER CARES ACT COVID AMENDMENT, THIS REQUIREMENT IS WAIVED:

• ~~Required: Informational Flyers for Community Meetings and Public Hearings (current list – Attachment A) shall be posted at:~~

~~— City Facilities (Required): 1) City of Westminster City Hall. — Libraries (Required): 1) Irving Street Library. — Targeted schools and community centers in low and moderate income neighborhoods (Optional) — Public Housing Authority owned multi family housing properties (Optional); — Multi family housing projects funded by CDBG, HOME, Private Activity Bonds, and Low Income Housing Tax Credits (Optional); — Other interested parties upon request.~~

• Optional: City communications:

1) The City publishes a bimonthly newsletter (six times per year) called City Edition which is mailed to households in the City that have specifically requested to be placed on the mailing list; therefore, circulation is limited. In each issue of City Edition, information can be provided on how each resident can access information on the use of CDBG funds in the City. This information informs the residents of two major sources: 1) CDBG reports and notices will be provided on the City's website; and 2) If residents prefer not to use the City's website for any reason, they are provided the City's Department of Community Development contact information, so that they may request to be placed on a hard-copy mailing list to receive notices of hearings, applications and reports.

2) The City publishes a weekly electronic newsletter called Weekly Edition which is emailed to 470+ outside subscribers, community leaders, etc. Articles that are placed in the Weekly Edition may be picked up as Press Releases in newspapers serving City residents, such as The Denver Post – YourHUB, and The Westminster Window. Staff shall seek to identify Spanish publications, as well as other languages, that can be added to the email notification list. Weekly Edition items, and any other newsworthy items, are also posted on the city's "News Page" of the city's website. These items also are distributed via the city's Social Media pages on Facebook and Twitter.

3) In the past, the City has periodically (every two years) conducted a citywide citizen survey to solicit detailed input from residents. Input may be obtained from the next citizen survey. The City Council also conducts public outreach events called "We're All Ears," in which they include citizens to talk to them about any and all concerns. The Mayor/City Council also hold periodic Breakfasts and Desserts which are informal question and answer sessions with citizens regarding issues of concern.

4) For the Department of Community Development, City staffers may attend neighborhood organization meetings in the area of the City that is home to the most low to moderate income citizens for the purpose of soliciting input into how the CDBG funds should be spent. Citizens are also free to comment on City performance and other CDBG program-related matters.

5) Notification on the City's Cable Television station's "Bulletin Board" and/or "Cable Television" (Channel 8) which reaches approximately 25,000 households (62% of the Westminster households).

The City reserves the right to adjust optional methods of notification depending upon which methods have proven to be the most cost effective in reaching the widest number of citizens, particularly low to moderate income residents.

Comment Periods and Access to Information:

The City shall consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the following documents. 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 document.

Five-Year Consolidated Plan and Annual Action Plans:

- Comments shall be received from citizens for a period of not less than 30 days.
- The complete "Participation Activities" and "Notification of Participation Activities" outlined above shall be followed, including informational notices shall be posted at City Facilities and libraries noting that the plans are available for review at the City office or the City website.
- The entire draft and final plans shall be posted on the City's website: www.cityofwestminster.us - City Hall and libraries are mailed an entire final copy.
- Upon request, entire final copies of plans are available at no cost by contacting staff.

PER CARES ACT COVID AMENDMENT, THE 30-DAY REQUIREMENT IS WAIVED

Substantial Amendments to the Five Year Consolidated Plan or Annual Action Plans:

- Comments shall be received from citizens for a period of not less than **five** ~~30~~ days. - A Public Notice shall be posted on the City's website:

<https://www.westminstereconomicdevelopment.org/housing/cdbg/>

- The City Council shall consider the Amendment in a publicly open session for budgetary or line item alterations of \$50,000 or more or for changes from one activity to another, such as a project cancellation and a new project approval of \$50,000 or more.

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Consolidated Annual Performance Reports (CAPER)

- Comments shall be received from citizens for a period of not less than 15 days before submitting the CAPER to HUD.

- A Public Notice shall be posted on the City's website:

<https://www.westminstereconomicdevelopment.org/housing/cdbg/>

- Informational Notices shall be posted at City Facilities and libraries noting that the CAPER is available for review at the City office or the City website.

- The text of the draft and the final CAPER shall be posted on the City's website:

<https://www.westminstereconomicdevelopment.org/housing/cdbg/>

- City Hall and libraries are mailed a text of the final copy.

- Upon request, a text of the final CAPER is available at no cost by contacting staff.

- The entire CAPER, including the text and all IDIS data printouts, are available upon special request for an additional cost to be determined based upon the number of data printouts requested.

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan and the City's use of assistance under the relevant federal programs during the preceding five years. The public will have the opportunity to receive information, review and submit comments on any proposed submission including the Five Year Consolidated Plan or Annual Action Plan as adopted, any amendments, and its Consolidated Annual Performance Report (CAPER). Information will also be available on the range of programs, estimated amount of funds available, and the estimated funding amount proposed to benefit moderate, low, very low, and extremely low income residents.

Records are maintained in the Department of Economic Development. Inquiries for information that requires file research, copying and other preparation will be available within 3-5 business days. Information that could be used to identify persons served by programs and services is confidential and not released to the public.

Technical Assistance

The City will provide reasonable technical assistance to moderate, low, very low, and extremely low income groups located in the geographic scope of the Consolidated Plan who request assistance in developing proposals.

Timely Response on Complaints

The City will consider any comments or views of citizens, units of general local government, agencies, or other interested parties. Written answers to written complaints and grievances will be provided within 15 days where practical.

Substantial Amendments to the Consolidated Plan

Substantial changes to the City's published final statement or actual activities shall require an amendment to the Consolidated Plan and the Annual Action Plan(s). Areas of substantial change may include, but are not limited to:

- Emergency or Disaster related changes to entitlement funding and programming , including Major changes in service area, purpose, program beneficiaries, or national objective compliance;
- Budgetary or line item alterations of \$25,000 or more for Public Service projects and \$50,000 or more for Public Infrastructure, Public Facility, or Housing projects;
- Changes from one activity to another, such as a project cancellation and a new project approval;
- The establishment of a new Neighborhood Revitalization Strategy Area (NRSA).