



CITY OF WESTMINSTER

2020-2024
CITIZEN
PARTICIPATION
PLAN

November 2020



City of Westminster

Citizen Participation Plan

Adopted November, 2020

City of Westminster

Economic Development Department

4800 West 92nd Ave

Westminster, CO 80031

For more information:

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

Email: CDBG@cityofwestminster.us

2020 HUD Citizen Participation Requirements During COVID-19 Response

COVID-19 Accommodation: The 2020-2024 Consolidated Plan and the Citizen Participation Plan (CPP) were completed during the COVID-19 Pandemic response period.

During the fund allocation process and grant set-up, the Secretary of HUD provided waivers from some citizen participation requirements. The waivers allowed for reduced notification to ensure that emergency resources were applied to identified needs in an expedited manner, typically five days for matters pertaining to emergency relief.

The City of Westminster will return to the standard CPP-required notice and in-person public meetings when state and county health departments deem it safe. However, some remote-access and on-line meeting practices may carry forward during implementation of the 2020-2024 Consolidated Plan, as reflected in this CPP.

Additionally, all 2020 program year reporting dates have shifted for the Community Development Block Grant COVID-19 (CDBG-CV). Please consult with CDBG staff for the expected reporting dates for 2020 and 2021.

Table of Contents

Introduction

1. Encouragement of Citizen Participation
2. Assessment of Fair Housing
3. Anti-displacement Plan
4. Public Notice and Outreach
5. Public Meetings and Input Opportunities
6. Commitment to Access by All
7. Citizen Participation Requirements
 - a. Consolidated Plan and Annual Action Plan (AAP)
 - b. Amendments to Consolidated Plan, Action Plan and Citizen Participation Plan
 - c. Consolidated Annual Performance Evaluative Report (CAPER)
8. Access to Records
9. Technical Assistance to Citizens and Organizations
10. Complaints and Appeal Process

Introduction

The City of Westminster (City) became a U.S. Department of Housing and Urban Development (HUD) entitlement jurisdiction in 1994, allowing the City to receive annual grant funding through the federal Community Development Block Grant (CDBG) program. As an entitlement jurisdiction, the City receives CDBG funding directly from HUD and is responsible for administering the annual grant, including the selection of all programming, ensuring the funds are used in accordance with the Code of Federal Regulations (CFR), and making certain that associated plans, reports and certifications are completed on time and accurately.

The goals of the CDBG program are stated below; however, the specific goals for the City of Westminster are defined within the 2020-24 Consolidated Plan.

- To provide decent housing, including assisting homeless persons to obtain affordable housing; preserving 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 community; revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and, conserving energy resources.
- 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.

The City also participates in a regional HOME Investment Partnership Act (HOME) consortium with Adams County. Adams County Community Development leads the consortium, which is governed by an intergovernmental agreement (IGA) between the County, the City and a third partner, the City of Thornton. This consortium gives the City access to a portion of HOME-share funds for use in developing affordable housing and supporting the needs of landlords and residents in Westminster who provide or reside in affordable housing.

Each entitlement jurisdiction must complete a Consolidated Plan at least once every five years (24 CFR § 91.15). The Consolidated Plan is a strategic plan that examines the housing and community development needs of a jurisdiction, sets priorities for HUD grant monies, and establishes an action plan for meeting current and future needs. Each Consolidated Plan is also required to have a strategy for citizen participation in the Consolidated Planning process (24 CFR Part 91.105). The latest edition of the City's Consolidated Plan will be in effect from July, 2020 through June, 2024.

HUD also requires entitlement jurisdictions to submit an Annual Action Plan (AAP) by August of each year to receive their CDBG funding allocation (24 CFR § 91.15). The AAP details the implementation activities for that coming year of the five-year Consolidated Plan. The AAP serves, in part, as the City's application to HUD for the following year's CDBG funding. The AAP includes:

1. Projects the City desires to fund;
2. Funding amounts for each project;
3. Tasks and objectives to accomplish during the program year;
4. Completed public participation process steps;
5. How other resources will be leveraged through the CDBG allocation; and
6. How the City plans to address barriers to affordable housing, fair housing and homelessness.

The City's CDBG program year begins October 1 and ends September 30. At the end of each CDBG program year, the City will produce a Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER reviews the progress the City made in addressing priority goals in the Consolidated Plan and most recent AAP. The CAPER includes a description of the resources applied toward the Consolidated Plan and AAP goals, how those resources were invested, the distribution and location of those investments, target audiences served through the investments, and any findings that may inform changes to the program. (24 CFR § 91.520.) This report must be submitted to HUD within 90 days after City's program year.

The purpose of the Citizen Participation Plan (CPP) is to establish the policies and procedures the City will employ to encourage citizen participation in developing the AAP and, every five years, a new Consolidated Plan. The CPP is subject to notice procedures in order to provide all interested residents access to the City's commitments and processes for CDBG-funded initiatives.

The following CPP is a framework for compliance with Federal citizen participation requirements for CDBG programs. This CPP was developed in accordance with the Federal regulations, which are cited throughout the document.

Federal regulation states that "Citizen comment on the citizen participation plan and amendments. The jurisdiction must provide citizens with a reasonable opportunity to comment on the original citizen participation plan and on substantial amendments to the citizen participation plan and must make the citizen participation plan public. The citizen participation plan must be in a format accessible to persons with disabilities, upon request." [24 CFR Part 91.105.]

The City commits to ensure the meaningful participation of its citizens in development of any Consolidated Plan, AAP, CAPER, and any Substantial Amendment to an enacted plan, with particular emphasis on participation by low- and moderate-income residents and neighborhoods.

1. Encouragement of Citizen Participation

The City is enriched by a diverse population of citizens who have chosen Westminster as their home. The City's 2017 Affordable and Workforce Housing Strategic Plan states that, "*Westminster residents are not a commodity; they are a community.*" It is this understanding that frames the City's work to ensure that information about the City's CDBG programs and services is accessible and available to all residents.

It is the City's intent to provide access to all aspects of the CDBG and HOME programs to all residents, especially communities and individuals who are eligible to receive and benefit from CDBG and HOME funded programs. Access includes the opportunity to apply for CDBG and HOME funds, to comment on the planned expenditure of those funds in upcoming years, to comment on the City's performance in administering CDBG and HOME funded projects, and to comment on required report drafts, including the Consolidated Plan, the AAP, and CAPER.

Federal regulation states that "The citizen participation plan must require that, before the jurisdiction adopts a consolidated plan, the jurisdiction will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction 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-income." [91.105(b)(1)]

As detailed under section 7, Citizen Participation Requirements, 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 also will encourage the participation of persons with special needs and persons who are often underrepresented in the public process, including minorities, elderly, non-English speaking persons, persons with disabilities, and persons who are homeless. The City also encourages participation of the county public housing authorities and their residents in 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 make reasonable efforts in its public participation activities to consult with other public, non-profit, 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 also will encourage the participation of other local and regional institutions, including businesses, internet service providers, real estate developers, schools, churches, and community and faith-based organizations. Further, the City will 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 to solicit their input.

2. Assessment of Fair Housing

The Fair Housing Act of 1968 requires jurisdictions receiving federal funds for housing and urban development to affirmatively further fair housing. Under the Fair Housing Act, it is not only unlawful for jurisdictions to discriminate, they also are required to take actions to undo historic patterns of

segregation and other types of discrimination, as well as to promote fair housing choice and to foster inclusive communities. The plan for complying with these Fair Housing Act standards is an Assessment of Fair Housing (AFH).

Local jurisdictions receiving more than \$500,000 a year in Community Development Block Grant (CDBG) funds were originally required to submit their first AFH plan 270 days before their program year, for any program year beginning on or after January 1, 2017 for which a new Consolidated Plan was due. The Federal regulations guiding this fair housing requirement were suspended in 2018 and recent guidance indicates that CDBG jurisdictions will need to adopt and submit their AFH plans by 2025.

To inform AFH needs, and per federal guidance, the City participates in the Adams County analysis of impediments (AI) to fair housing choice. Under federal law, the City is obligated to align actions in the Consolidated Plan to overcome identified impediments to fair housing choice and to keep records of those actions along with analysis of their effectiveness.

3. Anti-Displacement Plan

Residential Anti-Displacement and Relocation Assistance

The City is supportive of the right of residents to remain in housing they personally chose and will avoid displacement whenever possible. When the application of federal funding leads to unavoidable displacement and relocation is unavoidable, the City will proceed in the following manner:

In connection with any project assisted with funds provided under CDBG and/or HOME, the City will replace all habitable lower income housing, whether occupied or vacant, that is demolished or converted to a use other than as lower income housing. All replacement housing will be provided within three years after commencement of the demolition or conversion.

Before entering into a contract committing the City to provide funds for a project that will directly result in the demolition or conversion of lower income housing, the City will provide public notice of the action by publication of a Legal Notice in the City newspaper of record, posting notice on the CDBG webpage and will submit to HUD the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of the housing that will be demolished or converted to a use other than as lower income housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent shown, the address, number of bedrooms and location on a map of the replacement housing that has been or will be provided;
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain lower income housing for at least 10 years from the date of initial occupancy; and,
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g. two-bedroom unit replaced with two one-bedroom units), or any proposed replacement of efficiency or single room occupancy (SRO) units with units of a different size, is

appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

To the extent that the specific location of the replacement housing and other data in items 4 through 7 are not available at the time of the general submission, the City will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data is available.

The City's Department of Economic Development (Economic Development) is responsible for tracking the replacements of lower income housing and insuring that it is provided within the required period. Economic Development is responsible for providing relocation payments and other relocation assistance to any lower income person displaced by the demolition of any housing or the conversion of lower income housing to another use.

Consistent with the goals and objectives of required activities under the Uniform Relocation Assistance and Real Property Acquisition Act, the City will take the following steps to minimize the direct and indirect displacement of persons from their homes:

1. Coordinate code enforcement with rehabilitation and housing assistance programs;
2. Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first;
3. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation;
4. Identify and mitigate displacement resulting from intensive public investment in neighborhoods; and/or
5. Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhoods in the face of revitalization pressure.

The City reserves the right to refuse to engage in any activity that may trigger the relocation of resident if it is determined that such activity is not in the best interest of the City.

4. Public Notice and Outreach

All opportunities to engage and participate in the development of CDBG programming and to advise on proposed projects begin with public notice to the City's residents and partners. The City will employ multiple platforms to publish notice of CDBG program activities requiring public participation.

Public notice of community meetings and public hearings to review proposed CDBG projects and activities shall be published on the City's CDBG webpage:

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

Public Notice shall be published for no less than two weeks (14 days) prior to any meeting or hearing. Specific notice periods for each of the planning processes are detailed below under Citizen Participation Requirements.

Notice and Posting at City Buildings and PHA Residences:

The closure of many public facilities during the COVID-19 pandemic made public fliers and posting impossible during much of 2020. In light of this development, the City will employ outreach plans that use web posting, email and social media to publicly notice project information and updates.

As some of the City land use procedures call for distribution of notice to properties within 300 feet of specific projects, the City will also employ direct mail for land use changes and decisions.

City Resident Request for Notice:

City staff is initiating an email subscription process for residents and community partners on the CDBG page on the City's website at <https://www.westminstereconomicdevelopment.org/housing/cdbg/> This email distribution subscription process will allow the City to efficiently share information with local interests and allow users to subscribe and unsubscribe at any time.

Input on Plans and Projects:

Written comment and questions can be delivered to the City at: **CDBG@Cityofwestminster.us**.

Additionally, residents may send input via the U.S. mail to:

CDBG Program, Economic Development Department
City of Westminster
4800 West 92nd Avenue
Westminster CO 80031

5. Public Meetings and Input Opportunities

The Federal regulation states that "The jurisdiction should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of focus groups and the Internet." [91.105(a)(2)(iv)].

In recent years, the City has experienced increased participation by residents through online channels. During the information gathering process for the 2020-2024 Consolidated Plan, hundreds of residents participated via online surveys and focus groups. Though this access has helped more families and working residents participate in the review of City projects during times that were convenient for their schedules, the City recognizes that many residents still do not have easy and reliable internet access. For this reason, the City will maintain opportunities for in-person public input sessions for CDBG activities and will provide notice of those input sessions through traditional published media.

The City regularly engages with residents and partnering agencies to gather input on:

- Housing and community development needs;
- Development of proposed activities;

- Review of proposed uses of funds; and,
- Review of program performance.

The activities and techniques employed to encourage citizen participation in reviewing proposals and plans include:

- Community meetings, both in person and through videoconference;
- Surveys;
- Webinars; and,
- Public hearings.

All residents are invited to provide input via email at CDBG@cityofwestminster.us, and/or on the City’s CDBG website. All comments will be accepted. Staff will provide written response to the comments they receive and provide a summary of comments and responses in the Citizen Participation section of any plan or report that is under review.

6. Commitment to Access by All

Staff from multiple City departments work daily to ensure that City services and CDBG-funded programs are accessible and available to all City residents. The City has established a Language Access Plan (LAP) and strategic organization outreach efforts to guide how our staff works to hear and learn from the identified populations for whom our community programs are intended to serve. Staff expects that the LAP will be accepted by City Council in early 2021.

The City will provide accommodations for non-English speaking/Limited English Proficiency (LEP) citizens for public meetings or hearings where a significant number of non-English speaking/LEP residents can reasonably be expected to participate. Details on these accommodations are available in the City’s LAP.

The City also will provide accommodations for hearing-impaired and sight-impaired citizens for community meetings or public hearings where a significant number of residents can reasonably expect to participate. Westminster residents must request needed adaptations at least three days prior to the meetings or hearings in order for the City to make accommodation arrangements. Please contact 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 2 Number. The City will provide on-line documents in a format that is compatible with web readers who are visually impaired.

7. Citizen Participation Requirements

Federal regulation states that “The citizen participation plan must provide that the consolidated plan as adopted, consolidated plan substantial amendments, HUD-accepted AFH, revisions to the AFH, and the performance report will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request. The citizen participation plan must state how these documents will be available to the public.” [91.105(g)]

The following activities have been identified to both comply with federal regulations and to provide comprehensive opportunities for residents to learn about and provide input to the City's CDBG investments.

a. Consolidated Plan and Annual Action Plan (AAP)

The proposed AAP will be reviewed at a minimum of two public meetings that are at convenient times and locations for the public to attend. In-person meetings may occur at City-owned public use facilities, or at other agency-owned housing developments, such as the Maiker Housing Partners properties. All meeting locations shall be fully accessible and accommodate any identified participant translation needs. The City may include a focus group with low- and moderate-income and/or public housing residents as one of the community meetings.

At least one public hearing must be held before a proposed Consolidated Plan and the AAP is accepted by City Council for submission to HUD. The public hearing shall be either held at the City of Westminster Council Chambers, 4800 W. 92nd Avenue, Westminster, Colorado 80031 or conducted virtually.

Public hearings will be noticed for a minimum of 14 days. Notice will be posted on the City's CDBG website and communicated via email and social media. The City will receive written comment in advance of public hearings and will be considered and included in the City Council agenda materials. Residents also will have the opportunity to comment on the proposed plan during the public hearings.

All input received will be accepted and will be addressed and included in the plan Citizen Input attachments.

b. Amendments to Consolidated Plan, Action Plan and Citizen Participation Plan

The City may be required to amend the City's Consolidated Plan and/or AAP in order to address changes to programs or unforeseen circumstances. A minor amendment may involve a change of anticipated completion dates, a new project set-up or changes to activities included in a project. Minor amendments may be filed for acceptance by HUD at any time during the program year and will be captured in notes to the City's Consolidated Plan or AAP. The purpose of performing a minor amendment is to ensure that project tracking and reporting on activities the City takes are articulated in the jurisdiction's CAPER.

The City defines a substantial amendment as a change to a defined project's budget of more than \$75,000.00, a project cancellation, or re-assignment of project funds in excess of \$75,000.00 to a new project that was not established in either the Consolidated Plan or AAP. A substantial amendment requires public notice and the opportunity for residents to review and comment on the change.

Federal regulation states that "The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at public

hearings, if any, in preparing the substantial amendment of the consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the substantial amendment of the consolidated plan.” [91.105(c)(3)].

The public will be notified in the event of a substantial amendment to any of the filed plans identified above. Notice will be posted on the City’s CDBG website and communicated via email and social media.

- Comments shall be received from citizens for a period of not less than 30 days.
- A Public Notice shall be posted on the City’s CDBG website:
<https://www.westminstereconomicdevelopment.org/housing/cdbg/>
- The City Council shall consider the amendment in an open session for budgetary or line item alterations of more than \$75,000 for changes from one activity to another, such as a project cancellation and a new project approval of \$75,000 or more.
- All input received will be accepted and will be addressed and included in the amended plan’s attachments.

The requirements outlined for the CPP shall be addressed during the public meetings and the public hearing for either the Consolidated Plan or an AAP. The adopted CPP shall be incorporated into and publicized along with the appropriate Consolidated Plan and AAP. The CPP may also be amended during the Consolidated Planning period.

c. Consolidated Annual Performance Evaluative Report (CAPER)

The CAPER is the report of accomplishments under the Consolidated Plan and AAP during the previous year and details the expenditures to achieve program goals. The City is required to file a CAPER 90 days after the close of the CDBG program year.

Federal regulation states that “The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at public hearings in preparing the performance report. A summary of these comments or views shall be attached to the performance report.” [91.105(d)(2)].

The text of the draft and the final CAPER shall be posted on the City’s CDBG website. Notice of the opportunity to review and comment on the CAPER will be posted on the City’s CDBG website and communicated via email and social media.

- Comments shall be received from citizens for a period of not less than 15 days before submitting the CAPER to HUD.
- The CAPER is available for review at the CDBG website at:
<https://www.westminstereconomicdevelopment.org/housing/cdbg/>
- A print version of the CAPER may also be accessed and read at City Hall or at one of the City libraries.

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

8. Access to Records

All current and historic CDBG program records are located at the City Hall and may be requested by email and/or accessed on-site by appointment. Records that are more than two years old or which have been transferred to electronic media may require added research and location time. Requests for information that require significant research time and/or access to voluminous content can be provided through a Colorado Open Records Act (CORA) request.

9. Technical Assistance to Citizens and Organizations

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 project proposals for CDBG supported programs.

10. Complaints and Appeal Process

The City will consider any comments or views of citizens, units of general local government, agencies, or other interested parties. Concerns and complaints can be delivered via email to CDBG@Cityofwestminster.us. Written response to complaints and grievances submitted via email or U.S. mail will be provided within 21 days where practical.