



**City of Phoenix**

# CITIZEN PARTICIPATION PLAN

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## CITIZEN PARTICIPATION PLAN

The Consolidated Plan (CP), Annual Action Plan (AAP), Consolidated Annual Performance and Evaluation Report (CAPER) and any substantial amendments to these Plans and reports are guiding documents for the use of the federal formula U.S. Department of Housing and Urban Development (HUD) grants and other HUD resources specified in this Citizen Participation Plan (CPP) document and in subsequent performance reports. The CP, AAP, and CAPER are dependent on the involvement of citizen participation in the development and implementation of the Plans and any Plan revisions required to address the community's needs.

The City of Phoenix encourages and promotes the involvement of its citizens in the development and implementation of its CP, AAP, and CAPER. The City's various citizen commissions, residents of public and assisted housing, neighborhood-based groups, nonprofit organizations, developers, low- and moderate-income residents of special targeted or revitalization areas, faith-based organizations, philanthropic organizations, and others are integral partners in the planning and implementation processes.

### ENCOURAGEMENT OF CITIZEN PARTICIPATION

The City shall provide for and encourage citizen participation in the development of the CP, AAP, CAPER, and any substantial amendments to these described documents as per 24 CFR 91.105(a)(2).

It is particularly important that low- and moderate-income persons living in areas designated by the City as special targeted areas or revitalization areas where CDBG funds are proposed to be used, and by residents of predominately low- and moderate-income neighborhoods as defined by the City through the CP and AAP, be encouraged to participate. Accommodations will be made to remove barriers and encourage participation by all citizens, English and non-English speaking. The City shall make reasonable accommodations to make all documents referenced in this CPP in format(s) to persons with disabilities, upon request. The City shall make reasonable accommodations to provide language assistance to ensure meaningful access and encourage participation by non-English speaking residents of the community. Special efforts will be made to reach out to communities protected by the Fair Housing Act, specifically minority, immigrant, and disability communities.

The City shall elicit the participation and consultation of the public housing authority, the participation of residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) in the process of developing and implementing the CP and AAP.

The City shall encourage participation of local and regional institutions, Continuums of Care, and other organizations including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations. During the development of the CP and AAP, the City shall also consult with broadband internet service providers, organizations engaged in narrowing the digital divide, agency(ies) whose primary responsibilities include the management of flood prone areas, public land, or water resources, and emergency management agencies in the development process. Information from these partners will be included in the development of the CP and AAP.

The City will explore and implement alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation, including but not limited to the use of focus groups, surveys and the internet.

The City shall provide citizens with a reasonable opportunity to comment on the original CPP, and substantial amendments to the CPP, and shall make the CPP public. The City may additionally adopt and implement department policies and procedures to further clarify the citizen participation process for any of these referenced Plans, while still maintaining the requirements of this CPP (24 CFR 91.105(a)(3)).

#### **PUBLIC HEARINGS, NOTICE, AND OUTREACH**

The City will provide for at least two public hearings per year to obtain residents' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year relative to the CP, AAP, and CAPER. All public hearings as required by HUD or stated in this document, as per 24 CFR 91.105(e), will be noticed at least two weeks before the meetings are conducted and be noticed in a newspaper(s) with general circulation. All postings will include relevant information to permit informed citizen comment. Together, the hearings will address housing and community development needs, development of proposed activities, proposed strategies and action for affirmatively furthering fair housing, and review of program performance. One of the public hearings will be held before the proposed CP and/or AAP is published for the required 30-day public comment period, and one of the public hearings will be held before the proposed CAPER is published for the required 15-day public comment period.

Every effort will be made to ensure public hearings are inclusive, including having a bilingual (Spanish/English) staff person present to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be reasonably expected to participate. All public hearings to be conducted will be held at a time and location convenient to prospective program beneficiaries. If notice is hereby given at least five calendar days in advance, the City will provide appropriate materials, equipment and interpretation services to provide accommodations for persons with disabilities or impairments (i.e. visual and/or hearing).

Public hearings will be held in facilities that meet Section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36 as applicable.

Information about the time, location, and subject of each Public Hearing will be noticed to citizens in advance by:

- a) Publication in a newspaper of general circulation;
- b) Relevant City email distribution lists;
- c) Publication on the [City of Phoenix website](#).

#### Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Public Hearing, Notice, and Outreach Requirements

The CARES Act, Public Law 116-136, enacted on March 27, 2020, includes a waiver allowing the elimination of the in-person public hearing requirement for consolidated plan amendments and allows for the implementation of at least one virtual public hearing when 1) national and or local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

#### **DEVELOPMENT OF THE CONSOLIDATED PLAN AND/OR ANNUAL ACTION PLAN**

Citizens, public agencies, and other interested parties will be made aware of the following information through the publishing of the draft Plans as per CFR 91.105(b):

At the commencement of the public participation process, the City will make the HUD-provided planning data and other supplemental information regarding the City's plan to incorporate into the CP and AAP available to the residents, stakeholders, public agencies, and other interested parties. The information may include cross-references with the [HUD website](#).

The City will post the CP and AAP, along with the performance reports on a designated [City of Phoenix website](#).

Information about the amount of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnerships (HOME), Housing Opportunities for Persons With AIDS (HOPWA), and HUD resources anticipated to be made available within the City on a fiscal basis, as well as the amount benefitting low- and moderate-income persons, and the eligible range of activities that may be undertaken concerning such federal programs will be made available to the public.

The City shall provide a narrative on the housing and non-housing community development needs as outlined from citizen participation efforts/activities undertaken by the City, community-based data sources, and HUD related information.

The City will conduct at least one public hearing concerning the development of the CP or AAP before the Plan has been made available to the public.

The City will make available its draft CP and AAP on the designated [City of Phoenix website](#), at selected City libraries, and City offices for a 30-day public comment period, and the draft CAPER will be made available in the same manner for a 15-day public comment period. The City shall provide a reasonable number of copies to individuals and groups free of charge upon request.

The public shall be noticed in a newspaper(s) with general circulation, email notifications, through social media outlets, and be apprised of the locations where citizens may review copies of the draft Plans.

#### CARES Act

The CARES Act, Public Law 116-136, enacted on March 27, 2020, includes a waiver allowing the following in an effort to prevent, prepare for and respond to the COVID-19 national pandemic:

- Reduction of the 30-day public comment period and the implementation of a public comment period of no less than 5 days in an effort to expedite the consolidated plan substantial amendment process and allow the City to respond as quickly as possible to the immediate needs in the community.
- The elimination of the in-person public hearing requirement for consolidated plan amendments and allows for the implementation of at least one virtual public hearing when 1) national and or local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

Additionally, social distancing requirements enacted through the COVID- 19 state of emergency do not allow access to public libraries. As a result, any consolidated plan amendments needed during the COVID-19 state of emergency, will be posted to the [City of Phoenix website](#) and will not be available at selected public libraries.

Comments received on the draft CP AAP, and CAPER in writing or orally at the public hearings,

will be considered in preparing the final CP, AAP, and CAPER. A summary of all comments, including comments not accepted and reasons, will be attached to the final CP AAP, and CAPER.

## AMENDMENTS RELATING TO THE CONSOLIDATED PLAN AND ANNUAL ACTION PLAN

Revisions and amendments may be deemed necessary throughout the term of the CP and/or AAP. HUD describes two levels of changes requiring amendments to the CP and/or AAP. There are lesser level changes that will require “amendments”, which are considered non-Substantial Amendments and will be accomplished administratively by the City, without the requirement of further citizen participation. Revisions and amendments with a greater level of proposed changes require “substantial amendments.” Substantial Amendments will require citizen input in the development of the Plan as per 24 CFR 91.105(c).

Where proposed changes, revisions, and amendments will change projects and programs funded through federal formula HUD grants and related HUD special grants, outlined in the CP and/or AAP, the proposal will include a description of how the proposed changes, revisions, and amendments will affect the CP and/or AAP and the community.

The criteria for a Substantial Amendment to projects/programs proposed to be funded through CDBG, HOME, HOPWA, ESG, Neighborhood Stabilization Program (NSP1), Neighborhood Stabilization Program II (NSP2), Neighborhood Stabilization Program III (NSP 3), Housing Opportunities for People Everywhere (HOPE VI), Homelessness Prevention and Rapid Re-housing and other programs is described as follows.

To the Consolidated Plan:

- 1) There is a change to the Priority Needs identified in the Strategic Plan;
- 2) There is a change to the Goals identified in the Strategic Plan;
- 3) There is a change to the Target Geographies/Areas identified in the Strategic Plan; and
- 4) New entitlement grants are awarded to the City.

To the Annual Action Plan:

- 1) There is a change to the Annual Goals identified in the AAP;
- 2) There is a change to the Target Geographies/Areas identified in the AAP;
- 3) When a Project previously described in the Action Plan is canceled/removed;
- 4) Creation of a new Project not previously described in the AAP;
- 5) The funding allocated to an existing Project is adjusted by 20%, or more, of the total allocation; and
- 6) Revision to an existing Project which changes the purpose, scope, location, or beneficiaries of the program.

All other changes will be considered non-Substantial Amendments and will be accomplished administratively by the City, without the requirement of further citizen participation.

## CITIZEN COMMENT ON CITIZEN PARTICIPATION PLAN AND AMENDMENTS

Prior to the adoption of the CPP noted herein, it will have been noticed in a newspaper(s) of general circulation that the CPP is available for public review and comment for at least 30 calendar days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD).

Any Substantial Amendment to the CPP will be posted for public review and comment for 30 calendar days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD), before it is submitted to HUD or posted as the final document for public access.

The following items will be considered a Substantial Amendment to the CPP:

- a) A change in the definition of a Substantial Amendment for the Consolidated Plan, AAP, or Citizen Participation Plan; or
- b) A change in the required public notification periods or public hearings; or
- c) A change to the City's policies or procedures regarding citizen participation, to such an extent it can no longer reasonably be construed as meeting the original intent approved by HUD per 24 CFR Part 91.105.

## PUBLIC COMMENT PERIOD FOR SUBSTANTIAL AMENDMENTS

Once drafted, the text of a Substantial Amendment of the CP, AAP or CPP will be made available for public comment prior to submission to HUD. The City will undertake the following:

- a) Provide notice of the proposed Substantial Amendment(s) in a newspaper(s) of general circulation to enable review and comment by the public for at least 30 days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD).
- b) Publication on one of the [City's webpages](#).

Comments received on draft Substantial Amendments will be considered in preparing the final Substantial Amendment. A summary of these comments, and a summary of comments not accepted and the reasons, in addition to edits made to the draft during the public comment period will be documented in the Substantial Amendment program file and submitted to HUD when required.

## PUBLIC COMMENT PERIOD FOR PERFORMANCE REPORTS (CAPER)

Per 24 CFR 91.105(d) 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.

The City will provide reasonable notice of the CAPER in a newspaper(s) of general circulation to enable review and comment by the public for at least 15 calendar days. The notice will state where the CAPER may be obtained, which will include one of the [City's webpages](#). The City shall consider any comments made in the preparation of the final CAPER and attach a summary of such comments to the report.

As stated in the Public Hearings, Notice, and Outreach section of this document, a public hearing will be conducted to review the performance of grant programs. The time and location will be announced at the time of the notice. All public hearings as required by HUD or stated in this document, as per 24 CFR 91.105(e), will be noticed at least two weeks before the meetings are conducted and be noticed in a newspaper(s) with general circulation.

## ASSESSMENT OF FAIR HOUSING

Pursuant to its authority provided under the Fair Housing Act, HUD has directed program participants such as the City of Phoenix to undertake an assessment of fair housing issues locally to benefit residents, in particular the protected classes including minority race, color, sex, age, disability, national origin, and familial status etc. residing within the City. The primary tool to identify and address these issues are undertaken in the Analysis of Impediments to Fair Housing Choice and/or Assessment of Fair Housing. These assessments identify and incorporate fair housing strategies, actions, and priorities into housing and community development decision making to promote and achieve positive fair housing outcomes. There are no requirements to publish these documents for public review or comment, however the City may publish these documents on its [website](#) or other forms of media as public information.

## SUMMARY OF MINIMUM REQUIREMENTS FOR PUBLIC COMMENT PERIODS

| Plan/Report   | Minimum Required Comment Period |
|---|---------------------------------|
| Consolidated Plan and/or Annual Action Plan               | 30 days                         |
| Citizen Participation Plan                                | 30 days                         |
| Substantial Amendment to CP, AAP or CPP                   | 30 days                         |
| Consolidated Annual Performance Evaluation Report (CAPER) | 15 days                         |
| AFH or Analysis of Impediments to Fair Housing Choice     | None                            |

## AVAILABILITY TO THE PUBLIC

The City of Phoenix will make available to the public all documents and Plans referenced in this CPP, including the availability of materials in a form accessible to persons with disabilities, upon request. Materials will be made available through the [City of Phoenix website](#). These materials are also available by telephoning the City's Neighborhood Services Department at 602-534-4444 or TTY 7- 1-1.

## ACCESS TO RECORDS

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to the CP, AAP, CAPER, and public records relating to its past use of CDBG, HOME, ESG, HOPWA, and other HUD funds and related assistance for the previous five years.

## TECHNICAL ASSISTANCE

The City will provide assistance to group representatives of low- and moderate-income persons that request help in developing proposal for funding under the CDBG, ESG, HOPWA, HOME and other HUD programs as described in the CP and AAP.

## COMMENTS TO THE PLANS

Comments on the draft CP, AAP or any Substantial Amendment to these Plans received in writing, or orally at the public hearing and public comment period, will be considered in preparing the final CP, AAP or Substantial Amendment. A summary of these comments, and a summary of comments not accepted and the reasons, will be attached to the final Plan.

Any citizen, organization or group desiring to make a complaint regarding the CP, AAP or Substantial Amendment may do so in writing to the City's Neighborhood Services Department, 200 West Washington Street, Fourth floor, Phoenix, AZ 85003 or by email at [grants.nsd@phoenix.gov](mailto:grants.nsd@phoenix.gov). The City, where applicable and practical, will respond to written citizen complaints in writing with 15 days from their receipt of such.

## ANTI-DISPLACEMENT PLAN

The City discourages the displacement of people assisted through the use of CDBG, HOME, ESG, HOPWA, or other HUD resources. Anti-displacement and relocation plans are developed on a project basis and meet the requirements of 49 CFR Part 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.

## STATES OF EMERGENCY/DISASTER EVENTS

During declared states of emergency, national pandemics, disaster events, and public health issues such as the coronavirus, it may be necessary to expedite any Substantial Amendment to the CP, AAP, CPP or CAPER.

These expedited Substantial Amendments may include funding new activities and/or reprogramming of funds to meet community needs resulting from the state of emergency or disaster event. As a result, the City may utilize CDBG, HOME, ESG, HOPWA, or other HUD resources, to meet these needs with a 5-day public comment period instead of a 30-day public comment period. Accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. During states of emergency or disaster events, advertisements and public notices may be made available solely on the [City of Phoenix website](#).

## GLOSSARY OF TERMS

**Annual Action Plan (AAP)** - a specific one-year plan for the use of U.S. Department of Housing and Urban Development (HUD) formula grant funds. The formula grant programs included in the Consolidated Plan consist of the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) programs. The one-year action plan is based upon the priority needs and goals defined in the Consolidated Plan.

**Affirmatively Furthering Fair Housing (AFFH)** - taking meaningful actions, in addition to combating discrimination, to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all program participants' activities and programs relating to housing and urban development.

**Assessment of Fair Housing (AFH)** - the identification and evaluation of barriers to fair housing choice and contributing factors that exist.

**Citizen Participation Plan (CPP)** - a detailed plan that sets forth policies and procedures that encourage and promote the involvement of its citizens in the development and implementation of its Consolidated Plan, Annual Action Plan and review of performance reports such as the Consolidated Annual Performance and Evaluation Report.

**Community Development Block Grant (CDBG)** - are funds, including funds received in the form of grants under subpart D, F, or §570.405 of 24 CFR 570 (definitions), funds awarded under section 108(q) of the Housing and Community Development Act of 1974, loans guaranteed under subpart M of 24 CFR 570 (definitions), urban renewal surplus grant funds, and program income as defined in §570.500(a)

**Consolidated Plan (CP)** - the Plan prepared in accordance with 24 CFR part 91, which describes needs, resources, priorities, and proposed activities to be undertaken with respect to HUD programs, including the CDBG, HOME, ESG and HOPWA programs.

**Emergency Solutions Grant (ESG)** – is a program authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378). The program authorizes the

HUD to make grants to States, units of general-purpose local government, and territories for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters, street outreach for the homeless, homelessness prevention and rapid re-housing assistance.

**HOME Investment Partnerships (HOME)** - are grants to states and units of general local government to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income Americans.

**Housing Opportunities for Persons With AIDS (HOPWA)** - are formula allocations and competitively awarded grants to eligible states, cities, and nonprofit organizations to provide housing assistance and related supportive services to meet the housing needs of low-income persons and their families living with HIV/AIDS.

**HUD** - the U.S. Department of Housing and Urban Development (HUD). HUD established the regulations and requirements for the program and has oversight responsibilities for the use of CDBG, HOME, ESG and HOPWA funds.

**Low- and moderate-income person(s)/household(s)** – persons/households classified as low- to moderate have income at 80% of the area median income (AMI). These also include a family that has an income equal to or less than [Section 8 low-income limits](#) established by HUD.

**Neighborhood Stabilization Program (NSP)** – this program was established by HUD for the purpose of providing emergency assistance to stabilize communities with high rates of abandoned and foreclosed homes, and to assist households whose annual incomes are up to 120 percent of the area median income (AMI). The program is authorized under Title III of the Housing and Economic Recovery Act of 2008.

**NSP1** - The Housing and Economic Recovery Act of 2008 provided a first round of formula funding to states and units of general local government and is referred to as NSP1.

**NSP2** - The American Recovery and Reinvestment Act provided a second round of funds in 2009 awarded by competition and is referred to as NSP2.

**NSP3** – The third round provided in 2010 as part of the Dodd-Frank Wall Street Reform Act and was allocated by formula and is referred to as NSP3.

**Program Income** - gross income received by the recipient or a subrecipient directly generated from the use of CDBG funds, except as provided in 24 CFR 570.500, paragraph (a)(4).

**Public Housing Authority (PHA)** - any state, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

*Source(s): 24 CFR Part 5, 24 CFR 91, 24 CFR 92, 24 CFR 570, 24 CFR Part 574, and 24 CFR Part 576*

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