

CITY OF HOUSTON

CITIZEN PARTICIPATION PLAN

FOR THE

CONSOLIDATED PLAN

Previous Amendment: August 2012
Approved: April 2013



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Introduction

The purpose of the Citizen Participation Plan (CPP) is to establish a viable means by which citizens of the City of Houston (City), public agencies, and other interested parties can actively participate in the development of the Consolidated Plan, Annual Action Plan, Substantial Amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER) and to set forth the jurisdiction's policies and procedures for citizen participation.

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

The actions delineated in this CPP relate to the planning and expenditure of funds provided to the City by the HUD Office of Community Planning and Development (CPD). CPD formula funds received by the City include the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG) – formerly Emergency Shelter Grant, Housing Opportunities for People with AIDS (HOPWA), Economic Development Incentive (EDI), Section 108, and other such grants as may be added by law.

Encouragement of Citizen Participation

It is the intent of the City of Houston to encourage and facilitate the participation of residents in the formulation of priorities, strategies, and funding allocations related to the Consolidated Plan, Substantial Amendments to the Plan, and the Performance Report process, emphasizing involvement by low- and moderate-income persons, especially those living in slum and blighted areas, areas where the funds are proposed to be used, and low- and moderate-income neighborhoods where 51% of the residents are at or below 80% of the area median income (AMI). The City encourages the participation of local and regional institutions, the Continuum of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community/faith-based organizations) in the process of developing and implementing the Consolidated Plan and Annual Action Plan. The City also encourages participation of all citizens including minority populations, people who do not speak English and persons with disabilities.

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

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

Technical Assistance

The City will provide technical assistance, as requested, to groups representing low- and moderate-income persons developing proposals for housing and community development activities in the City of Houston. The technical assistance will be offered any time proposals for the use of funding are requested.

Access to Records

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

The public will be provided reasonable access to housing assistance records, subject to state and local laws regarding privacy and obligations of confidentiality. Confidential documents will be set apart from public information, and any requestors of this information will be promptly informed. The public will have access to records for at least five years from the publication date of the requested document.

In the spirit of encouraging public participation, copies of standard documents, as described below, will be provided to the public. These materials will be available in a form accessible to persons with disabilities, upon request to the Planning and Grants Management Division at (713) 868-8300.

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

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

- Housing and Community Development Department – 601 Sawyer, Suite 400
- City of Houston Website – www.houstonhousing.org

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

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

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

Public Hearings

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

Pursuant to HUD regulations, the City of Houston will conduct a minimum of two (2) public hearings prior to submission of the Consolidated Plan to ensure participation in grant development. At least one of these hearings will be held during the development of the Consolidated Plan, before the proposed Consolidated Plan is published for comment. The HCDD Director, in consultation with staff, will establish the time and location of all public hearings and meetings concerning CPD entitlement funds received by the City including CDBG, HOME, ESG, HOPWA, and EDI grants.

Public hearings shall be held after adequate (14 days) notice in at least one newspaper of general circulation at times and locations convenient to potential or actual beneficiaries and with accommodations for persons with disabilities. At all public hearings, upon an advance request, translators will be available for those who do not speak or understand English and interpreters for persons who are deaf or hard of hearing.

Meetings and Public Hearings Schedule

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

March – Draft of Consolidated Plan is made available to public and the review period of no less than 30 days begins

March/April – Second Public Hearing on Consolidated Plan is held (citizens express concerns or agreement on draft Plan and proposed uses of funds)

April/May – Consolidated Plan is submitted to HUD

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

Development of the Consolidated Plan

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

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

The City will publish its draft Consolidated Plan (and annual updates) so that all affected residents will have sufficient opportunity to review and comment on the plan. A summary describing the contents and purpose of the Consolidated Plan (and annual updates) will be published in one or more newspapers of general circulation. The entire draft Plan will be made available for review at the following locations:

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

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

A summary of public comments or views received in writing, or orally at the public hearings, and considered by the City of Houston while preparing for the final consolidated plan will be attached to the final Consolidated Plan. A summary of public comments or views received that will not be considered will also be included along with the reasons they have not been accepted.

Amendments to the Consolidated Plan / Annual Action Plan and EDI / Section 108 Grant Application

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

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

It should be noted that the process for amending the EDI / Section 108 Grant Application (EDI) differs substantially from that used for the Consolidated Plan / Annual Action Plan and other Section 108 programs. First, in accordance with Item 8 of the executed Grant Agreement between the City of Houston and HUD, the EDI can only be amended with prior written permission of HUD. In the case of the Consolidated Plan / Annual Action Plan or other Section 108 programs, HUD is notified of the amendment following City Council approval. Second,

federal regulations require that a public hearing be held when amending the EDI Grant Application. However, no such requirement is attached to the amendment process for the Consolidated Plan / Annual Action Plan or other Section 108 programs. For any program amended, verbal and written citizen comments will be summarized and submitted to HUD along with HCDD's response to each. EDI is subject to all CPP requirements applicable to the Consolidated Plan / Annual Action Plan where they are the same as specifically required under 24 CFR §570.704.

For the purpose of this CPP, amendments to the Consolidated Plan are divided into two categories: Substantial Amendments and Minor Amendments.

Substantial Amendments

When using funds from any program covered by the Consolidated Plan (except for EDI as discussed above), the following criteria will be used by the City for determining what constitutes a "Substantial Amendment" to its approved Annual Action Plan and/or Consolidated Plan:

1. Addition of a new activity¹ not previously described in the Consolidated or Action Plan
2. Deletion of an activity previously described in the Consolidated or Action Plan
3. Change in the purpose, scope, location or beneficiaries of an activity or previously described in the Consolidated or Action Plan
4. Change in allocation priorities or change in the method of distribution of funds
5. Change in an activity (previously described in its Consolidated or Action Plan) **total dollar amount allocated** or budgeted by more than 25 percent

Minor Amendments

Minor Amendments, including the Administrative Transfer and the Line Item Transfer, are not Substantial Amendments and do not require a citizen participation process.

Administrative Transfers represent any action that changes an activity budget by less than 25 percent. Administrative Transfers require the signature of the City of Houston, HCDD Director, or designated representative, but do not require public notice of 30 days or City Council approval.

Line Item Transfers represent the movement of funds within a line item and not from activity to another activity. They require neither a 30-day public comment period nor City Council approval. Line Item Transfers may be signed off at the HCDD Senior Management level.

Anti-Displacement and Relocation

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

¹ Activity: The first level of HUD categories of activities at 24 CFR 570.201-206 and listed on the Annual Action Plan budget page that accompanies the SF-424 Form, i.e. public services, public facilities and improvements, etc.

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

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

Consolidated Annual Performance Evaluation Report (CAPER)

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

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

Complaints

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

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