

Attachment A



City of Phoenix

CITIZEN PARTICIPATION PLAN

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CITIZEN PARTICIPATION PLAN

The Assessment of Fair Housing (AFH), the Consolidated Plan (CP) and Annual Action Plan (AAP) 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 document and in subsequent performance reports. The AFH, CP and AAP are dependent on the involvement of citizens 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 AFH, CP and AAP. The City's various citizens' commission, residents of public and assisted housing, neighborhood-based groups, nonprofit organizations, developers, low- and moderate-income residents of targeted 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 AFH, CP, AAP, performance reports and any substantial amendments to these described documents.

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 Fair Housing Act, specifically minority, immigrant, and disability communities.

The City shall elicit the participation of the residents of public and assisted housing in consolidated plan developments and review. This includes any resident advisory boards, resident councils, and resident management corporations. The City shall provide information to the Public Housing Authority (PHA) about the CP related activities such as the AFH, Affirmatively Furthering Fair Housing (AFFH), so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

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 AFH, 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 AFH and utilized when appropriate in the development of the CP or 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 Citizen Participation Plan (CPP), on 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.

PUBLIC HEARINGS, NOTICE AND OUTREACH

All public hearings as required by HUD or stated in this document, will be noticed at least two weeks before the actual 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 consistent with the AFH, and review of program performance. One of the public hearings will be held before the proposed CP is published for comment.

Every effort will be made to ensure public hearings are inclusive. A bilingual (Spanish/English) staff person will be present at a public hearing 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 three working 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.

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 hearing 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.

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 one of the City's webpages at www.phoenix.gov.

DEVELOPMENT OF THE AFH, CONSOLIDATED PLAN 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:

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 the AFH, 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 plans, AFH, CP and AAP, along with the performance reports on the City of Phoenix website.

The amount of Community Development Block Grant (CDBG), Emergency Shelter 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.

The City discourages the displacement of person assisted through the use of CDBG, HOME, ESG, HOPWA or other HUD resources. The policies to be followed are described in the City's Residential Anti-Displacement and Relocation Assistance Plan.

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

The City will conduct at least two public hearings concerning the development of the AFH, CP or AAP. The first hearing will be held at a time to be determined by the City during the formulation and preparation of the AFH, CP or AAP as applicable. The second hearing will be held once a draft document of the plan has been completed.

The City will make available its draft AFH, CP or AAP on the City of Phoenix website, at selected libraries and City offices for a 30-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 of this fact 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.

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 AFH, CPP, or AAP in writing, or orally at the public hearing, will be considered in preparing the final AFH, CPP, or AAP. A summary of these comments, and a summary of comments not accepted and reasons, will be attached to the final AFH, CPP, or AAP.

AMENDMENTS RELATING TO THE CONSOLIDATED PLAN AND ANNUAL ACTION PLAN

Revisions and amendments may be deemed necessary throughout the term of the CP or AAP. The U.S. Department of Housing and Urban Development describes two levels of changes that require amendments to the CP or AAP. There are lesser level changes that will require “amendments” and greater level proposed changes that will require “substantial amendments.”

For the purposes of discussion below regarding amendments to the CP or AAP, “activities” shall mean those 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 program as described in the AAP submitted to the U.S. Department of Housing and Urban Development.

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 AAP, CP or AFH, the proposal will include a description of how the proposed changes, revisions, and amendments will affect the AFH, CP or AAP and the community.

- I. **Amendment** – Should any of the following items occur or is not described in II. Substantial Amendment below, it would be considered an amendment to the CP or AAP:

- a) Making a change in the allocation priorities or methods of distribution of funds delineated in the CP or AAP.
- b) Carrying out an activity, using funds from a program covered by the CP or AAP (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the CP or AAP.
- c) Changing the purpose, scope, location, or beneficiaries of an activity.

An amendment will be posted for public review and comment for 30 days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD), and will be approved by the City Council before it is submitted to HUD.

- II. **Substantial Amendment** – A substantial amendment shall be defined as follows:

For CDBG:

- a) Any single change in the planned actual use of CDBG funds, as stated in the AAP, which exceeds 20 percent of the City of Phoenix's annual entitlement amount, or
- b) Any collective change in the planned or actual use of CDBG Funds that when accumulated for a new use or adding grant entitlement funds to an existing use, exceeds 20 percent of the City of Phoenix's annual entitlement amount

For HOME, HOPWA, and ESG:

- a) Any single change in the planned or actual use of HOME, HOPWA or ESG funds, as stated in the AAP, which exceeds 20 percent of the City of Phoenix's annual amount for each entitlement program or
- b) Any collective change in the planned or actual use of HOME, HOPWA or ESG funds that, when accumulated for a new use or adding grant entitlement funds to an existing use, exceeds 20 percent of the City of Phoenix's annual amount for each entitlement program.

For NSP1, NSP2, NSP3, HOPE VI, and Homelessness Prevention and Rapid Re-housing:

- a) Any single change in the planned or actual use of NSP1, NSP2, NSP3, HOPE VI, Homelessness Prevention and Rapid Re-housing which exceeds 20 percent of the City Phoenix grant award, or
- b) Any collective changes in the planned or actual use of NSP1, NSP2, NSP3, or HOPE VI, or Homelessness Prevention and Rapid Re-housing funds that when accumulated for a new use of adding grant entitlement funds to an existing use, exceeds 20 percent of the City of Phoenix grant award for each entitlement program.

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).

- I. **Amendment** – All CPP changes not described under II. Substantial Amendment below, will be considered Amendments. Examples of Amendments may include, but are not limited to:
 - a) updates to City contact and access to information related to the Consolidated Plan, Annual Action Plan, or CPP;
 - b) the modes and means of public outreach or notification utilized as part of the processes described in the CPP;
 - c) clarifications of terms used in the document; and
 - d) amended CFR's referenced in the Plan that do not substantially change the information included in the Plan.

An amendment will be posted for public review and comment for 30 days, unless HUD establishes a different time period (i.e. an official waiver posted by HUD), and will be approved by the City Council before it is submitted to HUD or posted as the final document for public access.

- II. **Substantial Amendment** – Should any of the following items occur, it would 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 City Council and HUD per 24 CFR Part 91.105.

PUBLIC HEARING AND COMMENT PERIOD: SUBSTANTIAL AMENDMENTS

Once drafted, the text of a Substantial Amendment of the CP, AAP or CPP will be made available for public comment and will be approved by City Council 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).
 - The CARES Act, Public Law 116-136, enacted on March 27, 2020, includes a waiver allowing the 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.

- b) Publication on one of the City's webpages at www.phoenix.gov.
- c) Notice through relevant City email distribution lists.
- d) Conduct at least one public hearing in accordance with page 3, section titled "Public Hearings, Notice and Outreach" of this plan;
- e) Submit the amendments to the City Council for approval.
- f) Notify HUD of any amendments executed and conduct the necessary steps to receive HUD approvals, if required.

Comments received on draft Substantial Amendments in writing, or orally at the public hearing, 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: PERFORMANCE REPORTS (CAPER)

An annual performance report known as the Consolidated Annual Performance and Evaluation Report (CAPER) must be prepared by the City for annual submission to HUD within 90 days of the conclusion of the City's program year.

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 days. The notice will state where the CAPER may be obtained, which will include one of the City's webpages at www.phoenix.gov. The City shall consider any comments made in the preparation of the final CAPER and attach a summary of such comments to the report.

ASSESSMENT OF FAIR HOUSING

The City shall conduct one public hearing before the proposed AFH is published for comment.

The public hearing shall be noticed at least two weeks before the actual meeting is conducted and be noticed in a newspaper(s) with general circulation. All postings will include relevant information to permit informed citizen comment. The public hearing time and location shall be convenient to potential and actual beneficiaries and with accommodation for person with disabilities. A bilingual (Spanish/English) staff person will be present at public hearing to meet the needs of non-English speaking residents where a significant number of non-English speaking resident 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 and be conducted with accommodations for person with disabilities (as requested in advance by at least three working days).

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.

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 person with disabilities, upon request. Materials will be made available through the City of Phoenix website. These materials are available by telephoning the 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 AFH, consolidated plan, 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 AFH and consolidated plan.

COMMENTS AND COMPLIANTS

Comment on the draft consolidated plan or substantial amendment received in writing, or orally at the public hearing, will be considered in preparing the final consolidated plan or substantial amendment. A summary of these comments, and a summary of comments not accepted and the reasons there, will be attached to the final consolidated plan or substantial amendment.

Any citizen, organization or group desiring to make a complaint regarding the Consolidated Plan may do so in writing to the City's **Neighborhood Services Department, 200 West Washington Street, Fourth floor, Phoenix, AZ 85003**. 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 person assisted through the use of CDBG, HOME, ESG, HOPWA or other HUD resources. The policies to be followed are described in the City's Residential Anti-Displacement and Relocation Assistance Plan.

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 substantial amendments to the CP.

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 which is otherwise required for substantial amendments. Additionally, during a state of emergency or disaster event, in person public hearings will not be required and virtual hearings will be acceptable. Please be advised that if virtual hearings are used, real-time

responses and 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.

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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 defined in the Consolidated Plan.

Affirmatively Furthering Fair Housing (AFFH) - taking meaningful actions, in addition to combating discrimination, that 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 of a program participant's 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 Assessment of Fair Housing, Consolidated Plan and Annual Action Plan.

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. An approved consolidated plan means a consolidated plan that has been approved by HUD.

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 Department of Housing and Urban Development (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 and street outreach for the homeless, and for 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 funds.

Low- and moderate-income person(s) - a member of a family that has an income equal to or less than the Section 8 very low-income limit established by HUD. Unrelated individuals shall be considered as one-person families for this purpose.

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