

# CITY COUNCIL ATTACHMENT B

Citizen Participation Plan



## **CITY OF VICTORVILLE - CITIZEN PARTICIPATION PLAN**

Amended: May 5, 2020 (Amendments Underlined)

### **I. EXECUTIVE SUMMARY**

Since 1997, the City of Victorville (the “City”) has received an annual allocation of Community Development Block Grant (CDBG) funds from the U. S. Department of Housing and Urban Development (HUD). In 2003, the City formed a HOME Investment Partnership Program Consortium with the Town of Apple Valley (the “HOME Consortium”) in order to meet the threshold of obtaining HOME entitlement status with HUD. The City receives both CDBG and HOME funding annually.

As an Entitlement City, the City is required to prepare and adopt a Consolidated Plan (Con Plan) and an Assessment of Fair Housing (AFH). The Con Plan is a plan of three to five years in length, which reviews and considers the housing and community development needs of the City, establishes priorities for CDBG and HOME funds, creates and institutes an Annual Action Plan (AP) for meeting current and future needs, and identifies the City’s performance in meeting its annual goals through the Consolidated Annual Performance Evaluation Report (CAPER).

The AFH replaces the Analysis of Impediments to Fair Housing (AI) to assist the City in identifying fair housing issues and related contributing factors to achieve comprehensive community development goals and affirmatively further fair housing. The Con Plan, AP Plan and AFH are also required to have a strategy for resident and citizen participation in the planning process. According to 24 CFR § 91.105 and as a condition of federal funding, the City must adopt and follow a Citizen Participation Plan (CPP) describing how the City will encourage participation from residents and citizens of all ages, genders, economic levels, races, ethnicities and special needs to provide them with equal access in the development of the Con Plan, AP and AFH, and to ensure their issues and concerns are adequately addressed. Participation shall include community-based and regionally-based organizations that represent and assist protected class members and organizations that enforce fair housing laws.

### **II. PURPOSE OF THE CITIZEN PARTICIPATION PLAN**

The purpose of the CPP is to provide the method and process by which the City’s Con Plan, AP and AFH processes will comply with the citizen participation requirements set forth by HUD pursuant to 24 CFR § 91.105 and the Affirmatively Furthering Fair Housing Final Rule (24 CFR §§ 5.150 through 5.180). This CPP states the process of soliciting the views and recommendations from the public, as well as the process for incorporating public comments and views into the objectives and outcomes developed in the Con Plan, AP, and AFH. This CPP and the participation process shall be implemented and monitored by the City’s Development Department.

### **III. DEVELOPMENT OF AFH, CON PLAN, AP, AND CAPER; SUBSEQUENT REVISIONS AND SUBSTANTIAL AMENDMENTS**

***Introductory Note.*** The citizen participation processes and procedures associated with each of the planning documents/reports discussed in this Section are detailed in Section V of this CPP and further described in tabular format on page 5 (the “*Summary Table*”).

**Assessment of Fair Housing (AFH).** The AFH is required every five years prior to the preparation of the Con Plan. When preparing an AFH, the City will make HUD-provided data and other supplemental information available to interested citizens, residents, agencies and organizations in an effort to provide meaningful analyses of local fair housing conditions and issues. The City shall publish a notice announcing the availability of this data/information and requesting the views of the residents at a public hearing at least ten (10) days prior to the date of such hearing. In addition, prior to the City adopting and submitting the final AFH to HUD, at least one thirty (30) day public comment period will be provided (after publication of notice and the draft AFH) and a second public hearing will be noticed and held to obtain further citizen input. The City may choose to conduct this hearing in conjunction with one of the two required public hearings on the Con Plan.

**AFH Revisions.** Pursuant to 24 CFR §5.164, the City shall consider an AFH previously accepted by HUD to require modification (“Revisions”) and re-submission to HUD in the following instances:

- ❖ When the City’s circumstances change in a way that affects the information on which the AFH is based, to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH are no longer applicable or reflect actual circumstances. Examples of changed circumstances include:
  - Presidentially declared disasters affecting the City that significantly impact the steps the City may need to take to affirmatively further fair housing;
  - Significant changes in the City’s demographic;
  - The occurrence of new significant contributing factors in the City’s jurisdiction
  - civil rights findings, determinations, settlements (including Voluntary Compliance Agreements) or court orders
- ❖ Upon HUD’s written notification specifying a material change that requires the Revisions

Revisions may not necessarily require the submission of an entirely new AFH. Revisions need only focus on the material change and appropriate adjustments to the analyses, assessments, priorities, or goals. AFH Revisions will be published and noticed for public comment and hearing (see **Summary Table**).

**Consolidated Plan (Con Plan); Annual Action Plan (AP).** The Con Plan examines housing and community development needs, sets priorities for grant monies and establishes a strategic plan with specific measurable goals to address priority needs. Prior to adopting the Con Plan or AP, the City will make available to citizens, public agencies, and other interested parties:

- ❖ The amount of assistance the City expects to receive;
- ❖ The range of activities that may be undertaken with such funds;
- ❖ The amount of funds proposed to be used for activities and the estimated benefit to low and moderate income persons; and
- ❖ The City’s plans to minimize displacement of persons and what type of assistance will be made available to those persons displaced.

At least one (1) public hearing will be noticed and held during the development of the Con Plan and AP to receive public comment and incorporate citizen participation. In addition, a second public hearing regarding the contents of the Con Plan / AP will be noticed and conducted prior to the City’s adoption of these documents and submission to HUD. Notices of such public hearings will be published at least ten (10) days in advance or as specified in the **Summary Table**. At least thirty (30) days prior to adoption, copies of the proposed Con Plan, AP, and any Substantial Amendments (defined below) will be published by the City (made available for public review) and a thirty (30) day public comment period will be noticed and provided. The City Manager or their designee may allow adjustments to public noticing, public hearing, and publishing requirements in conjunction with applicable waivers provided by HUD.

**CAPER.** At least fifteen (15) days prior to submission to HUD, copies of the CAPER will published and a like period of public comment will be noticed and provided.

**Substantial Amendments.** The occurrence of any of the following circumstances shall require a modification of the Con Plan or AP (“Substantial Amendment”), which shall be noticed, heard, published for comment and adopted in accordance with the provisions of Section V of this CPP, as applicable:

- ❖ A significant shift is proposed in allocation priorities, or a substantial change in the method of distributing funds;
- ❖ An activity not included in the AP is proposed for funding;
- ❖ To use funds, including program income, not previously described in the Annual Action Plan;
- ❖ An activity included in the AP is proposed for elimination;
- ❖ The amount allocated to any activity is proposed to be increased or decreased from the amount described in the AP by more than 25%; or
- ❖ Change in the location of the activity, target area, beneficiaries, eligibility criteria, or general scope from that described in the AP.

#### **IV. CITIZEN PARTICIPATION PROCESS – OPPORTUNITIES AND PARTICIPATION**

**Citizen Participation.** Citizens and residents should be afforded the maximum feasible opportunity to: provide input on housing and community development needs; address issues/problems affecting low- and moderate- income persons; learn about various programs available and the expected amount of assistance provided/allowed by each opportunity; develop local project proposals; give input to project selections and funding distributions; and participate in the implementation of funded activities. The procedures in this Section are designed to encourage persons of low and moderate income, particularly those persons residing in slum and blighted and other City-targeted revitalization areas; minorities; non-English speaking persons; persons with disabilities; persons with HIV/AIDS and their families; and homeless persons to participate in the planning, implementation and assessment of the documents and reports described in this CPP. The City Manager or their designee may allow adjustments to the Public Participation process in conjunction with applicable waivers provided by HUD.

**Organizational Participation.** In developing and implementing the Con Plan and AFH, the City shall encourage participation of local and regional institutions and government agencies; public housing authorities, adjoining cities; Continuums of Care; and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations). In conjunction with consultation with public housing authorities, the City shall further encourage the residents of public and assisted housing developments, including their resident advisory boards, councils or management corporations, to participate in the development and implementation of the Con Plan and AFH. In addition to conducting required public hearings and providing public comment periods, the City will encourage citizen and organizational participation by conducting surveys, community outreach meetings, forming focus groups and engaging in other outreach processes. The City Manager or their designee may allow adjustments to the Organizational Participation process in conjunction with applicable waivers provided by HUD.

#### **V. CITIZEN PARTICIPATION PROCESS – PROCEDURES AND PROCESSES**

**Public Hearings and Comment Periods.** Public hearings provide citizens, residents and organizations with opportunities to make oral and/or written comments on community needs and on the various planning documents described herein. Public hearings and other meetings shall be held at times and in locations convenient to potential and actual program beneficiaries. Providing time periods during which citizens, residents and other members of the public are given the opportunity to submit written and oral comments on draft documents published by the City (“Comment Period(s)”), further facilitates

community input and feedback. The requirements for publishing notices of public hearings and Comment Periods, as well as publication of draft documents, are detailed below and further explained in the *Summary Table*.

***Noticing Public Hearings.*** To ensure citizens, residents, and organizations are advised in advance of opportunities to attend and participate in public hearings, all public hearing notices shall adhere to the following unless otherwise waived by HUD and approved by the City Manager or their designee.

- ❖ Be published at least ten (10) days prior to the hearing date (unless the public hearing notice is combined with a thirty (30) day public comment notice, in which case notice will be published at least thirty (30) days prior to the close of the public comment period and the date of the public hearing as further described in ***Noticing Public Comment Periods***, below).
- ❖ Be published in one or more newspapers of general circulation (as legal notices and/or display ads)
- ❖ Be prepared in a language other than English when a significant number of non-English residents can reasonably be expected to participate
- ❖ Include the time, date and place of the hearing, a description of the subject/purpose of the hearing, and where associated documents (if applicable) are posted or may otherwise be obtained
- ❖ Include information on how to request special accommodations
- ❖ Be posted on the City's website (<https://www.victorvilleca.gov/government/legally-required-postings>) on or before the date of publication
- ❖ Be subject to the provision of additional forms of notice, including: posting and/or distributing notices at community locations such as the public library, hospitals, other public agency locations, specified locations at Victorville City Hall and in target neighborhoods; sending electronic mail to the EDDHD's list of interested persons; and creation and distribution of supplemental flyers and/or mailers

***Noticing Public Comment Periods.*** Comment Periods may be included in public hearing notices (provided the applicable advance comment period is accounted for). Comment Period notices shall adhere to the following unless otherwise waived by HUD and approved by the City Manager or their designee.

- ❖ Be published prior to the commencement date of the applicable Comment Period
- ❖ Be published, prepared and posted in the manner provided for ***Noticing Public Hearings***, above
- ❖ In cases where a public hearing is noticed in conjunction with a required Comment Period, provide for a Comment Period that ends prior to the date of the public hearing
- ❖ Include the time, date and place of any associated public hearing and how to request reasonable accommodations
- ❖ Include the beginning and ending dates of the Comment Period; how and where comments may be submitted; a brief description of the subject matter/purpose of the document or item on which comment is being sought; a summary of the item or content of the documents; how/where full copies of any document(s) may be obtained; and the date the City Council will consider the approval of the item or document(s)
- ❖ Be posted on the City's website, various locations in and around City Hall, and in such other places as specified in ***Noticing Public Hearings***, above

***Publication of Draft Planning Documents.*** Notices of public hearings and Comment Periods shall contain summaries of the contents of any draft documents being provided for public review and comment (e.g., the AFH, Con Plan, AP and Revisions or Substantial Amendments). All such draft documents will be made available to members of the public "published" by the City by providing copies on its website, at City Hall, and in such other places as shall be specified in each applicable public hearing or Comment Period notice. Such notices will also contain instructions on how the public may request such documents in alternative formats for persons with disabilities.

***Technical Assistance.*** Development Department staff will meet with groups or individuals representative of persons of low- and moderate-income upon request to provide them with technical assistance in commenting on the AFH, identifying specific needs, and/or developing/preparing project proposal applications for programs covered by the Con Plan.

**Summary Table**  
**Publication of Notices of Public Hearings and Comment Periods**

<b>Document</b>	<b>Publication of Public Hearing (PH) and Comment Period (CP) Notices<sup>†</sup></b>	<b>Minimum Number of Public Hearings; Timing<sup>†</sup></b>	<b>Comment Period (CP)<sup>†</sup></b>
Con Plan /AP	<p>PH Notice - At least 10 days<sup>††</sup> prior to PH date</p> <p>CP Notice - At least 30 days prior to date set for close of CP and after draft(s) published. If combined with PH Notice, CP Notice publication must occur at least 30 days prior to both the close of the CP and the PH date.</p> <p>PH Notice - At least 10 days prior to PH date (if noticed separately after earlier publication of CP Notice)</p>	<p>First Hearing:</p> <p>Prior to drafting Con Plan/AP</p> <p>Second Hearing:</p> <p>After publication of Con Plan/AP draft and close of CP</p>	<p>N/A</p> <p>30 days</p>
Substantial Amendments to Con Plan / AP	<p>CP Notice - At least 30 days prior to date set for close of CP and after draft(s) published. If combined with PH Notice, CP Notice publication must occur at least 30 days prior to both the close of the CP and the PH date.</p> <p>PH Notice - At least 10 days prior to PH date (if noticed separately after earlier publication of CP Notice)</p>	<p>One Hearing:</p> <p>After publication of Substantial Amendments and close of CP</p>	30 days
AFH	<p>PH Notice - At least 10 days prior to PH date</p> <p>CP Notice - At least 30 days prior to date set for close of CP and after draft(s) published. If combined with PH Notice, CP Notice publication must occur at least 30 days prior to both the close of the CP and the PH date.</p> <p>PH Notice - At least 10 days prior to PH date (if noticed separately after earlier publication of CP Notice)</p>	<p>First Hearing:</p> <p>After publication of HUD-provided and other data</p> <p>Second Hearing:</p> <p>After publication of AFH draft and close of CP (may be combined with second Con Plan hearing after initial adoption of AFH)</p>	<p>N/A</p> <p>30 days</p>
AFH Revisions	<p>CP Notice - At least 30 days prior to date set for close of CP and after draft(s) published. If combined with PH Notice, CP Notice publication must occur at least 30 days prior to both the close of the CP and the PH date.</p> <p>PH Notice - At least 10 days prior to PH date (if noticed separately after earlier publication of CP Notice)</p>	<p>One Hearing:</p> <p>After publication of draft Revisions and close of CP</p>	30 days
CAPER	CP Notice - At least 15 days prior to CP close	Not required	15 days

<sup>†</sup> All required noticing requirements, mandatory public hearings, and comment periods can be adjusted in accordance with any waivers provided by HUD, as approved by the City Manager or their designee.

<sup>††</sup> All references days in this Summary table refer to calendar days

***Consideration of Public Comments/Views.*** Prior to adopting the AFH, Con Plan, AP, CAPER and/or Revisions or Substantial Amendments, the City will consider any comments/view received from citizens and residents (individuals or groups representing their interests) in writing during Comment Periods, or orally during public hearing(s). Such comments/views shall be summarized and attached to the final versions of the AFH, Con Plan, AP, any Revisions or Substantial Amendments, and the CAPER as applicable.

***Questions and Complaints.*** Development Department staff will answer all questions received from residents or their representative groups in the manner in which the questions were posed (e.g., verbal responses to verbal requests, written responses to written requests). Written complaints and grievances received from residents or their representative groups relating to the Con Plan, AP, CAPER, AFH, and/or any Substantial Amendments or Revisions, shall be substantively responded to by Development Department staff within fifteen (15) working days of receipt, where practicable.

***Access to / Availability of Records.*** The City will provide residents of the community, public agencies and other interested parties with reasonable and timely access to the AFH, Con Plan, AP, CAPER, CPP, all Substantial Amendments or Revisions, and information/records related to these documents (including the use of assistance under the CDBG and HOME programs for the preceding five (5) years) by:

- ❖ Maintaining copies at City Hall for public inspection and making a reasonable number of copies (paper or electronic) of the AFH, Con Plan and CPP available to residents and other groups that request them free of charge
- ❖ Making copies of other documents and records available in accordance with the California Public Records Act (direct costs of duplication may apply)
- ❖ Posting these documents and related information on the City's website
- ❖ Maintaining copies of the final versions of the AFH, Con Plan, AP, CAPER and CPP on the City's website, at City Hall and at the City's Public Library
- ❖ Providing such documents and records in an accessible format for persons with disabilities, upon forty-eight (48) hours' advance request

***Americans with Disabilities Act (ADA); Accessibility.*** In compliance with the ADA, if special assistance to participate in public hearings and/or community or consultation meetings is needed, individuals should contact Development Department staff forty-eight (48) hours prior to the meeting or public hearing to ensure that the City will be able to make reasonable arrangements. Examples of assistance provided may include the following:

- ❖ Auxiliary aids and services to communicate with people who have communication disabilities, such as providing a qualified reader; providing information on large print; or providing an audio recording of printed information for individuals who are blind, have vision loss, or are deaf-blind. A "qualified" reader means someone who is able to read effectively, accurately, and impartially, using any necessary specialized vocabulary;
- ❖ For people who are deaf, have hearing loss, or are deaf-blind, the City may provide a qualified notetaker; a qualified sign language interpreter; written materials; or a printed script of a stock speech (such as given on a museum or historic house tour). A "qualified" interpreter means someone who is able to interpret effectively, accurately, and impartially, both receptively (i.e., understanding what the person with the disability is saying) and expressively (i.e., having the skill needed to convey information back to that person) using any necessary specialized vocabulary.

In addition, persons with disabilities may bring a "companion" to assist them. The term "companion" includes any family member, friend, or associate of a person who is an appropriate person with whom the City should communicate. Public hearings and other meetings shall be held in areas that are handicap accessible and other accommodations shall be made upon request as noted above.



**HUD Waivers.** Should HUD temporarily suspend/adjust/waive any of the required noticing, comment or participation processes discussed herein regarding the development, review, or amendment of applicable assessments/plans, the City Manager or their designee may approve the application of any such waiver based upon a unique circumstance such as natural disaster, national emergency, state emergency, local emergency, major disaster declaration, etc. that necessitates the use of the waiver provided.

***Review, Amendment and Availability of Citizen Participation Plan (CPP).*** Prior to its adoption by the City Council, this CCP was made available for public review and comment and at least one public hearing was held. Future Substantial Amendments to the CPP will utilize the public hearing and Comment Period associated with the adoption of Substantial Amendments to the Con Plan.

Amended: May 5, 2020 (Amendments Underlined)

## Community & Regionally Based Organizations

CHC California Housing Consortium

National Crime Prevention Council

National Coalition for the Homeless

Shelter Network

Latin-American Association

NAACP National Association for the Advancement of Colored People- California Branch

NARF Native American Rights Fund

NOMAR National Organization for Mexican-American Rights

Big Brothers Big Sisters

California Coalition for Youth

California Youth Advocacy Network

Americans United for Life

California Public Health Association – North

Department of Employment & Human Services

Department of Behavioral Health – San Bernardino County Homeless Partnership

High Desert Homeless Services, Inc.

Victor Valley Domestic Violence, Inc.

Moses House Ministries

Legal Aid Society of San Bernardino

San Bernardino Sexual Assault Services

Victor Valley Community Services Council