

RESOLUTION NO. 6324

A RESOLUTION ADOPTING ALBANY'S CITIZEN PARTICIPATION PLAN AS REQUIRED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, as a recipient of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development, the City of Albany is required to adopt and follow a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan encourages public participation in the development of Albany's CDBG plans and programs – especially by persons of low- to moderate-income, provides for technical assistance, provides citizens reasonable and timely access to meetings and information, provides notice procedures, provides public hearings and meetings, outlines complaint procedures, and how persons with disabilities and non-English speaking residents will be accommodated and assisted; and

WHEREAS, the City of Albany prepared a Citizen Participation Plan and took public comments on the Plan on April 14, 2014, and the City Council held a public hearing on April 23, 2014, and received comments in support of the Plan.

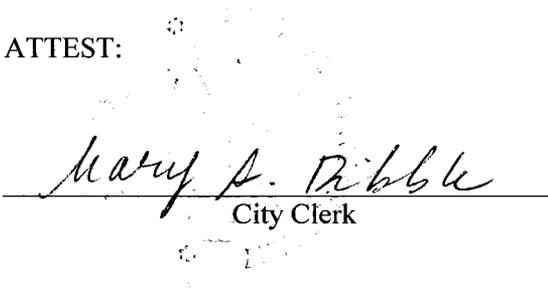
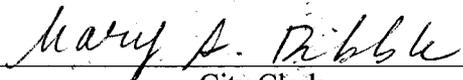
NOW, THEREFORE, BE IT RESOLVED that the Albany City Council adopts the Community Development Block Grant Citizen Participation Plan, a copy of which is attached hereto as "Exhibit A".

DATED AND EFFECTIVE THIS 14th DAY OF May 2014.



Mayor

ATTEST:

City Clerk



City of Albany, Oregon Community Development Block Grant Program Citizen Participation Plan

I. Introduction

As an entitlement city, the City of Albany is eligible to receive Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Community Development (HUD). These funds are used to administer housing and community development programs within the City through the Community Development Department.

The Community Development Block Grant (CDBG) is a formula grant provided annually to the City to develop viable urban communities through the provision of decent housing, a suitable living environment and expanded economic opportunities for low- and moderate-income persons. As a recipient of these entitlement program funds, the City is required to produce the following documents:

Consolidated Plan – Every five years, the City of Albany, with the assistance of Community Development Commission will develop a new Consolidated Plan. The Consolidated Plan identifies community needs and formulates a five-year strategic plan with objectives, implementation strategies, and outcomes that address the needs for housing, community and economic development, and human service needs of the city.

Annual Action Plan – The Consolidated Plan guides the development of an Annual Action Plan. The Annual Action Plan outlines the City’s funding priorities and set goals during the program year to address the needs identified in the Consolidated Plan. The annual plan allocates CDBG funding to specific projects that will be undertaken over the course of the upcoming fiscal year.

Before a Consolidate Plan or Annual Action Plan is adopted, the city will make public the amount of funds available and the range of activities that can be undertaken with each grant, the estimated amount of funds that will be used to benefit low- and moderate-income persons.

Consolidated Annual Performance and Evaluation Report (CAPER) – The CAPER is an annual report that evaluates and documents accomplishments and use of CDBG funds. The performance measurements are designed to monitor all programs and to determine the impacts of the City’s CDBG programs and activities.

II. Federal Citizen Participation Requirements

The Citizen Participation Plan requirements are designed to encourage citizens to participate in the planning, development, implementation, and evaluation of the City’s CDBG plans and programs. It focuses on public involvement in the process of developing the City’s Consolidated Plan, Annual Action Plan, and a review of the annual Consolidated Annual Performance Report (CAPER). Substantial amendments to the Consolidated Plan and the Annual Action Plan require public review and comments before they are approved.

Annual program applications submitted to the U.S Department of Housing and Urban Development (HUD) must:

1. Contain proper provisions for community involvement in the review and preparation of the Consolidated Plan and Annual Action Plan.

2. Give maximum feasible priority to programs that will principally benefit low – and moderate income families or aid in the prevention of slum and blighted conditions.
3. Have provided citizens with the amount of funds expected to be annually available, including any annual grant program income that is expected to be received during the program year and any program income received during the preceding program year that has not yet been allocated to a project during the development of the annual program.
4. Set out costs and other resources to be used, as well as a description of the targeted areas.

III. Stages of the Citizen Participation Process

Each year citizens and interested agencies will be notified of the funding level of assistance expected in the upcoming year when that information is received from HUD. Initial information may be based on local estimates. Citizens and interested entities will also be informed of the amount of funding expected to benefit low- and moderate- income persons.

1. Assessment and identification of housing and community development needs.
2. The Draft Consolidated Plan and or Annual Action Plan.
3. Formal approval by the City Council of the Consolidated Plan and/or final Annual Action Plan.
4. Substantial and Minor amendments necessary to change the use of funds already budgeted in an Annual Action Plan or established in the Consolidated Plan.
5. Performance Reviews in the CAPER.

The types of activities funded each year will be determined through the process outlined in this Citizen Participation Plan.

IV. Public Hearings and Notice

At least two public hearings will be held every year to obtain citizen views and to respond to proposals at different stages of the CDBG programs administered by the Community Development Department, specifically: the development of the Consolidated Plan, the solicitation of project proposals for the Annual Action Plan; and the annual hearing on the prior year's CAPER.

The City of Albany will provide a 30-day advanced notice when any of the following documents are available for public comment.

1. Consolidated Plan,
2. Annual Action Plan,
3. Proposed Substantial Amendments, and the
4. Consolidated Annual Performance Report (CAPER).

A public notice of the Consolidated Plan and any public hearing regarding the Consolidated Plan will be published in one or more newspapers of general circulation at least 30 days prior to the plan being submitted to HUD and will include a summary of the plan. Notice regarding all other plans and reports described above, including the Consolidated Plan, will include a press release published in the local newspaper of general circulation and notice on the city's Web site to advise citizens of the plans, comment period, hearings and deliberations scheduled. Information of the date, time and place of these hearing will be made available through these advertisements and publications. Efforts will be made to provide notice in media that serves non-English speaking households in the city.

Copies of any proposed plan, amendment, or CAPER will be provided at the Albany Main Library located at 2450 14th Avenue SE, the Albany Carnegie Library located at 302 Ferry Street SW, and Albany City Hall located at 333 Broadalbin Street SW.

Public meetings or hearings to hear comments on other plans, documents and records will be posted according to City of Albany policy for public meeting procedures.

Other CDBG Related Documents: All other CDBG related documents requiring public comment and review, such as Environmental Review Records, will be advertised by posting notice on the City's website and distributing a press release about the comment period to local media.

Accessibility to Persons with Disabilities: The locations of all public hearings as described herein shall be made accessible to persons with disabilities. A sign language interpreter will be provided whenever the City is notified in advance that one or more deaf persons will be in attendance, according to the instructions provided in the Public Hearing Notice. The City shall provide a qualified reader whenever the City is notified in advance that one or more visually impaired persons will be in attendance. Additionally, the City shall provide reasonable accommodations whenever the City is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

Limited English Proficiency Residents: The City of Albany recognizes the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

30-Day Comment Period: Prior to final adoption of the Consolidated Plan and Annual Action Plan, a 30 day comment period will be required to receive written comments. The comment period will be publicized through press releases to the city's media contacts announcing the comment period; and public hearing notice will be prepared and distributed according to City of Albany policies, posted on the City's website, and will be emailed to interested parties.

Distribution of Information: A variety of methods, including the City's internet site, shall be used to facilitate the review and evaluation of proposed housing and community development policies, programs, and projects. All Plans will be posted on the City's website and links to the documents will be emailed to interested parties. A brief summary of a plan will be provided in Spanish and if feasible, in other languages as needed. The notice will also provide information about the location where complete copies of the plan may be reviewed.

Community Development Commission Meetings: Citizens will be given reasonable and timely access to local meetings, information, and records relating to the proposed use of community development funds. Copies of all reports and material relevant to a Community Development Commission meeting will be available on the Thursday before the Monday meeting on the City's website and at the Community Development Department, Albany City Hall, 333 Broadalbin Street SW, Albany, Oregon.

V. Encouraging Citizen Participation

The Citizen Participation Plan outlines the City's responsibility for providing opportunities for citizen participation. The goals of the Citizen Participation process are to:

- Encourage citizen participation by all Albany residents, emphasizing the involvement of low- and moderate-income residents, people living in CDBG target neighborhoods, people with disabilities, minorities, and residents of assisted housing;

- Inform citizens of the Albany Consolidated Plan and the Annual Action Plans and eligible activities under these programs;
- Give all citizens an opportunity to identify and respond to priority needs;
- Give all citizens an opportunity to identify and respond to priority proposed projects and the use of funds; and
- Give all citizens an opportunity to review and comment on program performance.

Technical Assistance

City of Albany staff will provide technical assistance to individual citizens and citizen groups, with particular attention to those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG programs.

Technical assistance will also be provided to groups and agencies representing low- and moderate income person in requesting assistance in developing project/funding proposals.

Technical assistance is intended to further meaningful citizen participation in the community development decision making process. Technical assistance will also be utilized to foster public understanding of CDBG program requirements.

Technical assistance will be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and other requirements; providing information and/or materials concerning the programs; and, assisting low and moderate income citizens, and residents of blighted neighborhoods to develop statements of views, identify their needs, and to develop activities and proposals for projects which, when implemented, will advance the resolution of those needs.

Technical assistance may be obtained by contacting the Community Development Department at 541-917-7550, or through the City of Albany website at www.cityofalbany.net/cdbg.

VI. Procedure for Comments, Objections, and Complaints

The scheduled public hearings described in this Citizen Participation Plan are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views on all aspects of programs during review and comment periods and public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the City.

Citizens or citizen's groups desiring to comment or object to any phase of the planning, development, approval or implementation of CDBG activities should submit such comments or objections in writing to the City through a progressive level of review. Comments, objections, complaints and grievances should be sent to the Community Development Department, 333 Broadalbin St. SW, Albany, Oregon 97321.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. If, after a reasonable period, a party believe the comment or complaint has not been properly addressed or considered, then the aggrieved may appeal his/her case to the City Manager, and finally, after a reasonable period of time, to the City Council.

Should the City Council be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to HUD.

Citizens may, at any time, contact HUD directly to register comments, objections or complaints concerning the City's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting HUD.

All comments or complaints submitted to HUD should be addressed in writing to:

HUD Office of Community Planning and Development
U.S. Department of Housing and Urban Development
1220 SW 3rd Avenue, Suite 400
Portland, OR 97204-2825

VII. Amendments to the Consolidated Plan or Annual Action Plan

Substantial and minor amendments to the Consolidated Plan and Annual Action Plan may be made subject to the following procedure and requirements. The Community Development Commission may allow the Community Development Director or designee, the authority to decide minor amendments to the Consolidated Plan or Annual Action Plan. All substantial amendments must be acted on by the Albany City Council.

Substantial Amendments

A substantial amendment to the Consolidated Plan means an amendment that changes the intent of the plan by modifying adopted priority needs, implementation strategies, or location policies. Substantial amendments to an Annual Action Plan mean any amendment that changes an approved project if at least one of the conditions below exists:

- a. A proposed project site is relocated a distance greater than ½ mile radius from the site identified in the Annual Action Plan;
- b. There is a change in approved federal funding sources;
- c. A proposal that changes a land use to one that requires a special or conditional use permit or is likely to result in a 50% change in capacity or amount of service provided;
- d. There is a change in the priority needs served by the original proposal;
- e. The cost of completing the project or conducting a program exceeds the original approved budget by 50% or more; or
- f. A project is added.

Substantial amendments require a public hearing and City Council approval. The Community Development Commission and City staff shall review substantial amendments. Either the Commission or City staff may provide recommendations to the City Council. Written notices of City Council consideration of substantial amendment shall be provided follow the process outlined above for initial adoption of the applicable Plan.

Minor Amendments

The following types of amendments to an adopted Consolidated Plan or Annual Action Plan are minor amendments:

- a. Amendments that change the text of the Consolidated Plan or Annual Action Plan to correct errors, or changes to text, which will not modify the intent of the plan by changing adopted priority needs, implementation strategies or location policies; or
- b. Any amendment that does not qualify as a substantial amendment as defined above.

The Community Development Department Director or designee is granted authority to decide minor amendments to the Consolidated Plan and Action Plan. Notwithstanding this authority, the Director or designee may refer a minor amendment to the Community Development Commission for action. The decision of the Director and the Community Development Commission is the final local determination unless acted upon by the City Council.