

APPENDIX D – CITIZEN PARTICIPATION PLAN



CITY OF POMONA

CITIZEN PARTICIPATION PLAN For Consolidated Plan Documents

ADOPTED
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Neighborhood Services Department

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CITIZEN PARTICIPATION PLAN

I. Policy Statement

It is the policy of the City of Pomona to provide for full involvement by the community and its residents in the planning, development, implementation and evaluation of programs funded under the Housing and Community Development Act of 1974, as amended, including the Community Development Grant (CDBG) Program, HOME Investment Partnership Act (HOME) and Emergency Solutions Grant (ESG) Program.

This Citizen Participation Plan sets forth the procedures and guidelines to be implemented by the City to provide for the continuing participation by the citizens of Pomona. The City acknowledges the need for, and the role, of citizen involvement, but also recognizes that the final determination and responsibility for policy development rests with the Mayor and the City Council.

This plan may be amended from time to time and shall remain in effect until superseded by a new plan or until the City no longer participates in programs that require such a plan.

II. Objective

The Citizen Participation Plan, hereinafter referred to as the “Plan”, is designed to facilitate two-way communication between the City and its residents on matters pertaining to the use of Federal Grant funding from the U.S. Department of Housing and Urban Development (HUD). The Plan provides for visibility of housing and community development programs, enlists citizen participation in the development of the Consolidated Plan and the review of the Consolidated Plan, the Annual Plan, the Consolidated Annual Performance and Evaluation Report (CAPER) and the Assessment of Fair Housing (AFH). The Plan also encourages active citizen involvement in development of goals and objectives of federally-funded programs.

III. Definitions

For purposes of the CDBG, HOME and ESG program, along with any additional federally-awarded entitlement grants, the following definitions will apply:

Consolidated Plan Documents (CPD) – These documents include:

1. Five-Year Consolidated Plan
2. Citizen Participation Plan
3. One-Year Action Plan
4. Consolidated Annual Performance and Evaluation Report (CAPER)
5. Assessment of Fair Housing (AFH)

Low and Moderate Income Households – Low and Moderate households are those households with income that do not exceed 80 percent of the Median Family Income (MFI) as defined below by HUD:

1. Extremely Low-Income: 0-30%, LA County MFI adjusted for household size
2. Very Low-Income: 31-50%, LA County MFI adjusted for household size
3. Moderate-Income: 51-80%, LA County MFI adjusted for household size

Income Limits are calculated using the same methodology that HUD uses for calculating the income limits for the Section 8 program, in accordance with Section 3(b)(2) of the U.S. Housing Act of 1937, as amended. These limits are based on HUD estimates of median family income, with adjustments based on family size.

IV. Scope of Participation

A. City's Role

In order for citizens to become informed and involved in the program, the City will provide comprehensive access to program information. The following information will be made available during the planning process for program development and implementation of federal funds:

1. Amount of funds available;
2. Types of activities that are eligible for funding and activities previously funded;
3. Ineligible activities;
4. Dates of meetings and public hearings;
5. Information on the Request for Proposal (RFP) process for funding applications;
6. Process to be followed by the City in approving funding applications;
7. Preliminary project recommendations for City Council review and approval.

B. Citizen's Role

All citizens of Pomona are encouraged to participate in the public meetings and hearings and to contact the City's Neighborhood Services Department – Housing Services Division with regard to any questions they may have concerning the process and programs under the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, CAPER or Assessment of Fair Housing.

All public hearings take place in the Council Chambers located at City Hall, 505 S. Garey Avenue, Pomona, CA 91769, unless another location and/or time is publicized in advance.

A variety of mechanisms may be utilized to solicit input on priority needs, goals and objectives for the development of the Consolidated Plan. These include a community needs survey, public meetings/stakeholder focus groups, study sessions, agency consultations, telephone interviews and/or personal interviews. A least one public hearing will be held during the development of the Consolidated Plan.

Questions and comments may be addressed to:

Neighborhood Services Department – Housing Services Division
505 S. Garey Avenue, Pomona, CA 91769,

Attn: Beverly Johnson, Housing Services Manager (909) 620-2433

C. Planning Process for Documents

Citizen involvement, as stated earlier, will be sought in the development, implementation and evaluation stages of Consolidated Plan documents. This will be accomplished in the following manner for **each document** outlined below:

1. Citizen Participation Plan

A. Plan Development

Public Review and Comment – The Draft Citizen Participation Plan will be made available for public review for 30 days. Written comments will be accepted during the 30-day public comment period. A summary of the comments and views, along with the City’s responses will be attached to the Plan.

Public Hearings - A public hearing is not required, only reasonable opportunity to comment of the original citizen participation plan and on substantial amendments to the citizen participation plan, which must be made public. The City will publish a public notice informing citizens of a public review and 30-day comment period. The City may or may not hold a public hearing.

B. Plan Amendment

Public Review and Comment – Substantial amendments to the Citizen Participation Plan will be made available for public review for a 30-day period. The City will consider any comments or view of residents in writing, or orally at public hearings, and a summary of all with the City’s responses will be attached to the final amendment.

Public Hearings – A public hearing is not required, only reasonable opportunity to comment of the original citizen participation plan and on substantial amendments to the citizen participation plan, which must be made public.

2. Five-Year Consolidated Plan

A. Plan Development

Consultation – Citizens will be invited to provide input into development of the 5-Year Strategic Plan, including identification of priority needs and setting goals and objectives, through any of the following mechanisms: community meetings/stakeholder focus groups, community needs survey, study sessions, public comment period and public hearing process. The City will consult with the following agencies:

1. Local and regional institutions
2. Continuums of Care
3. Public Housing Agencies
4. Other organizations (businesses, developers, non-profits, community-based organizations)

Outreach efforts to promote the on-line survey include: mailing postcards to over 43,500 city households, informing residents of community meetings/forums and requesting their input via the Community Needs Survey. Additional notification regarding the availability of the survey or meetings may include posting on the citywide Nixle-system, Facebook, Twitter and in newspapers.

Public Review and Comment – The Draft Consolidated Plan will be made available for public review for 30 days. Written comments will be accepted during the 30-day comment period. A summary of written comments and view, and the City's responses must be attached to the Consolidated Plan.

Public Hearings – Per Federal regulations at 24 CFR Part 91, at least two public hearings per year is required to obtain residents' views and to respond to proposals and questions.

The City will hold one public hearing to discuss all eligible project proposal and funding recommendations, and one public hearing to accept comments on the Draft Action Plan prior to final adoption which will be available for a 30-day comment period during the development stage.

B. Plan Amendment

Substantial Change – The City will formally amend its approved Five-Year Consolidated Plan whenever a change constitutes a substantial amendment. For the purpose of the Five-Year Consolidated Plan, a “substantial change” is herein defined an activity not previously described in the Consolidated Plan or Action Plan and a substantial change to the purpose, scope, location or beneficiary of an activity. Additionally, any cumulative change equal to or in excess of 50 percent of the City's entitlement funds for that program year.

Changes in the allocation priorities not amounting to 50% of the entitlement will not be considered a substantial change to the Five-Year Consolidated Plan. As such, no public review and comment is required and documentation of the amendment will be made to the current Consolidated Plan, and notification of the amendment will be provided to HUD. All substantial amendments to the Consolidated Plan will be reviewed by, and must receive approval from the City Council.

Public Review and Comment – In the event that an amendment to the Consolidated Plan qualifies as a substantial change, citizens will be given an opportunity to participate in the planning process. This opportunity will be afforded to the citizens in the following manner:

1. Publication of Information for 30-day Comment Period; and
2. Adoption of change through public hearing process.

Public Hearings – Adoption and substantial amendment of the Consolidated Plan shall require a public hearing.

3. One-Year Annual Action Plan

A. Plan Development

Consultation – The City will consult with the following during the development of the Annual Action Plan:

1. Residents
2. Public and Private Organizations
3. Health Service Agencies
4. Fair Housing Agencies
5. Homeless Services Agencies
6. Continuums of Care
7. Other local governments
8. Public Housing Agencies

These persons/agencies will be contacted and included in the development process in the following manner:

1. Each year, the City will publish Notice of Funding Availability (NOFA) to each cooperating department and to non-profit community-based organizations advising them the planning cycle has begun for Consolidated Plan Grants (CDBG, HOME and HESG) and the proposals are being accepted.
2. The City will conduct outreach to special interest groups such as the elderly, at risk youth and the disabled, when necessary.

3. The City will review all proposals received and make recommendations to Council for funding awards.

Public Review and Comment – The Draft Action Plan shall be made available for public review for a 30-day comment period. Written and oral comments shall be accepted during this period and a summary of all will be attached to the Action Plan prior to final adoption.

Public Hearings - At a minimum, the City will conduct two separate public hearings at two different stages of the program year in order to address housing and community development needs. At least one of these hearings will be conducted before the proposed Annual Action Plan is adopted.

The City will hold one public hearing to discuss all eligible project proposal and funding recommendations, and one public hearing to accept comments on the Draft Action Plan prior to final adoption which will be available for a 30-day comment period during the development stage.

B. Plan Amendment

Substantial Change – The City will formally amend its Action Plan whenever a change constitutes a substantial amendment. For the purpose of the Action Plan, a “substantial change” is herein defined an activity not previously described in the Action Plan and a substantial change to the purpose, scope, location or beneficiary of an activity. Additionally, any cumulative change equal to or in excess of 50 percent of the City’s entitlement funds for that program year.

Changes in the allocation priorities not amounting to 50% of the entitlement will not be considered a substantial change to the Action Plan. As such, no public review and comment is required and documentation of the amendment will be made to the current Action Plan. All substantial amendments to the Action Plan will be reviewed by, and must receive approval from the City Council.

Public Review and Comment – In the event that an amendment to the Action Plan qualifies as a substantial change, citizens will be given an opportunity to participate in the planning process. This opportunity will be afforded to the citizens in the following manner:

1. Publication of Information for 30-day Comment Period; and
2. Adoption of change through public hearing process.

Public Hearings – Adoption and substantial amendment of the Action Plan shall require a public hearing.

3. Consolidated Annual Performance Review (CAPER) Development

A. Plan Development

Public Review and Comment – The CAPER will be made available for a 15-day public review and comment period prior to adoption. The City will accept comments and views received during the 15-day comment period, and City responses will be attached to the final CAPER.

Public Hearings – A public hearing will be held to receive comments on the Draft CAPER prior to final adoption and submission to HUD.

4. Assessment of Fair Housing (AFH) Development

A. Plan Development

The City will encourage participation by low income residents, including public housing residents, the Resident Advisory Boards, the Continuum of Care, local and regional institutions, and other organizations in developing and implementing the AFH.

Consultation – During the development of the AFH, the City will consult the following services/agencies to solicit their input on fair housing issues in the City:

1. Fair Housing Organizations
2. Other local governments
3. Advocacy groups for special needs households
4. Affordable housing providers
5. Bank and other financial institutions
6. Educational institutions

Public Review and Comment – A summary of the Draft AFH will be made available for public review for 30 days. Written comments will be accepted during the 30-day comment period. A summary of written comments and views, and the City's responses must be attached to the Consolidated Plan.

Public Hearings – The City will conduct at least one public hearing during the development stage of the Draft AFH to receive input on fair housing issues.

B. Plan Amendment

Public Review and Comment – The City will make HUD-provided AFH data and any other supplemental information the City plans to incorporate into its AFH to residents, public agencies, and other interested parties. A 30-day comment review period will be noticed and the amended AFH made available

at specific locations. A summary of the comments, views and City responses shall be attached to the final AFH.

Public Hearings – The City will conduct a public hearing to accept public input on fair housing issues during the development stage of the Draft AFH. The City will also conduct a public hearing to accept comments on the Draft AFH prior to adoption.

V. Public Notification

A. *Public Hearings and Meetings*

Public hearings shall serve as a source of citizen input on proposed programs, activities, policies and procedures. At a minimum, the City will conduct two separate public hearings at two different stages of the program year in order to address housing and community development needs. At least one of these hearings will be conducted before the proposed Consolidated Plan and Annual Action Plan is adopted. All public hearings will be held in the Council Chambers, which are accessible to the handicapped/disabled.

To ensure that all City residents have ample opportunity to take notice of all scheduled public hearings, all notices regarding such hearings, including the date, time and location, shall be published in a local newspaper of general circulation at least ten (10) days prior to date of public hearing.

The Council may hold additional hearings as necessary for the Plan, evaluation and/or substantial amendments to the adopted Plan. All hearings will be noticed in the same manner as hearings for the Plan process.

Minutes of all hearings shall be kept by the City in accordance with its standard practice. Copies of minutes shall be available on request, in accordance with City's adopted practice.

Public Hearing Notices

As stated above, in order to give adequate notice of public hearings, the City shall publish a legal notice in a newspaper of general circulation. In addition, all notices shall also be posted and/or available at City Hall. All legal notices shall be published ten (10) days prior to the hearing and shall contain the following:

1. Date of the Hearing
2. Time of the Hearing
3. Place of the Hearing
4. Topics to be considered

VI. Access to Meetings

All public hearings will be conducted at the following location:

Pomona City Hall, Council Chambers
505 S. Garey Avenue
Pomona, CA 91766

City Council Chambers are accessible to the disabled. Citizens with a disability who need special accommodations in order to access program information must contact the Neighborhood Services Department, Housing Division at least 3 working days in advance with its **reasonable accommodation** request.

VII. Availability of Documents for Public Review

Copies of the documents will be available to the public for review and comment at the following locations:

1. City Hall Offices, 505 South Garey Avenue, Pomona, CA, 91766, Housing Division, 1st Floor and City Clerk's Office, 2nd floor, Monday through Thursday 7:30AM - 6:00PM;
2. City of Pomona Library, 625 South Garey Avenue, Pomona, CA 91766, Monday through Thursday 1:00 PM to 7:00 PM and Saturdays 12:00 PM to 5:00 PM; Closed on Fridays and Sundays; and
3. City of Pomona Website, www.ci.pomona.ca.us

The City will provide a reasonable number of free copies of the documents to citizens that request copies. Notices of availability of draft documents for public review will be published as indicated in the appropriate section for that document.

VIII. Access to Records

The City will ensure timely and reasonable access to information and records related to the development of the Consolidated Plan documents, and the use of monies for programs/activities funded with CDBG, HOME and HESG funds. Information to be made to the public will include budget and program performance information and comments received during the development of documents. Requests for access to information must be made to the City of Pomona City Clerk's Office in writing. Staff will respond to such requests within 15 working days or as soon as possible thereafter.

IX. Technical Assistance

To help facilitate citizen input, the City will provide technical assistance, through its staff, to the community-wide and neighborhood associations and to groups of low-to-moderate income residents who request assistance.

Limited English Proficiency (LEP) Assistance

The City currently makes the following resources available at no cost to LEP individuals and families in order to provide meaningful access to the City's federally-funded programs and services:

Oral Interpretation:

Assistance may take the form of bilingual staff interpreters, volunteers, and telephone/electronic language assistance services:

- The City maintains a current list of bilingual staff that can provide interpretation and/or translation services in a variety of languages upon request.
- Use of the "I Speak" card to determine appropriate language needed
- Telephonic Interpretation through Language Line Service Inc.
- An interpreter will be made available at all meetings soliciting community participation or comment on federally funded programs.

Written Translation:

- Key program documents (brochures, application forms, public announcement) shall be translated by bilingual staff and/or outside translators as needed.
- The City of Pomona website is available in both English and Spanish and content may be translated into other languages at internet user's option using free online tools such as "Google Translate" (available at: <http://translate.google.com/#>) or similar translation services.
- Public announcements and program/service promotions are advertised in local papers including the Inland Valley Daily Bulletin, La Nueva Voz and the Inland Valley News.

Other Assistance

Public hearings will be held in the City Council Chambers, which are accessible to the handicapped and disabled. Citizens with A disability who need special accommodations in order to access program information must contact the Neighborhood Services Department, Housing Division at least 3 working days in advance with its **reasonable accommodation** request.

Reasonable accommodation includes the following: providing materials in a different and/or larger typeface/font; providing materials in an alternative medium, and making special arrangements for meeting attendance.

X. Anti-Displacement/Relocation

In the event that residential displacement or relocation must take place in order to carry out a program or activity, the City will ensure that all affected persons are assisted according to an Anti-Displacement and Relocation Plan in connection with that project as applicable per Federal Regulations.

In the event that any acquisition and relocation must take place in order to carry out a program or activity, the City will also comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended, and implementing regulations at 49 CFR Part 24.

XI. Comments, Complaints and Appeals

A. *Written Comments*

The City encourages the submission of views and written comments by citizens regarding the Citizen Participation Plan, Consolidated Plan, One-Year Action Plan and CAPER. The comments may be submitted to the Planning and Housing Department – Housing Division or at any public hearing conducted by the City Council.

The City will incorporate all written comments and responses into the Consolidated Plan. The City will respond to all written comments within fifteen (15) working days and state the reasons for the action taken on the proposal or view. All comments or views that were not accepted will be attached to the final plan, amendment or performance evaluation, along with the reasons why they were not accepted.

B. *Complaints/Grievances*

Citizens should be aware that any questions or grievances, regarding entitlement programs and projects can be submitted to the City's Planning and Housing Department – Housing Division located at 505 S. Garey Avenue, Pomona, CA 91769. During the actual development of the Consolidated Plan submission, written concerns or complaints regarding the Plan shall initiate a written response indicating assessment of the complaint and/or proposals and actions taken to address the complaints and/or proposals before final submission of the Plan to HUD as outlined in "Written Comments"-Section X. The City shall ensure that

reasonable attempts are made to respond to questions or complaints in a timely manner, usually within fifteen (15) working days after receipt of the inquiry.

In the event that the complaint is not responded to within the time frame, or is not addressed, or remains unresolved, citizens should be aware that questions or grievances regarding entitlement programs can be submitted to the Community Development Director for review. Such concerns or complaints can be submitted to the Community Development Director, 505 S. Garey Avenue, Pomona, CA 91769

If complaints are not addressed at the City level, citizens may forward such concerns or complaints to HUD. Although HUD will consider objections submitted at any time, such objections should be submitted within thirty (30) days of the submission of either the Consolidated Plan or Performance Report to HUD. Any written inquiries submitted to HUD should be addressed as follows: U.S. Department of Housing and Urban Development, Los Angeles Area Office, CPD Division, 300 N. Los Angeles Street, Suite #4054.

Objections submitted to HUD must meet one or more of the following criteria:

1. The description of needs and objectives are plainly inconsistent with available facts and data;
2. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant jurisdiction;
3. The submission does not comply with specific requirements or law;
4. The submission proposes the undertaking of ineligible activities.

It is incumbent upon an objector to state clearly the grounds for an objection to the submission, or any other grievance or problem.

C. Appeals

Appeals concerning Consolidated Plan documents, or recommendation of the staff should be addressed in writing to the following persons in order presented:

1. Neighborhood Services Director
2. City Manager
3. City Council
4. Los Angeles Area Office of HUD (if concerns not answered)

Address appeals to the appropriate person/department at:

Pomona City Hall
505 S. Garey Avenue
Pomona, CA 91766

City of Pomona

Citizen Participation Plan – Substantial Amendment

The following amendment language will be added to the City’s Citizen Participation Plan to coincide with HUD waivers for emergency funding intended to assist in making a timely response to the impacts of the COVID-19 pandemic. The full text of the existing Citizen Participation Plan may be found at: <http://www.ci.pomona.ca.us/index.php/neighborhood-services-home/housing/community-development-block-grant-unit-cdbg>

I. Policy Statement

On March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security Act or the “CARES Act”. The Act identified additional funding for the Emergency Solutions Grant (ESG) Program and the Community Development Block Grant (CDBG) program to support preparation for and response to the community impacts of the COVID-19 pandemic. The 2019-2020 Annual Action Plan (AP) will be amended to incorporate additional funding in the initial phase (FY 2019-2020), and to describe the allocation for CARES Act funding in the CDBG and ESG Programs, and the reallocation of HOME Program Funds.

Summary of Citizen Participation Process and Consultation Process

The Substantial Amendment to the 2019-2020 Annual Action Plan (AP Amendment) addressing additional funding from the CARES Act will be available for a public comment period of 5 days per waiver of federal regulations. The draft Amendments to the 19-20 Annual Action Plan is available for comment from all interested members of the public from **Tuesday, April 28, 2020 to Monday, May 4, 2020**. The draft Plans and the public notice document are available for review on the City website at:

<http://www.ci.pomona.ca.us/index.php/neighborhood-services-home/housing/community-development-block-grant-unit-cdbg>

VIRTUAL PUBLIC HEARINGS

In response to the global COVID-19 pandemic and in accordance with California Governor’s Executive Order N-25-20 regarding the Brown Act and guidance from the California Department of Public Health on gathering, please note that comments for PUBLIC PARTICIPATION or for a specific item on the agenda will be accepted by **email only**. Comments will be read into the record by the City Clerk. The deadline to submit your comments is by 6:00 p.m. on the day of the scheduled Council meeting. Please email your comments to cityclerk@ci.pomona.ca.us and title your email “Public Comment” along with the date of the Council meeting and indicate if you are commenting on a specific agenda item. All comments must be limited to 200 words.