

TO: Mayor Blad & City Council Members

FROM: Lisa Smith, CDBG Grant Administrator/Compliance Analyst, PDS

DATE: Meeting of April 1, 2021

SUBJECT: Program Year 2020 Action Plan Amendment #1

Neighborhood & Community Services staff proposes an amendment to the CDBG Program Year 2020 Action Plan, to add a HUD required, officially adopted, Citizen Participation Plan.

The Citizen Participation Plan is a key component in the HUD required Consolidated Plan, it is used to guide public input efforts for the CDBG program during the program years covered by the plan. The Citizen Participation Plan outlines the City's goals for engagement with the public, the process for engagement of public in the creation of annual Action Plans, requirements for public hearings, and requirements for public notifications concerning changes to approved Action Plans, among other things.

When the current Consolidated Plan was created a Citizen Participation Plan was not included. The current plan was created by a consultant agency and was approved by HUD, it applies to CDBG funding for years 2017 – 2021. Neighborhood & Community Services staff realized the plan was missing when the CARES Act funding was distributed, as we were required to reference it to ensure we were complying with public notification requirements.

Neighborhood & Community Services staff consulted with our HUD CPD representative, who stated that staff should follow the last adopted Citizen Participation Plan. The representative also stated that the City needed to officially adopt a Citizen Participation Plan and amend it into the current year's Action Plan. As the plan will only guide actions for 1 more year, it was determined that adopting the last approved plan would be the easiest way to remedy the situation.

The Community Development Block Grant Advisory Committee recommended approval of the amendment at a special meeting on February 19, 2021. The written comment period on this amendment began on March 2nd at noon, and concludes with the oral comment opportunity at the City Council meeting of April 1, 2021.

If you have any questions, please give me a call at 234-6188.

APPENDIX A.

Citizen Participation Plan

Citizen participation in all steps of the planning and development process is a key component in creating the HUD-required Consolidated Plan. To ensure citizens in Pocatello have the opportunity to take part in creating the Consolidated Plan, the City of Pocatello has developed the following Citizen Participation Plan which will guide the City's public input efforts during the FY2012-2016 Consolidated Plan period.

Goals of the Citizen Participation Plan

The City of Pocatello will provide for and encourage citizen participation emphasizing the involvement of very low income residents and residents living in areas where housing and community development funds may be spent. The City of Pocatello will also encourage the participation of the Housing Authority of the City of Pocatello and other assisted-housing residents, persons with special needs and persons who are homeless or at risk of homelessness.

The City of Pocatello will make reasonable efforts to consult with other public, private and nonprofit agencies that provide housing, health care and social services, including those organizations that work with special needs populations.

Citizen Comment

To gather citizen comments on this Citizen Participation Plan prior to its adoption and approval by the City Council, a 30-day comment period will be held. A notice will be published in the newspaper and distributed to various agencies notifying the citizens of the availability of this plan and the 30-day period to receive public comments.

The plan and any future amendments of the plan will be made available to citizens at the Marshall Public Library and the Neighborhood & Community Services Division in City Hall in addition to being posted on the City's website.

The City of Pocatello will contact local nonprofit agencies and the Housing Authority and request them to make their clients aware of the opportunity to participate in the 30-day public comment period. This Citizen Participation Plan will be provided in formats accessible to persons with disabilities or Limited English Populations (LEP) upon request.

The requirements for citizen participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of its Consolidated Plan.

Development of the Consolidated Plan and Annual Action Plans

The City of Pocatello will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan and annual Action Plans, and all of their components, including the City's planned use of financial assistance received under the relevant federal programs during the next five years. The public

will have the opportunity to receive information, review and submit comments on any proposed submission, including the draft Consolidated Plan, the annual action plans, and any substantial amendments to the plans. A 30-day comment period will be established and a public hearing held on the proposed submission and adoption of these plans.

Information will be made available on the range of programs, the amount of assistance the City expects to receive, the amount of funds available, and the estimated amount proposed to benefit extremely-low, very-low, low- and poverty-income residents. These groups will also have access to the City's plans to minimize displacement of residents and businesses and assist those displaced as a result of these activities. Information and public records will be available during regular business hours in the Neighborhood & Community Services Division.

The City Council will conduct a public hearing to obtain oral input from citizens including representatives of very low income and special needs populations to the needs of the community, including but not limited to housing, community development, infrastructure, economic development, and homeless assistance.

Reasonable notification of the public hearing and opportunity to comment on the performance reports will be provided for all initial plans and any substantial amendments. The City will consider all written comments and oral comments from public hearing in preparing plans and reports.

Public hearings. Throughout the year, citizens will be given the opportunity to attend City Council meetings. To obtain citizen views, the City will hold at least two public hearings, each with a minimum of 15-day notification, at a minimum of two different stages of the program. The City of Pocatello program year begins April 1 and ends March 31. These public hearings will address and respond to proposals and comments on:

- Housing and community development needs;
- Development of proposed activities;
- Review of proposed uses of funds; and
- Review of program performance.

The City of Pocatello will provide public meetings that are conveniently timed for people who might or will benefit from program funds, accessible to people with disabilities, and adequately publicized with sufficient information about the subject of the hearing to permit informed comment. The public hearings will be held on a weekday evening in the City Council Chambers of the Municipal Building, which is centrally located, easily accessible by car with adequate parking, and handicapped accessible.

1. The first public hearing will give organizations that are requesting funds and the general public the opportunity to comment and provide input on the following:
 - How funding proposals will meet community development needs in Pocatello; and/or

- Housing and non-housing community development needs they may have identified.
2. Additional public hearing(s) may offer the opportunity for citizens to comment on the following:
- The adoption of the Citizen Participation Plan. Prior to the plan's adoption or amendment, it will be available for review and comment for a full 30 days;
 - The adoption or amendment of the Consolidated Plan;
 - The use of federal funds for the identified projects; and
 - The performance, administration, implementation, and status of funded projects. Prior to the submittal of the Consolidated Annual Performance and Evaluation Report to HUD and following reasonable notification requirements, a public hearing and 15-day comment period will be provided.

Access to meetings. The City of Pocatello will provide adequate, timely notification of meetings so all citizens can attend the public hearings. This will include, as appropriate, legal notices, advertisements, press releases, public service announcements, letters, publication on the City's website, or other means of notifying interested parties. The City will use special outreach efforts, including communication with neighborhood associations, to encourage participation by residents of low- and moderate-income neighborhoods. These efforts, along with consultation with representatives of the Housing Authority of the City of Pocatello, will also encourage participation by voucher holders and residents of public housing.

The City of Pocatello will also provide reasonable accommodations for persons with disabilities to all public hearings and local meetings. Reasonable accommodations include, but are not limited to: holding meetings in handicapped-accessible buildings, providing for sign language interpreters if requested and/or foreign language interpreters, etc., when there is reason to believe that a significant number of non-English speaking residents will be in attendance or if requests for such assistance are made in advance of the meetings.

Reasonable notification. The City of Pocatello will provide the citizens with reasonable notification of public hearings and public comment opportunities. Notification of public hearings will take place a minimum of 15 days prior to the hearing date.

The City will publish these notifications in the Idaho State Journal and on the City's website at www.pocatello.us with sufficient information on the subject of the public meeting or the subject of the public comment period.

Technical assistance. The City of Pocatello will provide appropriate technical assistance to extremely-low, low, very-low, and poverty-income groups that request help to develop proposals for financial assistance for any program covered by the Consolidated Plan.

Timely response. The City of Pocatello will consider any and all comments and complaints from citizens, agencies, units of general local government, or other interested parties in regards to the Consolidated Plan, any amendments to the Plan, and all performance reports. Responses to any complaints and written comments, which are not accepted into the document under discussion, must be provided within 15 working days by the Neighborhood & Community Services Division.

If the written response from Neighborhood & Community Services Division is unsatisfactory and depending on the nature of the comment or complaint, the concern may be addressed to the Mayor or the City Council. A summary of public input (and any and all staff responses to “unaccepted” or unincorporated comments and complaints) will then be attached to the final Consolidated Plan, each Consolidated Plan Amendment, and each Annual Performance Report prior to their submittal to HUD.

Amendments

Amendments to the Consolidated Plan. Substantial changes in any element of a previously adopted Consolidated Plan (i.e., goals and strategies, targeted revitalization areas, funding principles or the competitive scoring process, or the five-year expenditure priorities) shall require an amendment to the Consolidated Plan. Specifically, the Consolidated Plan must be amended whenever the City of Pocatello makes one of the following decisions:

1. To make a change in its allocation priorities or a change in the method of distributing the funds;
2. To carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously described in an adopted Action Plan; or
3. To change the purpose, scope, location or beneficiaries of its activities.

Following established notification procedures, the City will hold a public hearing and make any amendments to the Consolidated Plan available for citizen comment for a 30-day period. The City will consider any written or oral comments received in preparing any substantial amendments to the Plan.

Amendments to the Annual Action Plan. Substantial changes in the planned or actual activities will require an amendment to an adopted action plan. The following criteria will be utilized to determine substantial change and govern action plan amendments:

1. A new project that has not previously received CDBG funding and is being created with unprogrammed funds or that is created from financial changes within other previously funded projects;
2. A change in a project’s location. If a project was initially proposed to benefit an entire area, an amendment will be required if it is redirected to a different census tract;

3. A change in a project's purpose or beneficiaries. If a project eliminates or reduces by over 50 percent the proposed impact on the original beneficiaries, and/or if less than 51 percent of the beneficiaries are determined to be low, very low, or poverty income;
4. If the scope of work for a project changes. The NCS staff will determine on a case-by-case basis whether an amendment is required; and
5. If a project budget increases or decreases by 25 percent or more per activity over the original allocation and/or the increase or decrease exceeds 10 percent of the City's total current block grant allocation.

Following established notification procedures, the City will hold a public hearing and make any amendments to the Action Plan available for citizen comment for a 30-day period. The City will consider any written or oral comments received in preparing any substantial amendments to the Plan.

Prior to hearing and comment, all substantial action plan amendments must be reviewed by the CDBG Advisory Committee and authorized by the Pocatello City Council. CDBG staff may make determinations on all amendments that do not meet the definition of substantial. Copies of comments along with the City's response, if any, will be sent to HUD if they occur outside of the Consolidated Planning process and, as such, do not appear in the Consolidated Plan.