

City of Albany

CITIZEN PARTICIPATION PLAN

Introduction

CDBG Entitlement Cities are required by law (Title 24 CFR; Subtitle A; Part 91- Subpart B; Section 91.105) to have a detailed Citizen Participation Plan (CPP) which contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds. The Citizen Participation Plan must be available to the public.

(1) The jurisdiction is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation. ***(Where a jurisdiction, before August 17, 2015, adopted a citizen participation plan, it will need to amend the citizen participation plan to comply with provisions of this section.)***

The City of Albany acknowledges that a well-engaged community is a successful community; finely attuned to its needs for positive development and growth. In the interest of generating comprehensive planning strategies that are amenable to residents, local businesses, and civic organizations, the Department of Community and Economic Development (DCED) has formulated a comprehensive strategy in this update to the Citizen Participation Plan.

This plan identifies methods and opportunities to garner a broader spectrum of participation from constituents both directly and indirectly affected by the Consolidated Plan and Annual Action Plan process. This document specifically pertains to requirements associated with the Community Development Block Grant (CDBG) and the Home Investment Partnership (HOME) funds, of which this department administers. Sections within this plan are designed to facilitate improved communication between citizens and this department to ensure more responsive action to community needs.

This amended policy was approved and adopted by the Mayor and Board of City Commissioners on _____, 2022.

GENERAL OVERVIEW OF PROGRAMS AND PLAN OBJECTIVES

To better facilitate community participation within the local planning process, it may help to better define the types of programs the DCED administers as well as provide some clarification regarding the planning process.

The acronym *CDBG* stands for Community Development Block Grant and operates as a federally funded program available to entitlement communities for the purpose of economic stimulation, local job growth, and fair and equitable housing opportunities. These formula grants can be utilized towards revitalizing neighborhoods in the prevention of slum and blighted conditions, and additionally as a tool for improving community facilities and services. The City of Albany is responsible for developing programs and funding priorities that mostly benefit low- and moderate-income persons.

The acronym *DCED* stands for Department of Community and Economic Development.

Similarly, the acronym for *HOME* stands for the Home Investment Partnership fund and operates as a federally funded program available to entitlement communities for the purpose of providing safe and decent housing for those persons considered to be low- to moderate-income. The formula grants, often in partnership with local nonprofit groups, can support activities to buy, build, or rehabilitate affordable housing for rent or homeownership, or provide direct rental assistance to low-income people, including housing counseling services.

The *Consolidated Plan* is a written agenda detailing planned community activity and growth for a period of three (3) to five (5) years, in which case, the City of Albany usually institutes a 5-year plan. It will set forth the priorities and strategies regarding all Community Development programs. The Consolidated Plan may be amended as necessary, to re-define community goals, reallocate funding priorities, or to adjust the level and kinds of activities taking place.

The *Annual Action Plan* is drafted every year to correspond with the Consolidated Plan and serve as an annual projection of proposed activities, levels of funding, and intended outcomes. This document details how yearly allocations (entitlement and program income) are disbursed for specific projects within CDBG and HOME programs.

The *CAPER* (Consolidated Annual Performance and Evaluation Report) is another form of reporting, based on HUD regulations 24 CFR Part 91, which annually documents the progress made in carrying out the Consolidated Plan and the Annual Action Plan.

A *Substantial Amendment*, either to the Consolidated Plan or Annual Action Plan, registers a change in the purpose, scope, location, or intended beneficiary of a proposed activity; or involves carrying out an activity not previously described.

Proposed substantial amendments will initiate changes that are subject to the citizen participation process (24 CFR §91.505), if: they transfer a significant percentage (50% or more) of allocated funding from an established project to another, unrelated project area funded through CDBG or HOME programs; or re-allocate funding that is directed to

a new and untested program area that has not, in previous years, been undertaken or previously described in the current Consolidated Plan.

PUBLIC NOTICE: CONSOLIDATED PLAN, ANNUAL ACTION PLAN, ANNUAL PERFORMANCE PLAN AND SUBSTANTIAL AMENDMENTS

To actively engage the community during the planning process, DCED will hold at least two public hearings during different stages of the program year to obtain citizen input and respond to questions related to proposed activities. The first hearing will commence prior to the adoption of the Consolidated Plan and the Annual Action Plan. This first meeting will address housing and community development needs, and additionally review the previous year's performance. The second hearing is usually reserved for proposed substantial amendments to either plan if such proposed changes qualify as significant changes that are subject to the citizen participation process (24 CFR §91.105). A substantial amendment must meet one of the following criteria:

- a.) a transfer of a significant percentage (50% or more) of allocated funding from an established project to another, unrelated project area funded through CDBG or HOME programs (i.e., a transfer of funds from a Public Service activity to a Housing-related activity).
- b.) a re-allocation of funding that is directed to a new and untested program area that has not, in previous years, been undertaken or previously described in the Consolidated Plan.

The public hearing(s) will be held at a time and location convenient to interested parties and with accommodation for persons with special needs. Public comments and suggestions are welcome at all times during the planning process.

Notice will be published fourteen (14) days in advance of the scheduled public hearing in the circulating local newspapers, such as the Albany Herald and the Southwest Georgian. Additionally, such public hearing dates will be advertised on the City of Albany and DCED websites.

Published notices will entail the following information:

- time and location of the public hearing(s)
- description of the proposed activities and amount of available funds
- a timetable for soliciting public commentary within the allotted 30-day period prior to adoption of the plan or implementation of the amendment
- point of contact for obtaining additional information, and same address for submitting written/verbal public comments

All comments received in writing or during the public hearing will be taken into consideration when preparing the Consolidated Plan and Annual Action Plan. A summary of these comments or views, as well as a summary of those views or comments not accepted and reasons, therefore, will be attached to the final report submitted to HUD. Written comments will receive a response from the DCED within fifteen (15) working days, where practicable.

Encouragement of Citizen Participation

In accordance with the law the City of Albany DCED Citizen Participation Plan will provide for and encourage public participation, in the development of the consolidated plan, any substantial amendments to the Consolidated Plan, Annual Action Plan, and the Annual Performance Report.

The following groups will be contacted and encouraged to participate in the development of the Consolidated Plan, Annual Action Plan and Consolidated Annual Performance Report (CAPER) documents aforementioned:

- All citizens of the City of Albany including low- and moderate-income persons, especially those living in low- and moderate-income neighborhoods; particularly those persons living in our revitalization area (NRSA) or in a slum and blighted area and in areas where CDBG funds are proposed to be used and by residents of predominantly low- and moderate-income neighborhoods as defined by the city.
- Minorities, people who do not speak English, homeless individuals and families, and people with disabilities are encouraged to participate. Summaries of basic information about CDBG and HOME, the Consolidated Planning process will be made available in English and Spanish (when requested).
- Local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community based and faith-based organizations) will be included in the process of developing and implementing the consolidated plan.
- Residents of the Albany Housing Authority (AHA) and other assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations that may exist) in the process of developing and implementing the consolidated plan, along with other low-income residents of the City of Albany and the NRSA. DCED will make every effort to provide information to the AHA and other agencies about affirmatively furthering our fair housing strategy and consolidated plan activities related to its developments and surrounding communities so that the AHA can make this information available at annual public hearing(s) required for the AHA Plan.

Alternative Public Involvement

The City will establish alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in the NRSA and the review of program performance using focus groups, internet, social media and other creative media programs.

The Role of Low-Income Residents

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing decent housing, a suitable living environment, and growing economic opportunities - all principally for low- and moderate-income residents.

The amount of the federal CDBG funding award Albany receives each year is mostly based upon the severity of both poverty and substandard housing conditions in Albany therefore, it is necessary that public participation genuinely involve low-income residents who experience these conditions. Genuine involvement by low-income residents must take place at all stages of the process.

Stages

In general, the stages of events include:

- Identification of housing and community development needs.
- Preparation of a draft use of funds for the upcoming year, called the proposed Annual Action Plan. Sometimes there might also be the development of a proposed Consolidated Plan or the development of the Assessment of Fair Housing, and any amendments.
- Formal approval by elected officials of a final Annual Action Plan or Consolidated Plan.
- On occasion during the year, it might be necessary to change the use of the money already budgeted in an Annual Action Plan, or to change the priorities established in the Consolidated Plan. In that case, a formal Substantial Amendment will be proposed, considered, and acted upon after a "program year" is complete, an Annual Performance Report must be drafted for public review and comment, and then submitted to HUD.

The Program Year

The "program year" chosen by Albany is July 1 through June 30.

Public Notice

There shall be 5 days advance public notice for the development and any revisions to the proposed Annual Action Plan or Consolidated Plan; any proposed Substantial Amendment to the Action Plan or Consolidated Plan; and the Consolidated Annual Performance Report (CAPER) to give the public adequate notice.

Forms of Public Notice

Public notices will be published in a paper of general circulation such as the Albany Herald newspaper. However, in order to reach some of the low- to moderate-income population, DCED will also advertise in the Southwest Georgian newspaper.

Notices will be sent to any person or organization requesting to be on a mailing list.

- Notice will also be sent to neighborhood organizations such as the Albany Housing Authority, Flint River Habitat for Humanity, radio and television media, and other persons or groups as deemed appropriate by DCED.
- Notice will be posted on the internet through social media and on the DCED and the City's web page
- Notice will be posted at public libraries, government offices, and public places.

Public Access to Information

The City will provide citizens/residents, public agencies, and other interested parties with reasonable and timely access to the documents relating to the Consolidated Plan, and the use of assistance under the programs covered by the Plan for the preceding five years.

Persons Speaking Another Language

For non-English speaking citizens/residents, reasonable steps to provide language assistance to ensure meaningful access will be provided. Those speaking Spanish will be assisted by staff, board members, officials and volunteers who are proficient in the Spanish language. Persons requiring materials in a language other than English should contact DCED staff.

Standard documents include:

- The proposed and final Annual Action Plan.
- The proposed and final Consolidated Plan.
- Proposed and final Substantial Amendments to either an Annual Action plan or the Consolidated Plan.
- Annual Performance Reports. (CAPER)
- The Citizen Participation Plan

Availability of Standard Documents

In the spirit of encouraging public participation, copies of standard documents will be made available for office review. Summaries of standard documents will be provided to the public at no cost. These materials will be made available in a form accessible to persons with disabilities and to persons who do not speak English, whenever requested.

Places Where Standard Documents are Available

Standard documents will be available at the Department of Community and Economic Development. Staff can be contacted at (229) 483-7650, or at 230 S. Jackson Street, Suite 315, Albany, GA 31701.

Public Hearings

Public hearings are required by law to obtain the public's views and to provide the public with the City's responses to public questions and proposals. Whenever possible, public hearings will be held at a time convenient to most people who might benefit from the use of funds.

Public hearings will be held at places accessible, convenient, and not intimidating to most people who might benefit from the use of funds. Locations may include the public library, Government Center (City Commission Chamber), Micro Business Enterprise Center Conference Room, Public Housing Authority properties, other community locations, etc.

Public Hearings and Populations with Unique Needs

All Public Hearings will be held at locations accessible to people with disabilities, and provisions will be made for people with disabilities when requests are made at least three (3) working days prior to a meeting.

Translators will be provided for people who do not speak English when requests are made at least three (3) working days prior to a meeting. These services shall be provided at no charge to the public.

The Conduct of Public Hearings

To ensure that public hearings are meaningful to citizens/residents, each citizen/resident choosing to speak will be allowed five minutes to make a verbal presentation.

STAGES IN THE PROCESS

Identifying Needs

Housing and community development needs of low- and moderate-income residents are so great and so diverse therefore, priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason the Consolidated Plan exists.

The laws and regulations require at least one (1) public hearing each year to obtain residents' opinions about needs, and what priority those needs have. If time permits, public hearings will be held in different neighborhoods to determine the specific needs and priorities identified by low- and moderate-income residents. At a minimum, two (2) public hearings will be held to allow citizens to actively participate in the community development process (Annual Action Plan and the CAPER).

Public hearings about needs will be completed 30 days before a draft Annual Action Plan/Consolidated Plan is published for comment, so that the needs identified can be considered by the city and addressed in the draft Annual Action Plan or Consolidated Plan.

The "Proposed" Annual Action Plan or Consolidated Plan

The law providing the funds covered by this Citizen Participation Plan calls for improved accountability of jurisdictions to the public. In that spirit and in compliance with the terms of the law, Albany will use the following procedures.

The City of Albany Department of Community and Economic Development will provide the public with an estimate of the amount of CDBG and HOME funds it expects to receive in the upcoming year, along with a description of the range and types of activities that can be funded with these resources. The public will be given an estimate of the amount of these funds that will be used in ways that will benefit low- and moderate-income people.

The plans of the City of Albany to minimize the extent to which low- and moderate-income people will have to leave their homes as a result of the use of these federal dollars (called "displacement") will also be available at this time. This "anti-displacement plan" will also describe how Albany will compensate people who are displaced because of the use of these funds, specifying the type and amount of compensation. (When required and as determined by the Albany City Commission).

The following steps represent the process:

1. Consolidated Plan/Annual Action Plan
 - a. Publish & Post Notice of Funding Availability.

- b. A public hearing about the proposed Consolidated Plan/Annual Action Plan will be conducted by the City Commission at least 30 days before final approval allowing for additional comments.
- c. There shall be a public hearing before the Community Development Council during the comment period before final approval by the City Commission.
- d. Send to HUD for final approval.

2. Substantial Amendments

- a. Publish & Post notice.
- b. There shall be a 30-day comment period.
- c. There shall be a public hearing before the Community Development Council during the comment period followed by a public hearing before the City Commission.
- d. Send to HUD for final approval.

3. Consolidated Annual Performance & Evaluation Report (CAPER).

- a. Publish & Post notice.
- b. Hold public hearing
- c. There shall be a 15-day comment period.
- d. Submit to HUD for approval.

Technical Assistance

City staff will work with organizations and individual representatives of low- and moderate-income people who are interested in applying to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing an application/proposal for funding.

Availability of a Proposed Annual Action Plan (AAP), Consolidated Plan, Comprehensive Annual Performance Report (CAPER) and Affirmative Fair Housing (AFH)

Copies of the proposed Annual Action Plan and Consolidated Plan and Comprehensive Annual Performance Report and Affirmative Fair Housing Plan will be made available to the public free of charge and without delay. In addition, copies will be available for viewing at the locations specified above in the section, "Public Access to Information."

So that low- and moderate-income people can determine the degree to which they might be affected, they will be provided with a summary of the Proposed Annual Action Plan, Consolidated Plan, and Affirmative Fair Housing Plan at least 30 days prior to the date of final approval of the Annual Plan/Consolidated Plan by the Albany City Commission.

Information available will consist of:

- a. HUD-required sections,
- b. HUD-required Priorities Table,
- c. Written description of all proposed uses of CDBG and HOME funds; and

- d. Affirmative Fair Housing HUD provided data.
- e. CAPER

At a minimum, description shall include the type of activity, location, and the amount of federal money to be allocated. This requirement may be satisfied by distributing summaries of the Annual Action Plan/ Consolidated Plan, and AFH, along with information as to where complete copies may be reviewed.

Public Hearing and Further Action

A public hearing about the Proposed Annual Action Plan/Consolidated Plan will be conducted by Mayor and City Commission at least 30 days before the Plan becomes final thereby allowing for further public comments.

In preparing a final Annual Action Plan, Consolidated Plan, or AFH, careful consideration is given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Annual Action Plan/Consolidated Plan, and AFH will have a section that presents all comments and explains why any comments were not accepted.

The "Final" Annual Action Plan, Consolidated Plan, AFH, and CAPER

Copies of the Final Annual Action Plan/ Consolidated Plan, CAPER, AFH, and summary of it will be made available to the public free of charge within three (3) working days of a request. In addition, copies will be available at the locations specified above in the section, "Public Access to Information."

"Amendments" to the Annual Action Plan (and/or the Consolidated Plan)

The Final Annual Action Plan/Consolidated Plan will be amended any time there is:

1. A change in one of the Priorities presented on the HUD-required Priority Table.
2. Creation or deletion of activity.
3. A change in the purpose, location, scope, or beneficiaries of an activity (described more fully later) material change in the Affirmative Fair Housing (AFH) HUD provided data which effect established priorities and goals. The public will be given 30 days to comment on any revision/amendment to the AFH before submission to HUD for approval.

Public notification requirements will be followed for substantial amendments to the Annual Action Plan/Consolidated Plan and AFH.

Substantial Amendments

The following will be considered "substantial" amendments:

1. A change in the use of CDBG money from one activity to another of 50% or more.
2. A change in the use of HOME money from one activity to another of 50% or more.

3. The addition of an activity not originally described in the Annual Action Plan.
4. Elimination of an activity originally included in the Annual Action Plan
5. A change in the purpose of an activity (such as changing a construction project from residential to commercial).
6. A significant change in the location of an activity.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review and comment on it. Notice will be made according to the procedures described earlier in the Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

1. A detailed written description of the proposed Substantial Amendment will be made available to the public at no cost within three (3) working days of a request for same. Copies will also be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information."
2. There will be a public hearing before the Community Development Council regarding the proposed Substantial Amendment, followed by a public hearing before the City Commission. The public hearing before the City Commission will not take place until such time that the public has had 30 days to review the proposed Substantial Amendment.
3. In preparing a Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments and explains why any comments were not accepted.
4. The amendment will be forwarded to HUD upon final approval by the City Commission.

The Annual Performance Report

Every year, the City of Albany must prepare an Annual Performance Report within 90 days of the close of the program year (CAPER). In general, the CAPER must describe how funds were used and the extent to which these funds were used for activities to benefit low- and moderate-income people.

Public Notice and Public Hearing for Annual Performance Report

There must be reasonable notice that an Annual Performance Report is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Annual Performance Report:

1. A period of no less than fifteen (15) days, to receive comments on the Annual Performance Report will be provided to the public.
2. A summary of the Annual Performance Report will be made available to the public at no cost within three (3) written days of the request. Copies and/or summaries will be available at the locations indicated earlier in this Citizen Participation Plan.
3. There will be a public hearing regarding the Annual Performance Report.
4. In preparing a CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing. The CAPER sent to HUD will have a section that presents all comments and explains why any comments were not accepted.

Contents of the Annual Performance Report

The CAPER presented to the public will have an accounting for each activity during the program year for which the report is applicable. The city will report accomplishments, goals, and expenditures in a format required by HUD.

Complaint Procedures

Written complaints from the public will receive a meaningful, written reply within fifteen (15) working days. Copies of the complaints and responses will be forwarded to HUD.

Changing the Citizen Participation Plan

This Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had 15 days to review and comment on proposed amendments.

Community Development Council (CDC)

The City of Albany has formulated a plan for achieving maximum participation from its citizens. It has created a Community Development Council in the spirit of the law, which calls for increased accountability to the public, as well as the encouragement of active participation by low- and moderate-income people.

The CDC is a nineteen (19) member body that contributes to public participation by helping to:

- Identify housing and community development needs,
- Establish priorities relating to those needs,
- Propose activities and projects to address high-priority needs; and
- Suggest the amount of federal, state, and local monies to be allocated to those activities.

The City of Albany has been divided into demographic sectors (see attached) and each sector will be represented by an appointed member to the Community Development Council (CDC) in accordance with the plan approved by the Albany City Commission. The term of office for each CDC member has been established in accordance with the bylaws of the CDC and the will of the Mayor and City Commissioners who make the appointments.

The CDC will select one (1) member to serve as the Council Chair. A quorum will be at least 51% of appointed members. All CDC public hearings are open to the public and are advertised as described above in the "Public Notice" section of this Citizen Participation Plan.

The CDC, as an advisory board, will recommend eligible projects to the Department of Community and Economic Development on the allocation of all HUD funds, including "program income" associated with the funds left unspent and unobligated from the previous program year, and any additional (not previously anticipated) federal fund allotments.

All local, state, and federal funds to be allocated will be reviewed by the CDC as one of the forums to obtain citizen participation. Final approval shall rest solely with the City Commission and the Department of Housing and Urban Development Office of Community Planning and Development.