



City of Charlottesville Citizen Participation Plan

Adopted: July 18, 2016

CITY OF CHARLOTTESVILLE
CITIZEN PARTICIPATION PLAN (CPP)
COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAMS

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SECTION 1. INTRODUCTION

Citizen involvement and participation are critical to all aspects of local government and governance. Accordingly, the City of Charlottesville has incorporated this into the City Council vision statement, as follows:

Smart, Citizen-Focused Government - The delivery of quality services is at the heart of Charlottesville's social compact with its citizens. Charlottesville's approach to customer service ensures that we have safe neighborhoods, strong schools, and a clean environment. We continually work to employ the optimal means of delivering services, and our decisions are informed at every stage by effective communication and **active citizen involvement**. Citizens feel listened to and are easily able to find an appropriate forum to respectfully express their concerns.

As required by the U.S. Department of Housing and Urban Development (HUD), the City of Charlottesville (City) must formalize a process for citizen involvement and participation by designating a Citizen Participation Plan (CPP) to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs. This plan is an essential element of the City's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG/HOME programs as regulated by the HUD.

The primary goal of this CPP is to provide citizens¹ of the community with adequate opportunity to participate in an advisory role in the planning (to include the Consolidated Plan, Annual Action Plan, and Assessment of Impediments to Fair Housing - AFH²), implementation, and assessment of the City's CDBG/HOME programs (to include the Consolidated Annual Performance and Evaluation Report – CAPER and AFH). The CPP sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis will be placed on encouraging participation of persons that are often marginalized. This includes persons of low and moderate incomes, minorities, non-English speaking persons, and persons with disabilities.

Citizens are encouraged to participate in all phases of the CDBG/HOME programs and will be provided access to program information to the extent feasible and as allowed by law. The City will encourage the participation of local and regional institutions, the Continuum of Care and other organizations³ in the process of developing and implementing the Consolidated Plan. The City will also encourage, in consultation with the Charlottesville Redevelopment and

¹ Citizens include **all interested parties**, as well as residents, CDBG/HOME Task Force, and designated subcommittees (i.e., Priority Neighborhood and/or Economic Development subcommittees), in accordance with Section 2-417 and 2-418 of Article XIII of Chapter 2 of the Charlottesville City Code, 1990, as amended. Interested parties also refer to organizations that represent City neighborhoods as well as persons that would qualify for CDBG/HOME assistance.

² Affirmatively Furthering Fair Housing into 24 CFR 91.10 Consolidated Program Year, 24 CFR 91.105 Citizen Participation for Local Governments and 24 CFR 91.115 Citizen Participation for States.”

³ Other organizations are included, but not limited to: businesses, developers, non-profit organizations, philanthropic organizations and community and faith-based organizations including resident advisory boards, resident councils, resident management corporations, and other low-income residents in targeted revitalization areas.

Housing Authority (CRHA), participation by residents of public and assisted housing developments.

SECTION 2. SCOPE OF PARTICIPATION AND PARTICIPANT RESPONSIBILITIES

The City will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG/HOME programs undertaken by the City. The City will look to consider and include:

- a. Views of citizens regarding city-wide community development and housing needs, staff recommended priorities, proposed program/project⁴ changes or amendments and program performance as detailed within the CAPER and other relevant information;
- b. Participation of citizens in the development, review and evaluation of request for proposal(s) and associated responses by means of a CDBG/HOME Task Force and designated subcommittees (in accordance with Section 2-417 and 2-418 of Article XIII of Chapter 2 of the Charlottesville City Code, 1990, as amended);
- c. Discussion and input from citizens regarding funding recommendations as discussed with and evaluated by the Planning Commission/City Council;
- d. Views of citizens on the proposed Annual Action Plan of the Consolidated Plan and the Consolidated Plan; and
- e. Views of citizens on the CPP and AFH including views on the analysis of Fair Housing data, assessment of Fair Housing issues and contributing factors, and identification of Fair Housing priorities and goals.⁵

All phases of the community development process will be conducted by local officials in an open manner. Citizens are encouraged to participate throughout the process and will be given access to program information during each phase of any CDBG/HOME program, as outlined herein.

The CDBG/HOME Task Force and designated subcommittees will hold various meetings in execution of their responsibilities, which will be noticed in advance as required by City policy. Such meetings will be held at City Hall, unless otherwise stated.

While the Planning Commission will review the recommendations of the CDBG/HOME Task Force and designated subcommittees, suggesting modifications or amendments as deemed necessary, final responsibility and authority for the development, implementation and performance review of the CDBG/HOME programs will reside with City Council.

⁴ Program, as used herein, refers to either the CDBG or HOME programs and is distinguished from projects and/or activities that are funded within a specific program.

⁵ The AFH is due in October 2017, prior to the City's next Consolidated Plan submission in 2018.

SECTION 3. CITIZEN PARTICIPATION CONTACT PERSON

The Grants Coordinator of Neighborhood Development Services (NDS) will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Grants Coordinator shall include, but not necessarily be limited to: disseminating program/project information; facilitating the citizen participation process; serving as a point of contact for program/project related inquiries; monitoring the citizen participation process; and proposing such amendments to the CPP as may be necessary.

The Grants Coordinator may be contacted at Neighborhood Development Services, Charlottesville City Hall - P.O. Box 911, 610 E. Market Street, Charlottesville, Virginia 22902, (434) 970-3182 during regular business hours (8:00am – 5:00pm), except for weekends and holidays. All questions concerning citizen participation in the community development process should be addressed to the Grants Coordinator.

SECTION 4. TECHNICAL ASSISTANCE

City staff shall provide technical assistance to citizens and other interested parties, especially those representative of low or moderate income persons, as may be requested and/or required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG/HOME program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG/HOME program requirements and associated HUD regulations.

Technical assistance shall be provided upon request or during technical assistance workshops (e.g., CDBG/HOME application workshop). Technical assistance is meant to provide potential applicants, interested citizens, elected officials and others with general information regarding the CDBG/HOME programs and its rules, regulations, procedures and/or requirements.

Technical assistance may be obtained at any time by contacting the Grants Coordinator.

SECTION 5. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the comments of all citizens, especially low and moderate income persons and/or groups representing such persons.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to provide comments concerning the development and performance of CDBG/HOME programs/projects. The Grants Coordinator will respond to questions from citizens at each public hearing. Any questions that citizens may have concerning the CDBG/HOME programs/projects will be answered and their comments/suggestions will be received and documented as appropriate.

5.1 Public Hearing Time and Location

All public hearings will be held in conjunction with City Council meetings (1st and 3rd Monday's every month at 7:00pm, unless otherwise noted/advertised) at City Hall which is accessible to all citizens, especially persons of low and moderate incomes⁶. This building is also accessible to persons with disabilities. Hearings may be held at an alternate location to be specified in the public hearing notice(s).

5.2 Priority Setting and Program Performance Public Hearing

At least one public hearing shall be held prior to the development of a request for proposal(s). The primary purpose of this public hearing shall be to solicit the views of citizens on city-wide community development and housing needs, staff recommended priorities, and program performance.

The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities.

Citizens will be provided with information concerning the CDBG/HOME programs at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG/HOME programs; staff recommended priorities, the proposed CDBG/HOME budget for the upcoming fiscal year; and program performance. This public hearing will be publicly advertised at least 15 days in advance to allow time for public comment.

5.3 CDBG/HOME Project/Activity Amendment Public Hearings

To ensure adequate opportunity for citizen participation to facilitate potential CDBG/HOME project/activity changes, the City shall hold a public hearing on all substantial amendments which require Council approval. The primary purpose of this public hearing shall be to solicit the views of citizens on substantial changes to CDBG/HOME projects/activities (as defined in "Section 8 – Amendments"). Proposed amendments will be publicly advertised at least 30 days in advance to allow time for public comment.

⁶City Hall is located on the east end of the downtown pedestrian mall, directly across from the downtown transit center which serves as the hub for the Charlottesville Area Transit (CAT) buses and free trolley service. Convenient bicycle racks and adequate parking are readily available, with the City providing a stamp for free parking at its Market Street Parking Deck during City Council meetings.

For “minor” amendments (as defined in “Section 8 - Amendments”) and changes for which Council approval is not required, no additional citizen participation will be required.

5.4 Consolidated Plan, Annual Action Plan, and AFH Public Hearing

- (a) Development of Consolidated, Annual Action Plan, and AFH: Citizens of the City will be provided with the opportunity to comment on the Consolidated Plan and Annual Action Plan. The City shall hold at least one public hearing during the development of the Consolidated Plan and Annual Action Plan and will publicly advertise the hearing at least 30 days prior.
- (b) Amendment of Consolidated, Annual Action Plan, and AFH: Substantial amendments to the Consolidated and Annual Action Plan will be publicly advertised at least 30 days prior to the consideration of the amendments by the City Council to allow time for public comment. The 30 day public comment period also applies to any revision to the AFH before the revised AFH is submitted to HUD for review. All comments received will be handled pursuant to this CPP.

5.5 Citizen Participation Plan Public Hearing

Proposed changes to the CPP will be publicly advertised at least 15 days prior to the adoption or amendment of the CPP by the City Council to allow time for public comment. The proposed revisions will become effective immediately upon City Council’s approval.

5.6 Non-English Speaking and Limited English Proficiency Residents

The City 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 vital materials and notices in the appropriate language or format for persons with Limited English Proficiency, as required by the City’s Limited English Proficiency Four Factor Analysis.

5.7 Public Hearing Notices

Notice of public hearings will be published in advance in a newspaper of general circulation, subject to the time frame as specified within this Section. Each notice of a hearing shall include the time, date, place, topics and procedures to be discussed. Information and materials related to noticed public hearings will be included with the City Council agendas at posted on-line at <http://www.charlottesville.org/departments-and-services/departments-a-g/city-council/council-agendas>.

5.8 Accessibility to Low and Moderate Income Persons

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens. The City may take additional steps to further promote

participation by such groups, or to target program information to these persons. Activities to promote additional participation may include targeted outreach efforts, holding public hearings at alternative accessible locations, and other reasonable efforts as may be deemed appropriate by City Council.

5.9 Accessibility to Persons with Disabilities

The locations of all public hearings will be held at locations accessible to persons with disabilities. Additionally, the City shall provide reasonable accommodations whenever the Grants Coordinator is notified in advance (at least seven business days) that one or more persons with a disability will be in attendance

5.10 Minimizing Displacement

The City will seek to minimize displacement as a result of CDGB/HOME implementation. In all instances, the City will follow the Uniform Act and HUD Handbook 1378.

SECTION 6. PROGRAM INFORMATION / RECORDS ACCESS

Citizens, public agencies and other interested parties will be provided full access to CDBG/HOME program information during all phases.⁷ The City shall make reasonable effort to assure that CDBG/HOME program information is available to all citizens, especially those of low and moderate incomes or Limited English Proficiency, as required.

To facilitate access to CDBG/HOME program information, the Grants Coordinator will keep all documents related to the CDBG/HOME program on file in Neighborhood Development Services, City Hall - 610 E. Market Street, Charlottesville, VA 22902. This information will be made accessible during regular business hours from 8:30am – 4:00pm, except weekends and holidays. CDBG/HOME program information and materials, concerning specific CDBG/HOME projects/activities will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Materials to be made available shall include all non-proprietary⁸ CDBG/HOME related information. HUD-provided data and other supplemental information that is incorporated into AFH will also be made available at the start of the participation process (or as soon as feasible after).

At a minimum, the draft and final versions of the Consolidated Plan, Annual Action Plan, CAPER, CPP, and AFH will also be available online at www.charlottesville.org. Substantial

⁷ Access to records associated with the Consolidated Plan and AFH as well as use of assistance under the CDBG/HOME programs will be provided for a minimum of the preceding five years as required by 24 CFR 91.105(h).

⁸ In no case shall the City disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the City shall not disclose any information which may be deemed of a confidential nature.

amendments to Consolidated Plan and Annual Action Plan and any revisions to the AFH will also be available online.

SECTION 7. PROCEDURES FOR COMMENTS, OBJECTIONS AND CONCERNS

The public hearings scheduled, as described herein, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of community development and housing at these 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 concerns to the City.

Any citizen or citizen's group desiring to comment or object to any phase of the CDBG/HOME programs/projects should submit such comments or objections in writing to the Grants Coordinator. The City will consider the comments or views of citizens, whether received in writing or orally at the public hearings, in preparation of the final Consolidated Plan or final AFH. A summary of any comments or views and a summary of any comments or views not accepted and the reasons why, will be attached to the final Consolidated Plan or final AFH. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Grants Coordinator then the aggrieved party may appeal his/her case to the Director of Neighborhood Development Services.

The Grants Coordinator shall make every effort to provide written responses to citizen proposals or concerns within fifteen (15) working days of the receipt of such comments or concerns where practicable. Should the City 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 the City and/or the HUD directly to register comments, objections or concerns related to the City's CDBG/HOME 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 the City or HUD shall be addressed in writing to:

City of Charlottesville
Neighborhood Development Services
Attn: Grants Coordinator
610 E. Market Street
P O Box 911
Charlottesville, Virginia 22902
Phone: (434) 970-3182
Fax: (434) 970-3359

Or:

U.S. Department of Housing and Urban Development
Virginia Field Office
600 E. Broad Street, 3rd Floor
Richmond, VA 23219-4920
Phone: (804) 842-2610
Fax: (804) 877-8339

Records of all comments, objections and/or concerns by citizens regarding the City's CDBG/HOME program and subsequent action taken in response to those comments shall be maintained on file at NDS and shall be made available for public review upon request.

SECTION 8. AMENDMENTS

Amendments to the Consolidated Plan and Annual Action Plan

The City shall amend its approved Consolidated Plan whenever it makes one of the following decisions:

- To make a change in its allocation priorities or a change in the method of distribution of funds;
- To carry out a project/activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Annual Action Plan; or
- To change the purpose, scope, location, or beneficiaries of a project/activity.

The City considers the following conditions to be substantial amendment criteria needed to amend the Consolidated Plan and Annual Action Plan and projected use of funds. A minor amendment is a change not listed below:

- A new program or project/activity is proposed for funding that was not previously identified in the Consolidated Plan and/or Action Plans;
- A program/project/activity that was listed in the Consolidated Plan and/or Annual Action Plan is eliminated during the program year; and
- The City increases/decreases funding for a listed project/activity or program category (e.g. economic development, public facilities, public services, administration and planning, etc.) by more than 50 percent.

A change in the federal funding level after the draft Consolidated Plan is published and the resulting effect on the distribution of funds will not be considered a substantial amendment.

Amendments to CDBG/HOME Program and Projects/Activities

The City will assure the opportunity for citizen participation during the implementation of the CDBG/HOME programs when "substantial" amendments/changes to a project/activity are under consideration by the City. A substantial amendment is defined based on the following:

1. A proposed change in the dollar amount spent on projects/activities of more than 25% of the total CDBG/HOME project costs (capped at \$5,000);
2. A proposed change in direct beneficiaries of the program so as to lower the total number of low and moderate income beneficiaries by more than 15 percent;
3. A proposed change in the scope of a project so as to modify/alter the project description in such a way that substantially changes the purpose, scope, or location of the original project/activities/beneficiaries. Substantial changes will be determined on a case by case basis by the NDS Director.

Amendments to Citizen Participation Plan

The City may modify the provisions outlined herein through amendments. All amendments shall be approved by resolution of the City Council and shall be incorporated into the CPP.

Amendments to AFH

Revisions to the AFH will be required when a material change occurs. A material change is a change in circumstances in the jurisdiction of a program participant 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 no longer reflect the actual circumstances.⁹

SECTION 9. AUTHORITY

No portion of this CPP shall be construed to restrict the responsibility and authority of the elected officials of the City in the development, implementation, performance review and execution of any CDBG/HOME program.

⁹ Examples of material changes include, but are not limited to Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), in the program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders.