



# **Citizen Participation Plan**

## **FY 2015-19**

## **CITY OF FOUNTAIN VALLEY CITIZEN PARTICIPATION PLAN**

The City of Fountain Valley is an Entitlement Recipient of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974 as amended. The City of Fountain Valley's Citizen Participation Plan was prepared in accordance with Section 104(a) 3 of the Housing and Community Development Act and has been amended as required for the Consolidated Plan in accordance to CFR Part 91, Section 105.

### **Purpose of the Citizen Participation Plan**

The Citizen Participation Plan sets forth the Policies and Procedures for Citizen Participation in Fountain Valley's Consolidated Planning Process. The Housing Division of the Planning Department is responsible for the Citizen Participation Process.

### **Citizen Participation Opportunities**

The Housing Division urges citizens to voice their concerns and share their ideas concerning its Community Development Block Grant Programming. It welcomes comments and suggestions regarding the Citizen Participation Plan, the Consolidated Plan (including the Annual Action Plan), and the Consolidated Annual Performance and Evaluation Report (CAPER).

To encourage Citizen Participation, the Housing Division will undertake the following activities each year:

- Hold at least three (3) public meetings at different times during the program year to receive citizen comments on the Needs, Strategies, Actions, Projects and Performance.
- Offer comment periods for the draft versions City of Fountain Valley Housing and Community Development Consolidated Plan, each Action Plan, each CAPER, and any substantial amendment to the Consolidated Plan or Action Plan.
- Distribute draft copies of the City of Fountain Valley Housing and Community Development Consolidated Plan, each Annual Action Plan, and each CAPER for citizen review.
- Review all public comments at meetings of the Housing and Community Development Advisory Board and all written comments received.

### **Anti-displacement**

The City of Fountain Valley does not plan to displace any resident due to any capital improvement, or residential development projects planned during the consolidated

planning period. Additionally, the City will require any entity that requires displacement to comply with, at a minimum, State and Federal relocation requirements.

The City's guidelines, rules and regulations for Relocation Assistance are the following federal and state laws, rules, and regulations, as they may be amended from time to time: 49 Code of Federal Regulations Part 24, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended for Federal and Federally-Assisted Programs; Final Rule amended as of January 4, 2005; Government Code Sec. 7260 (Relocation Assistance) through Sec. 7267; and State Regulations—Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Administrative Code Ch. 6, Art 1, Section 6000 et seq.), and are referred to as the "City Relocation Guidelines".

It is the policy of the City of Fountain Valley that State relocation laws and regulations govern programs and projects funded without federal funds. The California Relocation Assistance Law (California Government Code Section 7260 et seq.) is the statute passed by the state legislature to govern relocation activities. The State Department of Housing and Community Development (HCD) has the legal authority to administer State relocation laws and promulgating implementing regulations. Since 1990, the California Legislature passed several amendments to the state Relocation Assistance Law. These amendments have served to make the state statutes closely parallel federal law. Programs and projects funded in whole or in part with federal funding sources are governed by federal relocation laws and regulations. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, was passed by Congress to govern relocation activities conducted by Federal, State and Local Agencies receiving federal funds, grants or reimbursements.

### **Housing and Community Development Advisory Board**

The City of Fountain Valley created the Housing and Community Development Advisory Board in the spirit of the law, which call for increased accountability to the public, as well as the encouragement of active participation by low and moderate-income people.

The Housing and Community Development Advisory Board (HCDAB) is composed of five (5) Board Members. Board Members serve a two (2) year term. All HCDAB members are appointed by the City Council.

Residents' concerns and ideas may be articulated to the HCDAB. The HCDAB is an advisory body to the City Council regarding Community Development Block Grant issues. The HCDAB addresses itself to the development, review and adoption of the following areas:

- A. The City's Consolidated Plan (includes all HUD Consolidated Programs);
- B. The submission of the City's Performance Report;
- C. Neighborhood improvement strategies, programs, policies and procedures; and

#### D. The Citizen Participation Plan.

The HCDAB meetings are scheduled for the first Wednesday of each month, at 6:00 p.m. in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, CA 92708.

All HCDAB meetings are open to the public and the meeting announcements are posted at the Fountain Valley City Hall, the Fountain Valley Branch Library and the Fountain Valley Recreation Center. A Notice of Public Hearings conducted by the HCDAB will be published in the local newspaper of general circulation at least 14 days prior to the hearing. Agendas are also posted on the City's website.

#### **Public Hearings**

Public Hearings will be conducted at the following stages throughout the year:

1. At project design phase
2. At application submittal phase
3. At the end of each program year, before submitting the annual Consolidated Annual Performance Evaluation Report.
4. Before making any program amendments involving more than 10 percent of the total program budget or adding another activity funded by program income, as necessary.
5. Before making any program amendments that constitute a change in policies, standards, or criteria for program implementation, as necessary.
6. Before adopting or revising a Program Income Reuse Plan, as necessary.
7. Before spending any funds out of a Program Income Fund, where the expenditure has not been previously noticed to the public as part of the Program Income Reuse Plan hearing process, as necessary.

*Public Hearing #1:* At Project Design Phase will cover the following items:

- An explanation of the CDBG program.
- An opportunity for attendees to ask questions and suggest possible uses of funds.
- Information about the amount of funding available, the range of possible activities that may be undertaken with CDBG funds, and the opportunities for citizen involvement as the program progresses.
- Discussion of the national objective of benefit to Targeted Income Group (TIG) persons or other national objective.
- Information about plans to minimize displacement that may occur as a result of grant funding.

- Information that any assessments resulting from a CDBG-funded project will not be paid by members of the lowest TIG and whether TIG households who benefit from the project must pay any assessments.
- An invitation for written comments and how to submit such comments.
- Information about the availability of technical assistance to groups representing TIG persons that request such assistance in developing proposals.
- The amount of assistance the City expects to receive for the CDBG Program, including Program Income.
- The range of the activities the City plans to undertake that will benefit low-moderate income persons.
- The Priority Needs as listed in the Consolidated Plan.
- A listing of recommended public service agencies and their recommended funding levels.
- The recommended CDBG budget for the upcoming project year.

*Public Hearing #2:* Before Submitting an Application for Funding will include the same information listed above, as well as provide:

- A description of the proposed activity(s) in the application.
- Information about the amount of funding that is being requested.
- A description of where each activity will be carried out and how it will meet the national objective of benefit to TIG persons.
- Information on the estimated time schedule to accomplish the activity.
- An opportunity for attendees to provide input and/or comment on the application.

*Public Hearing #3:* Before submitting the Consolidated Annual Performance and Evaluation Report:

The Housing Division will hold a third public hearing during the comment period of the Consolidated Annual Performance and Evaluation Report Process.

The Public Hearing will cover the following topics:

- The amount of assistance for CDBG Programs including Program Income received during the previous program year.
- The number of low-mod income persons assisted during the previous program.
- The progress made carrying out the activities and projects in the previous year's Annual Action Plan.

*Additional Hearings:* When necessary, additional public hearings may be conducted in the planning or reporting phases throughout the year to give the public ample opportunity to comment on any substantial

amendments to the Consolidated Plan, Annual Action Plan, Citizen Participation Plan, or CAPER.

### **Public Hearing Noticing Requirements**

The Housing Division will publish a public notice in the *Fountain Valley View* or other local newspaper of general circulation, no less than two weeks, fourteen (14) days prior to the public hearing date.

### **Public Hearings and Populations with Unique Needs**

All public hearings will be held at locations accessible for people with disabilities.

Translators will be provided for people who do not speak English in the event that requests are made at least five (5) working days prior to a public hearing.

### **Additional Meetings**

The public is welcome to attend all meetings of the City of Fountain Valley Housing and Community Development Advisory Board (HCDAB). The HCDAB meetings are scheduled the first Wednesday of the month in the City of Fountain Valley Council Chambers at 6:00 p.m. as needed to discuss CDBG funded activities.

The public is also welcome to attend all Fountain Valley City Council meetings. The City Council meetings are scheduled the first and third Tuesday of the month in the City of Fountain Valley Council Chambers at 6:00 p.m.

### **Public Comment Period**

To provide the City of Fountain Valley residents with opportunity to comment on the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, and any substantial amendments to these documents, and CAPER, the Housing Division provides the following comment periods:

Citizens may comment on the Citizen Participation Program for at least thirty (30) days, after the publication date of the availability of the Draft Citizen Participation Plan.

Citizens may comment on the Consolidated Plan and Annual Action Plan for at least thirty (30) days, after publication date of the availability of the Draft Consolidated Plan and Annual Action Plan.

Citizens may comment on any Substantial Amendments to the Consolidated Plan and Annual Action Plan, for at least thirty (30) days, after the publication date of the availability of the Draft Substantial Amendment.

Citizens may comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for at least fifteen (15) days, after the publication of the availability of the Draft CAPER.

Citizen's comments may be made in writing, or at the public hearing/meetings. The participation of all citizens, including minorities and non-English speaking persons, persons with disabilities and residents of assisted housing is particularly encouraged.

The Housing Division will provide citizens with reasonable opportunities for comment.

The Housing Division will place a public notice in the *Fountain Valley View* or other local newspaper prior to the comment period.

The Housing Division will make copies of the Draft Consolidated Plan, Annual Action Plan, and the Annual CAPER available during the comment periods at the following locations:

- City of Fountain Valley City Clerk's Office, 10200 Slater Avenue, Fountain Valley, CA 92708
- Fountain Valley Branch Library, 17635 Los Alamos, Fountain Valley, CA 92708.

### **Review Comments**

Comments received in writing concerning the Consolidated Plan (including Annual Action Plan), Substantial Amendments to Consolidated Plan (including Annual Action Plan) or CAPER will receive a written response within fifteen (15) working days.

### **Amendments to the Consolidated Plan**

The Consolidated Plan Regulations (§91.505) require the City of Fountain Valley to amend its approved Consolidated Plan whenever it makes one of the following decisions:

- To change allocation priorities or change the method of distributing funds.
- To carry out an activity using CDBG funds (including program income) not previously described in the Annual Action Plan
- To change the purpose, scope, location or beneficiaries of an activity previously described in an Annual Action Plan.
- To change its Analysis of Impediments to Fair Housing Report, or the successor document Affirmatively Furthering Fair Housing to comply with changes to fair housing regulations.

Upon completion, the Housing Division will make the Amendment public and will notify HUD that an Amendment was made. The Housing Division will make sure that all amendments are contained in the CAPER submitted to HUD after the end of the

program year. The Housing Division reserves the right to make non-substantive changes to the Consolidated Plan without opening a public hearing.

### **Criteria for a Substantial Amendment**

The Consolidated Plan Regulation considers certain Amendments to be Substantial Amendments that require a public comment period and additional Citizen Participation. The Housing Division defines a Substantial Amendment as:

- The addition of an activity not originally described in the Annual Action Plan.
- A change in the scope of an activity that results in a change in funding of an amount greater than 45% of the years grant allocation or an increase in funding greater than 100% of the original funding amount of an activity.

Changes in the use of CDBG funds from one eligible activity to another, and budget increases or decreases, by themselves, do not constitute a Substantial Amendment.

In case of a local emergency such as a natural disaster or other large scale emergencies funds may be allocated to eligible activities to assist in disaster relief without triggering a substantial amendment with approval of the Authorized Representative.

If the City should need to make a Substantial Amendment to its Consolidated Plan or Annual Action Plan, it will follow the Citizen Participation Process as described above that includes; publishing a notice in a local newspaper advertising a 30 day public comment period, after the publication date of the availability of the Draft Substantial Amendments; publishing a notice of a public hearing least fourteen (14) days in advance of the public hearing; and conducting a public hearing.

In finalizing the Substantial Amendment, any written or verbal citizens comments received at a public hearing will be considered. Attached to the document will be a summary of these comments (including a summary of any comments not accepted and the reasons to not accept them) to the Substantial Amendment.

### **Technical Assistance**

In an effort to encourage the submission of views and proposals regarding the Consolidated Plan, particularly from residents of target areas and groups representative of persons of low and moderate income, the City shall provide technical assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan. Such assistance will include, but is not limited to, the provision of sample proposals, and program regulations and guidelines.

## **Citizen Service Requests And Grievance Procedure**

Citizens should be aware that any questions or grievances regarding any facet of City's Community Development Block Grant operations can be submitted to the City's Housing Division at 10200 Slater Avenue, Fountain Valley CA 92708.

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. 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.

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 Field Office, Region IX  
CPD Division  
611 W. 6<sup>th</sup> Street, Suite 1100  
Los Angeles, CA 90017

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

- The description of needs and objectives are plainly inconsistent with available facts and data.
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant jurisdiction.
- The Submission does not comply with specific requirements or law.
- 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.**

## **Regional Coordination and Consultation**

In addition to citizen participation, city staff also gains input from local governments throughout Orange County regarding non-housing community development needs, general local agencies with metropolitan-wide planning responsibilities that go beyond single jurisdictions, as well as non-profit organizations that assist residents throughout the city.