



**CITY HUD  
PROGRAMS  
CITIZEN  
PARTICIPATION  
PLAN**

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Community Development Department

# **CITY OF SAN BUENAVENTURA**

## **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIP ACT CITIZEN PARTICIPATION PLAN**

### **A. Policy Statement**

It is the policy of the City of San Buenaventura 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, and HOME Investment Partnership Act (HOME).

This Citizen Participation Plan (CPP) sets forth the procedures and guidelines to be implemented by the City to provide for the continuing participation by the citizens of San Buenaventura. 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 City Council.

### **B. Objectives**

The Citizen Participation Plan, hereinafter referred to as the "CPP", 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 CPP provides for visibility of housing and community development programs, enlists citizen participation in the development and review of:

- Consolidated Plan
- Annual Action Plan
- Consolidated Annual Performance and Evaluation Report (CAPER)
- Assessment of Fair Housing

The Plan also encourages active citizen involvement in development of goals and objectives of federally-funded programs.

### **C. Definitions**

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

***Consolidated Plan Documents (CPDs)*** – These documents include:

1. Citizen Participation Plan (CPP)
2. Five-Year Consolidated Plan (CP) and Annual Action Plan (AP)
3. Consolidated Annual Performance and Evaluation Report (CAPER)

#### 4. 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 Area Median Income (AMI) as defined below by HUD:

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

### D. Scope of Participation

#### 1. Public Input

All individuals, especially low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where the funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, including minorities and non-English speaking persons, as well as persons with special needs (e.g. elderly, persons with disabilities, and the homeless) and all representatives of groups interested in housing and community development programs, are encouraged to come to and participate at all public hearings, study sessions, and workshops relating to the CDBG and HOME programs, and the development, review, and amendment various Consolidated Plan documents. Residents may also provide written input at any time. Copies of such written comments will be provided to the Council prior to the next hearing, or such other time as may be appropriate.

#### 2. City's Role

The City shall encourage, in conjunction with consultation with the City of San Buenaventura Housing Authority, the participation of residents of public and assisted housing developments, in the process of developing and implementing the Consolidated Plan documents. The City shall make an effort to provide information to the Housing Authority about Consolidated Plan activities related to its development. The Housing Authority can make this information available at the annual public hearing required under the Comprehensive Grant program.

Before adopting the Consolidated Plan the City will make available to citizens, public agencies, and other interested parties information that includes the amount of funds the City expects to receive and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income. The CPP will set forth the City's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the City will make available to persons displaced, even if the City expects

no displacement to occur.

The Consolidated Plan documents, including their substantial amendments are available to the public. These documents can be obtained in a form accessible to persons with disabilities. Citizens can request these documents at the City Hall Planning Counter Information and records relating to the Consolidated Plan documents and the use of CDBG and HOME funds during the preceding five-year period are available to the public. These documents can be requested in writing at the City Hall Planning Counter and will be made available within ten (10) working days.

## **E. Planning Process for Consolidated Plan Documents**

### **1. Citizen Participation Plan (CPP)**

**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 Hearing:** A public hearing is required to review the Draft CPP.

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

### **2. Five-Year Consolidated Plan (CP) and Annual Action Plan (AP)**

**Consultation:** The public will be invited to provide input into development of the 5-Year Consolidated Plan (CP) and Annual Action Plan (AP), 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:

- Local and regional institutions
- Continuums of Care providers
- Public Housing agencies
- Affordable housing providers and housing professions
- Other organizations (businesses, developers, non-profits, community-based organizations that provide serve the City's low- and moderate-income residents and those with special needs

**Public Review and Comment:** The Draft CP and Draft AP 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 CP and AP.

**Public Hearings:** Per Federal regulations at 24 CFR Part 91, at least two public hearings per year are required to obtain residents' views and to respond to proposals and questions. The City will hold one public hearing during the development of the CP and AP to discuss needs and one public hearing to accept comments on the Draft CP and Draft AP prior to final adoption.

**Plan Amendment:** A 30-day public review and a public hearing must be provided prior to amending the Five-Year CP and the Annual AP. Criteria for substantial amendment are as follows:

**Five-Year Consolidated Plan (CP)**

The City will amend its approved Five-Year Consolidated Plan whenever a decision is made to propose a substantial change in allocation priorities. For the purpose of the Consolidated Plan, a "substantial change" will constitute a cumulative change equal to or in excess of 25% of the City's CDBG or HOME entitlement for a program year.

**Annual Action Plan (AP)**

Under Section 570.305 of the Community Development Block Grant Entitlement Regulations, Grantees must develop criteria for what constitutes a substantial change in their Final Statements. The City of San Buenaventura's criteria for what constitutes a substantial change in the purpose, scope, location, or beneficiaries of its CDBG and HOME funded activities are as follows:

- a. **Purpose.** A substantial change in a project's purpose shall be deemed to occur when the need addressed by the original project is no longer served. For example, if the original project is housing rehabilitation, a change in type of financing or type of housing is not considered a substantial change, while a change from housing rehabilitation to commercial rehabilitation would be a substantial change.
- b. **Scope.** A substantial change in a project's scope shall be deemed to occur when the project's funding is reduced or increased by at least 30% of the total funding. In no case shall a change of \$5,000 or less be considered a substantial change. [Question for staff: This is the City's existing threshold. It seems really low given your overall budget. Do you want to raise it?]
- c. **Location.** A substantial change in a project's location shall be deemed to occur when a site specifically named and described in the Final statement is changed. Increases or decreases in the project area of less than 10% shall not constitute a substantial change, unless the area involved exceeds 5 acres.
- d. **Beneficiaries.** A substantial change in a project's beneficiaries shall be deemed to occur when the target population, rather than a specific set of individuals, is changed. For example, if funds for a homeless project were changed to housing rehabilitation, a substantial change would have occurred. If funds for a homeless project were redirected from an overnight shelter to a homeless day center, a substantial change has not occurred.

### **3. Consolidated Annual Performance Evaluation Report (CAPER)**

**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:** No public hearing is required for the CAPER.

### **4. Assessment of Fair Housing (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:

- Fair Housing Organizations
- Other local governments
- Advocacy groups for special needs households
- Affordable housing providers and housing professionals
- Bank and other financial institutions
- 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 AFH.

**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. The City will also conduct a public hearing to accept comments on the Draft AFH prior to adoption.

**Plan Amendment:** 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 will be attached to the final AFH.

## **F. Notification**

In order to ensure that the public is aware of the programs and activities conducted with CDBG and HOME funds, meetings, and public hearings, the following notification procedures will be carried out:

### **1. Availability of Documents for Review**

- a. **Summary of Draft CPDs.** A summary of the Draft Consolidated Plan Documents

(CPDs) be published in one or more newspapers of local circulation. The summary will describe the contents and purpose of the plan and include a list of the locations where copies of the entire plan may be examined. At a minimum, copies of the plan will be available for public review at the E.P. Foster Library, Avenue Library, Housing Authority, City Clerk's Office and the Planning Division public counter. Copies of the Plan will be available to individuals and groups that request it.

- b. **CPD Amendments.** Amendments to the CPDs will be made available for public comments for a minimum of 30 days prior to approval by the City Council. The City will consider any written comments or oral comments made at the public hearings when approving the final amendments.
- c. **Notification.** The public will be notified of the availability and given a reasonable opportunity to examine the CPDs, any amendments, and its performance report.
- d. **Access to Information.** The City will provide the public with reasonable and timely access to information and records relating to the City's CPDs and the City's use of assistance under the programs covered by the plan during the preceding five years.

## **2. Meetings and Hearings**

**Location of Meetings:** Public meetings will be held at all stages of CPDs. All meetings will be held at times and places convenient for public attendance.

**Translation: Translators will be available in the case of public hearings where a significant number of non- English speaking residents can reasonably be expected to participate. Persons with disabilities shall be accommodated.**

**Minimum Number of Public Hearings:** The City will hold a minimum of two public hearings per year for the CDBG and HOME programs. One of these hearings will be held during the preparation of the Draft Consolidated Plan and/or Action Plan. The purpose of this initial hearing is to obtain the public comments on housing and community development needs, including priority non-housing Community development needs. The second public hearing could consist of the budget hearing. The subsequent hearing will be held prior to the adoption of the CPDs by the City Council.

**Noticing:** Notices of the hearings will be announced as follows:

- a. A legal notice will be published at least 10 days prior to the meeting.
- b. A display ad, of a size and *type* to draw the attention of casual newspaper readers, will be published at least 10 days prior to the meetings. The ad will clearly state the date, time, and location of the meeting, the topics to be covered, and where reports and other written information may be obtained.

- c. Notices, of a size and type to draw the attention of passersby, will be posted in Housing Authority bulletin board, newsletters of agencies, non-profit and neighborhood organizations serving low-income persons, and other gathering places in low- and moderate-income neighborhoods and in other areas where funds are proposed to be used. The notice will clearly state the date, time, and location of the meeting, the topics to be covered, and where reports and other written information may be obtained. Where appropriate, the notices will be posted in Spanish and other non-English languages used by significant portions of the population.
- d. A mailing list of individuals and groups who have expressed an interest in the Consolidated Plan and CDBG Program will be maintained, and notices of meetings will be mailed out to these individuals and groups.

## **G. Technical Assistance**

City staff will continue to provide technical assistance to individuals requesting such assistance. Knowledgeable staff persons are and will continue to be available for meetings with interested individuals and groups, and will provide information and assistance over the telephone and by letter when appropriate.

## **H. 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.

## **I. Grievance Procedure**

Residents wishing to lodge a grievance may submit a written complaint to the City's Grants Planner (hereinafter referred to as the "CDBG and HOME Coordinator"). Upon receipt of a complaint, the following procedure will be followed.

- 1) The CDBG and HOME Coordinator will acknowledge receipt of the complaint in writing and will distribute the complaint to the affected department(s) within three (3) working days of receipt of the complaint.
- 2) The CDBG and HOME Coordinator will investigate the complaint and submit a report, including a description of the nature and grounds of the complaint, the results of the investigation, and a recommendation for further action, to the Community Development Management Team, within eight (8) working days of

receipt of the complaint. The Community Development Management Team shall include the City Manager or her designee, the Finance Director or his designee, and the Director of the Community Services Department.

- 3) The Community Development Management Team shall make a determination on the complaint within twelve (12) working days of receipt of the complaint.
- 4) The CDBG and HOME Coordinator shall provide a written answer to the complainant within fifteen (15) working days of receipt of the complaint.

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, 501 Poli Street, San Buenaventura, CA.

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 Field Office, CPD Program Office  
300 N. Los Angeles Street, Suite 4054  
Los Angeles, CA 90012

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.