

# **CITIZEN PARTICIPATION PLAN**

## **FOR THE**

### **CITY OF MISSION**

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#### ***INTRODUCTION***

The City of Mission is required by the U. S. Department of Housing and Community Development (HUD) regulations found at 24 CFR Part 91.105 to have a detailed Citizen Participation Plan (CPP). The CPP sets forth the City's policies and procedures for public involvement regarding the Community Development Block Grant (CDBG) program. The CPP requires that local residents be provided an opportunity to participate in determining the City's needs, identify proposed activities, assisting in the selection of setting priorities, processing any substantial amendment(s) and to participate in the development of the implementation and assessment of following required documents: Consolidated Plan (3-5 Year), Annual Action Plan (AAP), Consolidated Annual Performance and Evaluation Report (CAPER) and the Assessment of Fair Housing (AFH). This Citizen Participation Plan must be available to the public.

#### **Encouraging Public Participation**

The law requires that our Citizen Participation Plan both provide for and encourage public participation by low and moderate income people especially those living in low and moderate income neighborhoods. Also, the U.S. Department of Housing and Urban Development (HUD) expects Mission to take whatever actions are appropriate to encourage participation of minorities, people who do not speak English, homeless individuals and families, people with disabilities, local and regional institutions, the Continuum of Care and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing, amending, and implementing the above mentioned documents. The City shall encourage the participation of public and private organizations. Such consultations shall include broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies in the process of developing the consolidated plan. The City encourages, in consultation with public housing agencies, the participation of residents of any public and assisted housing developments located within the City limits, in the process of developing and implementing the above mentioned documents, along with other low income residents of targeted revitalization areas in which the developments are located.

At, or as soon as feasible, after the start of the public participation process, HUD provided AFH data and any other supplemental information will be made available to its residents, public agencies, and other interested parties. The HUD provided data may be available to the public by cross referencing the AFH data on HUD's website.

#### **The Role of Low Income People**

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 people.

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

In general, the stages or events include:

1. Identification of housing and community development needs.
2. 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 AFH, and any amendments.
3. Formal approval by elected officials of a final Annual Action Plan or Consolidated Plan.
4. On occasion during the year, it might be necessary to change the use of the money already budgeted in the 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.
5. After a “program year” is complete, a Consolidated Annual Performance and Evaluation Report must be drafted for public review and comment and then submitted to HUD.

### **The Program Year**

The “program year” chosen by Mission is October 1 through September 30.

### **PUBLIC NOTICE**

There shall be five day advance public notice for the Proposed One Year Action Plan, Consolidated Plan, proposed Substantial Amendment to the Annual Action Plan or Consolidated Plan, the Consolidated Annual Performance and Evaluation Report and for the development and any amendments to the AFH to give the public advance notice.

### **Forms of Public Notice**

1. Public notices will be published in a paper of general circulation such as, the Progress Times.
2. Notices will be sent to any person or organization requesting to be on a mailing list.
3. Notice may also be sent to neighborhood organization, public housing authority developments, radio and television media, and other persons or groups as deemed appropriate by the Community Development Department.
4. Notice may be posted in the internet through social media and on the City’s webpage.
5. Notice may be posted at public libraries, government offices and public places.

### **PUBLIC ACCESS TO INFORMATION**

The City will provide residents, public agencies, and other interested parties with reasonable and timely access to the documents relating to the Annual Action Plan, Consolidated Plan and the use of assistance under the programs covered by the Plan for the preceding five years, as well as related to the AFH and its revisions.

For non-English speaking residents, reasonable steps to provide language assistance to ensure meaningful access will be provided. Those speaking Spanish will be assisted by staff, board members and officials who are proficient in the Spanish language. Persons requiring materials in a language other than English should contact the Community Development Department located at 1301 E. 8<sup>th</sup> Street Suite 102, Mission, TX 78572 or call (956) 580-8670. The materials shall be provided in a format accessible to persons with disabilities upon request. Such formats may include, but are not limited to providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound.

Standard documents include:

- The proposed and final Annual Action Plan.
- The proposed and final Consolidated Plan.
- Proposed and final Substantial Amendments to either the Annual Action plan or the Consolidated Plan.
- Consolidated Annual Performance and Evaluation Reports (CAPER).
  - Assessment of Fair Housing (AFH)
  - Amendments of revisions to the AFH
- The Citizens Participation Plan (CPP).

### **Availability of Standard Documents**

In the spirit of encouraging public participation, free copies of standard documents will be made available to residents and all interested parties as requested. These materials will be available in a form accessible to persons with disabilities or persons who do not speak english, when requested.

### **Places where Standard Documents Are Available**

Standard documents will be available at the office of the Community Development Department 1301 E. 8<sup>th</sup> Street Suite 102, Mission, TX 78572 and on the city's official website [www.missiontexas.us](http://www.missiontexas.us)

### **PUBLIC HEARINGS**

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

Public hearings will be held at 5:30 p.m., a time convenient to most people who might benefit from the use of funds.

Public hearings will be held at places accessible by public transportation and otherwise convenient and not intimidating to most people who might benefit from the use of funds. Locations may include the public library, community building and city hall, Public Housing Authority Developments, Schools and other appropriate locations.

During National/State/County/Local Declared Disasters/Emergencies/Pandemic, in person public hearings are not required; the City of Mission may meet public hearing requirements with virtual public hearings as outlined in the next section.

### **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 3 days prior to the public hearing.

Translators will be provided for residents who do not speak English when requests are made at least 3 days prior to the public hearing at no cost to the residents.

### **The Conduct of Public Hearings**

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

## THE STAGES IN THE PROCESS

### A. Identifying Needs

Housing and community development needs of low and moderate income people 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 people. At a minimum, two (2) public hearings will be held in order to allow residents 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.

At, or as soon as feasible, after the start of the public participation process, HUD provided AFH data and any other supplemental information will be made available to its residents, public agencies, and other interested parties. The HUD provided data may be available to the public by cross referencing the AFH data on HUD's website.

### B. 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, Mission will use the following procedures.

At the beginning of this stage, the City of Mission will provide the public with an estimate of the amount of CDBG, HOME, ESG, and HOPWA funds it expects to receive in the upcoming year, along with a description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds which will be used in ways that will benefit low and moderate income people.

The following steps represent the process:

1. Annual Action Plan/Consolidated Plan
  - a. Publish and post Notice of Funding Availability (NOFA)
  - b. City Council will conduct a Public Hearing for the Proposed Annual Action Plan/Consolidated Plan thirty (30) days before final approval to allow for comments
  - c. Citizens Advisory Committee (CAC) will conduct a Public Hearing during the comment period and before final approval by City Council.
  - d. Send to HUD for final approval
  - e. During National/State/County/Local Declared Disasters/Emergencies/Pandemic, expedited procedures to draft, propose or amend Annual Action Plan/Consolidated Plan must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans. In person public hearings are not required. Public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and

- access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.
2. Substantial Amendments (refer to 1. e. above, follow process for disaster declarations)
    - a. Publish and post notice
    - b. There shall be a 30 day comment period
    - c. There shall be a public hearing before CAC during the comment period followed by a public hearing before City Council
    - d. Send to HUD for final approval
  3. Consolidated Annual Performance and Evaluation Report (CAPER)
    - a. Publish and post notice
    - b. Hold Public Hearing
    - c. There shall be a 15 day comment period
    - d. Send to HUD for approval
  4. Development of Assessment of Fair Housing (AFH)
    - a. Publish and post notice
    - b. There shall be a 30 day comment period before final approval by City Council
    - c. There shall be a public hearing before CAC during 30 day comment period
    - d. Send to HUD for final approval

The plans of the City of Mission 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 and Relocation Assistance plan" will also describe how Mission will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.

### **Technical Assistance**

City staff will work with organizations and individuals representative of low and moderate income people who are interested in submitting an application to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing an application.

### **Availability of a Proposed Annual Action Plan, Consolidated Plan, CAPER and AFH**

Copies of the proposed documents Annual Action Plan/Consolidated Plan will be made available to the public for free and without delay. In addition, copies will be available 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 AFH, at least 30 days prior to approval of the final Annual Action Plan/Consolidated Plan and AFH is approved by City Council. Information available will consist of HUD-required sections, the HUD-required Priorities Table, and a written description of all proposed uses of CDBG, HOME, ESG, AND HOPWA and AFH HUD provided data. At a minimum, this description shall include the type of activity, its location and the amount of federal money to be allocated.

### **Public Hearing and Further Action**

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

In preparing a Final Annual Action Plan, Consolidated Plan or AFH, 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 Annual Action Plan, Consolidated Plan and AFH will have a section that presents all comments and explains why any comments were not accepted.

### **C. The Final Annual Action Plan, Consolidated Plan, CAPER and AFH**

Copies of the documents and summaries will be made available to the public for free and within three working days of a request. In addition, copies will be available at the locations specified above in the section, "Public Access to Information".

### **D. Amendments to the Annual Action Plan Consolidated Plan, and AFH**

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

1. a change in one of the Priorities presented on the HUD-required Priority Table;
2. a change in the use of money (creation or deletion) to an activity not mentioned ;
3. or, a change in the purpose, scope, location, or beneficiaries of an activity (described more fully later);
4. A material change in the 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.

The public will be notified whenever there is an amendment.

### **Substantial Amendments**

The following will be considered "substantial" amendments:

1. A change in the use of CDBG money from one activity to another of \$50,000 or more.
2. The creation or deletion of an activity
3. Change in one or more of the "Priorities" enumerated in the document
4. A significant change in the scope, purpose or in the location of an activity.
5. Reduction of more than 25% of the proposed beneficiaries, when the proposed number of beneficiaries is greater than 10

### **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 working days of a request for same. The public has 30 days to review the proposed Substantial Amendment. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
2. There will be a public hearing regarding the proposed Substantial Amendment conducted by the CAC followed by the Mayor and City Council. The public hearing of the Mayor and City Council will not take place until the public has had 30 days to review the proposed Substantial Amendment.

3. The final public hearing will be held no sooner than two weeks prior to submission to HUD.
4. 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.

### **E. The Consolidated Annual Performance and Evaluation Report**

Every year, Mission must prepare a Consolidated Annual Performance and Evaluation Report CAPER within 90 days of the close of the program year. In general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate income people.

#### **Public Notice and Public Hearing for Consolidated Annual Performance and Evaluation Report**

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

1. A period of no less than fifteen (15) days, to receive comments on the CAPER will be provided to the public.
2. A copy and/or summary of the CAPER will be made available to the public at no cost and within three working days of a request.
3. There will be a public hearing regarding the CAPER.
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 CAPER**

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.

#### **ANTIDISPLACEMENT AND RELOCATION ASSISTANCE Reference 91.105(b) (1)**

The City of Mission does not intend to undertake any activities funded by the U.S. Department of Housing and Urban Development (HUD) that would cause either temporary or permanent displacement of an individual or family. However, the City is required to have a Plan in place should an event occur. 24 CFR 91.105(b) (1)

The Plan contains three major components:

1. One for One Replacement of Low and Moderate Income Dwelling Units  
All occupied and vacant occupiable low/moderate income dwelling units that are demolished or converted to a use other than as low/moderate income housing as a direct result of an activity assisted under Section 104(d) of the Housing and Community

Development Act of 1974, as amended, will be replaced with low and moderate income dwelling units within three years of commencement of the activity.

2. Relocation Assistance

The City will ensure that relocation assistance is provided as described in 24 CFR 570.606 to each low to moderate income person who is displaced by the demolition or by the conversion of a low moderate income dwelling unit to another use as a direct result of a CDBG assisted activity. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA. Such displaced persons may elect to receive either relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or the relocation assistance described at 24 CFR Part 42, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses).

3. Steps to Minimize Displacement

The City will take the following steps to minimize the involuntary displacement of lower income persons when CDBG funds are used:

- a. All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- b. Applicants who apply for CDBG funds to acquire property for the development of lower income housing will be encouraged to purchase vacant land or vacant dwellings.
- c. In the case of in fill and other projects where vacant land or vacant dwellings are not available and the project involves potential displacement, the applicant shall agree to allow the displaced lower income person(s) to occupy the new housing at an affordable rent.
- d. Applicants who utilize CDBG funds to rehabilitate or convert a lower income unit to a non-residential use will be required to supply replacement housing as well as relocation assistance.
- e. The cost of any required relocation assistance and the provision of replacement housing will be the responsibility of the applicant.

The City will also use the applicable HUD Brochures to inform residents/businesses of their rights under the ACT. These brochures include:

When a Public Agency Acquires Your Property (HUD-1041-CPD)

Relocation Assistance to Tenants Displaced from their homes (HUD-1042-CPD)

Relocation Assistance to Displace Businesses, Nonprofit Organizations, and Farms (HUD-1043-CPD)

Relocation Assistance to Displaced Homeowners (HUD-1044-CPD)

Relocation Assistance to Tenants Displaced from Their Homes (Section 104(d)) (HUD-1365-CPD)

## **COMPLAINT PROCEDURES**

Written complaints from residents will receive a meaningful, written reply within 15 working days from receipt of complaint.

## **CHANGING THE CITIZEN PARTICIPATION PLAN**

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



## THE CITIZENS ADVISORY COMMITTEE

Mission has created a Community Development Citizens Advisory Committee (CAC) 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 CAC is a 9 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.

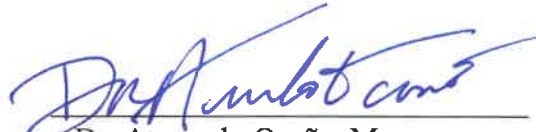
Mission has formulated a plan for achieving maximum participation from its citizens. The plan is to include, encourage and develop the community's interest and responsibility. Therefore it is the best interest to go to a pool of at-large members. The term of office for each CAC member shall be two (2) years.

The CAC will select one (1) member to serve as the Community Development Citizens Advisory Committee Chairman. A quorum will be any 5 members present.

All CAC public hearings are open to the public and are advertised as described above in the "Public Notice" section of this Citizen Participation Plan.

The CAC will recommend to the Mayor and City Council how to allocate all CDBG, HOME, ESG, and HOPWA funds, including "program income" associated with these, monies left unspent and unobligated from the previous program year, and any additional (not previously anticipated) federal fund allotments. In no event shall CDBG, HOME, ESG, or HOPWA funds be allocated without review by CAC. Final approval shall rest solely with City Council.

Read, signed and approved this 27<sup>th</sup> day of April 2020

  
Dr. Armando Ocaña, Mayor

Attest:

  
Anna Carrillo, City Secretary

