

City of Mesa Citizen Participation Plan Adopted July 1, 2018

Introduction

The purpose of the Citizen Participation Plan (CPP) is to establish a viable means by which citizens, local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) can actively participate in the development of activities undertaken with Community Development Block Grant(CDBG) funds, HOME Investment Partnerships (HOME) funds, Housing Emergency Solutions (ESG) funds, and to set forth the City of Mesa's policies and procedures for citizen participation.

This Citizen Participation Plan, as amended, has been prepared and implemented pursuant to federal regulations (U. S. Department of Housing and Urban Development (HUD) Regulations 24 CFR Part 91.105) to encourage and support public participation in the development of the Consolidated Plan (and subsequent annual updates to the Consolidated Plan) and the Analysis of Impediments to Fair Housing (AI).

The actions delineated in this Citizen Participation Plan are related to the planning and expenditure of funds provided to the City by the U.S. Department of Housing and Urban Development (HUD) Office of Community Planning and Development for the following programs: CDBG, HOME, ESG, Section 108 Loan Program and other such HUD funds as may be added with the approval of the Mesa City Council.

Encouragement of Citizen Participation

It is the intent of the City of Mesa to encourage citizens to participate in the development of the Consolidated Plan, Analysis of Impediments to Fair Housing, substantial amendment(s) to the Consolidated Plan, and the Annual Performance Report.

The goal of the CPP is to encourage participation by low-and moderate-income persons, particularly those persons living in areas designated by the City of Mesa as a revitalization area, slum and blighted areas, areas where CDBG funds are proposed to be used, and by residents of predominantly low-and moderate-income neighborhoods within the City.

This CPP assures that citizens, non-profit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports covering the City's federally funded housing and community development programs.

The City of Mesa encourages the participation of local and regional institutions and other organizations (including businesses, developers, community-based and faith-based

organizations) in the process of developing and implementing the Consolidated Plan, Analysis of Impediments to Fair Housing, and any revisions related thereto.

The City of Mesa also encourages the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

The City will consult with the Mesa Housing Authority, the City's Housing and Community Development Advisory Board, regional public housing agencies, residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) as a part of the process of developing and implementing the AI (Analysis of Impediments) and the Consolidated Plan and amendments related thereto.

Technical Assistance

The City will provide technical assistance with program applications for all Housing and Community Development programs including CDBG, HOME, and ESG.

Access to Records

The City of Mesa will provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's AI and Consolidated Plan for the preceding 5 years.

The public will be provided reasonable access to housing assistance records, subject to state and local laws regarding privacy and obligations of confidentiality. Confidential documents will be set apart from public information; requestors of this information will be so informed.

Availability to the Public

Copies of standard documents including the Consolidated Plan as adopted, Consolidated Plan Substantial Amendments, AI, and the Annual Performance Report will be available to the public for review at the following locations:

- Housing and Community Development – 20 E Main Street, Suite 250
- City of Mesa City Clerk's Office – 20 E Main Street, Suite 150
- City of Mesa Community Services Web page
<https://www.mesaaz.gov/residents/housing-community-development>

Upon request, standard documents will be made available in a form accessible to persons with disabilities.

Additional single copies of all standard public documents may be obtained from Housing and Community Development at no charge.

Public Meetings

Public meetings will be held at key stages of the application process (annual or supplemental) to obtain the public's view and to provide the public, to the greatest extent possible, with responses to their questions and comments. The City holds public meetings to obtain input on housing and community development needs, development of proposed (new) activities, proposed strategies and actions for affirmatively furthering fair housing consistent with the AI and other program compliance requirements as directed by HUD.

To obtain the views of residents of the community on housing and community development needs, including priority non-housing community development needs and affirmatively furthering fair housing, the City of Mesa will conduct a minimum of three (3) public meetings prior to submission of the Five-year Consolidated Plan.

Prior to submission of the Annual Action Plan and for amendments related thereto, COM will conduct a minimum of two (2) public hearings in accordance with the minimum requirements listed below.

Public meetings will be held after a minimum of fourteen days (14) notice to the public). "Notice" means a legal notice that is published in a newspaper of general circulation two times at least one week apart and at least 14 days prior to the date of the first public meeting. Minimum comment period is thirty days, commencing from the date of the first legal notice publication.

Public meetings will be held at times and locations that are convenient to potential or actual beneficiaries and with accommodations for the disabled. At all public hearings, upon advance request, translators will be available for those who do not speak or understand English, or those that are hearing impaired or sight impaired.

Citizen Participation List

A citizen participation electronic mailing list will also be used to notify interested persons of HCD program activities. Interested persons who do not have access to electronic notifications will, upon request, be mailed paper notices via the U.S Postal Service.

The Citizen Participation list (CP List) is made up of representatives of government agencies, community planning organizations, public housing developments, neighborhood associations, organizations that have submitted project proposals for funding consideration, and any persons requesting to be placed on the email distribution list.

Public Meetings

The City will provide residents of the community with reasonable and timely access to public meetings, in accordance with Section 504 of the Rehabilitation Act of 1973, and

the regulations at 24 CFR Part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable.

The example below represents a typical grant program year.

January/February – Notification to Public Service Agencies and citizens for submission of funding requests. Notice of funds available (NOFA) is advertised in public notices.

February/March – Application Process Public Meetings.

March/April – First Public Meeting on Consolidated Plan or Annual Action Plan

April – Draft of Consolidated Plan or Annual Action Plan is made available to public and the 30-day review period begins

April – Public Hearing on Consolidated Plan and/or Action Plan

May – City Council review; submission of Annual Action Plan or Consolidated Plan to HUD

August/September – Draft of Consolidated Annual Performance Evaluation Report (CAPER) is made available to public, 15-day minimum review period

September – CAPER is submitted to HUD.

December – Pre- Annual Application Process Trainings

Development of the Consolidated Plan and Analysis of Impediments to Fair Housing

Before the Consolidated Plan (and annual updates) is adopted by the Mesa City Council and submitted to HUD (i.e., mid-May), the City will make the Consolidated Plan available to citizens, public agencies, and other interested parties for review and comments.

Interested parties are encouraged to submit comments electronically or by U.S Mail to the City of Mesa. Before the City adopts the Consolidated Plan and the AI, the City will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the City expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income.

If displacement will occur due to any planned actions, the City will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as described in 49 CFR Part 24.

The City will publish its draft and final Consolidated Plan and AI (and annual updates) so that all affected residents will have sufficient opportunity to review and comment on the plans. A summary describing the contents and purpose of the Consolidated Plan and the AI will be published in one or more newspapers of general circulation. The draft

Consolidated Plan and AI will also be posted on the City's website
<https://www.mesaaz.gov/residents/housing-community-development/public-notice>

A period of not less than 30 calendar days will be provided to receive comments from residents of the community regarding the draft Consolidated Plan and AI.

Amendments to the Consolidated Plan / Annual Action Plan

From time-to-time, it may be necessary for the City to process a "Substantial Amendment" to the Five-Year Consolidated Plan or the One Year Action Plans to allow for new CDBG funded activities; modification of existing activities; or other HUD Community Planning and Development (CPD) program administrative actions.

Any proposed amendment that is considered a "Substantial Amendment" is subject to the Citizen Participation process, requires at least one public meeting, formal action by the Mesa City Council, and approved by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on a substantial amendment.

Substantial amendments require at least one public meeting. A substantial amendments public meeting may be held after a minimum of fourteen days (14) notice to the public. "Notice" is a legal notice that is published in a newspaper of general circulation one time at least fourteen (14) days prior to the date of the first public meeting. Minimum comment period is thirty days, commencing from the date of the first publication. If COM elects to hold more than one public meeting, a legal notice should be published two times with seven days apart between notices.

Public meetings will be held at times and locations that are convenient to potential or actual beneficiaries and with accommodations for the disabled. At all public hearings, upon advance request, translators will be available for those who do not speak or understand English, or those that are hearing impaired or sight impaired.

The City will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR 91.105 (c) (3). A summary of these comments and views, including comments or views not accepted (and the reason why) shall be included with the substantial amendment.

Amendments to the Consolidated Plan are divided into four categories: Substantial Amendments, Minor Amendments, One-Percent Amendments, and Emergency Amendments.

The City of Mesa is required by HUD [24 CFR 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a "Substantial Amendment". The following criteria will be used by the City:

Substantial Amendments

1. Addition of a new project not previously described in the Consolidated Plan or Annual Action Plan.
2. Deletion of any project previously described in the Consolidated or Action Plan.
3. Change in the purpose, scope, location or beneficiaries of an activity or project previously described in the Consolidated Plan or Action Plan.
4. Change in the use of CDBG funds from one eligible activity to another.
5. Change in total dollar amount allocated or budgeted for an activity by more than \$50,000.
6. Substantial Amendments requires at least one public meeting and a minimum thirty-days comment period.
7. All Substantial Amendments requires Mesa City Council Approval.

Minor Amendments

Minor amendments represent any changes to Consolidated Plan or Action Plan activities that do not qualify as “substantial amendments” and are more than 1 percent change in funding up to \$50,000. Minor amendments require the signature of the City of Mesa Housing and Community Development Department Director or designated representative, but do not require a public notice or City Council approval.

One-Percent Amendments

A one-percent amendment represents any change in the funded amount of an activity that is one-percent or less. These amendments require the signature of the City of Mesa Housing and Community Development Department director or designated representative, but do not require a public notice or City Council approval.

Consolidated Annual Performance Evaluation Report (CAPER)

The City is required to submit a CAPER for its CPD programs to HUD no later than 90 days from the end of a program year (i.e. late – September). The CAPER describes how funds were spent and the extent to which these funds were used for activities that benefitted low and moderate-income persons.

The City will publish a legal notice that its CAPER is available for review, so the public will have sufficient opportunity to review and comment on the report. The notice will be published in one or more local newspapers of general circulation. There is a 15-day public comment period prior to the submission of the CAPER to HUD. The City will consider any comments or views of citizens received in writing, or orally at public hearings. A summary of these comments or views will be attached to the final CAPER to be submitted to HUD.

Anti-Displacement and Relocation

City of Mesa Policies on Displacement for Community Development Block Grant (CDBG) and/or HOME Funded Activities.

Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended.

The City of Mesa, in accordance with Federal Regulations for Displacement, 24 CFR 570.606(b), hereby issues this statement of policy regarding the displacement of persons by CDBG or HOME Program funded activities.

Any entity receiving CDBG or HOME Program funds will replace all occupied and vacant units that will be demolished or converted to a use other than as low/moderate income housing.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. This includes any property obtained through a public undertaking. Before obligating or expending funds that will directly result in such demolition or conversion, the entity will make public and submit to the HUD Field Office the following information in writing.

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for low/moderate income dwelling units as a direct result of the assisted activity;
- A time schedule for the commencement and completion of the demolition or conversion;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source of funding and a time schedule for the provision of replacement dwelling units, and
- The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy (i.e.: Deed of Trust, Deed Restriction, etc.).

The City or subrecipient will provide relocation assistance, as described in 570.606(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use. Benefits will be provided to relocatees and displacees according to the calculation of benefits derived pursuant to requirements of regulations promulgated under the Uniform Property Acquisition and Relocation Act of 1970, as amended.

Assistance to Aliens

An alien who is not lawfully present in the United States is prohibited from receiving assistance under the Uniform Relocation Act, per 49 CFR 24.208, and assisted housing programs. Circumstances may dictate that determination that an alien is ineligible would result in exceptional and extremely unusual hardship to a spouse, parent, child who is a United States citizen. A final determination on the eligibility of the request will be made by HUD before any assistance is provided.

Permanent Displacement

Displacement is defined as follows: Permanent movement of person(s) or other entities from a dwelling unit or business location resulting from CDBG or HOME-funded code inspections, rehabilitation, demolition or acquisition. Where appropriate, the City may use CDBG funds to pay for relocation-related costs in projects using Low Income Housing Tax Credits.

To minimize displacement and mitigate adverse effects, the policy shall consist of the following steps, in the event displacement is caused by current or future CDBG or HOME Program-funded projects:

- Avoid or minimize permanent displacement whenever possible and only take such action when no other viable alternative exists.
- The impact on existing persons and properties will be considered in the development of CDBG and HOME Program funded projects.
- Citizens shall be informed of CDBG or HOME Program project area(s) through information made available as part of the annual proposed and final statements on use of CDBG and HOME Program funds. • Current regulations, HUD notices and policies will be followed when preparing informational statements and notices.
- Written notification of intent will be given to eligible property owners who may be displaced and/or relocated due to an approved project activity.
- Assist those displaced in locating affordable, safe, decent and comparable replacement housing.
- Ensure that “just compensation” for CDBG or HOME Program acquired property (as determined by appraised fair market value) is paid with relocation benefits, if applicable.
- Provide for reasonable benefits to any person permanently displaced because of the use of CDBG funds to acquire or substantially rehabilitate property.

Reasonable benefits will follow established policies set forth in applicable federal, state and local regulations.

- Provision of information regarding equal opportunity and fair housing laws to ensure that the relocation process does not result in different or separate treatment because of race, color, religion, national origin, sex, handicap, or source of income.
- Displaced families will be given a preference through the Housing Choice Voucher Program, Conventional Public Housing or any other federally funded program for which they might qualify. This priority is contingent upon availability of certificates, vouchers or placement coupons by the agency certified to handle assistance in the jurisdiction.

Temporary Displacement

CDBG or HOME Program funded activities may involve temporary displacement. While strict adherence to provisions of the Uniform Relocation Act is not specified, it is the policy of the City of Mesa that all subrecipients shall take steps to mitigate the impact of CDBG or HOME Program funded code inspections, rehabilitation, demolition or acquisition that results only in temporary movement of person(s) from a dwelling unit. Such temporary displacement primarily involves demolition and reconstruction of a single-family owner-occupied home. Where appropriate, the City may use CDBG funds to pay for relocation-related costs in projects using Low Income Housing Tax Credits. Accordingly, the citizens involved in a temporary movement shall be fully informed of the below matters and appropriate steps shall be taken to guarantee that fair and equitable provisions are made to:

- Insure that owners receive compensation for the value of their existing house prior to demolition.
- Receive temporary living accommodations while their CDBG or HOME Program funded unit is being demolished and reconstructed.
- Move and temporarily store household goods and effects during the demolition and reconstruction evolution.
- Reimburse all reasonable out-of-pocket expenses incurred relating to the temporary relocation, including moving costs and any increased rent and utility co

Complaints

Written complaints from City residents related to the Consolidated Plan, amendments, AFH, revisions, and the performance report will receive careful consideration and will be answered in a written response within 15 business days (where practicable) to every written resident complaint.

Written complaints should be sent to the Director's Office at the following address:

Housing and Community Development Director
City of Mesa Housing and Community Development Department
20 E Main Street, Suite 250
Mesa, AZ 85211-1466

Civil Rights, Complaints and Grievance Process

Title VIII of the Civil Rights Act of 1968 is known as the Fair Housing Act. The Act, as amended in 1974 and 1988, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status, and disability.

These seven classifications are collectively termed federally protected classes. The federal familial status provision protects children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.

HCD program staff will provide a written response to all written citizen complaints received related to the Consolidated Plan, Consolidated Plan amendments, and performance reports within 15 working days from receipt of the complaint. Citizens not satisfied with the staff response may request a review of the complaint by the City of Mesa Housing and Community Development Director. Reviews may be requested by telephone, email or letter to the Director and should include a summary of the complaint as well as the summary of the response from the HCD program staff.

City of Mesa Title VI, Civil Rights Act of 1964 Requirements

It is the policy of the City of Mesa that no person shall be denied the benefits of, or be subjected to discrimination in, any sponsored program, service, or activity provided by City of Mesa staff, contractors, or consultants on the grounds of race, color, national origin, limited English proficiency, age, disability, religion, marital status, familial status, sex, gender, gender identity, sexual orientation, or source of income.

Filing a Title VI Complaint:

Complaints should be filed with the Title VI Officer, located in the City of Mesa Diversity Office.

Complaints must be in writing and signed by the complainant. If the complainant needs assistance in reducing the complaint to writing or signing it, he or she may request assistance from the Title VI Officer or may have another person write and acknowledge the complaint on his or her behalf.

The complaint should include names and contact information of any witnesses, including City of Mesa employees or contractors. Allegations may be faxed or e-mailed and will be acknowledged.

Allegations sent by fax or e-mail will not be processed until the identity of the complainant and the intent to proceed with the complaint have been established. The complaint form must be signed or acknowledged and returned to the Title VI Officer for processing.

The original copy may be sent, faxed, or emailed to:
Title VI Officer
City of Mesa Diversity Office
20 E. Main Street, Suite 250
Mesa, AZ 85211-1466