

City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Citizen Participation Plan **Amended 3/20/2013, 10/7/2015, 07/2017**

A) — PURPOSE

(A) Applicability & Adoption of the Citizen Participation Plan

Pursuant to the requirements of 24 CFR 91.105 and 24 CFR Part 5.158, the City of Appleton issues the following Plan to provide for, and encourage, residents to participate in the development of the City of Appleton's AFH and any revisions to the AFH, the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the performance reports (CAPER).

This Citizen Participation Plan amends and supersedes the City's previous Citizen Participation Plan, adopted in compliance with Section 104(a)(3) of the Housing and Community Development Act of 1974 and Title 24 of the CFR, Subtitle A, Part 91. This Plan includes the community participation requirements included in the Affirmatively Furthering Fair Housing (AFFH) Rule, per 24 CFR, Section 5.158.

In July 2015, HUD issued a Final Rule for entitlement communities that replaces the Analysis of Impediments to Fair Housing Choice (AI) with a new process called an Assessment of Fair Housing (AFH), which requires analysis of local fair housing landscape and establishment of fair housing priorities and goals. The Rule identifies four fair housing issues that grantees must assess:

1. Patterns of integration and segregation;
2. Racially or ethnically concentrated areas of poverty;
3. Disparities in access to opportunity; and
4. Disproportionate housing needs

The AFH process will begin with inclusive community participation and will result in the setting of fair housing goals to increase fair housing choice and provide equal access to opportunity for all community members. The City of Appleton will then use the fair housing goals and priorities established in the AFH to inform the investments and other decisions made in the Consolidated Planning processes. For that reason, the AFH will occur prior to the development of a new Consolidated Plan.

~~As a requirement of the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program, the City of Appleton has developed and adopted this Citizen Participation Plan (CPP) relating to the CDBG Program in compliance with section 104(a)(3) of the Housing and Community Development Act of 1974 and Title 24 of the Code of Federal Regulations, Subtitle A, Part 91. The CPP provides for and encourages citizen participation in the development of any consolidated plan, any substantial amendment to the consolidated plan and the performance report.~~

(B) Encouragement of Citizen Participation

The City of Appleton encourages all of its citizens to participate in the development of its Assessment of Fair Housing (AFH), revisions to the AFH, Consolidated Plan, substantial amendments to the Consolidated Plan, and the Consolidated Annual Performance Evaluation Report (CAPER). The City will especially encourage participation by low- and moderate-income persons, particularly those living in areas where CDBG funds are proposed to be used and those populations who have historically experience exclusion, including racial and ethnic minorities, limited English proficient individuals, and individuals with disabilities.

During the process of developing the AFH and the Consolidated Plan, the City will encourage the participation of local and regional institutions, the Fox Cities Continuum of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations.

The City will use the following general strategies to reach target populations:

- Promote citizen input opportunities through various sources, such as social media, web links, local public access channels, and postings.

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- Conduct online or door-to-door surveys in English, Spanish, and Hmong, when feasible.
- Use the Internet to access those residents least likely or unable to participate in public hearings. The Internet will provide convenient access for all residents to participate in the development of the Consolidated Plan and AFH.
- Solicit views of nonprofit and service agencies.
- Hold public meetings at fully accessible locations.
- Encourage the Appleton Housing Authority (AHA) and its tenants to participate in the development and implementation of the Consolidated Plan and AFH. The City shall provide information to the AHA about relevant Consolidated Plan activities so that the AHA can make this information available at their annual public hearing.

Although the strategies to obtain resident input are similar for the AFH and the Consolidated Planning process, there are differences. The below describes methods specific to the development of the AFH:

- Hold at least one public hearing early in the development phase, at which preliminary data from HUD and the AFH assessment tool will be presented. The public hearing will be noticed at least 14 days (two weeks) in advance in the local newspaper and be geared toward a general audience of residents and other interested parties. When feasible, the public hearing will be held at a partner entity's facility.
- Conduct an online survey targeted toward individuals who may have experienced housing discrimination in the City of Appleton. The online survey will be promoted through various means that may include social media, email distribution, press releases, posting within a neighborhood, and on public transit vehicles.
- Hold two to three focus group sessions, targeting those populations most likely to experience housing discrimination; examples of target audiences include limited English-speaking persons, individuals with disabilities and the agencies that serve them, refugees, new Americans, and others.

(C) Citizen Comment on the Citizen Participation Plan and Amendments

The City of Appleton will provide citizens with a reasonable opportunity to comment on the original Citizen Participation Plan and on substantial amendments to the Citizen Participation Plan, and will make the Citizen Participation Plan public. The comment period will be no less than 14 days following a public notice advertised in the Post Crescent, the City's newspaper of general circulation. The Citizen Participation Plan will be provided, upon request, in a format accessible to persons with disabilities.

(D) Assessing the City of Appleton's Language Needs

In determining the need for translation notices and other vital documents, the Community and Economic Development Department will evaluate the impact of translation for the LEP persons in the City of Appleton.

Throughout the development of the Fair Housing Assessment and Consolidated Plan, particular attention will be paid to reaching LEP persons by conducting surveys and focus group meetings. Further, all public hearing notices will include the availability of an interpreter if notified at least five (5) days in advance of the hearing or if a significant number of non-English speaking persons are expected to participate at the hearing. Finally, certain outreach methods will target specific non-English speaking populations, such as recent immigrants, refugees and new Americans.

(E) Development of the Assessment of Fair Housing and the Consolidated Plan

As soon as feasible after the start of the public participation process, the City of Appleton will make the HUD-provided data and any other supplemental information that the City plans to incorporate into its AFH available to its residents, public agencies, and other interested parties.

Before adopting a Consolidated Plan, the City will make available to citizens, public agencies, and other interested parties, information that includes the amount of assistance the jurisdiction 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. This information will be provided early in the planning process through public notices, posting to the City's website (www.appleton.org) and public hearings/meetings.

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A notice will be advertised in the Post Crescent to inform the public that a draft AFH or Consolidated Plan is available to review and is subject to public comment. The notification will provide a summary of the documents and will describe the contents and purpose of the particular plan. The notice will also be posted on the City's website (www.appleton.org) and emailed to a vast list of community agencies/groups. The public notice will state that copies of the proposed Plans, in their entirety, will be available for review on the City's website and at the following locations and that copies will be provided to citizens and groups, as requested:

Appleton City Center
Community and Economic Development Department
100 N Appleton St, 5th Floor
Appleton, WI 54911

Citizens are encouraged to participate in both a formal public hearing before the CEDC and 30 day public comment period that occur as part of the development, and before the adoption, of each five year consolidated plan for CDBG funding, in addition to other opportunities for public participation related to identifying long-term housing and community development-related strategies. Information made available will include the amount of assistance the City expects to receive, the range of activities that may be undertaken and the estimated amount that will benefit persons of low- and moderate income. The five year consolidated plan draft will be available for review on the City of Appleton CDBG web page and at City Hall in the Community and Economic Development Department (100 N. Appleton Street). A summary describing the contents and purpose of the consolidated plan along with a list of where the consolidated plan draft may be viewed will be published to allow for reasonable opportunity to examine the contents of the proposed plan. All comments or views of citizens received in writing or at public hearings shall be considered in the preparation of the final AFH or Consolidated Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the final AFGH or Consolidated Plan.

(F) Consolidated Plan Amendments and AFH Revisions

Criteria for Amendment to the Consolidated Plan. The City of Appleton defines a substantial amendment to the Consolidated Plan/ Annual Action Plan as a change A public comment period will be held when substantial amendments to the five year consolidated plan, Citizen Participation Plan or changes in use or distribution of CDBG funds are proposed/requested. Substantial amendments may include those involving:

- (1). plans to utilize funds for a priority need or goal not specified in the current consolidated plan
- (2). plans to change the use of a subrecipient's entire allocation not included in the subrecipient's current agreement; i.e. change in eligible activity, purpose, scope, location or beneficiary
- (3). plans to change the method of distribution of funds to subrecipients

Criteria for Amendment to AFH. Significant revisions to an AFH previously accepted by HUD will follow the requirements listed at 24 CFR 5.164. The AFH must be revised and submitted to HUD for review under the following circumstances:

- 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 actual circumstances. Examples include Presidentially-declared disasters in the area that are of such a nature as to significantly impact the steps a program may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the jurisdiction; and civil rights findings, determinations, settlements, or court orders; or
- Upon HUD's written notification, specifying a material change that requires the revision.

Substantial amendments to the Plan and significant revisions to the AFH must be authorized by the Community and Economic Development Committee. A 30-day public comment period will be provided before any substantial amendment to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds is approved by CEDC and Council or implemented. Notice of the public comment period will be published in the

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local newspaper (the *Appleton Post Crescent*), on the City of Appleton CDBG web page and posted in a public area at City Hall two weeks prior to the start of the comment period. All comments or views of citizens received in writing shall be considered in the preparation of the substantial amendments ~~to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds.~~ A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the substantial amendment ~~for submission to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds.~~

Following the comment period, the Mayor, as the certifying official, will submit a letter to HUD authorizing and implementing the substantial amendment and/or submit the significant AFH revision for HUD review, as applicable.

Minor amendments to the Consolidated Plan or minor revisions to the AFH (which do not require a comment period of public hearing) may be made, including a change in the goal, priority, or activity of the Consolidated Plan; carrying out an activity, using funds from any program covered by the Consolidated Plan not previously covered in the Action Plan; or changes to the purpose, or location of an activity included in the Annual Action Plan. Minor amendments/revisions must be authorized by the Community and Economic Development Committee. Minor changes will be made public by posting agendas and meetings online. The minor amendments/revisions may be implemented immediately after approval.

(G) COMPREHENSIVE ANNUAL PERFORMANCE and EVALUATION REPORT (CAPER)

At the end of each program year, a Comprehensive Annual Performance and Evaluation Report (CAPER) must be submitted to HUD by June 29th. The CAPER gives an actual account of activities and details how the City of Appleton maintained and expended funds for that program year.

A 15-day public comment period will be held to receive comments on the CAPER draft before it is submitted to HUD. All comments or views of citizens received in writing or at public hearings shall be considered in the preparation of the CAPER. A summary of these comments or views shall be attached to the CAPER for submittal to HUD. ~~The City will provide notice in the Post Crescent and on the City's website of the availability of the draft CAPER.~~

(H) PUBLIC HEARINGS/COMMENT PERIOD

Two public hearings will be held each year to provide opportunities for public participation at different stages of the CDBG program year. The hearings will be held in conjunction with regular meetings of the Community and Economic Development Committee (CEDC). Specifically, these hearings include:

(1) The *Community Development Needs Hearing* corresponds with the CDBG subrecipient application timeframe. Citizens are asked to identify housing and community development needs.

(2) The *Consolidated Annual Performance & Evaluation Report (CAPER) Hearing* corresponds with the publication of the CDBG CAPER draft, which summarizes the activities undertaken during the previous program year. Citizens are asked to view the CAPER draft on the City of Appleton CDBG web page or view a paper copy at City Hall in the Community and Economic Development Department (100 N. Appleton Street) before providing comments at this hearing.

The Community and Economic Development Department will hold a public hearing to obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs. This public hearing will be held during the development of the AFH and before the proposed AFH is published for comment.

All public hearings will be advertised in the *Appleton Post Crescent* and posted on the City's website two weeks prior to the public hearing. Each hearing will be held at City Hall and will include the availability of an interpreter when a significant number of non-English speaking persons are expected to participate at the hearing. If notified

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at least five (5) days in advance of the public hearing, the City will provide translation, vision or hearing impaired services as needed.

~~III. CONSOLIDATED PLAN PUBLIC HEARING/COMMENT PERIOD~~

~~IV. SUBSTANTIAL AMENDMENTS~~

(I) PUBLICIZING OPPORTUNITIES FOR CITIZEN PARTICIPATION

Notices announcing public hearings and comment periods are published both on the City of Appleton CDBG web page and in the local newspaper (the *Appleton Post Crescent*), and posted in a public area in City Hall approximately two weeks in advance of the hearing or start of the comment period. Meeting schedules are printed and posted in a public area at City Hall weekly.

(J) ACCESSIBILITY

All Appleton residents, especially persons of low- and moderate-income, residents of low- and moderate-income neighborhoods, persons with disabilities, persons with limited English-speaking ability and persons of racial minority, are encouraged to contribute input regarding CDBG-funded activities. No person shall be excluded from participation in the City of Appleton CDBG programs on the grounds of race, color, national origin, gender, sexual orientation, gender identity, gender expression, age, religious creed or disability. To encourage equal access in participation for persons with disabilities, all CDBG-related hearings and meetings are held at accessible sites. Furthermore, materials will be provided in accessible formats – including translation into other languages if necessary – at City Hall in the Community and Economic Development Department and on the City of Appleton CDBG web page. A translator may be requested if a significant number of non-English speaking residents are expected to participate. In addition, if a citizen is unable to attend a public hearing due to scheduling conflicts, the citizen will be asked to provide a written comment that will then be shared with the CEDC and Common Council. The adopted ~~AFH, eConsolidated pPlan, Citizen Participation Plan, CAPER , and~~ substantial amendments/~~revisions and final approved~~, will be available on the City of Appleton CDBG web page at all times and the public will have access to a printed copy at City Hall in the Community and Economic Development Department. Reasonable and timely access to information and records relating to the consolidated plan and use of assistance under the CDBG Program during the preceding five years will be provided to citizens, public agencies and other interested parties.

(K) OBJECTIONS TO CDBG DOCUMENTS

Citizens may provide critical input regarding the City of Appleton's CAPER, five-year consolidated plan, proposed substantial amendments at any time. Critical input must include identification of unmet requirements and relevant supporting data and will be considered on the following grounds:

- (1) Stated needs and objectives are inconsistent with available and reliable data
- (2) Stated projects are inappropriate for meeting needs and approved objectives
- (3) Consolidated plan elements do not comply with federal regulations for the CDBG Program

This critical input must be submitted in written form to: CDBG Program, C/O Community and Economic Development Department, 100 N. Appleton Street, Appleton, WI 54911. Upon receipt, the Community and Economic Development Department will present the letter stating critical input to the CEDC and the Common Council. All said written forms of critical input shall receive a written response within 15 days after the Common Council meeting at which the matter was considered.

(L) TECHNICAL ASSISTANCE

Where appropriate, City staff shall provide technical assistance to organizations that serve low- and moderate-income persons in developing their CDBG subrecipient applications. Furthermore, all citizens and/or local agency representatives are encouraged to contact City CDBG staff with questions about both program guidelines and general community development needs in the City of Appleton.

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(M) ANTI-DISPLACEMENT

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will generally avoid funding CDBG projects that involve permanent residential or business displacement. In cases where displacement is absolutely necessary, relocation benefits will be paid in accord with the Uniform Relocation Act, other applicable federal regulations, and Chapter 32 of the Wisconsin State Statutes.

(N) USE OF THE CITIZEN PARTICIPATION PLAN & JURISDICTION RESPONSIBILITY

The City of Appleton must follow its Citizen Participation Plan. However, the requirements for citizen participation do not restrict the responsibility or authority of the City for the development and execution of the Consolidated Plan or AFH.