



Meeting Agenda - Final

Community & Economic Development Committee

Wedn	esday, November	[•] 8, 2017	4:30 PM	Council Chambers, 6th Floor
1.	Call meetir	ng to order		
2.	Roll call of	membership		
3.	Approval o	of minutes from p	previous meeting	
	<u>17-1734</u>	CEDC Minute	es from 10-25-17	
		<u>Attachments:</u>	CEDC Minutes 10-25-17.pdf	
4.	Public Hea	arings/Appeara	nces	
5.	Action Iter	ms		
	<u>17-1736</u>	• •	oprove Substantial Amendment t levelopment Block Grant (CDBG	-
		<u>Attachments:</u>	NAMI ReAllocation Recs Memo to CE	DC.pdf
	<u>17-1738</u>	Development	pprove Substantial Amendments Block Grant (CDBG) Citizen Pa the Affirmatively Furthering Fair	rticipation Plan (CPP)
		<u>Attachments:</u>	CPP Amendment CEDC memo.pdf	
			Citizen Participation Plan- draft with m	arkups.pdf
			Citizen Participation Plan- Final 10-6-1	7.pdf
			HUD CPD AFFH Memo.pdf	
	<u>17-1739</u>		oprove 2018-2019PY Communit munity Partner Allocation Recor	
		Attachments:	Alloc Recs Memo to CEDC 11-8-17.pc	<u>if</u>
			2018 CDBG Simple Summary of Reco	mmendations.pdf
			2018 CDBG Summary of Recommend	lations.pdf
			2018 CDBG Advisory Board Members	<u>hip.pdf</u>
	<u>17-1740</u>	Health in All F	Policies Ordinance	
		Attachments:	HiAP Ordinance - Official Form (Clean) - 10-31-2017.pdf

6. Information Items

<u>17-1748</u> Update/Changes to Continuum of Care (COC) Transitional Housing Program (THP) Grant for the 2017-2018PY <u>Attachments:</u> <u>CEDC reclassification memo.pdf</u>

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Any questions about items on this meeting are to be directed to Karen Harkness, Director, Community and Economic Development Department at 920-832-6468.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



Meeting Minutes - Final

Community & Economic Development Committee

Wednesday, October 25, 2017	4:30 PM	Council Chambers, 6th Floor
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1. Call meeting to order

Meeting called to order at 4:30 p.m.

2. Roll call of membership

Alderperson Williams arrived at 4:35 p.m.

Present: 5 - Coenen, Baranowski, Reed, Williams and Alderperson Baker

Others present: Amy Karas, Fox Cities Convention & Visitors Bureau Alissa Williams, 1224 E. Park Hills Drive Bob Mundt, Fox Cities Chamber of Commerce Carter Fitzgerald, Xavier High School Brady Headington, Xavier High School Gerard Brown, Xavier High School

3. Approval of minutes from previous meeting

<u>17-1599</u> CEDC Minutes from 9-13-17

Attachments: CEDC Minutes 9-13-17.pdf

Baranowski moved, seconded by Alderperson Baker, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - Coenen, Baranowski, Reed and Alderperson Baker

Excused: 1 - Williams

4. Public Hearings/Appearances

<u>17-1600</u>	Presentation by Sandy Riedl, Association Sales Manager for Radisson Paper Valley Hotel, and Amy Karas, Convention Sales & Marketing Manager for Fox Cities Convention & Visitors Bureau, regarding garnering business for the Fox Cities Exhibition Center
	garnering business for the Fox Citles Exhibition Center

<u>Attachments:</u> RadissonPaperValley&FoxCitiesExhibitionCenter EventInfoRequestFo rm.pdf

This Appearance was presented by Amy Karas.

5. Action Items

<u>17-1679</u> Application for use of City logo received from Alissa Williams dated October 3, 2017

Attachments: Application for Use of City Logo Alissa Williams 10-3-17.pdf

Baranowski moved, seconded by Reed, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Coenen, Baranowski, Reed, Williams and Alderperson Baker

6. Information Items

<u>17-1680</u>	Update from Fox Cities Regional Partnership regarding partnership activities			
	<u>Attachments:</u>	FCRP Update Email from Bob Mundt 10-18-17.pdf		
		Investor Update Letter 2.pdf		
	This Presentation	on was presented.		
<u>17-1601</u>	2018 Commur	nity & Economic Development Department Budget		
	<u>Attachments:</u>	2018 CEDC Budget.pdf		
		2018 Housing & Community Development Grants Budget.pdf		
		2018 Capital Projects Budget.pdf		
		2018 Tax Incremental Financing Districts Budget.pdf		
		2018 CIP Appleton Redevelopment Authority Budget.pdf		
		2018 CIP TIF #6-IPLF - Southpoint Commerce Park Budget.pdf		
	This Presentation	on was presented.		
<u>17-1602</u>	Neighborhood	Program Fall Meeting		
	<u>Attachments:</u>	NeighborhoodProgramFallMeeting2017_Flyer.pdf		
	This Presentation	s Presentation was presented.		

7. Adjournment

Baranowski moved, seconded by Alderperson Baker, that the meeting be adjourned at 5:17 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Coenen, Baranowski, Reed, Williams and Alderperson Baker



MEMORANDUM

"...meeting community needs...enhancing quality of life."

TO:	Community and Economic Development Committee
FROM:	Nikki Gerhard, Community Development Specialist
DATE:	November 8, 2017
RE:	Substantial Amendment to 2017 CDBG Contract

Per the City of Appleton's CDBG Policy and Citizen Participation Plan, if a subrecipient wishes to utilize funds for an activity not identified on their original application, they are required to submit a detailed letter to the Community and Economic Development Department explaining the reasoning for and amount of the proposed change. A 30-day public comment period must also be held prior to formal approval by the CEDC or Council.

On June 28, 2017, the CEDC approved the final 2017 CDBG award allocations for the Community Partner applicants. National Alliance on Mental Illness, or NAMI Fox Valley, originally applied for and was awarded funds for operating a peer specialist training course to prepare individuals to become certified peer specialists. Due to several interferences by the State of Wisconsin, NAMI no longer has the ability to offer the training curriculum at this time.

In light of that uncertainty, NAMI Fox Valley is requesting to modify the use of the \$10,000 CDBG award to support another program offered through the agency, Iris Place. Iris Place is a five-bedroom, peer operated, respite center that provides a safe and welcoming environment for individuals experiencing emotional distress or crisis, and allows them to grow and change through the support of others who have lived through those same or similar experiences. The respite is staffed with peer specialists 24 hours a day, year round, who provide emotional support to those staying at Iris Place and to those who make contact via the respite's warm line.

The majority of Iris Place expenses are funded through the State of Wisconsin's Department of Health Services; however, the full operating costs exceed the annual funding awarded. The CDBG allocation would minimize that gap and expand the peer specialist relief pool and volunteer program.

A 30-day public comment period was held from September 27, 2017 through October 26, 2017. No comments were received. As such, staff recommends the approval of the amendment to the NAMI Fox Valley 2017PY CDBG allocation.

If you have any questions, please contact me at 832-6469 or nikki.gerhard@appleton.org. Thank you!



MEMORANDUM

"...meeting community needs...enhancing quality of life."

Community and Economic Development Committee
Nikki Gerhard, Community Development Specialist
November 8, 2017
Citizen Participation Plan Amendment

A requirement of the CDBG Program is the adoption of a Citizen Participation Plan. The Plan provides citizens with information and knowledge of opportunities to become involved with and comment upon Appleton's CDBG Program.

In response to the Affirmatively Furthering Fair Housing (AFFH) mandate, the Citizen Participation Plan has been amended to reflect additional requirements necessary for implementation of the Assessment of Fair Housing (AFH).

The amendments incorporate the requirements under the AFFH into the following:

- Encouragement of citizen participation
- Development of the AFH and the Consolidated Plan
- Consolidated Plan amendments and AFH revisions
- Public Hearings
- Meetings
- Availability to the public
- Access to records
- Technical Assistance
- Complaints
- Jurisdiction responsibility

To make reading the draft and comparing it to the current plan easier, the current plan with markup and the draft without markup have been attached, along with the HUD memorandum mandating the incorporation of these amendments into the CPP.

A 14-day public comment period, as required under the current Citizen Participation Plan, was held October 18 through November 1. No comments were received.

If you have any questions, please feel free to contact me at nikki.gerhard@appleton.org

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.

- 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 HUDprovided 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.

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 (<u>www.appleton.org</u>) 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 eConsolidated pPlan. 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 eConsolidated 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

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

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 moderateincome 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.

(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.

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

(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 Assessment of Fair Housing (AFH) and any revisions to the AFH, the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the Comprehensive Annual Performance and Evaluation Reports (CAPER).

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(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 HUDprovided 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 (<u>www.appleton.org</u>) and public hearings/meetings. 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 (<u>www.appleton.org</u>) 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

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 AFH 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 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 is approved by CEDC and Council or implemented. Notice of the public comment period will be published in the local newspaper (the *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. 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.

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

(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 *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, Consolidated Plan, CAPER, and substantial amendments/revisions, 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 moderateincome 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.

(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.



OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

MAR 1 4 2016

MEMORANDUM FOR:	All CPD Formula Program Grantees
	All CPD Field Office Directors
	MANY MARIN
FROM:	Harriet Tregoning, Principal Deputy Assistant Secretary
	for Community Planning and Development, D
SUBJECT:	Incorporating 24 CFR Part 5 Affirmatively Furthering Fair Housing
	into 24 CFR 91.10 Consolidated Program Year, 24 CFR 91.105
	Citizen participation plan for local governments and 24 CFR 91.115
	Citizen participation plan for States

The U.S. Department of Housing and Urban Development (HUD) recently published a Final Rule at 24 CFR Part 5 regarding a grantee's obligation to Affirmatively Further Fair Housing (AFFH). The new rule sets forth a meaningful and transparent process to identify and understand local and regional fair housing issues and to set goals for improving fair housing choice and access to opportunity. HUD is providing its consolidated plan grantees and public housing authorities with an Assessment Tool and a rich set of data within a mapping tool to support the development of the Assessment of Fair Housing (AFH), which is replacing the Analysis of Impediments to Fair Housing Choice (AI). The assessment of information on the current state of neighborhood demographics and assets within an open planning process can affect the nature of the conversations, and ultimately, community decisions. The AFH Tool, informed by the community participation process, will guide grantees through the identification of fair housing issues and related contributing factors, and result in prioritizing and setting of goals for its upcoming planning period.

Under the new rule, the citizen participation plan requirements at 24 CFR 91.105 for local governments and 24 CFR 91.115 for states have been revised to accommodate the new AFH, the analysis undertaken pursuant to § 5.154 requiring consultation and community participation in the analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

Section 107 of the Cranston-Gonzalez National Affordable Housing Act and its implementing regulations at 24 CFR Part 91 require jurisdictions to implement a citizen participation process as a prelude to the allocation and expenditure of formula funds for HUD's Community Planning and Development programs. These requirements are also contained in section 104(a)(2) of the Housing and Community Development Act of 1974 for CDBG grantees. A grantee's citizen participation plan and proposed allocation of funds to eligible activities are components of its consolidated plan required pursuant to 24 CFR 91. The specific statutory requirement is implemented through 24 CFR 91.105 and 24 CFR 91.115, which describe the standards for local government and state citizen participation plans applicable to the formula grant programs.

Under the new AFFH rule, a grantee's citizen participation plan will need to be amended prior to the initiation of the AFH process to comply with the new provisions at § 91.105 for local governments and § 91.115 for states. This memorandum outlines the revisions and additions to the consolidated plan process, the consultation process and the citizen participation plan requirements for both local government and states so they may incorporate the AFH into their citizen participation plan.

24 CFR 91.10 - Consolidated program year and collaborating on an AFH submission

The AFFH rule at 24 CFR 5.152 and 5.156 encourages program participants to collaborate in undertaking a joint Assessment of Fair Housing (AFH) or a regional AFH. A joint AFH refers to two or more program participants conducting and submitting a single AFH. Joint participants may include local jurisdictions, states, Insular Areas, or PHAs. A regional AFH is a type of joint AFH in which at least two of the participants are consolidated plan program participants, conducting and submitting a single AFH. Collaborating program participants must, through a written agreement, designate one participant as the lead entity to oversee the joint or regional AFH on behalf of all collaborating program participants. Program participants that intend to collaborate must notify the appropriate FHEO Regional Director and provide a copy of their collaboration agreement. The new rule requests all collaborating program participants be on the same program year and consolidated plan submission cycle before submission of the joint AFH or regional AFH.

For the purposes of the AFFH Rule, HUD considers a consortium that acts as a single unit of general local government for the purposes of the HOME program to also be a single program participant for the purposes of completing an AFH. As such, a HOME consortium must submit a single AFH that covers the jurisdictions that make up the consortium. HUD does not consider such a submission to be a "joint" or "regional" submission. As such, HOME consortia are not subject to the requirements to notify HUD of the intent to submit jointly or to complete a separate written agreement. Consolidated Planning regulations require HOME consortium members to be on the same cycle for the 3-5 year consolidated plan (and to submit a single consolidated plan), so the AFH due date would be the same for the entire consortium.

Under 24 CFR 91.10, a jurisdiction may either shorten or lengthen its program year to align its program year with its collaborating partners. To change the beginning date of the following program year, the jurisdiction must notify their HUD field office in writing at least two months before the date the program year would have usually ended if it had not lengthened or at least two months before the end of a proposed shortened program year.

HUD recognizes that for the purpose of submitting a joint or regional AFH, some grantees may need to extend their consolidated plan beyond the normal three to five year time period in order to align their program with the other collaborating participants' consolidated plan cycles. Under 24 CFR 91.20, a jurisdiction may request an extension in writing to the field office of its intent to prepare a joint or regional AFH. The field office, at its discretion, will review and consider an extension of no more than two years for the specific purpose of aligning consolidated plan cycles for a joint or regional AFH. Jurisdictions requiring more than two years to become aligned with their designated AFH lead's program year start date should instead submit a new consolidated plan with a time period that would align the jurisdiction to its collaborating partners. Jurisdictions should

be aware that even when an extension is granted they must still continue to submit an annual action plan and required certifications.

The new rule does provide that if the alignment of a program year is not practicable, then the submission deadline for a joint AFH or regional AFH must be based on the designated lead entity's program year start date for its CPD formula grant programs. Within twelve months after the date of AFH acceptance, each collaborating program participant that has a program year start date earlier than the designated lead entity must make appropriate amendments to its consolidated plan to incorporate strategies and proposed actions consistent with the fair housing goals, issues, and other elements identified in the joint AFH or regional AFH.

24 CFR 91.100 and 24 CFR 91.110 - Consultation

The AFFH Final Rule revised the consultation process at 24 CFR 91.100(a)(1) and (5) and (c) and paragraph 91.100(e) was added to reflect the following additional consultation requirements for local governments. For states, the equivalent provision at 24 CFR 91.110(a) was also revised. Details of these additions and revisions are discussed in this section.

Under § 91.100(a)(1), a jurisdiction shall consult with other public and private agencies that provide assisted housing, health services, and social services, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons. A jurisdiction shall also consult with community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws when preparing both the AFH and the consolidated plan. The jurisdiction's consultation process, under § 91.100(a)(5), should include consultation with regional government agencies in addition to adjacent units of general local government and local government agencies. This includes local government agencies with metropolitan-wide planning and transportation responsibilities, particularly for problems and solutions that go beyond a single jurisdiction.

States, under § 91.110(a), must comply with the same requirements as local governments with the addition of also consulting with state-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws during preparation of the AFH and consolidated plan.

Public housing agencies (PHAs):

Under § 91.100(c)(1), the jurisdiction shall consult with public housing authorities (PHAs) operating in the jurisdiction. This consultation will continue to consider public housing needs, planned programs and activities under the consolidated plan. It will also now require consultation with PHAs operating in the jurisdiction on the AFH, on strategies for affirmatively furthering fair housing, and on proposed actions to affirmatively further fair housing in the consolidated plan. The intent is that this consultation will help provide a better basis for the certification by the authorized officials that the PHA Plan is consistent with the consolidated plan and the local government's description of its strategy for affirmatively furthering fair housing. The consultation process continues to require the jurisdiction to address the needs of public housing and, where necessary, the manner in which it will provide financial or other assistance to a troubled PHA to improve the

PHA's operations and remove the designation of troubled. The regulation, under § 91.100(c)(1), requires the jurisdiction to now obtain PHA input on addressing fair housing issues in the public housing and Housing Choice Voucher programs.

States must comply with the same requirements as local governments. Section 91.110(a)(1) is revised to address state-specific consultation requirements with respect to public housing or Housing Choice Voucher programs. The state shall consult with any housing agency administering public housing or the section 8 program on a statewide basis as well as all PHAs that certify consistency with the state's consolidated plan. A state's consultation with these entities may consider public housing needs, planned programs and activities, the AFH, strategies for affirmatively furthering fair housing, and proposed actions to affirmatively further fair housing. The state's consultation also helps ensure that activities with regard to affirmatively furthering fair housing, local drug elimination, neighborhood improvement programs, and resident programs and services, funded under a PHA's program are fully coordinated with those funded under a program covered by the consolidated plan to achieve comprehensive community development goals and affirmatively further fair housing.

Under § 91.100(c)(2) for local governments and § 91.110(a)(1) for states, the consultation process should work to ensure that activities with regard to affirmatively furthering fair housing are fully coordinated to achieve comprehensive community development goals and affirmatively further fair housing. If a PHA is required to implement remedies under a Voluntary Compliance Agreement, the grantee should now work with or consult with the PHAs, as appropriate, to identify actions the grantee may take, if any, to assist the PHA in implementing the required remedies.

Affirmatively Furthering Fair Housing:

Section 91.100(e)(1)-(3) for local governments and § 91.110(a)(2) for states are new additions to Part 91 and specifically address the consultation process with regard to affirmatively furthering fair housing organizations. The local jurisdiction shall consult with community-based and regionally-based organizations, and the state shall consult with state-based and regionally-based organizations should represent protected class members, and organizations that enforce fair housing laws, such as state or local fair housing enforcement agencies, including participants in the:

- Fair Housing Assistance Program (FHAP);
- Fair housing organizations;
- Nonprofit organizations that receive funding under the Fair Housing Initiative Program (FHIP); and
- Other public and private fair housing service agencies, to the extent that such entities operate within the grantee's area.

This consultation will help provide a better basis for the grantee's AFH, its certification to affirmatively further fair housing, and other portions of the consolidated plan concerning affirmatively furthering fair housing.

- For local jurisdictions, this consultation must occur with any organizations that have relevant knowledge or data to inform the AFH.
- For states, this consultation should occur with organizations that have the capacity to engage with data informing the AFH.

The organizations involved in the consultations should be sufficiently independent and representative to provide meaningful feedback to a jurisdiction on the AFH, the consolidated plan, and their implementation. At a minimum, the grantee will consult with the above referenced organizations in the development of both the AFH and the consolidated plan. Consultation on the consolidated plan shall specifically seek input into how the goals identified in an accepted AFH inform the priorities and objectives of the consolidated plan.

24 CFR 91.105 and 91.115 - Citizen Participation Plan

The AFFH Rule has revised the citizen participation process at 24 CFR 91.105(a)(1) and (a)(2)(i) through (iii). Paragraph 91.105(a)(4) is added and paragraphs § 91.105(b), (c), (e)(1), (f) through (j) and (l) are revised to reflect additional citizen participation plan requirements for local governments. For states, 24 CFR 91.115 is revised at § 91.115(a)(1) and (2). Paragraph § 91.115(a)(4) is added and paragraphs § 91.115(b), (c), (f), (g), and (h) are revised to reflect additional citizen participation plan requirements. In addition to these new provisions, the regulation now replaces "citizens" with "residents" at § 91.105(b), development of the AFH and the consolidated plan. Details of these additions and revisions are discussed in this section.

Encouragement of citizen participation:

In addition to existing citizen participation plan requirements, under § 91.105(a)(2)(i) through (iii) for local governments and § 91.115(a)(2)(i) through (iii) for states, the plan must also encourage citizens to participate in the development of the AFH and any revisions to the AFH in the same manner one would encourage citizen participation in the consolidated plan, any substantial amendments to the plan and the performance report. This process shall include persons living in areas designated by the local jurisdiction as a revitalization area, areas designated by either a local jurisdiction or a state as a slum and blighted area and areas where CDBG funds are proposed to be used.

The citizen participation plan shall encourage the participation of local and regional institutions for jurisdictions and statewide and regional institutions for states. The plan shall also encourage the participation of Continuums of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations, in the process of developing and implementing the AFH and the consolidated plan.

States, under 91.115(a)(2)(iii), should explore alternative public involvement techniques, such as focus groups and use of the internet. These techniques should encourage a shared vision of change for the community and the review of program performance.

For local jurisdictions, the citizen participation plan, under § 91.105(a)(2)(iii), shall also encourage, in conjunction with public housing agency consultations, participation of residents of

public and assisted housing developments, including any resident advisory boards, resident councils, and resident management corporations, in the process of developing and implementing the AFH and the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The jurisdictions shall make an effort to provide information to the PHA about the AFH, AFFH strategy, and consolidated plan activities related to the jurisdiction's developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

Assistance provided to non-English speaking residents of the community, previously addressed under § 91.105(e), is now located at § 91.105(a)(4) for local governments and § 91.115(a)(4) for states. The citizen participation plan shall describe the grantee's procedures for assessing its language needs and identify any need for translation of notices and other vital documents. At a minimum, the citizen participation plan shall require that the grantee take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking and limited English proficiency residents of the community.

Development of the AFH and the consolidated plan:

Under § 91.105(b) for local governments and § 91.115(b) for states, the citizen participation plan must include the following minimum requirements for the development of both the AFH and the consolidated plan.

- The citizen participation plan must require that the grantee make available to the public, residents, public agencies, and other interested parties any HUD-provided data and other supplemental information the grantee plans to incorporate into its AFH at the start of the public participation process (or as soon as feasible after).
- The grantee may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website.
- The citizen participation plan must require the grantee to publish the proposed AFH and the proposed consolidated plan in a manner that affords its residents, units of general local government, public agencies, and other interested parties a reasonable opportunity to examine its content and to submit comments.
- The citizen participation plan must set forth how the grantee will make public the proposed AFH and the proposed consolidated plan and give reasonable opportunity to examine each document's content.
- The requirement for publishing may be met by publishing a summary of each document in one or more newspapers of general circulation, and by making copies of each document available on the Internet, on the grantee's official government web site, as well as at libraries, government offices, and public places.
- The summary must describe the content and purpose of the AFH or the consolidated plan, as applicable, and must include a list of locations where copies of the entire proposed document may be examined.
- In addition, a reasonable number of free copies of the plan or the AFH, as applicable, must be provided to residents and groups that request a copy of the plan or the AFH.
- The citizen participation plan must provide for at least one public hearing during both the development of the AFH and development of the consolidated plan and must provide a

period, not less than 30 calendar days, to receive comments from residents of the community on the consolidated plan or the AFH. The required public hearing must occur before the proposed consolidated plan is published for comment.

• The citizen participation plan shall require the grantee to consider the comments or views of residents, whether received in writing or orally at the public hearings, in preparing in the final AFH or the final consolidated plan. A summary of any comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AFH or the final consolidated plan.

States must comply with the same requirements as local governments; new language at § 91.115(b)(2) also addresses the need for states to ensure that the AFH, the consolidated plan and the PHA plan are informed by meaningful community participation by employing communications means designed to reach the broadest audience.

Consolidated plan amendments and AFH revisions:

Under § 91.105(c)(1) for jurisdictions and § 91.115(c)(1) for states, the criteria for amendments to the consolidated plan remain the same; the rule adds a section on criteria for revisions to the AFH. Grantees must specify the criteria they will use for determining when revisions to the AFH will be required. At a minimum, the specified criteria must address the situations described in 24 CFR 5.164, which include a material change in circumstances in the jurisdiction 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. Under § 91.105(c)(2) and § 91.115(c)(2), the citizen participation plan must provide community residents (and units of general local government for states) with reasonable notice and an opportunity to comment on substantial amendments to the consolidated plan and revisions to the AFH. The citizen participation plan must state how reasonable notice will be provided and the opportunity to comment will be given. The period of notification remains the same, not less than 30 calendar days, and now covers any revision to the AFH before the revised AFH is submitted to HUD for review. The grantee must still consider any comments or views of residents (and units of general local government for states) received in writing or orally at public hearings in regard to a substantial amendment to the consolidated plan or significant revision to the AFH, as applicable. A summary of these comments or views and a summary of any comments or views not accepted and the reasons why, shall be attached to the substantial amendment to the consolidated plan or the revision to the AFH.

Public hearings:

In addition to obtaining residents' views through the required public hearing addressing housing and community development needs, development of proposed activities, and review of program performance, § 91.105(e) for local governments and § 91.115(b)(3) for states, require that the grantee must also address the proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH. At least one of the public hearings must be held before the proposed consolidated plan is published for comment. Under § 91.105(1)(iii) for local governments and § 91.115(b)(3) for states, the citizen participation plan must provide that at least one public hearing is held before the proposed AFH is published for comment, in order to obtain the views of

the community on AFH-related data and affirmatively furthering fair housing in the grantee's housing and community development programs.

Meetings:

Under § 91.105(f) for jurisdictions and § 91.115(b)(3)(ii) for states, the citizen participation plan must provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8 as well as the Americans with Disabilities Act and implementing regulations at 28 CFR part 35 and 36, as applicable.

Availability to the public:

Under § 91.105(g) for local governments and § 91.115(f) for states, the citizen participation plan must state how documents will be available to the public. In addition to the consolidated plan and any substantial amendments thereto, the HUD-accepted AFH and any subsequent revisions must be made available to the public. This includes making materials available in a form accessible to persons with disabilities or limited English proficiency upon request.

Access to records:

Under§ 91.105(h) for local governments and § 91.115(g) for states, the citizen participation plan must state how the grantee will provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the grantee's AFH, consolidated plan, and use of assistance under the programs covered by this part during the preceding 5 years.

Technical Assistance:

Under § 91.105(i), the citizen participation plan for local governments must provide for technical assistance to groups representative of persons of low-and-moderate income that request such assistance to comment on the AFH, or in developing proposals for funding assistance under any of the programs covered by the consolidated plan, with the level and type of assistance determined by the jurisdiction. The assistance need not include the provision of funds to the groups.

Complaints:

Under § 91.105(j) for local governments and § 91.115(h) for states, the citizen participation plan shall describe the grantee's appropriate and practicable procedures to handle complaints from its residents related to the consolidated plan, consolidated plan amendments, the AFH, any revisions to the AFH, and the performance report. At a minimum, the citizen participation plan shall require that the grantee must provide a timely, substantive written response to every written resident complaint, within an established period of time (normally within 15 working days, where practicable).

Jurisdiction responsibility:

The new AFFH rule adds an AFH reference at § 91.105(l) to ensure that citizen participation requirements do not restrict the responsibility or authority of the local governments for the development and execution of its consolidated plan or AFH.

The revised standards for local government and state citizen participation plans are applicable to formula grant programs administered by the Office of Community Planning and Development (CPD). It is important that both local governments and states incorporate the new provisions described in this memorandum into their consultation and citizen participation process in order to remain in compliance with regulatory requirements.

Grantees with questions concerning this Notice should direct their inquiries to their local HUD Field Office Community Planning and Development Division. Field Offices should direct their questions to the Office of Block Grant Assistance at (202) 708-1577 for the Entitlement CDBG program or (202) 708-1322 for the State CDBG program.



MEMORANDUM

"...meeting community needs...enhancing quality of life."

TO:	Community and Economic Development Committee
FROM:	Nikki Gerhard, Community Development Specialist
DATE:	November 08, 2017
RE:	Recommendations for 2018 Community Development Block Grant Funding

Background. The estimated 2018 CDBG award listed in the 2018 City budget was \$535,000. This amount was estimated based on past award amounts. Staff determined the allocations for the Homeowner Rehabilitation Loan Program, Neighborhood Services Program, Appleton Housing Authority and administrative costs. The remaining amount was designated for department projects and community partners through a competitive application process.

Application Information. CDBG applications from City Departments were due to the Community and Economic Development Department on August 31, 2017. Two applications were submitted; one was recently approved for the full request. CDBG applications from community partners for the 2018 program year were due to the Community and Economic Development Department on September 29, 2017. Ten applications were submitted. Upon receipt, the applications were thoroughly reviewed by the Community and Economic Development Specialist for eligibility under HUD program regulations and it was determined that all were eligible.

After awards were allocated for City programs, administration, and the City Department project, the amount available to allocate to the community partner applicants was \$193,152.29. Only 15% of a grantee's allocation may be used for public service activities, per HUD regulations. In this instance, only a maximum of \$80,250 could be allocated towards the public service applications. Because the funded City Department project fell under the public service category, the remaining balance allowable to community partner applicants was \$28,402.29. The total amount requested by applicants whose activities fell under the public service category was \$110,000; while the total amount requested by applicants whose activities did not fall under the public service category was \$234,157.

Application Review. The CDBG Advisory Board met on November 1, 2017. (See attachment for information regarding Board membership.) Members were asked to review the applications and decide upon allocation amounts prior to the meeting. The allocation amounts made by each board member were compiled and discussed at the meeting. Allocation recommendations were agreed upon pursuant to this discussion.

Allocation Approval. The funding allocation recommendations for the Homeowner Rehabilitation Loan Program, Neighborhood Services Program, Appleton Housing Authority and administrative costs, as determined by staff, and the allocation recommendations from the CDBG Advisory Board for community partners are presented in the attached table for CEDC approval.

If you have any questions, please contact me at 832-6469 or nikki.gerhard@appleton.org. Thank you!

AWARD RECOMMENDATIONS FOR 2018 CDBG PROGRAM YEAR

City Programs/Appleton Housing Authority/Administration		
City of Appleton Homeowner Rehabilitation Loan Program	\$	115,000.00
City of Appleton Neighborhood Services Program	\$	40,000.00
Fair Housing Services/Assessment of Fair Housing (AFH)	\$	65,471.24
Appleton Housing Authority	\$	60,000.00
CDBG Program Administration Costs	\$	24,322.00
Appleton Police Department	\$	51,847.71
Non-Public Service		
Housing Partnership of the Fox Cities	\$	15,000.00
Mooring Programs	\$	85,800.00
Rebuilding Together Fox Cities	\$	19,156.76
St. Bernadette/Thompson Center	\$	30,000.00
Public Service		
Harbor House	\$	15,000.00
LEAVEN	\$	13,402.29
	TOTAL \$	535,000.00

Comn	-		tion AWARD RECOMMENDATIONS CDBG Program Year	5			
CITY PROGRAMS/ADMINISTRATION	PROJECT ACTIVITY	PROJECTED OUTPUT	FUNDS WILL BE USED TO	PR	AMOUNT EVIOUSLY PPROVED	C	DBG ADVISORY BOARD \$ REC
Fair Housing Services/Assessment of Fair Housing	administration	submission of required AFH	generate required Assessment of Fair Housing (AFH) under new HUD requirements/regulations for the 2020- 2025 Consolidated Plan	\$	50,678.00	\$	65,471.2
				\$	50,678	\$	65,471.24
NON-PUBLIC SERVICE	PROJECT ACTIVITY	PROJECTED OUTPUT	FUNDS WILL BE USED TO		AMOUNT EQUESTED	C	BG ADVISORY BOARD \$ REC
Greater Fox Cities Area Habitat for Humanity	housing	4 properties rehabilitated and sold to qualified homebuyers	acquire 4 properties to do full house rehabilitation and then sell to qualified low or moderate income homebuyers	\$	110,000.00	\$	-
Housing Partnership of the Fox Cities	housing	Roof repair/ replacement on 2 agency-owned units	rehabilitate 2 agency-owned rental program units that serve extremely-low and low-income participants	\$	15,000.00	\$	15,000.00
The Mooring Programs, Inc	housing	6 housing units rehabilitated	rehabilitate 6 housing units that serve as primary residential treatment services to individuals with substance abuse disorders	\$	60,000.00	\$	85,800.00
Rebuilding Together Fox Valley	housing	Roof repair/ replacement on 2 homes	rehabilitate 2 roofs for identified homeowners in community	\$	19,156.76	\$	19,156.76
St. Bernadette Parish/Thompson Center	public facility	electrical modifications	provide necessary electrical power from existing distribution panel located on first floor to the second floor (location of Thompson Center)	\$	30,000.00	\$	30,000.00
				\$ 2	34,156.76	\$	134,956.76
PUBLIC SERVICE	PROJECT ACTIVITY	PROJECTED OUTPUT	FUNDS WILL BE USED TO		AMOUNT EQUESTED	CE	BG ADVISORY BOARD \$ REC
Fox Valley Warming Shelter	public service	554 persons served	support various staff positions	\$	20,000.00	\$	
Harbor House	public service	300 persons served	support counseling/advocacy staff persons that work with women and children affected by domestic violence	\$	27,500.00	\$	15,000.0
Homeless Connections	public service	200 persons served	support house supervisor staff position and assist with utility bills	\$	20,000.00	\$	
LEAVEN	public service	103 households served	provide rental assistance to those at risk of homelessness through the Emergency Assistance Program	\$	25,000.00	\$	13,402.2
STEP Industries	public service	350 participants served	support staff and participants in a program that provides vocational and support services to individuals in recovery from drug and alcohol addiction	\$	37,300.00	\$	
				\$1	29,800.00	5	28,402.29

		\$129,000.00	\$20,4U2.29
City Programs/Appleton Housing Authority/Administration (previously approved)	\$290,000.00		
Appleton Police Department (previously approved)	\$51,847.71		This amount cannot exceed \$28,402.29 due to
CDBG Advisory Board Recommendations	\$193,152.29		15% cap on Public Service Activities per
	\$535,000.00		HUD regulations.

2018 CDBG ADVISORY BOARD

Name	Title	Organization	Contact
Tim Hanna	Mayor	City of	Tim.hanna@appleton.org
		Appleton	
Chris Croatt	President	Common	813 E Frances St, 54911
		Council	District14@appleton.org
Patti Coenen	Chair	CEDC	419 W Prospect Ave, 54911
		Committee	District11@appleton.org
Marissa	Chair	ARA	6625 North Smoketree Pass, 54913
Downs			downs@commonwealthco.net
Tanya Rabec	Commissioner	City Plan	1800 Appleton Road, Menasha 54952
		Commission	trabec@goodwillncw.org
Rhonda	CD Program	United Way	1455 Midway Rd, Menasha 54952
Hannemann	Officer		Rhonda.hannemann@unitedwayfoxcities.org

AN ORDINANCE CREATING ARTICLE V OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO HEALTH IN ALL POLICIES.

(Name of Committee Generated From – XX-XX-XX (Date))

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Article V of Chapter 7 of the Municipal Code of the City of Appleton,

relating to health in all policies, is hereby created to read as follows:

Art. V. HEALTH IN ALL POLICIES

Sec. 7-200. Findings.

(a) Health starts where we live, learn, work and play, and everyday decisions within the City of Appleton can promote greater health and equity.

(b) All Appleton residents should have the opportunity to make the choices that allow them to live a long, healthy life, regardless of their job, neighborhood of residence, level of education, immigration status, sexual orientation, ethnic background or religion.

(c) Good health enhances quality of life, improves workforce productivity, increases the capacity for learning, strengthens families and communities, supports environmental sustainability and helps reduce overall economic and social insecurity.

(d) In the city of Appleton, those at greatest risk for poor health outcomes are low-income residents, who have a shorter life expectancy than other city residents.

(e) Appleton residents are primarily affected by heart disease, cancer and stroke.

(f) Recognizing the presence of critical health disparities in the community and the opportunity to intervene on health outcomes, the City has developed and defined public health broadly in the City Comprehensive Plan.

(g) Health in All Policies is fundamentally about creating systems-level change both within City departments and in the community.

(h) In developing strategies to address health disparities, it is important to recognize that at its heart, promoting equity is not just about providing more services.

(i) It is also about how services are developed, prioritized and delivered.

(j) The Health in All Policies strategy guides the City of Appleton on how to address the social determinants of health, or the root causes of current health disparities in the development, prioritization and delivery of these services and policies.

Sec. 7-201. Definitions.

The definitions in this section apply throughout this ordinance unless the context

- (a) *Health in All Policies (HiAP)* is both a process and a goal.
 - (1) The goal of HiAP is to address inequities at the systems, policy and structural levels to eliminate the resulting health disparities.
 - (2) At the root of HiAP is an approach to improving health of all people by incorporating health considerations into collaborative decision-making across sectors, agencies, and departments. HiAP brings city departments and community groups together to identify ways in which all policies can take health outcomes into consideration. The HiAP process places health at the center of all work, and through discussion and compromise, gains stakeholder buy-in from all agencies, groups, and departments.
 - (3) Health in All Policies works to create a new policy and organizing framework within city government and beyond in the community. It emphasizes the consequences of public policies, plans, and programs on health determinants, and aims to improve health outcomes at all levels of government within the city and those agencies responsible for serving Appleton residents.
 - (4) Stakeholder engagement is essential for ensuring that Health in All Policies is responsive to community needs. Community-based knowledge provides important information about opportunities and barriers for health and insight into the ways in which policies may impede or promote health.

(b) *Health* is not simply the absence of disease, but the state of complete physical, mental, cultural and social well-being. HiAP is based on the premise that good health is fundamental for a strong economy and vibrant society, and that health outcomes are largely dependent on the social determinants of health, which in turn are shaped by decisions made within the health sector and internally and externally outside of the health sector.

(c) *Health equity* refers to efforts to ensure that all people have full and equal access to opportunities that enable them to lead healthy lives, while respecting differences that include but are not limited to culture, language, race, gender, sexuality, economic status, citizenship, ability, age and religion.

- (1) Health equity entails focused societal efforts to address avoidable inequalities by equalizing the conditions for health for all groups, especially for those who have experienced socioeconomic disadvantage or historical injustices.
- (2) These communities include, but are not limited to women, people of color, low-income individuals and families, individuals who have been incarcerated, individuals with disabilities, individuals with mental health conditions, youth and young adults, seniors, immigrants and refugees, individuals who are limited-English proficient (LEP), and lesbian, gay, bisexual, transgender, questioning, intersex and asexual (LGBTQIA)

communities, or combinations of these populations.

(d) *Health disparities* are differences of presence of disease, health outcomes, or access to care among distinct segments of the populations, including differences that occur by race or ethnicity, gender identity, sexual orientation, education or income, immigration status, age, disability or functional impairment, or geographic location, or the combination of any of these factors.

(e) *Health inequities* are health disparities resulting from factors that are systemic and avoidable and, therefore, considered unjust or unfair.

(f) **Determinants of health equity include** the social, economic, geographic, political, institutional and physical environmental conditions that lead to the creation of a fair and just society.

(g) *Social determinants of health* refer to everything outside of direct health care services, such as the condition in the environment in which people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality of life outcomes and risks. The social determinants of health include, but are not limited to:

- (1) The availability of resources to meet our daily needs (e.g., safe housing, access to healthy and affordable food).
- (2) Access to educational, economic, and job opportunities that lead to sustainable employment.
- (3) Neighborhood safety and communities free of crime, violence, and social disorder (e.g., presence of trash and other forms of blight); and
- (4) Accessible built environments that promote health and safety, including improved pedestrian, bicycle, and automobile safety, parks and green space, and healthy school siting.
- (5) Social norms and attitudes (e.g., discrimination and racism), socioeconomic conditions (e.g., concentrated poverty and the chronically stressful conditions that accompany it).

(h) **Toxic stress** refers to prolonged and repeated exposure to multiple negative factors, especially in early childhood. Contributing factors include, but are not limited to, racial profiling, poor air quality, residential segregation and economic insecurity. Toxic stress has known physical and mental health impacts and contributes to a host of chronic conditions such as heart disease and diabetes. Toxic stress has also been shown to have negative intergenerational health effects. Toxic stress does not refer to individual stressful events, but rather the unrelieved accumulation of these events over one's life.

Sec. 7-203. Health in All Policies implementation.

To effectively implement and maintain Health in All Policies, the City shall:

(a) Utilize health equity practices to City actions and endeavor to integrate these practices into the city's strategic, operational and business plans; management and reporting systems for accountability and performance; and budgets in order to eliminate inequities and create opportunities for all people and neighborhoods;

(b) Use the Health in All Policies Strategy Document as a guide for implementing Health in All Policies in the City. The strategy document will outline the vision, mission and goals, and identify a timeline as well as process to reach these goals. The strategy document will be a living plan that is designed to grow over time as progress is made and the needs of the community and city change;

(c) Establish the Interdepartmental Health in All Policies Team. The Interdepartmental Team will be comprised of representatives from departments within the City and are responsible for:

- (1) Selecting health and health equity indicators for each department to track as a way of prioritizing goals and measuring progress aligned with existing City guiding documents including, but not limited to the Comprehensive Plan and Green Tier Charter;
- (2) Attending regularly scheduled Interdepartmental Team meetings led by the Mayor's Office;
- (3) Reporting to the Interdepartmental Team on progress and challenges from his or her respective department;
- (4) Working with his or her respective department to integrate and track health equity indicators for his or her department;
- (5) Committing to attending ongoing health equity training, such as health equity impact assessments; and
- (6) Assisting with the writing of the Tri-Annual HiAP Report and provide a report to committees.

(d) Design and publish a tri-annual report on the status of health and health equity in the city of Appleton and progress of HiAP implementation for the Common Council, City staff, community organizations, residents, businesses, and other governmental agencies within the city.

- (1) Implementation will be measured based on health and health equity indicators selected by the Interdepartmental HiAP Team.
- (2) In addition to reporting on indicators, the Tri-Annual Report will include any updates to the HiAP strategy document.

(e) Develop and implement an ongoing community engagement plan to work directly with stakeholders throughout the process of the HiAP strategy development and implementation to ensure that perspectives are consistently understood, considered, and reflected in decisions.

The goal is to partner with stakeholders in each aspect of decision making in order to develop and implement collaborative solutions.

<u>Section 2</u>: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The Common Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subdivision, paragraph, sentence, clause or phrase.

Section 3: This ordinance becomes effective 30 days after its final passage and publication.

Dated: _____

Timothy M. Hanna, Mayor ^{City Law: A17-0793} Kami Lynch, City Clerk

Applacon

MEMORANDUM

"...meeting community needs...enhancing quality of life."

TO:	Community and Economic Development Committee
FROM:	Nikki Gerhard, Community Development Specialist
DATE:	November 8, 2017
RE:	Continuum of Care Transitional Housing Program Grant Reclassification

Reports and recent data has shown that the number of individuals and families experiencing homelessness in the Fox Cities is not decreasing under the administration of the current programs, which includes transitional housing. The Fox Cities is ranked among one of the top five communities with the most clients experiencing homelessness in the Wisconsin Balance of State Continuum of Care (excluding Milwaukee/Milwaukee County and Madison/Dane County), and is ranked second with the most clients experiencing chronic homelessness. This iterates the need to get clients housed, and quickly.

As a result, City of Appleton staff and community partners have identified that additional rapid rehousing and permanent supportive housing programs are necessary, and have reclassified the Continuum of Care (COC) Transitional Housing Program grant to a Rapid Re-Housing Program grant. The key component to rapid re-housing is the utilization of other third-party landlords, thus the opportunity to quickly house individuals in need. Transitional housing programs are generally not as effective at quickly housing individuals because of the restrictions associated with agency-owned properties.

Under the reclassification, the 2017-2018 program year funding, in the amount of \$181,152, will be stretched to provide rental assistance and supportive services to 16 households. This grant operates on an October 1- September 30 program year. The City of Appleton will continue operating and serving as the fiscally responsible entity, with the Community Development Specialist serving as the lead. The community partners administering the programs will also remain the same, and consists of Housing Partnership of the Fox Cities, ADVOCAP, and the Salvation Army of the Fox Cities.

For more information or statistical data on the Fox Cities' system performance measures, as referenced above, visit http://www.wiboscoc.org/system-performance-measures.html.

If you have any questions, please contact me at 832-6469 or nikki.gerhard@appleton.org. Thank you!