

CITY OF CARLSBAD

Citizen Participation Plan



Last amended on May 5, 2020, City Council Resolution No. 2020-XX

Housing Services
1200 Carlsbad Village Drive
Carlsbad, CA

The City of Carlsbad receives an annual entitlement of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) for housing and community development activities to assist low-income persons. In accordance with the Grant, the city must create a 5-Year Consolidated Plan (Consolidated Plan) that addresses affordable housing and community development needs, submit an Annual Action Plan (Annual Plan) to outline spending and activities for the corresponding program years, and provide a Consolidated Annual Performance and Evaluation Report (CAPER) to evaluate the city's accomplishments and use of CDBG funds. As required by HUD regulation 25 CFR 91.105, the city must have and follow a detailed Citizen Participation Plan that specifies the city's policies and procedures for engaging citizens and encouraging them to participate in creating, evaluating, and implementing the CDBG program and Assessment for Fair Housing (AFH).

Objectives

The primary goal of the Citizen Participation Plan (CPP) is to solicit views and recommendations from members of the community, organizations, and other interested parties and to incorporate the views and recommendations in the decision-making process. To accomplish this goal, the CPP mandates that the city will:

- Encourage participation from residents in the development and preparation of the Consolidated Plan, Annual Plan, AFH, substantial amendments to these plans, and CAPER.
- Encourage the involvement by low-moderate income persons, particularly those who reside in CDBG targeted neighborhoods, areas designated for revitalization, areas designated as slum and blight, people with disabilities, racial and ethnic minorities, Non-English speaking and limited English proficient (LEP) persons, and residents of public and assisted housing developments in the development of the Consolidated Plan and AFH.
- Encourage participation from the Continuum of Care, businesses, developers, nonprofit organizations, philanthropic organizations, community-based and faith based organizations, public housing agency consultations, resident advisory boards, resident councils, and resident management corporations during the development and implementation of the Consolidated Plan and AFH.
- Provide residents reasonable and timely access to information, meetings, and records.
- Provide residents the opportunity to review, offer input and feedback regarding the use of CDBG and AFH funds, and comment on the CAPER.
- Provide assistance for non-English-speaking and LEP persons upon advance request provided such services are available.
- Use comprehensive techniques to encourage and measure public participation and review program performance.
- Reasonable accommodations will be provided for those with disabilities upon advance request.

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CDBG Citizens Advisory Committee

The committee is comprised of seven community members, each individual serving two year terms, appointed by the City Council. The following breakdown is the committee profile:

- District 1 representative
- District 2 representative
- District 3 representative
- District 4 representative
- Senior Commissioner
- Housing Commissioner
- Planning Commissioner

It is the responsibility of the CDBG Advisory Committee to review grant proposals and make recommendations to the City Council concerning federal funding. Committee meetings are open to the public and held as needed. Committee agendas are posted 72 hours prior to a meeting and available on the city's website and at Carlsbad City Hall, 1200 Carlsbad Village Drive.

Public Hearings

- The city will conduct at least two public hearings each year to obtain residents' feedback regarding housing and community development needs, proposed allocation of CDBG funds, strategies and actions taken to affirmatively further fair housing, and review program performance.
- The city will conduct at least one public hearing during the development of the AFH prior to publishing the AFH for public comment. The public hearing must be held prior to formulating the Consolidated Plan.
- The city will conduct at least one public hearing during the development of the Consolidated Plan prior to publishing the Consolidated Plan for public comment.
- The city will receive and consider comments concerning the Plan(s) and/or AFH for a period of 30 days. All comments received, in writing or orally at the public meeting, will be considered in preparing the final Plan(s) and/or AFH. A summary of the comments, including those not accepted and the reasons, shall be attached to the final Plan(s) and/or AFH.
- Public notices will be published at least ten days prior to the hearing. Notices will include date, time, location, and summary of the proposed action to help facilitate an informed comment(s). Notices will be published in the newspaper and announced on the city's website.
- Public notices, excluding the CAPER, will be published at least ten days prior to a hearing. Notices will include the date, time, location, and summary of the proposed action to help facilitate an informed comment(s). Notices will be published in the newspaper and announced on the city's website.
- Public hearings are held in the Carlsbad Council Chamber located at 1200 Carlsbad Village Drive, Carlsbad, California, convenient to potential and actual beneficiaries of funding and accessible to people with disabilities. Listening devices for the hearing impaired available at public hearings upon request. Translators are provided for non-English speaking persons when requests are made within five working days prior to a public hearing. Individuals with disabilities, who require reasonable accommodations in order to participate in the city council meetings, should contact the city's Americans with Disabilities Coordinator at 760-434-2820.

Development of the Consolidated Plan, Annual Plan, and Assessments of Fair Housing

- The city will make a concerted effort to notify residents, social service providers, business groups, nonprofit organizations, community and faith based organizations, and community boards and other interested organizations of the development of the Consolidated Plan, Annual Plan, and AFH through mailings, including electronic mail, online postings, and notices in the newspaper.
- The city will issue a Notice of Funding Availability inviting proposals for CDBG activities. Upon request, the city will provide technical assistance to groups representing low-moderate income persons to develop proposals for eligible activities and comment on the AFH.
- The city will make available 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).
- Prior to adoption of the Plan(s), the city will make available the estimated amount of CDBG funding that it expects to receive, the activities that may be undertaken, the estimated amount of funds that will be used to benefit low-moderate income persons, and any activities that may result in displacement.
- The city will publish a summary of the proposed Plan(s) and/or AFH in the newspaper and have it available on the city's website for a period of ten days prior to a public meeting. The summary will describe the contents and purpose of the Plan(s) and/or AFH and include a list of the locations where they may be reviewed. The Plan(s) and/or AFH will be available for review at Carlsbad City Hall and at the city's website. The city will provide a reasonable number of free copies to citizens and groups upon request.

Amendments to the Consolidated Plan, Annual Action Plan, and Assessments of Fair Housing

The city will amend its approved Plan(s) whenever it makes one of the following decisions:

- To carry out an activity not previously described in the Annual Plan using funds covered by the Consolidated Plan, including Program Income.
- To substantially amend the purpose, scope, location, or beneficiaries of an activity.
- To substantially amend the allocation priorities or the method of distributing funds.

A substantial amendment is defined as the following:

- An addition, modification, or elimination of a Consolidated Plan goal;
- An addition of a new activity not previously identified in the Annual Plan; or
- A change in an activity after the adoption of the Annual Plan that meets one of the following thresholds:
 - A net increase or decrease greater than 50 percent of the activity allocation; or
 - A change in the use of funds from one activity to another that affects 20 percent or more of the city's current annual CDBG fund allocation.
- Substantial amendments must be authorized by the Carlsbad City Council and will be available on the city's website and through public notices in the newspaper. Minor changes and/or corrections may be made, so long as the changes do not constitute a substantial amendment. Minor changes, including but not limited to modifications of goal outcome indicators, shall not be considered a substantial amendment and do not require public review or a public hearing.
- The city will receive and consider comments concerning substantial amendments and/or AFH revisions for a period of not less than 30 days. All comments received, in writing or orally at a public meeting, will be considered in preparing the final Plan(s) and/or AFH. A summary of the comments or views, including those not accepted and the reasons, shall be attached to the final Plan(s) and/or AFH.

- Public notices will be published at least ten days prior to the hearing. Notices will include the date, time, location, and summary of the proposed action to help facilitate informed comments.

Consolidated Annual Performance and Evaluation Reports (CAPERs)

The city will prepare an annual CAPER to evaluate the progress of the Consolidated Plan and to review accomplishments for the previous program year.

- Prior to submitting the CAPER to HUD, the public must be noticed advising of the availability of the CAPER, will be published in the newspaper and available on the city’s website. The CAPER will be available for review at Carlsbad City Hall City Clerk’s Office, Housing & Neighborhood Services Office, and on the city website.
- A comment period of not less than 15-days will be provided. All comments received, in writing or orally, will be included in the final submission to HUD.

Back-up Projects

The Annual Plan may contain a list of projects to be funded for the given program year with any additional funding received. During each program year, however, additional funding may become available as a result of program income, projects completed below budget or projects canceled or delayed due to a variety of reasons. This list of back-up projects can include public facility and infrastructure improvement projects can be included in Annual Plans and be approved by the City Council to serve as back-up projects. The city may activate these back-up projects at any time when funding becomes available. The city needs to receive HUD approval for these back-up projects along with the approved and funded projects as part of its approval for the Annual Plan. Initiation and funding of these projects would not constitute a substantial amendment as defined above.

Public notice

The City of Carlsbad provides adequate notice of 15 or 30 days, depending on the subject of the notice, at all stages of the Consolidated Plan process to encourage participation by interested parties. To allow for informed comment, notices provide specific information regarding the subject of the notice including anticipated amount of funding, eligible types of activities, expected benefit to low and moderate income persons, staff contact information, date, time and location of the event. Notices are published in the San Diego Union Tribune. The City of Carlsbad provides advance notice for the following specific documents:

Document	Noticing period
• Citizen Participation Plan	30 days
• Five-Year Consolidated Plan	30 days
• Annual Plan	15 days
• AFH	30 days
• Substantial Amendment	30 days
• CAPER	15 days

Access to Information and Records

Any citizen, organization, or other interested party may submit written requests for information regarding the Consolidated Plan, Annual Plan, AFH, and CAPER, including the city’s use of funds under the CDBG programs and the benefit to low and moderate income residents during the preceding five years.

The Citizen Participation Plan, the Consolidated Plan, the current Annual Plan, the current AFH, the current

CAPER, and any substantial amendments to these plans will be available for public review at Carlsbad City Hall, 1200 Carlsbad Village Drive, and on the city's website.

Technical Assistance

Upon request, the City of Carlsbad works with individuals or groups which represent lower income people to develop proposals for funding assistance under the Consolidated Plan programs. Carlsbad staff does provide technical assistance for proposals that strengthen and expand the role of community based development organizations in planning for eligible activities.

Anti-displacement

The City of Carlsbad strives to avoid and minimize the displacement of individuals as a result of the HUD funded activities. Therefore, to the greatest extent possible, the city:

- Considers the impact of displacement in the site selection, during the project planning phase.
- Provides information to displaced individuals on available assistance and relocation benefits.

Prior to approval of any HUD funded activities with the potential for temporary or permanent displacement of individuals, the responsible agency (city or private developer) provides a written plan of action for comparable replacement low-income housing and assistance to displaced persons, based on the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (URA), 49 CFR part 24.

Changes in federal funding level

Any changes in federal funding level after the comment period of either the Draft Consolidated Plan and/or Action Plan has expired, the resulting effect on the distribution of funds will not be considered an amendment or a substantial amendment.

Flexibilities to support emergency response to mitigate impacts of COVID-19

HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions and requirements associated with the CDBG program to expedite the delivery of assistance during a health emergency or national crisis. The city reserves the right to use HUD waivers to assist program beneficiaries and eligible households to prevent the spread of infectious diseases and to mitigate against the economic impact caused by COVID-19 for eligible households.

Given the circumstances of the COVID-19 emergency, the following expedited procedure constitutes reasonable notice and opportunity to comment pursuant to HUD waiver of 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401:

- Public notice and reasonable opportunity to comment of no less than five days. The five-day period can run concurrently for comments on a Consolidated Plan amendment, annual action plan amendment, and/or a citizen participation plan amendment.
- In-person public hearings are not required. The city will meet public hearing requirements with virtual public hearings if: 1) national, state or local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the city's timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

These waiver authorities and expedited procedures are available through the FY 2020-21 CDBG program year.

Assurances

The City of Carlsbad assures that the most diligent effort will be made to comply with the process and procedures outlined in this Citizen Participation Plan.

Comment and Complaint Process

The city will consider any comments from citizens received in writing or orally at public hearings in preparing this Citizen Participation Plan, the Consolidated Plan, Annual Plan, CAPER, AFH, and/or substantial amendments to these plans. A summary of all comments will be attached and submitted to HUD.

The city will respond to written complaints received relating to the Consolidated Plan, Annual Plan, AFH, CAPER, and/or substantial amendments. Written complaints must describe the objection and provide contact information of the complainant. The city will respond to complaints within 15 working days of receiving the written complain, acknowledging the letter and identifying a plan of action, if necessary. Correspondence may be addressed to:

City of Carlsbad
C/o Nancy Melander
Housing Services
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Persons wishing to contact the Los Angeles Area HUD Office may address correspondence to:

U.S. Housing and Urban Development
C/o Robert DiGruccio
300 North Los Angeles Street
Suite 4054
Los Angeles, CA 90012

Definitions

Annual Plan: A one year (July 1- June 30) planning document, detailing approved funding allocations for specific eligible activities. The Annual Plan is submitted to HUD 45 days prior to the beginning of the program year.

CDBG: Community Development Block (CDBG) is a HUD grant which provides for a variety of community development programs that benefit low and moderate income persons.

CAPER: The Consolidated Annual Performance and Evaluation Report (CAPER) is prepared at the end of the program year to detail how funds were actually expended and the extent to which these funds were used for activities that benefitted low and moderate income people. The CAPER is submitted to HUD within 90 days of the program year end.

CFR: The Code of Federal Regulations (CFR) is the general and permanent rules and regulations published in the Federal Register by the executive departments and agencies of the U.S. government.

Five-Year Consolidated Plan: A five year planning document and application for funding which establishes the city's priorities and strategies for use of HUD administered funding.

HUD: U.S. Department of Housing and Urban Development (HD) is the federal agency which administers and provides guidance for the Consolidated Plan process and use of federal funds such as CDBG.

Low and Moderate Income Persons: Individuals from households with a total income that does not exceed 80 percent of the median household income for the area adjusted for the family size.