

# **DRAFT**

## **CITY OF LEAVENWORTH, KANSAS**

### **CITIZEN PARTICIPATION PLAN- REVISED MAY 5, 2020**

#### **PURPOSE**

This Citizen Participation Plan of the City of Leavenworth seeks to provide for and encourage the participation of Leavenworth residents in the development of the City's Assessment of Fair Housing (AFH), Consolidated Plan, any substantial amendments to the Consolidated Plan, and the associated annual performance report. The Consolidated Plan document serves as the City's comprehensive housing affordability strategy, community development plan, and submissions for funding under any of the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development formula grant programs, including the Community Development Block Grant (CDBG) and the HOME Investment Partnership Act (HOME) Programs.

The overall goal of HUD Community Planning and Development programs is to develop viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for low/moderate income persons. While the primary means towards this end is to extend and strengthen partnerships among all levels of government and the private sector, the City of Leavenworth especially aims to encourage participation by low/moderate income persons, residents of low/moderate income areas as determined by the City of Leavenworth, the homeless, persons with disabilities, persons living with AIDs, and representative organizations of these groups.

This Citizen Participation Plan has been designed to meet the regulatory requirements of the Housing and Community Development Act of 1974, as amended, and the Consolidated Submission for Community Planning and Development Programs Final Rule of the U.S. Department of Housing and Urban Development (HUD) as published on January 5, 1995. Nothing in this Plan shall restrict the responsibility and authority of the City of Leavenworth (City) from developing and executing its Consolidated Plan in accordance with federal requirements. This document may be amended by the City Commission.

I. Effective Date: This Citizen Participation Plan will become upon City Commission approval.

II. Assessment of Fair Housing (AFH): During the development of the Assessment of Fair Housing, the City shall:

A.) Make any proposed analysis and the relevant documents, including HUD-provided data and any other data to be included in the AFH, available to the public;

B.) Consult with agencies and organizations identified in consultation requirements at 24 CFR part 91;

C.) Publish the proposed AFH in a manner that affords residents and others the opportunity to examine its content and submit comments;

D.) Provide for at least one public hearing during the development of the AFH and provide notice of this public hearing in the same manner as Consolidated Plan; and

E.) Provide a period of not less than 30 calendar days to receive comments from residents of the community. Upon determination of urgent need, the Citizen Participation Plan allows expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans.

III. Consolidated Plan Development: During the development of the Consolidated Plan, the City shall:

A.) Make available to citizens, public agencies, and other interested parties information that includes the amount of assistance that the City expects to receive from the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and the range of activities that may be undertaken using these funds, including the estimated amount that will benefit persons of low/moderate income; and the plans to minimize displacement of persons and to assist any persons displaced. This information will be made available before the adoption of the Consolidated Plan. With regard to displacement, the general policy of the City is to keep displacement of persons participating in the CDBG or HOME programs to an absolute minimum. In those rare occasions when displacement is necessary, the City will abide by the regulations of the Uniform

Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and Section 104(d) of the Housing and Community Development Act of 1974.

B.) Encourage the participation of residents of public and assisted housing developments, along with other low income residents of targeted revitalization areas, in the process of developing and implementing the Consolidated Plan. The City shall provide direct notice to the Leavenworth Housing Authority (LHA) about Consolidated Plan activities related to LHA developments and surrounding communities so that the public housing agency can make this information available at the annual public hearing required for the PHA Plan.

C.) Publish the proposed Consolidated Plan in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. This information will be summarized and may be published in one or more newspapers of general circulation in Leavenworth, Kansas; published on the City of Leavenworth website; and posted at local public buildings including City Hall; as well as direct notice to the Leavenworth Housing Authority and local social service and housing related agencies. The summary will include a description of the contents and purposes of the proposed Consolidated Plan.

D.) Make available to interested citizens and groups copies of the proposed and final Consolidated Plan through the City of Leavenworth, Community Development Department, City Hall, 100 N 5th, Leavenworth, KS 66048, and on the Web at <http://www.lvks.org> in the document section.

E.) Provide for at least two public hearings (including virtual options) per year to obtain citizens' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings must address housing and community development needs, development of proposed activities, and review of program performance. To obtain the views of citizens on housing and community development needs, including priority non-housing community development needs, at least one of these hearings will be held before the proposed Consolidated Plan is published for comment.

- 1.) The City shall give adequate advance notice of public hearings to citizens by: publishing notices in a newspaper of general circulation in Leavenworth, Kansas which includes information on the purpose, time and location of the hearing; posting notice on the City of Leavenworth Web site, posting notice with the City Clerk's Office, and providing other notice as determined appropriate by the City.

- 2.) The City shall hold the hearing at a time and location convenient to potential and actual beneficiaries and with accommodation for persons with disabilities.

3.) In the case where a significant number of non-English speaking residents can be reasonably expected to participate, the City will provide a qualified interpreter at the public hearing to accommodate the needs of these residents.

4.) Upon determination of urgent need, the Citizen Participation Plan allows expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans.

F.) The City will receive comments on the proposed Consolidated Plan from citizens for a period of not less than thirty (30) days.

Upon determination of urgent need, the Citizen Participation Plan allows expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans.

G.) Consider any comments or views of citizens received in writing or orally at the public hearing when preparing the final Consolidated Plan. A summary of these comments or views and a summary of any comments or views not accepted and reasons therefore shall be attached to the final Consolidated Plan.

IV. Substantial Amendments to the Consolidated Plan, which includes the Citizen Participation Plan: When considering substantial amendments to the Consolidated Plan, the City shall:

A.) Amend the Consolidated Plan if any one of the following actions is proposed:

- 1.) A change in the City's allocation priorities or a change in the method of distribution of funds covered by the Consolidated Plan;
- 2.) Implementation of an activity using funds from any program covered by the Consolidated Plan (including program income) not previously described in the action plan; or,
- 3.) A change in the purpose, scope, location, or beneficiaries of a program funded by the Community Development Block Grant (CDBG) or the HOME Investment Partnership (HOME) programs as listed in the Action Plan section of the adopted Consolidated Plan.
  - a. A Substantial Amendment in the purpose of an activity will occur when the activity will serve a purpose other than that which was originally intended. In order to clarify purposes, the following eligibility categories are established:

- i. Housing
  - ii. Public Facilities
  - iii. Public Services
  - iv. Economic Development
  - v. Planning
  - vi. Program Administration
- b. A Substantial Amendment in the scope of an activity will occur when the cost of the activity is reduced or increased by 50% or more.
  - c. A Substantial Amendment in the location of an activity will occur when a change of location will cause the targeted group of beneficiaries to lose the benefit.
  - d. A Substantial Amendment in the beneficiaries of an activity will occur when the targeted groups of beneficiaries will no longer benefit, or when the percentage of low income beneficiaries will be less than the minimum required by federal law or regulation.
4. A modification to the Citizen Participation Plan required by HUD regulatory changes. Any one of the actions listed in Section IV(A)(1-4) shall constitute a “substantial amendment” to the Consolidated Plan.

B.) Provide citizens with reasonable notice and an opportunity to comment on substantial amendments to the Consolidated Plan. Reasonable notice must include a summary of the proposed change and its potential effect on households of low/moderate income. The summary must be published in a newspaper of general circulation in Leavenworth, Kansas and include an opportunity for written comment by interested citizens and groups for a period of not less than thirty (30) days before the amendment is implemented unless urgent need dictates a 5 day notice. The published summary must indicate that written comments must be submitted by a specified date to the City.

C.) Consider any comments or views of citizens received in writing or orally at public hearings, if held, in preparing the substantial amendment of the Consolidated Plan. The City shall attach to the substantial amendment to the Consolidated Plan a summary of comments or views accepted and a summary of comments or views not accepted and the reasons therefore.

V. Performance Reports Associated with the Consolidated Plan: When preparing performance reports associated with the Consolidated Plan, the City shall:

A.) Provide citizens with reasonable notice and an opportunity to comment on performance reports associated with the Consolidated Plan. Reasonable notice must include a summary of the accomplishments and their effect on households of low/moderate income. The summary must be published in a newspaper of general circulation in Leavenworth, Kansas and include an opportunity for comment by interested citizens and groups for a period of not less than fifteen (15) days before

the performance report is submitted to HUD. The published summary must indicate that written comments must be submitted by a specified date to the City.

B.) Consider any comments or views of citizens received in writing or orally at public hearings, if held, in preparing the performance report. The City shall attach a summary of these comments or views to the performance report.

VI. Availability of the Consolidated Plan and Related Documents to the Public: The City shall make available to the public free of charge and upon request the final digital Consolidated Plan as adopted, any substantial amendments, and any associated performance reports. Upon request, the City will also make available the final Consolidated Plan as adopted, any substantial amendments, and any associated performance reports in a form accessible to persons with disabilities.

VII. Access to Records Associated with the Consolidated Plan: The City will provide reasonable and timely access to information relating to the Consolidated Plan and the City's use of assistance under the Community Development Block Grant (CDBG) or HOME Investment Partnerships (HOME) programs during the preceding five years.

VIII. Complaints Associated with the Consolidated Plan and Related Documents: The City will provide a timely, substantive written response within fifteen (15) working days to every written citizen complaint related to the Consolidated Plan, substantive amendments and associated performance reports.

IX. Technical Assistance: The City shall provide technical assistance to all persons or groups interested in submitting proposals for the consolidated planning process. The assistance provided shall include, at minimum:

1. Access to all forms, guidelines and time schedules pertaining to the annual consolidated planning process.
2. Upon request, technical assistance in understanding proposal requirements.
3. Source information for obtaining required supporting data.
4. Persons/places to contact for further information.
5. Notice of available training opportunities.
6. Information regarding the location of all applicable federal rules and regulations.