CITY OF AUSTIN
NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT (NHCD) OFFICE

CITIZEN PARTICIPATION PLAN

Revised December 2011

A. PURPOSE

Participating jurisdictions (PJs) that receive entitlement grant funds must develop a Citizen Participation Plan (CPP). The CPP describes efforts that will be undertaken to encourage citizens to participate in the development of the City's federal reports: 5-Year Consolidated Plan, annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER).

The CPP is designed to encourage the participation of city residents in the development of the federal reports listed above, particularly those residents who are predominantly low- and moderate-income. The CPP also encourages local and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) in the process of developing and implementing the 5-Year Consolidated Plan and related reports. The City takes appropriate actions to encourage participation of minorities, persons with limited-English proficiency, as well as person with disabilities.

The City of Austin is committed to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. Reasonable modifications and equal access to communications will be provided upon request. The City of Austin does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs and activities.

The City of Austin considers it the right of all Austin's residents to have the opportunity to provide input and comment on the use of public funds and the community's needs related to affordable housing and community and economic development.

The CPP applies to five areas of planning for the use of affordable housing, community and economic development made possible through HUD funding:

1) The 5- Consolidated Plan;

2) The annual Action Plan;

3) The Consolidated Annual Performance and Evaluation Report (CAPER);

4) Substantial amendments to a 5-Year Consolidated Plan and/or annual Action Plan; and

5) Amendments to the CPP, itself.

The City of Austin's program/fiscal year begins October 1 and ends September 30. In order to receive entitlement grant funding, the U. S. Department of Housing and Urban Development (HUD)

requires jurisdictions to submit a Consolidated Plan every five years. This plan is a comprehensive strategic plan for community planning and development activities. The annual Action Plan serves as the City's application for these HUD grant programs. Federal law also requires citizens have opportunities to review and comment on the local jurisdiction's plans to allocate these funds.

The purpose of programs covered by this CPP is to improve the Austin community by providing: decent housing, a suitable living environment, and growing economic opportunities – all principally for low- and moderate- income households.

This document outlines how members of the Austin community may participate in the five planning areas listed above. General requirements for all or most activities are described in detail in Section E of the Citizen Participation Plan (CPP).

B. HUD PROGRAMS

The City of Austin receives four entitlement grants from the U.S. Department of Housing and Urban Development (HUD), to help address the City's affordable housing, community and economic development needs. The four grant programs are described below:

1. ***Community Development Block Grant Program (CDBG)*:** Title I of the Housing and Community Development Act of 1974 (PL 93-383) created the CDBG program. It was re-authorized in 1990 as part of the Cranston-Gonzalez National Affordable Housing Act. The primary objective of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic development opportunities for persons of low and moderate income. The City develops locally defined programs and funding priorities for CDBG, but activities must address one or more of the national objectives of the CDBG program. The three national objectives are: (1) to benefit low- and moderate- income persons; (2) to aid in the prevention or elimination of slums or blight; and/or (3) to meet other urgent community development needs. The City of Austin's CDBG program emphasizes activities that directly benefit low and moderate-income persons.

2. ***HOME Investment Partnerships Program (HOME)*:** HOME was introduced in the Cranston-Gonzalez National Affordable Housing Act of 1990 and provides funding for housing rehabilitation, new housing construction, acquisition of affordable housing, and tenant-based rental assistance. A portion of the funds (15 percent) must be set aside for community housing development organizations (CHDOs) certified by the City of Austin.

3. ***Emergency Shelter/Solutions Grant (ESG)*:** ESG was introduced in the McKinney-Vento Homeless Assistance Act as amended by the Homeless Emergency Assistance and Rapic Transition to Housing (HEARTH) of 2009. ESG has four primary objectives: (1) to improve the quality of existing emergency shelters for the homeless; (2) to provide additional emergency shelters; (3) to help meet the cost of operating emergency shelters; and (4) to provide certain essential social services to homeless individuals. The program is also intended to help reduce the number of people at risk of becoming homeless.

4. ***Housing Opportunities for Persons with AIDS (HOPWA)*:** HOPWA funds may be used to assist housing designed to meet the needs of persons with HIV/AIDS, including the prevention of homelessness. Supportive services may also be included. HOPWA grants are allocated to Eligible Metropolitan Statistical Areas (EMSAs) with a high incidence of HIV/AIDS. The City of Austin receives a HOPWA grant on behalf of a five-county EMSA (Bastrop, Hays, Travis, Williamson, and Caldwell Counties).

C. LEAD AGENCY

The Neighborhood Housing and Community Development (NHCD) Office is designated by the Austin City Council lead agency HUD, and is the lead agency for the administration of the CDBG, HOME, HOPWA, and ESG grant programs. NHCD administers the CDBG and HOME programs. The City Council designates the Austin/Travis County Health and Human Services Department (HHSD) to administer the HOPWA and ESG programs.

As the lead agency for HUD, NHCD is responsible for developing the 5-Year Consolidated, annual Action Plans, and the Consolidated Annual Performance and Evaluation Report (CAPER). NHCD coordinates with the HHSD, boards and commissions and other community agencies to develop these documents. Needs and priorities for funding for the ESG and HOPWA grants are developed by HHSD in consultation with community agencies.

D. PLANNING ACTIVITIES SUBJECT TO CITIZEN PARTICIPATION PLAN

ACTIVITY 1 – FIVE-YEAR CONSOLIDATED PLAN. The City of Austin's 5-Year Consolidated Plan is developed through a collaborative process whereby the community establishes a unified vision for Austin's affordable housing, and community and economic development initiatives.

Citizen participation is an essential component in developing the 5-Year Consolidated Plan, including amending the plan as well as reporting on program performance. Consultations, public hearings, community meetings, enhanced outreach opportunities, citizen surveys and opportunities to provide written comment are all a part of the strategy to obtain citizen input. The City will make special efforts to solicit the views of citizens who reside in the designated CDBG-priority neighborhoods of Austin, and to encourage the participation of all citizens including minorities, the non-English speaking population, and persons with disabilities. Actions for public participation in the 5-Year Consolidated Plan follow:

1. ***Consultations with Other Community Institutions***. In developing the Consolidated Plan, the City will consult with other public and private agencies, both for-profit and non-profits that either provide or have direct impact on the broad range of housing, health, and social services needed by Austin residents. Consultations may take place through meetings, task forces or committees, or other means with which to coordinate information and facilitate communication. The purpose of these meetings is to gather information and data on the community and economic development needs of the community. The City will seek specific input to identify the needs of persons experiencing homelessness, persons living with HIV/AIDS and their families, persons with disabilities and other special populations.

2. ***Utilize Quantitative and Qualitative Data on Community Needs***. City staff shall review relevant data and conduct necessary evaluation and analysis to provide an accurate assessment of community needs and priorities on which to base strategic recommendations.

3. ***Initial Public Hearings***. There will be a minimum of two public hearings at the beginning stages of the development of the Consolidated Plan before the Community Development Commission (CDC), policy advisers to NHCD appointed by the City Council, to gather information on community needs from citizens. There will be two more hearings sponsored by organizations working with low- and moderate-income populations. An additional hearing will be held

before City Council. Based on public testimony received, the CDC will make recommendations to City Council on the community needs.

4. ***Written Comments***. Based on public input and quantitative analysis, NHCD staff will prepare a draft 5-Year Consolidated Plan, which also includes proposed allocation of first-year funding. A period of 30 calendar days will be provided to receive written comments on the draft 5-Year Consolidated Plan. The draft plan will be made available at public libraries, public housing authorities, neighborhood centers, at NHCD's Office, and on the NHCD's web site (www.austintexas.gov/housing/publications.) In addition, upon request, federal reports will be provided in a form accessible to persons with disabilities.

5. ***Draft Consolidated Plan Public Hearings***. There will be a public hearing held before the City Council to receive oral public comments on the draft. An additional hearing will be held before the Community Development Commission (CDC). These hearings will be scheduled during the 30-day written comment period on the draft plan. The CDC will be given the opportunity to make recommendations to Council on the draft 5-Year Consolidated Plan/ Action Plan.

6. ***Final Action on the Consolidated Plan***. All written or oral testimony provided will be considered in preparing the final 5-Year Consolidated Plan. A summary of testimony received and the City's reasons for accepting or not accepting the comments must be included in the final document. The City Council will consider these comments, CDC recommendations, and the recommendations of the City Manager before taking final action on the 5-Year Consolidated Plan. Final action by the City Council will occur no sooner than fifteen calendar days next following the second City Council public hearing on the draft plan. When approved by City Council, the 5-Year Consolidated Plan will be submitted to HUD, no later than August 15 each year.

ACTIVITY 2 – ONE-YEAR ACTION PLAN. Each year the City must submit an annual Action Plan to HUD, reporting on how that year's funding allocation for the four HUD entitlement grants will be used to achieve the goals outlined in the 5-Year Consolidated Plan.

1. NHCD staff will gather input from citizens and consultations to prepare the draft Action Plan. There shall be two public hearings: one before the Community Development (CDC) and one before the City Council to receive citizen input on the community needs, including funding allocations.
2. NHCD staff will gather public input and statistical data to prepare the draft Action Plan. A draft Action Plan will be available for 30 days for public comment after reasonable notice to the public is given.
3. During this comment period, the CDC and the City Council shall conduct two additional public hearings to receive public comments on the draft Action Plan and 5-Year Consolidated Plan, if it is during a Consolidated Planning year.
4. The CDC will be given the opportunity to make recommendations to the City Council prior to its final action.
5. Final action by the City Council will occur no sooner than fifteen calendar days following the second Council public hearing on the draft Action Plan.
6. When approved by City Council, the Action Plan will be submitted to HUD.

ACTIVITY 3 – SUBSTANTIAL AMENDMENTS TO CONSOLIDATED/ACTION PLAN. Recognizing that changes during the year may be necessary to the 5-Year Consolidated Plan and annual Action Plan after approval, the Citizen Participation Plan allows for "substantial amendments" to plans. These "substantial amendments" apply only to changes in CDBG funding allocations. Changes in funding

allocation for other HUD grant programs received by the City of Austin -- HOME, ESG, and HOPWA -- are not required to secure public review and comment. The CPP defines a substantial amendment as:

a) A proposed use of CDBG funds that does not address a need identified in the governing 5-Year Consolidated Plan or annual Action Plan; or
b) A change in the use of CDBG funds from one eligible program to another. The eligible programs defined in the City of Austin's Business Plan are "Housing" or "Community Development."
c) A cumulative change in the use of CDBG funds from an eligible activity to another eligible activity that decreases an activity's funding by 10% or more OR increases an activity's funding by 10% or more during fiscal year. An activity is defined as a high priority need identified in the Consolidated Plan that is eligible for funding in the Action Plan (see Attachment #1 – NHCD's Investment Plan).

In the event that there are substantial amendments to the governing 5-Year Consolidated Plan or annual Action Plan,

1. The City will draft the amendment and publish a brief summary of the proposed substantial amendment(s) and identify where the amendment(s) may be viewed
2. After reasonable notice, there will be a 30-daywritten public comment period
3. During the 30-day comment period, the City Council shall receive oral comments in public hearings.
4. The CDC will be given the opportunity to make recommendations to City Council prior to its final action.
5. Upon approval by Council, the substantial amendment will be posted in the official City Council minutes and available online and in the City Clerk's office. Final action by the City Council will occur no sooner than fifteen calendar days next following the second Council public hearing on the draft plan.

ACTIVITY 4 – CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER).
The City is required to submit annually by December 30 a CAPER to HUD that describes the City's progress in meeting the goals in the 5-Year Consolidated Plan.

1. NHCD staff prepares the draft CAPER.
2. After reasonable notice is provided, the CAPER is available for 15 days for written public comment.
3. The final CAPER and public comments will then be submitted to HUD.
4. The CAPER and public comments will be presented at a CDC meeting.

ACTIVITY 5 – AMENDMENTS TO CITIZEN PARTICIPATION PLAN. In the event that changes to this Citizen Participation Plan (CPP) are necessary, the NHCD staff shall draft them.

1. After reasonable notice, these will be available to the public for 15 days for written comment.
2. The CDC and City Council shall each hold a public hearing to receive oral public comments on the proposed change.
3. The CDC will be given the opportunity to make recommendations to City Council prior to its final action.
4. Upon approval by City Council, the substantial amendment will be posted in the official City Council minutes and available online and in the City Clerk's office.

The City will review the CPP at a minimum of every 5 years for potential enhancement or modification; this review will occur as a component of the Consolidated Planning process.

E. GENERAL REQUIREMENTS

The City of Austin is committed to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. Reasonable modifications and equal access to communications will be provided upon request. The City of Austin does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs and activities.

1. ***Public Hearings***. Public hearings before the Austin City Council, the Community Development Commission (CDC), and other appropriate community organizations will be advertised in accordance with the guidelines outlined in the notification section below. The purpose of public hearings is to provide an opportunity for citizens, public agencies, and other interested parties to provide input on the City of Austin's affordable housing, community and economic development needs. Public hearings will be held in locations accessible to low- and moderate- income residents and persons with disabilities. Spanish translation and translation for individuals with hearing impairments will be provided upon request.

2. ***Public Meetings***. Public meetings of the Austin City Council, Community Development Commission (CDC), and other boards and commissions overseeing HUD programs provide opportunities for citizen participation and comment on a continuous basis. Public meeting notices are posted at the Office of the City Clerk at least three days (72 hours), prior to the meeting date, in accordance with the Texas Open Meetings Act. Public meetings are held in locations accessible to persons with disabilities. Spanish translation and translation for individuals with hearing impairments will be provided upon request.

   Notification. The Neighborhood Housing and Community Development (NHCD) Office will provide the community advance notice of public hearings and/or public comment periods. The notice will be provided at least two weeks prior to the public hearing date and the start date of comment periods.

   Related to the CPP specified federal documents, NHCD will provide public notifications by utilizing City of Austin publications and media (television, print, electronic) that will maximize use of City resources and reach an increased number of Austin residents by direct mail. Related to federal publications referenced above, NHCD will notify the public about public hearings, comment periods, public meetings, and additional opportunities for public feedback through communications outlets that are designed to increase public participation and generate quantifiable feedback/results. NHCD will utilize the following notifications mechanisms as available: City of Austin utility bill inserts (distribution to approximately 410,000 households, 2011); City of Austin web site; and Channel 6, the municipally-owned cable channel. In addition, NHCD will use other available media (print, electronic, television) to promote public feedback opportunities. Notifications will be published in English and Spanish.

   NHCD will coordinate with the Community Development Commission, Urban Renewal Agency, other governmental agencies, public housing authorities, key stakeholders, and the general public during the development of the 5-Year Consolidated Plan and annual Action Plan.

3. ***Document Access***. Copies of all planning documents, including the following federal reports: City's Citizen Participation Plan (CPP), 5-Year Consolidated Plan, annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER), will be available to the public upon request. Citizens will have the opportunity to review and comment on applicable federal

reports in draft form prior to final adoption by the Austin City Council. These documents will be made available at public libraries, public housing authorities, certain neighborhood centers, at NHCD's Office, and on the NHCD's web site (www.austintexas.gov/housing/publications.) In addition, upon request, federal reports will be provided in a form accessible to persons with disabilities.

4. ***Access to Records.*** The City will provide citizens, public agencies, and other interested parties reasonable and timely access to information and records relating to the Citizen Participation Plan (CPP), 5-Year Consolidated Plan, annual Action Plan, and CAPER, and the City's use of assistance under the four entitlement grant programs, as stated in the Texas Public Information Act and the Freedom of Information Act.

5. ***Technical Assistance.*** The City will provide technical assistance upon request and to the extent resources are available to groups or individuals that need assistance in preparing funding proposals, provided that the level of technical assistance does not constitute a violation of federal or local rules or regulations. The provision of technical assistance does not involve re-assignment of City staff to the proposed project or group, or the use of City equipment, nor does technical assistance guarantee an award of funds.

F. CITIZENS' COMPLAINTS

Written complaints related to NHCD's programs and activities funded through entitlement grant funding may be directed to the Neighborhood Housing and Community Development (NHCD) Office . A timely, written, and substantive response to the complainant will be prepared with 15 working days of receipt of the complaint by NHCD. If a response cannot be prepared within the 15-day period, the complainant will be notified of the approximate date a response will be provided. Written complaints must include complainant's name, address, and zip code. A daytime telephone number should also be included in the event further information or clarification is needed. Complaints should be addressed as follows:

Neighborhood Housing and Community Development Office
Attn: Director
City of Austin
P.O. Box 1088
Austin, Texas 78767

If the response is not sufficient, an appeal may be directed to the City Manager, and a written response will be provided within 30 days. An appeal should be addressed as follows:

City Manager's Office
Attn: City Manager
P.O. Box 1088
Austin, Texas 78767

G. CITY OF AUSTIN'S RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

The City of Austin does not anticipate any displacement to occur as a result of any HUD funded activities. All programs will be carried out is such a manner as to safeguard that no displacement occurs. However, in the event that a project involving displacement is mandated in order to address a concern for the general public's health and welfare, the City of Austin will take the following steps:

1. A public hearing will be held to allow interested citizens an opportunity to comment on the proposed project and voice any concerns regarding possible relocation. Notice of the public

hearing/meeting will be made as per the procedure noted in a separate section of the Citizen Participation Plan.

2. In the event that a project involving displacement is pursued, the City of Austin will contact each person/household/business in the project area and/or hold public meetings, depending on the project size; inform persons of the project and their rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and respond to any questions or concerns.

3. Relocation assistance will be provided in adherence with the City's Project Relocation Plan and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The City's Anti-Displacement and Relocation Assistance Plan may be viewed in NHCD's Action Plan submitted annually to HUD. The document is available online at www.austintexas.gov/housing; NHCD, 1000 E. 11th Street, Austin, Texas 78702.

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. For assistance please call 974-2210 OR 974-2445 TDD.

Replace Attachment #1 with FY 2009-14 Investment Plan

ATTACHMENT #1

Neighborhood Housing and Community Development 2003-04

Example of Programs and Projects/Activities

HOUSING	Eligible Projects/ Activities
Owner-Occupied	• Architectural Barrier Removal • Emergency Home Repair • Homeowner Rehabilitation Loan
First-Time Homebuyer Services	• Acquisition and Development • Anderson Hill (Juniper/Olive Street)
Rental Housing	• Rental Housing Development Assistance • Anderson Hill Redevelopment
Assisted Housing	N/A
Transitional Housing	N/A
S.M.A.R.T. Housing ™	N/A

COMMUNITY DEVELOPMENT	Eligible Activities
Commercial Revitalization	• East 11th and 12th Street Revitalization
Neighborhood Revitalization (Public Services)	• Tenants' Rights Assistance • Childcare Services • ESL • Senior Services • Youth Services • Neighborhood Support • Housing Information and Referral
Small Business Development	• Business Assistance Center • Community Development Bank • Micro-enterprise Technical Assistance • Neighborhood Commercial Management Project • Small Minority Business Assistance
Public Facilities	• Homeless Shelter • Public Facilities Projects

Legend

Programs

Continuum Categories

- Eligible Projects/ Activities

NHCD Investment Plan

Homeless / Special Needs Assistance

- Homeless Services
  - Shelter Operation and Maintenance
  - Homeless Essential Services
- Housing Opportunities for Persons with AIDS
  - Short-Term Rent, Mortgage, and Utility Tenant-Based Rental Assistance
  - Permanent Housing Placement
  - Short-Term Supportive Housing
  - Transitional Housing
  - Supportive Services
- Child Care
- Senior Services
- Youth Services

POPULATION SERVED
Person experiencing homelessness, elderly, persons with disabilities, at-risk youth, low-income households,, and persons living with HIV/AIDS

Renter Assistance

- Tenant-Based Rental Assistance
- Architectural Barrier Removal - Rental
- Tenants' Rights Assistance

POPULATION SERVED
Persons experiencing homelessness, persons with disabilities, vulnerable populations, and low-income households

Homebuyer Assistance

- Housing Smarts
  - -Foreclosure Prevention Counseling
  - -Spanish Homebuyer Counseling
- Down Payment Assistance

POPULATION SERVED
Persons with disabilities and low and moderate income households

Homeowner Assistance

- Architectural Barrier Removal - Owner
- Emergency Home Repair
- Homeowner Rehabilitation Loan Program
- GO Repair! Program
- Holly Good Neighbor

POPULATION SERVED
Persons with disabilities and low and moderate income households

Housing Developer Assistance

- Rental Housing Development Assistance
- Acquisition and Development
- CHDO Operating Expenses Grants
- Developer Incentive-Based Programs

POPULATION SERVED
Low and moderate income households, persons with disabilities, and Community Housing Development Organizations (CHDOS)

Commercial Revitalization

- East 11th and 12th Streets Revitalization
  - Acquisition and Development
    - -Façade Improvement Program
  - Historic Preservation
  - Public Facilities
  - Parking Facilities

POPULATION SERVED
Low and moderate income households, small businesses

Small Business Assistance

- Community Development Bank
- Micro-enterprise Technical Assistance
- Neighborhood Commercial Management
- Community, Preservation & Revitalization

POPULATION SERVED
Small businesses, job creation for low income households

Examples of Programs and Activities administered by Neighborhood Housing and Community Development (NHCD) and the Austin/Travis County Health and Human Services Department (HHSD). The Investment Plan framework was launched during the FY 2009-14 Consolidated Planning process.