NOTE: Proposed amendments are shown in red text

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

CITIZEN PARTICIPATION PLAN

A. PURPOSE

Participating Jurisdictions (PJs) that receive U.S. Department of Housing and Urban Development (HUD) 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: Assessment of Fair Housing (AFH), ~~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 the participation of persons of minority backgrounds, persons with limited-English proficiency, and persons 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 six ~~five~~ areas of planning for the use of affordable housing, community and economic development made possible through HUD funding:

1) Assessment of Fair Housing (AFH);

2) The ~~5-Year~~ Consolidated Plan;

3) The annual Action Plan;

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

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

6) 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

PROPOSED

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~~ six 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)*:** The ESG Program is authorized by the Steward B. McKinney Homeless Assistance Act of 1987 and was amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act 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 as the lead agency for the administration of the CDBG, HOME, HOPWA, and ESG grant programs. Through the U.S. Department of Housing and Urban Development (HUD) NHCD directly administers the CDBG

PROPOSED

and HOME programs. The City Council designates the ~~Austin/Travis County Health and Human Services Department (HHSD)~~ Austin Public Health (APH) Department to administer the HOPWA and ESG programs.

As the lead agency for HUD, NHCD is responsible for developing the Consolidated, annual Action Plans, and the Consolidated Annual Performance and Evaluation Report (CAPER). NHCD coordinates with ~~HHSD~~ APH, 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~~ APH in consultation with community agencies.

D. PLANNING ACTIVITIES SUBJECT TO CITIZEN PARTICIPATION PLAN

ACTIVITY 1 – ASSESSMENT OF FAIR HOUSING. The Assessment of Fair Housing (AFH) is a planning document prepared in accordance with HUD regulations at 24 CFR 91.105 and 24 CFR 5.150 through 5.166, which became effective June 30, 2015. This AFH includes an analysis of fair housing data, assesses fair housing issues and contributing factors, and identifies the City's fair housing priorities and goals for affirmatively furthering fair housing.

1. **Stakeholder Consultation and Citizen Outreach.** In the development of the AFH, the City will consult with other public and private agencies including, but not limited to, the following:
   - Local public housing authorities
   - Other assisted housing providers
   - Social service providers including those focusing on services to minorities, families with children, the elderly, persons with disabilities, persons with HIV/AIDS and their families, homeless persons, and other protected classes
   - Community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws
   - Regional government agencies involved in metropolitan-wide planning and transportation responsibilities

   A variety of mechanisms may be utilized to solicit input from these entities. These could include telephone or personal interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

2. ***Publishing Data.*** City staff shall make any proposed analysis and the relevant documents, including the HUD-provided data and any other data to be included in the AFH, available to the public in a manner that affords diverse residents and others the opportunity to examine the content.

3. ***Public Hearing.*** To obtain the views of the general public on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs, the City will conduct at least one public hearing before the Community Development Commission (CDC) during the development of the AFH.

4. ***Public Display and Comment Period.*** The draft AFH will be placed on display for a period of no less than 30 calendar days to encourage public review and comment. The public notice shall include a brief summary of the content and purpose of the draft AFH, the dates of the public display and comment period, the locations where copies of the proposed document can be examined, how comments will be accepted, and the anticipated submission date to HUD. The

PROPOSED

Draft AFH 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). In addition, upon request, federal reports will be provided in a form accessible to persons with disabilities.

5. ***Comments Received on the Draft Assessment of Fair Housing.*** Written comments will be accepted by the City Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views received in writing, or orally at the public hearing, in preparing the final AFH. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AFH for submission to HUD.

6. ***Submission to HUD.*** All written or oral testimony provided will be considered in preparing the final AFH. The AFH will be submitted to HUD 270 days before the Consolidated Plan is due.

7. ***Revisions to AFH.*** A HUD accepted AFH must be revised and submitted to HUD for review when either of the following situations occurs: **a.** A material change occurs. A material change is one that both **i)** impacts the circumstances in the City which may include natural disasters, significant demographic changes, new significant contributing factors, and civil rights findings and **ii)** causes alterations to the AFH's analyses, contributing factors, priorities, and/or goals. **b.** The City receives a written notification from HUD specifying a material change.

   Whenever a Revision to the Assessment of Fair Housing is proposed, it will be available for public comment for a period of thirty (30) days before submission to HUD. A Revision to the Assessment of Fair Housing will not be implemented until the conclusion of the 30-day public comment period. A summary of all comments or views received in writing, or orally, during the comment period, will be attached to the Revision upon submission to HUD.

ACTIVITY 2 ~~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, 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 ~~5-Year~~ 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.

PROPOSED

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 ~~5-Year~~ 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 3 ~~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 Commission (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.

PROPOSED

6. When approved by City Council, the Action Plan will be submitted to HUD.

ACTIVITY 4 ~~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 the ~~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 5 ~~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 6 ~~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.

PROPOSED

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 Assessment of Fair Housing, ~~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), Assessment of Fair Housing, ~~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

PROPOSED

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), Assessment of Fair Housing, ~~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 in 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 Section E - General Requirements 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

PROPOSED

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.

PROPOSED