

Attachment 2

City of Chandler Citizen Participation Plan

CDBG/HOME Program Activities

PURPOSE

This document has been prepared concerning the citizen participation planning regulations applicable under Consolidated Plan submittal requirements at 24CFR 91.105. This Citizen Participation Plan applies to the City of Chandler HUD 5-year Consolidated Plan, Annual Action Plans, and Annual Reports.

The City receives a direct allocation of Community Development Block Grant (CDBG) funds from the US Department of Housing and Urban Development. In addition, the City is a member of the Maricopa County HOME Consortium and receives a portion of HOME funds allocated to the Consortium. Citizen Participation for the HOME Program is governed by the Maricopa County HOME Consortium Citizen Participation Plan.

PUBLIC OUTREACH

In preparing the 5-year Consolidated Plan or Annual Action Plan, the City will encourage public input through contacting public and private agencies that provide housing or human services, neighborhood organizations and citizens. The City will hold at least two meetings and/or workshops to solicit public input on the past year's project performance and recommendations for new project allocations for the upcoming program year. Public meetings will include:

1. Discussion of the amount of HUD funds expected to be available including program income and prior year's funds not yet allocated to project use;
2. The full range of HUD activities that may be undertaken with the funding being discussed;
3. The amount of resources that will be directed to low and moderate income households; and
4. The uses of funds in the prior year.

The City will hold at least one meeting with the Housing and Human Services Commission. As applicable, the City will also hold public meetings in identified CDBG target areas to discuss target area needs and eligible uses of CDBG funds relative to the identified needs. The City will provide technical assistance to non-profits interested in applying for CDBG funds.

The meetings will be advertised through public notices and published in the non-legal section of the local newspaper at least five days before the scheduled meeting. Public notices indicate the date, time and location of the scheduled meetings and list the topics to be considered. Notices are also mailed directly to City residents when feasible.

Citizens are encouraged to submit their questions, comments and criticisms regarding the City CDBG process or program. These comments may be presented at public meetings, through the mail, in person at the City of Chandler Neighborhood Resources Division, or via modem through the City's website.

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Where any public meeting is held as part of preparation of the Consolidated Plan or Annual Action Plan, the City will consider any comments and views expressed as information, which may modify or adjust the proposed documents as considered necessary. This information does not have to be submitted in writing. Public input is used to draft a list of projects to be recommended for funding for the upcoming program year.

PUBLIC HEARINGS

In preparing the 5-year Consolidated Plan or Annual Action Plan, the City will hold at least two public hearings. The hearings will review the past year's performance of HUD funded activities and a draft statement that provides information on the amount of funds that will be used in the coming year for low and moderate income benefit. At a minimum, the hearings will be announced in a format that includes posting of the meeting in public locations as defined by the City Clerk and advertisement in the local newspaper. The City Council will hold at least one public hearing in the City Hall Council Chambers.

In preparing the Consolidated Annual Performance Evaluation Report (CAPER), the City will hold at least one public hearing. The hearing will review the past year's performance of HUD funded activities. At a minimum, the hearing will be announced in a format that includes posting of the meeting in public locations as defined by the City Clerk and advertisement in the local newspaper. The City Council will hold at least one public hearing in the City Hall Council Chambers.

Prior to transmitting any Consolidated Plan, Annual Action Plan, any substantial amendment, Performance Report or other activity mandating a public hearing, the City shall convey any comments or views of citizens received in writing or orally at public hearings. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to final submissions conveyed to HUD.

A summary of comments received during the public comment period and at any public hearing for the 5-year Consolidated Plan, Annual Action Plan, any substantial amendment, Performance Report or other activity mandating a public hearing shall be recorded, considered and summarized in an attachment with the final Council-approved documents submitted to HUD. The City's response to public comments and an explanation of where the comments are addressed in the document or if not, the reasons why they were not, shall also be summarized in the attachment.

ACCESS TO RECORDS AND INFORMATION AVAILABILITY

The City will provide citizens, public agencies and other interested parties with reasonable and timely access to public records relating to their past use of CDBG and related assistance for the previous five years. All documents will be posted on the City's website and made available in hardcopy to interested parties as requested. There is no charge to view this material at the City's website, Public Library or the City's Neighborhood Resources Division located at 55 N. Arizona

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Place, Suite 310; however, review at the City's Neighborhood Resources Division is subject to availability of space and staff to retrieve the requested information.

Upon receiving notice of special accommodations or requirements 8 hours in advance of any meeting, the City will make translators and special disability access available. In addition, minutes and other materials from the meeting will be translated into Spanish, Braille (#2) or enlarged print to further communications and community outreach. The City will also make meeting materials available for download and will take questions and suggestions through modem.

ADOPTION OF CITIZEN PARTICIPATION PLAN

Prior to the adoption of the Citizen Participation Plan, notices will be placed in local newspapers, stating that the Plan is available for public review and comment. This Citizen Participation plan is anticipated to be adopted by the Chandler City Council with the scheduled adoption of the 5-year Consolidated Plan, anticipated to occur in May of 2010.

CRITERIA AND PROCESS FOR AMENDMENTS TO THE CONSOLIDATED PLAN

Should the City cause one of the following to occur, it would be construed as an amendment to the Consolidated Plan:

To make a substantial change in the allocation priorities or methods of distribution delineated in the plans. "Substantial" in this context is defined as:

1. Changes in any method of distribution for HUD resources that will alter the manner in which funds are allocated to individual projects or entities identified in the Annual Plan by at least 20% of any annual allocation, subject to other program requirements in the CFR as applicable.
2. Changes that are made to funding priorities in the Consolidated Plan (including prospective changes to McKinney programs and distribution methods) over time when not undertaken through annual submission requirements stipulated by HUD.
3. Project deletions or changes made in allocation priorities or methods of distribution that have the effect of changing the funding level of individual CDBG projects identified in its Annual Plan by more than 10% of the annual funding level, subject to other program requirements in CFR as applicable. Any new project funded with CDBG resources must be noticed to the public prior to funding, as well as significant changes in the use of CDBG funds from one eligible activity to another.
4. To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the action plan;
5. To substantially change the purpose, scope, location, or beneficiaries of an activity. This refers to changes that are made to projects to be funded in the Consolidated Plan when not undertaken through annual submission requirements stipulated by HUD.

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Should “substantial” amendments be made to any aspect of the Consolidated Plan, after its formal adoption, the City will undertake the following:

1. Provide reasonable notice of the proposed amendment/s in the local newspaper to enable review and comment by the public for at least 30 days.
2. Conduct a public hearing on the subject of the proposed amendment during the 30-day comment period.
3. Submit the amendment/s to the City Council for approval.
4. Upon termination of the 30-day comment period, notify HUD of any amendments executed, citizen comments received and the response/s by the City.

CITY OF CHANDLER ANTI-DISPLACEMENT PLAN

The City will minimize the displacement of persons assisted through the use of CDBG resources. Public Hearings will specifically discuss activities likely to result in displacement and the methods being used by the City to minimize displacement of persons because of activities. The City will follow the Maricopa County HOME Consortium Displacement Policies for CDBG and HOME funds; a copy of which is attached.

CONTACT INFORMATION

Public hearing information and materials may be received by contacting the City CDBG Program at:

City of Chandler Neighborhood Resources Division
Mail Stop 600
PO Box 4008
Chandler, Arizona 85244
PHONE: (480) 782-4320 (VOICE)
(480) 782-3228 (FAX)
(800) 367-8939 (TTY/ASCII)
(800) 842-4681 (U.S. WEST VOICE RELAY)

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MARICOPA HOME CONSORTIUM DISPLACEMENT POLICIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and/or HOME PROGRAM FUNDED ACTIVITIES

Guideform Residential Antidisplacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended

The Community Development Department, in accordance with Federal Regulations for Displacement, 24 CFR 570.606(b), hereby issues this statement of policy regarding the displacement of persons by CDBG or HOME Program funded activities.

Any entity receiving CDBG or HOME Program funds will replace all occupied and vacant units that will be demolished or converted to a use other than as low/moderate income housing. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. This includes any property obtained through a public undertaking. Before obligating or expending funds that will directly result in such demolition or conversion, the entity will make public and submit to the HUD Field Office the following information in writing:

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for low/moderate income dwelling units as a direct result of the assisted activity;
- A time schedule for the commencement and completion of the demolition or conversion;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source of funding and a time schedule for the provision of replacement dwelling units; and
- The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy (i.e.: Deed of Trust, Deed Restriction, etc.).
- The entity will provide relocation assistance, as described in 570.606(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use. Benefits will be provided relocatees and displacees according to the calculation of benefits derived pursuant to requirements of regulations promulgated under the Uniform Property Acquisition and Relocation Act of 1970, as amended.

Assistance To Aliens

An alien who is not lawfully present in the United States is prohibited from receiving assistance under the Uniform Relocation Act, per 49 CFR 24.208, and assisted housing programs. Circumstances may dictate that determination that an alien is ineligible would result in exceptional and extremely unusual hardship to a spouse, parent, child who is a United States citizen. Under these circumstances a subrecipient may wish to request CD assist in making

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relocation funds available. A final determination on the eligibility of the request will be made by HUD before any assistance is provided.

Permanent Displacement

Displacement is defined as follows: Permanent movement of person(s) or other entities from a dwelling unit or business location resulting from CDBG funded code inspection, rehabilitation, demolition or acquisition. In order to minimize displacement and mitigate adverse effects, the policy shall consist of the following steps, in the event displacement is caused by current or future CDBG or HOME Program funded projects:

- CD will avoid or minimize permanent displacement whenever possible and only take such action when no other viable alternative exists.
- The impact on existing persons and properties will be considered in the development of CDBG and HOME Program funded projects.
- Citizens shall be informed of CDBG or HOME Program project area(s) through information made available as part of the annual proposed and final statements on use of CDBG and HOME Program funds.
- Current regulations, HUD notices and policies will be followed when preparing informational statements and notices.
- Written notification of intent will be given to eligible property owners who may be displaced and/or relocated due to an approved project activity.
- CD will assist those displaced in locating affordable, safe, decent and comparable replacement housing.
- CD will ensure that "just compensation" for CDBG or HOME Program acquired property (as determined by appraised fair market value) is paid with relocation benefits, if applicable.
- CD will provide for reasonable benefits to any person permanently displaced as a result of the use of CDBG funds to acquire or substantially rehabilitate property.
- Reasonable benefits will follow established policies set forth in applicable federal, state and local regulations.
- Provision of information about equal opportunity and fair housing laws in order to ensure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, or source of income.
- Displaced families will be given a preference through Section 8, Conventional Public Housing or any other federally funded program for which they might qualify. This priority is contingent upon availability of certificates, voucher or placement coupon by the agency certified to handle assistance in the jurisdiction.

Temporary Displacement

CDBG or HOME Program funded activities may involve temporary displacement. While strict adherence to provisions of the Uniform Relocation Act are not specified, it is the policy of CD that all subrecipients shall take steps to mitigate the impact of CDBG or HOME Program funded code inspections, rehabilitation, demolition or acquisition that results only in temporary movement of person(s) from a dwelling unit. Such temporary displacement primarily involves demolition and reconstruction of a single family owner- occupied home. Accordingly, the

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citizens involved in a temporary movement shall be fully informed of the below matters and appropriate steps shall be taken to insure that fair and equitable provisions are made to:

- Insure that owners receive compensation for the value of their existing house prior to demolition.
- Receive temporary living accommodations while their HOME Program funded unit is being demolished and reconstructed.
- Move and temporarily store household goods and effects during the demolition and reconstruction evolution.
- Reimburse all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including moving costs and any increased rent and utility costs.

PUBLIC COMMENTS AND CITY RESPONSES