

Maricopa HOME Consortium

Citizen Participation Plan

2020-2025

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# Introduction

## HOME Consortium Applicability

The Maricopa HOME Consortium is committed to encouraging citizens to participate in the planning, implementation, and assessment of the performance of its federal HUD-funded programs including Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grants (ESG). The Citizen Participation Plan emphasizes the need to provide citizens with adequate information and to afford them the opportunity to give meaningful input.

The goal of the Citizen Participation Plan is to fully integrate citizen input into the participation, planning, and reporting activities required to successfully manage the Maricopa HOME Consortium’s HUD programs. These activities include developing the following:

1. Amendments to the Citizen Participation Plan (CPP);
2. Five-year Consolidated Plan;
3. Annual Action Plans (AAP);
4. Consolidated Annual Performance and Evaluation Reports (CAPER);
5. Substantial amendments to the Consolidated Plan or Annual Action Plans.

This document implements the consultation and citizen participation planning regulations applicable under Consolidated Plan submittal requirements noted under 24 CFR 91.105. This citizen participation plan applies to the following jurisdictions submitting Consolidated Plans covering FY 2020 through FY 2025, HUD Program Years 2020-2024, pursuant to:

- 24 CFR 91.400 for Consolidated Plan submission for the:  
Maricopa HOME Consortium
- 24 CFR 91.200 for Consolidated Plan submission for the:  
City of Avondale  
City of Chandler  
Town of Gilbert  
City of Glendale  
City of Peoria  
City of Scottsdale  
City of Surprise  
City of Tempe  
Maricopa County

The Maricopa HOME Consortium includes the Cities of Avondale, Chandler, Glendale, Peoria, Scottsdale, Surprise and Tempe; the Town of Gilbert; and Maricopa County; with Maricopa County, administered by the Human Services Department Housing and Community Development Division as the designated Lead Agency. The Consortium has elected to establish July 1 through June 30 as the Program Year under

forthcoming Consolidated Plan and Annual Action Plan submissions. This program year corresponds with each jurisdiction's fiscal year.

To request access to documents, or for more information concerning the citizen participation process associated with the Consolidated Plan, please contact one or all of the following organizations:

- Maricopa County Human Services Department at (602) 506-5911
- City of Avondale at (623) 333-2715
- City of Chandler at (480) 782-4349
- Town of Gilbert (480) 503-6956
- City of Glendale at (623) 930-3670
- City of Peoria at (623) 773-7209
- City of Scottsdale at (480) 312-2309
- City of Surprise at (623) 222-1551
- City of Tempe at (480) 350-8958

### **Citizen Participation Plan Adoption and Amendments**

The Citizen Participation Plan (CPP) is a required component of the Consolidated Plan. The CPP, and any subsequent amendments to the CPP, are adopted by the Maricopa County Board of Supervisors and City/Town Councils of Avondale, Chandler, Gilbert, Glendale, Peoria, Scottsdale, Surprise, and Tempe concurrent with the scheduled adoption of each Maricopa Consortium member's Five-Year Consolidated Plan. Amendments to the CPP may occur on an as-needed basis at any time during the Consolidated Plan period.

### **Consolidated Plan Summary**

HUD regulations noted in 24 CFR 91.105 require the preparation of Consolidated Plans for all entitlement communities. The Consolidated Plan is prepared in draft form by April in the year the Plan takes effect and includes needs, priorities and long- and short-term strategies concerning affordable housing, homeless/special needs, and community development in the region, unless a delay in HUD allocation release causes delay in the submission deadline to HUD and subsequently delays the draft preparation. The Consolidated Plan process includes a Five-Year Consolidated Plan and Annual Action Plans, and serves as a long- and short- term investment guide for federal Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and HOME Investment Partnerships Program (HOME). The Consolidated Plan is also consulted prior to the award of other funding administered by the U.S. Department of Housing and Urban Development (HUD).

The Consolidated Plan prepared for the Maricopa HOME Consortium is regional in nature and focuses on affordable housing, homeless and special needs priorities and strategies pursuant to 24 CFR 91.400, while those prepared by entitlement community members herein are local in nature and shall address affordable housing, community development, homeless and special population needs priorities and strategies pursuant to 24 CFR 91.200. Consortium members must participate in submission of a

consolidated plan for the Consortium, prepared in accordance with 24 CFR 91. As described in 24 CFR 91.400, CDBG entitlement communities that are members of a consortium must provide additional information for the consolidated plan.

## Encouragement of Citizen Participation

In order to encourage citizens to participate in the development of the consolidated plan, any substantial amendment to the consolidated plan, and the performance report, the following efforts shall be undertaken by HOME Consortium members. Consortium members shall encourage participation by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted area and in areas where CDBG funds are proposed to be used, by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. Consortium members must take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

Per 24 CFR 91.100, the HOME Consortium members shall consult with housing authorities in their jurisdictions to solicit participation of the residents of public and assisted housing (including any resident advisory boards, resident councils, and resident management corporations) in plan development and review, which is anticipated to be derived from PHA planning activities stipulated under 24 CFR Part 903. As needed and applicable, Maricopa Consortium members will also consult with the Maricopa Regional Continuum of Care and organizations therein, supportive housing agencies, relevant businesses and industry representatives and low-income residents of targeted revitalization areas in which federal projects are anticipated. Consortium members shall make Consolidated Plan information available to local housing authorities on a continuing basis for any public hearings to be held under the HUD Comprehensive Grant Program or Public Housing Agency Plan established pursuant to 24 CFR Part 903.

Per 24 CFR 91.100, Maricopa Consortium members shall encourage participation of local and regional institutions and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations), public and private organizations, broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies in the process of developing and implementing the Consolidated Plan.

## Consolidated Plan

Maricopa Consortium members shall each hold at least two public hearings concerning the Consolidated Plan in addition to surveys, consultation, and other methods to solicit input desired by members. The first hearing shall be held during Consolidated Plan formulation and preparation, while the second shall be held once a draft Consolidated Plan has been completed and during the 30-day public comment period. One or both of the public hearings to be conducted by Maricopa Consortium members shall include the following items:

- The amount of CDBG, ESG, and HOME resources anticipated to be made available within member jurisdictions on a program year basis, and the eligible range of activities that may be undertaken concerning such federal programs.
- The amount of CDBG, ESG, and HOME resources anticipated to benefit income qualified persons residing within member jurisdictions on a program year basis.
- Plans by Maricopa Consortium members to minimize the displacement of persons from the intended uses of CDBG, ESG, and HOME resources anticipated to be invested during any given fiscal year.
- Perspectives on priorities and housing and community development needs in each Maricopa Consortium member jurisdiction.
- Proposed strategies and actions for affirmatively furthering fair housing.
- Other aspects of the Consolidated Plan as applicable.

### Annual Action Plan

Maricopa Consortium members shall each hold at least two public hearings concerning the development of Annual Action Plan each year (may include surveys), consultation and other methods to solicit input desired by members. The first hearing shall be held during Annual Action Plan formulation and preparation, while the second shall be held once a draft Annual Action Plan has been completed and during the 30-day public comment period.

On or before April 1st of any given year, Maricopa Consortium members will make available their draft Annual Plans and the previous year's Consolidated Annual Performance and Evaluation Report (CAPER) to each housing authority, libraries, surrounding municipal governments (as applicable), and selected other locations for the mandatory 30-day public comment period to end no later than the 1st of May of any given year. If HUD annual funding allocations have not been released by March 15, the timeline for the draft and subsequent submission to HUD may be delayed. Members may also post their draft Plans using other supplemental forms of securing valid public input. The public shall be notified of this opportunity for review and comment in one or more newspapers with general circulation in each Consortium member's jurisdiction and shall identify the locations where citizens may review copies of draft Annual Action Plan and relevant CAPERs. A member may pursue alternative forms of posting with prior HUD written approval.

One or both of the public meetings to be conducted by Maricopa Consortium members shall include the following items:

- The amount of CDBG, ESG, and HOME resources anticipated to be made available within member jurisdictions on a program year basis, and the projects within the range of eligible activities that may be undertaken concerning such federal programs.
- The amount of CDBG, ESG, and HOME resources anticipated to benefit income qualified persons residing within member jurisdictions on a program year basis.

- Other aspects of the Annual Action Plan as applicable.

### Consolidated Annual Performance and Evaluation Report (CAPER)

In early September of each year, Maricopa Consortium members shall make available their draft Consolidated Annual Performance and Evaluation Reports (CAPERs) for the previous fiscal year to each housing authority, libraries, surrounding municipal governments (as applicable); and selected other locations for the mandatory 15-day public comment period to end no later than September 30. Again, members may also post their draft CAPERs using other supplemental forms of securing valid public input. A member may pursue alternative forms of posting with prior HUD written approval.

### Public Hearings

Public hearings to be conducted by Maricopa Consortium members shall be publicly noticed with a minimum one week lead time, and two weeks whenever possible, before the actual meetings are conducted and be noticed in one or more newspapers with general circulation in the community. All postings shall include relevant information to permit informed citizen comment. Consortium members shall explore alternative public involvement techniques to encourage citizen participation, i.e. use of the internet, and making copies of the notices and documents available on City/Town/County websites. Consortium members will provide a reasonable number of free copies of the Consolidated Plan as applicable to residents or groups that request it.

All public hearings to be conducted will be held at times and locations convenient to prospective program beneficiaries, and be conducted with accommodation for persons with disabilities when requested at least three working days in advance. Where appropriate to the local community and where requested in advance, a bilingual staff person or translator may be made available to meet the needs of residents. Specific determinations on the issues noted above shall be made by staff of each Maricopa Consortium member on a case-by-case basis.

### Comments Received at Public Hearings

Prior to transmitting any Consolidated Plan, Annual Action Plan, substantial plan amendment, or Consolidated Annual Performance and Evaluation Report, members shall compile 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 the related document for final submission to HUD.

### Amendments to Consolidated Plan and Annual Action Plan

#### Criteria

Should any Maricopa Consortium member decide to make one of the following changes outside of the annual action planning process, an amendment to the Consolidated Plan or Annual Action Plan would be required:

- a) To make a substantial change in the allocation priorities or methods of distribution delineated in

the plans. “Substantial” in this context is defined as:

- Changes made to funding priorities in the Consolidated Plans over time when not undertaken through annual submission requirements stipulated by HUD; and/or;
  - Changes in any method of distribution for HOME or ESG resources that will alter the manner in which funds are allocated to individual projects or entities identified in the Annual Action Plan, including reallocation of funds i.e. returned funds or program income, by at least 20% of any annual Consortium allocation, subject to other program requirements in the CFR as applicable; and/or;
  - 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 within an eligible activity identified in its Annual Action Plan by more than 20% of an entitlement jurisdiction’s annual funding level, subject to other program requirements in the CFR as applicable. Any new eligible activity funded with CDBG and not already identified in an Annual Action Plan, as well as significant changes in the use of CDBG funds from one eligible activity to another, in an amount greater than 20% of the annual CDBG allocation.
- b) To carry out an eligible activity, using funds from any program covered by the Consolidated Plans (including program income), not previously described in the Annual Action Plans.
- c) To substantially change the purpose, scope, location, or beneficiaries of an activity.

## Process

Should substantial amendments be made to any aspect of the Consolidated Plan after its formal adoption, Maricopa Consortium members will undertake the following:

- a) In the instance of Maricopa County, inform units of local government.
- b) Provide reasonable public notice of the proposed amendment(s) in applicable newspaper/s of general circulation to enable review and comment by the public for at least 30 days. Conduct a public hearing on the subject of the proposed amendment during the 30-day comment period.
- c) Submit such amendment(s) to their respective Governing Boards for approval.
- d) Upon the termination of the 30-day comment period, notify HUD of any amendments executed, citizen comments received and the response(s) by Consortium members to such comment(s).
- e) Update Plan document available to the public to include amendment (i.e., paper or electronic

versions posted on the internet)

- f) Prior to the close of the program year in which the amendment occurred or earlier by HUD request, submit substantial amendments to HUD through Information Disbursement and Information System (IDIS), (i.e. complete the required updates in IDIS in approximately April-May each year if needed)

## Emergency or Disaster Procedures

In the event of a local, state, or federally declared disaster or emergency, including the COVID-19 or other health-related Pandemic, public places may be closed to the public, or in-person participation may not be feasible, or large gatherings may be considered a public health risk. In some situations, it may be necessary to expedite the Substantial Amendment to a Consolidated Plan, Action Plan, or Citizen Participation Plan to provide updated procedures or rapid allocation or reallocation of funds in order to respond to a disaster or emergency; expedite the amendment to a Consolidated Plan or Action Plan prior to the submission/approval of the plan to HUD to provide allocation or reallocation of funds to be used to respond to a disaster or emergency; and/or receive public input using alternate methods such as holding public hearings remotely.

In these cases, the following modifications to the citizen participation processes may be made, subject to any applicable or mandated HUD regulations, requirements, approval, or waivers:

- Public Comment Period - Provide reasonable public notice of the proposed documents and/or amendment(s) and enable review and comment by the public for at least 5 days. Conduct a public hearing on the subject of the proposed amendment during the abbreviated or expedited comment period. Draft documents will be provided to the public through posting on the appropriate Consortium member websites.
- Public Hearing - Public hearings and meetings may be conducted virtually via conference call or live web-streaming with the ability for participants to ask questions and provide comment in real time. Accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible upon request.
- Submission Deadline - In the event that HUD waives or updates the submission deadlines for any HUD-required Consolidated Plan, Action Plan, CAPER, or other any other document or report, Consortium members may opt to follow revised submission deadlines within HUD guidelines.
- In the event that HUD waives any or all components of the public participation process, Consortium members may opt to follow revised citizen participation allowances within HUD guidelines.

## Technical Assistance

Maricopa Consortium members will provide assistance to very low- and low- income persons and groups representative of them that request such assistance in commenting on the Consolidated Plan, or in developing proposals for funding under the CDBG, ESG, and HOME resources as applicable. Each respective Consortium member will determine the level and type of technical assistance on a case-by-

case basis.

## Access to Records

All Maricopa Consortium members shall provide citizens, public agencies, and other interested parties with reasonable and timely access to public records relating to the Consolidated Plan as adopted, substantial amendments, the performance report, and their past use of CDBG, ESG, and HOME and related assistance for the previous six years. This information shall be made available to interested parties and persons with disabilities in alternate formats as reasonably requested and shall be so noticed.

## Comments and Complaints

Any citizen, organization or group desiring to make a comment or complaint regarding the Consolidated Plan, any activity related to the implementation of the Consolidated Plan, amendments, or performance reports may do so in writing to any Maricopa Consortium members. Comments or complaints may also be made verbally during the execution of such public hearings and submitted in writing during a public comment period. In addition, any citizen, organization or group may also make comments or complaints verbally or in writing to a respective jurisdiction. At all times, citizens have the right to submit complaints directly to the Department of Housing and Urban Development as well. All comments and complaints are recorded in the Citizen Participation Record in the Consolidated Plan, Annual Action Plans, CAPERs, or Assessment of Fair Housing along with the response and any changes, if made, as a result of the comments. Each Maricopa Consortium member shall respond in writing to comments or complaints in their jurisdiction within 15 working days from receipt.

The Maricopa County Board of Supervisors is the final disposition authority for comments or complaints under the purview of Maricopa County, while the City/Town Councils of Avondale, Chandler, Gilbert, Glendale, Peoria, Scottsdale, Surprise and Tempe are the final disposition authority for comments or complaints applicable to such jurisdictions.

## Other Citizen Participation Requirements

People and agencies seeking resources from individual Consortium members may need to comply with additional citizen participation requirements imposed on them by such entities. For additional information in this regard, contact the jurisdictions noted under the “HOME Consortium Applicability” section in this document. HUD waivers relevant to the provisions of this document shall override and supersede the applicable contents of this citizen participation plan.

## Anti-Displacement Plan

All Maricopa Consortium members will minimize the displacement of persons assisted through the use of CDBG, ESG and HOME resources. The policies to be followed are separately included in this document, and all Maricopa HOME Consortium members have agreed to abide by the anti-displacement plan. For efforts other than federally funded acquisition or rehabilitation, Consortium members may utilize adopted local policies concerning displacement assistance.

## Acquisition and Relocation Policies

### **Preface**

This policy is necessary to minimize displacement and ensure compliance with the Uniform Acquisition and Relocation Act when displacement is unavoidable. Acquisition may in some cases be undertaken by the subrecipient, but only with the close coordination of Maricopa County Human Services Department staff and/or consultants.

The Maricopa Human Services Department, in carrying out its responsibility for CDBG and HOME Program administration, and as the designated "State Agency" responsible for acquisition and relocation associated with CDBG and HOME Program assisted projects will use staff and professional consultants as necessary to comply with the requirements of the Uniform Acquisition and Relocation Act of 1970 (PL 91-646), as amended.

### **MARICOPA COUNTY HOME CONSORTIA POLICIES ON DISPLACEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and/or HOME FUNDED ACTIVITIES**

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

The Maricopa Consortium, 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. (One-for-one replacement)

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. 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 or HOME funded code inspection, rehabilitation, demolition or acquisition.

In order to minimize displacement and mitigate adverse effects, the policy shall consist of the following guiding principles. In the event displacement is caused by current or future CDBG or HOME Program funded projects the project plan will:

- Avoid or minimize permanent displacement whenever possible and only take such action when no other viable alternative exists.
- Consider impact on existing persons and properties in the development of CDBG and HOME Program funded projects.
- Inform citizens of CDBG or HOME Program project area(s) through information made available as part of the annual plan for use of CDBG and HOME Program funds.
- Follow current regulations, HUD notices and policies when preparing informational statements and notices.
- Provide written notification of intent to eligible property owners or tenants who may be displaced and/or relocated due to an approved project activity.
- Assist those displaced in locating affordable, safe, decent and comparable replacement housing.
- 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.
- Provide for reasonable benefits to any person permanently displaced as a result of the use of

CDBG or HOME Program funds to acquire or substantially rehabilitate property.

- Provide 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, national origin, religion, sex, disability, familial status or source of income.
- Contingent upon availability, displaced households may be provided assistance through Section 8, Conventional Public Housing or any other federally funded program for which they might qualify.

### **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 the Consortium 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 or lead based paint abatement during rehabilitation of a residential unit. Accordingly, the citizens involved in a temporary movement shall be fully informed of the below matters and appropriate steps shall be taken to ensure that fair and equitable provisions are made to:

- Receive temporary living accommodations while their CDBG or HOME Program funded unit is being rehabilitated or demolished and reconstructed.
- Move and temporarily store household goods and effects during the rehabilitation or demolition and reconstruction project.
- Reimburse all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including moving costs and any increased rent and utilities.