



Proposed 2022-26 Citizen Participation Plan

For CDBG & HOME Programs

Prepared by

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for the
City of Independence, MO

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CITY OF INDEPENDENCE CITIZEN PARTICIPATION PLAN FY2022/2026

Spring, 2022

Applicability

This document implements the citizen participation planning regulations applicable under Consolidated Plan submittal requirements noted under 24 CFR 91.105. This citizen participation plan applies to the City of Independence covering FY 2022 through FY 2026 as well as Annual Action Plans for this period. Consolidated Annual Performance Reports (CAPERs) and Substantial Amendments are also included in aspects of this Plan during the period.

Consolidated Plan Summary

HUD regulations noted in 24 CFR 91.105 require the preparation of Consolidated Plans for all entitlement communities. Given the timing of Independence's HUD program year, 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. 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), HOME Investment Partnerships Program (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities For Persons With Aids (HOPWA) resources in the region if/as relevant. The Consolidated Plan is also consulted prior to the award of other funding administered by the U.S. Department of Housing and Urban Development. The Consolidated Plan for the City of Independence will focus on affordable housing, community and economic development, homeless and special needs priorities and strategies pursuant to 24 CFR 91.2 for its jurisdiction.

Encouragement of Citizen Participation and Information to Be Provided

In order to encourage citizen participation, the following efforts shall be undertaken by the City of Independence.

- 1) The City of Independence shall consult with the local housing authority in its jurisdiction to elicit participation of the residents of public and assisted housing in plan development and review, which is anticipated to be derived from PHA planning activities stipulated under 24CFR Part 903. As needed and applicable, the City of Independence will also consult with low-income residents in- and out- of areas in which federal projects are anticipated. The city shall make Consolidated Plan and Action Plan information available for any public hearings to be held under the HUD Comprehensive Grant Program or Public Housing Agency Plan established pursuant to 24CFR Part 903.
- 2) The City of Independence shall hold at least two public hearings concerning the Consolidated Plan and Action Plan in addition to possible surveys, consultation and other methods to elicit input. The first hearing shall be held during Consolidated Plan/Action Plan formulation and preparation, while the second shall be held once draft Consolidated Plan and/or Action Plans have been completed. One or both of the public meetings to be conducted by the city shall include the following items:

- ✓ The amount of CDBG, HOME, ESG or HOPWA resources (as/if relevant) anticipated to be

- made available within its jurisdiction on a fiscal year basis, and the eligible range of activities that may be undertaken concerning such federal programs.
- ✓ The amount of CDBG, HOME, ESG or HOPWA resources (as/if relevant) anticipated to benefit income qualified persons residing within the city on a fiscal year basis.
 - ✓ Plans by the city to minimize the displacement of persons from the intended uses of CDBG, HOME, ESG or HOPWA resources anticipated to be invested during any given fiscal year.
 - ✓ Perspectives on priorities and housing and community development needs in the city.
 - ✓ Other aspects of the Consolidated Plans as applicable.
- 3) Encourage the participation of local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing the Consolidated and Action Plans.
- 4) Explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of surveys and online video conferencing.
- 5) Make the HUD-provided data and any other supplemental information Independence plans to incorporate into its Consolidated Plan available to its residents, public agencies, and other interested parties. Independence may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website. Independence will post links to the HUD CPD Maps website (<https://egis.hud.gov/cpdmaps/>) to enable citizens and stakeholders to access relevant data as applicable to the Consolidated Plan under development.
- 6) On or before April 1st of any given year, the City of Independence will make available its draft Consolidated Plan and Annual Plan to its housing authority, selected 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. The city may also post its draft Plans using other supplemental forms of securing valid public input. The public shall be notified of this opportunity for review and comment in newspaper/s with general circulation in the community and shall identify the location/s where citizens may review copies of draft Consolidated Plans and relevant Comprehensive Annual Performance Evaluation Reports (CAPERs).
- 7) In early September of each year, the City of Independence shall make available its draft Comprehensive Annual Performance Evaluation Reports (CAPERs) for the previous fiscal year to its housing authority, selected 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, the city may also post its draft CAPER/s using other supplemental forms of securing valid public input.

Refer to Attachment 1 in the Appendix (page 6) of this Plan for an expedited review and guidance on some key requirements and procedures to follow from this Citizen Participation Plan.

Meaningful Access to Participation By Non-English-speaking Residents of Independence

Prior to and during the development, consideration and approval of the City of Independence Consolidated Plans, Action Plans, CAPERs and Substantial Amendments (to Consolidated Plans and Action Plans), the city will provide Spanish speakers at all required citizen participation public hearings, focus groups and community and stakeholder meetings as needed if requested prior in addition to the solicitation of both online and in-person consultations executed. The determination of other languages needed shall be made by the City of Independence on an annual basis.

Access to Records

The City of Independence shall provide citizens, public agencies and other interested parties with reasonable and timely access to public records relating to their use of CDBG, HOME, ESG and HOPWA as/if relevant and related assistance for the previous five years. This information shall be made available to interested parties in alternate formats as reasonably requested and shall be so noticed.

Technical Assistance

The City of Independence will provide assistance to very low- and low- income persons and groups representative of them that request such in developing proposals for funding under the CDBG, HOME, ESG or HOPWA resources as/if relevant treated in their Consolidated Plans and Action Plans. Such assistance will be provided to interested parties as requested and be noticed as available to the public.

Public Hearings

Public hearings to be conducted by the City of Independence shall be publicly noticed (legal notice) by being posted in newspapers with general circulation in the community, a minimum of 15 days lead time before the actual meetings are conducted. All postings shall include relevant information to permit informed citizen comment. The city will post such meeting notices in English and Spanish as/if needed.

Noted earlier, where appropriate to Independence and where requested in advance, a bilingual staff person or translator shall be present at public hearing/s to meet the needs of non-English speaking residents. 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. Specific determinations on the issues noted above shall be made by the staff of Independence.

Emergency Event

In the event of an Emergency Event/s, the city will contact HUD for guidance concerning the degree it may alter the rules of its adopted Citizen Participation Plan concerning the protocols to be followed relative to its Consolidated Plan, Annual Action Plans, CAPERs and substantial amendments to any of the aforementioned.

Comments and Complaints

Any citizen, organization or group desiring to make a complaint regarding the Consolidated Plans or

Action Plans treated herein may do so in writing to the City of Independence or verbally during the execution of such public hearings. Any citizen, organization or group may also make their views and/or complaints known verbally or in writing to the city. At all times, citizens have the right to submit complaints directly to the Department of Housing and Urban Development as well. The City of Independence shall respond in writing to written complaints, grievances, or comments or to comments made at public hearings within 15 working days from receipt of such. The City of Independence City Council is the final disposition authority for complaints or grievances under its purview.

Adoption of Citizen Participation Plan

The Citizen Participation Plan is a required component of the Consolidated Plan. This Citizen Participation plan is adopted by the City of Independence with the scheduled adoption of its Five-Year Consolidated Plan.

Comments Received at Public Hearings

Prior to transmitting any Consolidated Plan, Annual Action Plan, substantial plan amendment or Consolidated Annual Performance and Evaluation Report, the City of Independence 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 final submissions conveyed to HUD.

Criteria and Process for Amendments to Consolidated Plan and Annual Plan

Should the City of Independence cause one of the following items to occur, an amendment to its 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 in any method of distribution for CDBG, HOME, ESG or HOPWA resources as/if relevant that will alter the manner in which funds are allocated to individual projects or entities identified in the Annual Action Plan by at least 50% of any annual City allocation, subject to other program requirements in the CFR as applicable; and/or;
 - ✓ Changes made to funding priorities in its Consolidated Plan or Action Plan over time when not undertaken through annual submission requirements stipulated by HUD; 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 50% of its annual entitlement funding level, subject to other program requirements in the CFR as applicable. Any new eligible activity funded with CDBG and/or HOME not already identified in its Annual Action Plan, as well as significant changes in the use of CDBG and/or HOME funds from one eligible activity to another, in an amount greater than 20% of the annual CDBG or HOME 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 its Annual Action Plans.
- c) To substantially change the purpose, scope, location, or beneficiaries of an activity. Changes that are made to projects to be funded in the Consolidated Plans over time when not undertaken through Annual Action Plan submission requirements stipulated by HUD.

Should “substantial” amendments be made to any aspect of the Consolidated Plans or Action Plan treated herein after its formal adoption, the City of Independence will undertake the following: [refer to 91.105(b)(2)(iv) and (b)(6)].

- a) 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 consistent with Sections III through VI noted herein.
- b) Submit such amendment(s) to The City of Independence City Council for approval.
- c) Upon the termination of the 30-day comment period, periodically notify HUD of any amendments executed, citizen comments received and the response(s) by the city to such comment(s).

Non-substantial amendments are those not construed as ‘substantial’ per the guidance herein.

The City of Independence will minimize the displacement of persons assisted through the use of CDBG, HOME, ESG and HOPWA resources as/if relevant. The policies to be followed are separately included in this document, and the City of Independence agrees to abide by the Contents. For efforts other than federally funded acquisition or rehabilitation, The city may utilize adopted local policies concerning displacement assistance.

OTHER CITIZEN PARTICIPATION REQUIREMENTS

People and agencies seeking resources from the City of Independence may need to comply with additional citizen participation requirements imposed on them by it. HUD waivers relevant to the provisions of this document shall over-ride and supersede the applicable contents of this citizen participation plan.

CITIZEN PARTICIPATION

PLAN APPENDIX

- 1) Key City Citizen Participation Plan Components, Procedures & Timing
- 2) City Acquisition & Relocation Policies

Key City Citizen Participation Plan Components, Procedures & Timing

| DOCUMENT | LEGAL NOTICE | PUBLIC HEARING REQUIREMENT | PUBLIC REVIEW & COMMENT PERIOD REQUIRED | LOCAL APPROVAL AUTHORITY |
|---|------------------|-------------------------------|---|--------------------------------|
| Consolidated Plan with Citizen Participation Plan | 15 Calendar Days | 2 Public Hearings Annually | 30 Calendar Days | City Council |
| Annual Action Plan | 15 Calendar Days | 2 Public Hearings Annually | 30 Calendar Days | City Council |
| Consolidated Annual Performance & Evaluation Report | 15 Calendar Days | Not Required | 15 Calendar Days | Not Required |
| Substantial Amendments To The Consolidated Plan | 15 Calendar Days | 1 Public Hearing | 30 Calendar Days | City Council |
| Substantial Amendments To The Annual Action Plan | 15 Calendar Days | 1 Public Hearing | 30 Calendar Days | City Council |
| Substantial Amendments To The Citizen Participation Plan | 15 Calendar Days | 1 Public Hearing | 30 Calendar Days | City Council |
| Non-Substantial Amendments To The Consolidated Plan and Action Plan | Not Required | Not Required | Not Required | Administrative |

ACQUISITION AND RELOCATION POLICIES

Preface

This policy is necessary to insure uniform, complete and accurate acquisition and relocation activities, procedures and files. Acquisition may in some cases be undertaken by the sub-recipient, but only with the close coordination of CD Staff and/or consultants.

The City of Independence will use staff and other professional consultants as necessary to comply with the requirements of the Uniform Acquisition and Relocation Act of 1970 (PL 91-646), as amended.

CITY OF INDEPENDENCE POLICIES ON DISPLACEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and/or HOME FUNDED ACTIVITIES

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

The City of Independence, 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. 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 steps, in the event displacement is caused by current or future CDBG or HOME Program funded projects:

- 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.
- 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 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 the city 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 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 CDBG or 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 utilities.