



# CITIZEN PARTICIPATION PLAN

CITY OF LODI

COMMUNITY DEVELOPMENT BLOCK GRANT

AMENDED DECEMBER 22, 2020

# CITIZEN PARTICIPATION PLAN

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## I. INTRODUCTION

The City of Lodi is required by law to have a detailed Citizen Participation Plan, which contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of Community Development Block Grant (CDBG) funds. This Citizen Participation Plan must be available to the public.

### A. PURPOSE

The law requires that the Citizen Participation Plan both provide for and encourage public participation, emphasizing involvement by low- and moderate-income persons -- especially those living in low- and moderate-income neighborhoods. The U.S. Department of Housing and Urban Development (HUD) expects the City to take whatever actions are appropriate to encourage the participation of minorities, persons who do not speak English, and persons with disabilities.

### B. THE ROLE OF LOWER-INCOME PERSONS

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing decent housing, a suitable living environment, and growing economic opportunities, principally for low- and moderate-income persons.

Since the amount of federal CDBG funds that the City receives each year from HUD is based upon the level of both poverty and substandard housing conditions in Lodi, it is necessary that public participation genuinely involve lower-income residents who experience these conditions. Involvement by low- and moderate-income residents is encouraged at all stages of the process, including needs and activities determination and funding allocation.

### C. THE CONSOLIDATED PLAN PROCESS

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general, these stages or events include the following:

1. Identification of housing and community development needs.

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2. Preparation of a draft use of funds for the upcoming year called the proposed Annual Action Plan. Initially and every five years thereafter, there will also be the development of a proposed new Five-Year Strategic Plan.
3. Formal approval by elected officials of a final Annual Action Plan and/or Five-Year Strategic Plan.
4. On occasion during the year, it might be necessary to change the use of the money already budgeted in an Annual Action Plan, or to change the priorities established in the Five-Year Strategic Plan. In that case a formal Substantial Amendment will be proposed, considered, and acted upon.
5. After a program year is complete a Consolidated Annual Performance and Evaluation Report (CAPER) must be drafted for public review and comment, and then sent to HUD.

## II. CITIZEN PARTICIPATION

### A. CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan is designed to facilitate and encourage public participation in the Consolidated Plan process. In particular, the Citizen Participation Plan seeks to encourage the involvement of low- and moderate-income persons.

The law providing the funds covered by this Citizen Participation Plan calls for improved accountability of jurisdictions to the public. In that spirit and in compliance with the terms of the law, Lodi will use the following procedures for the adoption and any subsequent changes to its Citizen Participation Plan:

- Public notice in the *Lodi News-Sentinel* newspaper and on the City's website at least 14 days in advance of a 30-day public comment period;
- During a 30-day public review and comment period, the document will be available for review at the following locations:
  - Lodi City Hall; and
  - The City's website ([www.lodi.gov](http://www.lodi.gov)).

Copies of the document will be available to the public free of charge within five days of a request.

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- A public hearing will be held before the City Council.
- Adoption by a majority vote of the Lodi City Council.

Any change in the public participation process as outlined in this document will require an amendment to the Citizen Participation Plan. Any amendments will require the same steps as noted above: public notice, public review, a public hearing, and City Council adoption.

## B. CONSOLIDATED PLAN AND ANNUAL ACTION PLAN

The Consolidated Plan is a five-year plan that identifies the needs of low- and moderate-income persons and areas of the City and sets forth a five-year strategy to address those needs. The Action Plan identifies the specific needs to be addressed each year based on the priorities established in the Consolidated Plan's five-year strategy. The following steps outline the opportunities for public involvement in the Consolidated Plan and Annual Action Plan:

### 1. Preparation

In order to identify the needs of low- and moderate-income persons and areas of the City, priorities must be set in order to decide which needs should get more attention and more resources than other needs. In order to solicit community input, which is essential to determining these needs and priorities, the City will:

- Consult with local public agencies that assist low- and moderate-income persons and areas, including City staff, State and federal agencies, neighboring local governments, and regional agencies.
- Consult with private agencies, including local non-profit service providers and advocates such as the local public housing agency, health agencies, homeless service providers, non-profit housing developers, social service agencies (including those focusing on services to children, the elderly, persons with disabilities, persons with HIV/AIDS, persons with substance abuse problems, etc.).
- Publicly notice and conduct a public meeting to solicit input on needs and priorities.

In addition, the City will issue a Notice of Funding Availability (NOFA) included as part of its public notice for the community meeting for the Annual Action Plan. The notice will identify the amount of CDBG funds available local agencies with CDBG-eligible activities, if applicable. Technical assistance workshop(s) regarding the funding process will be provided to interested organizations.

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- Develop an assessment of needs in Lodi as well as a strategic plan to address those needs.
- Publicly notice a 30-day review and comment period where a complete draft of the Consolidated Plan and/or Annual Action Plan will be made available to the public.
- Conduct a public hearing before the Mayor and City Council prior to adoption of the Consolidated Plan and/or Annual Action Plan.

## 2. Adoption

As noted above, the City will provide several opportunities for citizen involvement in the Consolidated Plan process prior to adoption. These include:

- Published notice of a public meeting in the local newspaper, the *Lodi News-Sentinel*, and on the City's website at least 14 days in advance of the meeting.
- A public meeting on needs and priorities for the Consolidated Plan/Annual Action Plan.
- A public notice announcing the 30-day review and comment period and public hearing for the Draft Consolidated Plan and/or Draft Annual Action Plan in the *Lodi News-Sentinel*, at City Hall, and on the City's website. The notice will list the locations where the document(s) will be available for review and the notice will be posted prior to the start of the comment period.
- The Draft Consolidated Plan and/or Draft Annual Action Plan will be available at the following locations in Lodi:
  - Lodi City Hall; and
  - The City's website ([www.lodi.gov](http://www.lodi.gov)).

The Draft Consolidated Plan and/or Draft Annual Action Plan will be made accessible to persons with disabilities upon request. In addition, a reasonable number of free copies will be provided to citizens or groups requesting copies the document(s).

- A public hearing before the Mayor and Lodi City Council prior to adoption of the Consolidated Plan and/or Annual Action Plan.
- In preparing the Final Consolidated Plan and Annual Action Plan, careful consideration will be given to all comments and views expressed by the public,

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whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final documents will have a section that presents all comments, and explains why any comments were not accepted.

- At the end of the 30-day comment period, the City Council will consider adoption of the Consolidated Plan and Annual Action Plan. The documents will be adopted by a majority vote of the Lodi City Council at a publicly noticed meeting of the Council.

### 3. Amendments

The Consolidated Plan or Annual Action Plan will be amended anytime there is a change in one of the priorities presented on the HUD-required Priority Table; a change in the use of money to an activity not mentioned in the final Annual Action Plan; or, a change in the purpose, location, scope, or beneficiaries of an activity (described more fully later). The public will be notified whenever there is a “substantial” amendment as defined below:

- A change in the use of CDBG funding, of more than 15 percent of the total grant amount, from one activity to another (i.e., “reprogramming” of CDBG funds).
- Funding of an activity type not described in the Annual Action Plan.
- Changing the priorities contained in the Five-Year Strategic Plan of the Consolidated Plan.
- Increasing or reducing the amount allocated to an activity by more than 25 percent, except when the activity must be dropped due to circumstances beyond the City’s control (e.g., a subrecipient elects not to do an activity).
- A change in the purpose, location, scope, or beneficiaries of an activity:
  - The activity will no longer principally benefit the targeted population as identified in the Action Plan (e.g., senior citizens in certain areas, low and moderate income homeowners, residents of x neighborhood instead of y neighborhood).
  - The activity will no longer address the low and moderate income need identified in the Action Plan or the activity ceases to address the elimination of slums and blight as identified in the Action Plan.
  - The activity location of an area-benefiting activity changes so that the completed activity will principally serve beneficiaries other than those originally intended.

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- The scope of the activity has increased to the point where its completion with project funds would result in the inability to carry out another approved activity, or would necessitate reducing the scope of another activity to a point where it would not accomplish its intended purpose.

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

- There will be 14 days advance notice of and availability of a proposed Substantial Amendment before there is a public hearing about it.
- A written description of the proposed Substantial Amendment will be made available to the public at no cost within five working days of a request. Also, copies will be available at the locations indicated in this Citizen Participation Plan under "Public Access to Information".
- There will be a public hearing regarding the proposed Substantial Amendment. This public hearing will not take place until the public has had 30 days to review the proposed Substantial Amendment.
- In preparing a Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments, plus explanations why any comments were not accepted.

## C. CONSOLIDATED ANNUAL PERFORMANCE REPORT

Every year, the City of Lodi must submit to HUD a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year. In general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low- and moderate-income people. The following steps outline the opportunities for public involvement in the CAPER:

- Public notice will be made according to the procedures described later in this Citizen Participation Plan. The public notice will identify a 15-day public review and comment period for the CAPER.
- During the 15-day public review period, the document will be available for review at the following locations:

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- Lodi City Hall; and
- The City’s website ([www.lodi.gov](http://www.lodi.gov)).
- Careful consideration will be given to all written comments submitted by the public. These comments will be addressed in the CAPER.
- The CAPER will be adopted by a majority vote of the Lodi City Council at a publicly noticed meeting.

## III. PUBLIC NOTICE

### A. PUBLIC NOTICE REQUIREMENTS

There shall be advanced public notice once a federally required document is available, such as the Proposed Annual Action Plan or Five-Year Consolidated Plan, any proposed Substantial Amendment to the Action Plan or Consolidated Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER).

In addition, there shall be advanced public notice of all public hearings and all public meetings such as the City Council and other City committee and commission meetings relating to the funds or planning process covered by this Citizen Participation Plan.

### B. "ADEQUATE" PUBLIC NOTICE

Adequate advance notice is "timely"; it is given with enough lead-time for the public to take informed action. The amount of lead-time can vary, depending on the event. The content of notices will give residents a clear understanding of the event being announced.

### C. FORMS OF PUBLIC NOTICE

Lodi City staff will ensure adequate advance notice of all public meetings and hearings. Adequate noticing will include:

- Printing notices in the *Lodi News-Sentinel* at least 14 days prior to the public meetings and hearings.
- Posting notices at City Hall.

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- Posting notices on Lodi's website ([www.lodi.gov](http://www.lodi.gov)).

## IV. PUBLIC HEARINGS

Public hearings are required by law in order to obtain the public's views, and to provide the public with the City's responses to public questions and proposals.

The law requires public hearings at all stages of the process, including at least one hearing about community needs, one public hearing to review proposed uses of funds, and one public hearing to assess how funds were spent during the previous program year.

Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan 14 days prior to the public hearing. Public hearings will usually be held in the evening at a time convenient to most residents, especially those who might benefit from the use of funds.

Public hearings may be held at the City Council Chambers or other public facility which is accessible by public transportation and accessible to all persons. The final approval and adoption of the Annual Action Plan, Five-Year Strategic Plan, and CAPER will be conducted at City Hall. All of these locations must be accessible to people with disabilities, and provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Translators will also be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

## V. PUBLIC ACCESS TO INFORMATION

As required by law, the City of Lodi will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. The City will also provide reasonable public access to records about any uses of these funds during the previous five years.

Also, as required by law, the City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds (such as City Council meetings, Planning Commission meetings, and other City committee and commission meetings, etc.)

### A. CONSOLIDATED PLAN DOCUMENTS

Consolidated Plan documents include the Annual Action Plans, the Five-Year Consolidated Plan, and Consolidated Annual Performance Evaluation Report (CAPER) as well as

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substantial amendments to either the Annual Action Plan or the Five-Year Strategic Plan, Consolidated Annual Performance and Evaluation Reports, and the Citizen Participation Plan.

## B. AVAILABILITY OF CONSOLIDATED PLAN DOCUMENTS

In the spirit of encouraging public participation, copies of Consolidated Plan documents will be provided to the public at no cost and within one week of a request. These materials will be available in a form accessible to persons with disabilities, when requested.

## C. LOCATION OF DOCUMENTS

Consolidated Plan documents will also be available at the following locations during their respective review periods:

- City Hall -- 221 W. Pine St. -- (209) 333-6800
- The City's website, at [www.lodi.gov](http://www.lodi.gov)

Copies of the final and draft versions of the documents will be available at City Hall.

## VI. TECHNICAL ASSISTANCE

City staff will work with organizations and individuals representative of low- and moderate-income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing a proposal form.

Specifically, the City of Lodi will provide up to 20 hours per year of technical assistance to organizations that represent low- and moderate-income persons. This technical assistance may include:

- Publishing instructions on how to fill out forms/applications;
- Conducting workshops to explain: (1) the process for submitting proposals and (2) federal and local requirements;
- Providing comments and advice on the telephone or in meetings; and
- Reviewing and commenting on draft proposals.

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The City will also provide ongoing assistance to CDBG-funded agencies as needed to help them maintain their eligibility for full funding. The City may provide additional (beyond 20 hours) technical assistance if, in the opinion of the City Manager, staff time is available.

## VII. COMMENT AND COMPLAINT PROCEDURES

The City of Lodi will provide a period of at least thirty (30) days to receive comments on the draft Consolidated Plan and on any substantial amendments. The 30-day period may start on the date the document is available to the public. The City must also provide public notice regarding the availability of documents and the dates of the 30-day comment period.

For performance reports, the City will provide at least fifteen (15) days to receive public comments.

The City will consider all comments received. The City will respond to all complaints, in writing, within fifteen (15) days. All comments and responses will be attached to each document.

## VIII. ACCOMMODATION OF PERSONS WITH SPECIAL NEEDS

The City complies with the Americans with Disabilities Act, and will make accommodations for persons with special needs. Public hearings may be held at the City Council Chambers or other public facility which is accessible by public transportation and accessible to all persons. The final approval and adoption of the Annual Action Plan, Five-Year Strategic Plan, and CAPER will be conducted at City Hall. All of these locations must be accessible to people with disabilities, and provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Translators will also be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

## IX. DECLARED EMERGENCY - EXPEDITED PROCESS

In the event of a declared city-wide, state-wide or national emergency (as proclaimed by the Mayor, Governor, or President of the United States), it may be necessary for the City to amend its Consolidated Plan or Annual Action Plan to allocate emergency grant funding to

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provide an urgent response to emergency needs. The City may reduce its document review and comment period to no less than 5 days and would hold all public meetings or hearings virtually to provide opportunity for public comment on the amendments. The City may also reduce the noticing period for a public hearing or public document release to no less than 48 hours and would limit notice to no less than one medium, such as the City's website, social media, or newspaper, depending on what communication method is available and likely to have the broadest reach to residents. The City may also reduce the number of public hearings and public meetings, to just one public hearing in order to expeditiously move forward with funding that would provide relief to urgent community needs.

None of the above expedited process are intended to violate any local, state, or national laws that could come about during or after the emergency. In which case, the City would modify its above expedited processes to be consistent with any local, state, or national laws.

## XI. ANTI-DISPLACEMENT

If, as a result of a program activity, any residential displacement and relocation must occur, the City of Lodi ensures that it will develop an Anti-Displacement and Relocation Plan in connection with that project in accordance with federal regulations. Specifically, the City will comply with the anti-displacement and relocation requirements of the Uniform Relocation Act and the Housing and Community Development Act of 1974, as amended, and implementing regulations at 24 CFR Part 42.

## XII. GLOSSARY

**Annual Action Plan:** This document allocates one year's funding (entitlement and program income) to specific projects and activities for the CDBG program. It is submitted to HUD 45 days prior to the start of the City's fiscal year and is developed in accordance with federal regulations (24 CFR Part 91).

**Program Year:** The "program year" chosen by the City of Lodi is July 1<sup>st</sup> through June 30<sup>th</sup>, which is the same as the City's fiscal year.

**Citizen Participation Plan:** This plan is prepared to facilitate and encourage public participation and involvement in the Consolidated Plan process and the City's CDBG program, especially by low and moderate-income persons. The plan identifies the public participation requirements as identified by federal regulations (24 CFR Part 91).

**Community Development Block Grant (CDBG) Program:** This is a federal grants program administered by the U.S. Department of Housing and Urban Development (HUD).

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The program allocates money to eligible cities and counties throughout the nation to assist low and moderate-income households and neighborhoods. The grant program may be used for such activities as housing rehabilitation, affordable housing assistance, community services, and community development activities such as the construction or rehabilitation of community facilities and economic development.

**Consolidated Annual Performance Evaluation Report (CAPER):** This document reports on the progress in carrying out the Consolidated Plan and Annual Action Plan. The report is prepared annually by the City in accordance with federal regulations (24 CFR Part 91). It is due to HUD no later than 90 days after the end of the City's fiscal year.

**Consolidated Plan:** This document serves as the City's application for CDBG funds and sets forth the priorities and strategies to address the needs of primarily low and moderate-income persons and areas in the City. It typically covers a five or three-year time period. It is submitted to HUD 45 days prior to the start of the City's fiscal year and is developed in accordance with federal regulations (24 CFR Part 91).

**Consolidated Plan Documents:** These include the Consolidated Plan, the Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER).

**Low and Moderate-Income Households:** These are households earning less than 80 percent of the area median income. They are broken down into the following income designations

- **Extremely Low-Income:** households with incomes less than 30 percent of the area median family income, adjusted for household size.
- **Low-Income:** households with incomes between 31 and 50 percent of the area median family income, adjusted for household size.
- **Moderate-Income:** households with incomes between 51 and 80 percent of the area median family income, adjusted for household size.

**Low and Moderate-Income Neighborhood:** In general, this is defined a census tract(s) or block group(s) where a minimum of 51 percent of the residents have low or moderate-incomes (i.e., not exceeding 80 percent of the area median family income).

**Median Family Income (MFI):** HUD surveys major metropolitan areas annually to development an index of median family income by household size. Most CDBG-funded activities and programs must benefit primarily the lower and moderate-income households.