



Citizen Participation Plan 2020 to 2024

The Consolidated Plan (Plan) and Assessment of Fair Housing (AFH) are required by the U.S. Department of Housing and Urban Development (HUD) for jurisdictions to continue to receive federal housing and community development funding. The City of Gilroy (City) receives Community Development Block Grant (CDBG) funding annually as an entitlement community. The Plan examines the housing and community development needs of the City, sets priorities for the CDBG funds, establishes an Annual Action Plan for meeting current and future needs, and evaluates the City's performance in meeting its annual goals through the Consolidated Annual Performance Evaluation Report (CAPER). The AFH assists the City in identifying fair housing issues and related contributing factors to achieve comprehensive community development goals and affirmatively further fair housing. The Plans, Report, and AFH (Federal Plans and Reports) are also required to have a strategy for resident participation in the planning process, known as the Citizen Participation Plan.

Purpose of the Citizen Participation Plan

The City recognizes the importance of public participation in both defining and understanding current housing, community development, economic development, and fair housing needs, and prioritizing resources to address those needs. The City's Citizen Participation Plan (CPP) is designed to provide residents of all ages, genders, economic levels, races, ethnicities, and special needs equal access to become involved in the Plan each year. This document also serves as the City's CPP for the 2020 – 2024 Consolidated Plan program years. This CPP was written in accordance with *24 CFR, Section 91.105* of HUD's Consolidated Plan regulations.

To ensure maximum participation in the Federal Plans and Reports process among all populations and needs groups, and to ensure that their issues and concerns are adequately addressed, the City will follow the standards set forth in its adopted CPP during development of its Federal Plans and Reports. The participation process will be developed and monitored by the City's Housing and Community Development Division (HCD).

Encouragement of Citizen Participation

The 2020 - 2024 Federal Plans and Reports process offers opportunities for resident

participation through public meetings and review of draft documents. The City encourages participation of persons with special needs and/or persons who are often underrepresented in the public process.

Outreach

The City will conduct outreach as necessary to encourage individuals, groups, and organizations identified above to provide input for any Federal Plans and Reports. Outreach may include:

- Developing informational materials and flyers to distribute to other agencies;
- Placing notices in local newspapers (Gilroy Dispatch, San Jose Mercury News)
- Providing email notices to interested parties; and
- Posting notices on the City’s website and social media outlets.
- Outreach efforts will be provided in the Spanish language as much as possible and with good-faith effort.

Public Hearing Notices

If any Federal Plan or Report requires a public hearing, the public shall be provided notice of the hearing as follows.

- **Contents of Notice:** The contents of a notice of a public hearing shall include:
 - The date, time, and place (e.g., address, room, etc.) of the hearing;
 - A general description of the program and document that are the subject of the hearing;
 - A statement that any interested person is invited to appear and be heard on the request or proposal;
 - The phone number, email, and street address of staff so an interested person can call, email, or visit to obtain additional information;
 - Any additional information as may be required under applicable state or Federal law, including information required under the City’s implementation of the Americans with Disabilities Act (ADA).
- **Method of Notice Distribution:** Notice of a public hearing required by this CPP shall be given as follows:
 - **Newspaper Publication:** Notice shall be given at least once by publication in at least one newspaper of general circulation in the City a minimum of 10 days prior to the scheduled public hearing, more particularly in the Gilroy Dispatch and/or San Jose Mercury News (*last report option*).
 - **Site Posting:** The City shall post notices in at least two public places within the City boundary (City Hall and Library).
 - **Online Posting:** Notice shall be given on the City’s website

Citizen Comment

Prior to the adoption of any Federal Plan, Report, or amendments thereto, the City will make available to interested parties the draft documents for a comment period of no less than 30 days, 15 days for the CAPER, or as otherwise directed by HUD. The dates of the public comment periods will be identified in a notice regarding the availability of the documents, which will be published in a newspaper of local circulation as identified above.

The City will consider any comments by individuals or groups received in writing regarding Federal Plans or Reports and received at the public hearing(s). A summary of the written and oral comments received during the comment period will be included in the applicable Federal Plan or Report.

Access to Records

The City will provide residents, public agencies and other interested parties with reasonable and timely access to information and records related to the applicable Federal Plan or Report and use of assistance under the programs covered in the Plan or Report for the preceding five years.

Public Hearings/Meetings

In accordance with HUD regulations, the City will hold at least two public hearings/meetings a year to obtain resident's views and to respond to proposals and questions. The two hearings/meetings will be conducted at a minimum of two different stages of the program year. At least one of the public hearings/meetings will be held before the draft Consolidated Plan is published for comment.

Each public hearing/meeting will be noticed at least ten (10) days prior to the hearing/meeting date. Notices will include the date, time and location of the hearing/meeting, as well as a summary of the matter that will be discussed. A contact name and telephone number will be provided to allow interested parties to ask questions or to make requests for special accommodations.

Public hearings/meetings will be held at times and in locations that are convenient to potential and actual beneficiaries, with accommodations for persons with disabilities.

When non-English speaking residents whose primary language is Spanish are expected to attend a public hearing or meeting, the City will supply a Spanish interpreter. If other non-English speaking residents are expected, the City will seek interpreter services from appropriate service organizations assisting such persons.

Availability of Draft and Final Documents to the Public

All draft and final Federal Plans and Reports will be available on the City's website and the

City's HCD office.

During the comment period for Federal Plans and Reports, copies will be available for public review in the following locations:

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| 1. Housing and Community Development Division | 7351 Rosanna Street |
| 2. Gilroy Library | 350 W Sixth Street |

Technical Assistance

The HCD will provide technical assistance to any persons or groups interested in commenting on Federal Plans or Reports or in developing CDBG funding proposals.

Complaints

HCD will provide a timely, substantive written response to every written citizen complaint related to the applicable Federal Plan or Report, where practicable, within 15 working days of receipt. A summary of any written complaints received during the comment period will be included in the applicable Federal Plan or Report.

Amendments

Minor Amendments

Minor Amendments are those that maintain the integrity of the associated Plan and do not include any substantial change in policy or in funding priorities while still maintaining flexibility in meeting the goals and objectives. Minor Amendments will be made administratively and will be incorporated into the City's CAPER at the end of the program year.

Substantial Amendments

Substantial Amendments are those that (a) change the allocation priorities or the method of fund distribution by more than \$100,000; (2) carry out an activity using funds from any program covered in the Consolidated Plan that was not previously described in the Action Plan; (3) change the purpose, scope, location or beneficiaries of any activity; or (4) change use from one eligible activity to another eligible activity.

Minor adjustments to funding levels for activities described in the Consolidated Plan due to differences in actual versus anticipated program income are not considered substantial.

Any Substantial Amendment to the Consolidated Plan will be incorporated into the Plan after a 30-day public comment period encouraging input on the proposed Substantial Amendment. Notice of the opportunity for public comment will be distributed as outlined in the "Outreach" section of this CPP.

The AFH will be revised in the event of a significant material change in circumstances that calls the AFH into continued validity. Examples of significant material changes in circumstances may include:

- The City is in an area for which the President has declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act that is significant;
- The City has experienced significant demographic changes related to zoning, housing plans or policies or development plans or policies; or
- The City is subject to significant civil rights findings, determinations, Voluntary Compliance Agreements or other settlements.

Revisions to the AFH will provide 30 days for public comment. All comments received will be handled pursuant to this CPP.

Public Review of the Citizen Participation Plan

This CPP was made available for public review and comment prior to adoption, in accordance with the public notice, public hearing/meeting and public comment procedures described herein. Any substantial amendments to this Citizen Participation Plan will be made available for public review and comment through the same process prior to adoption. This CPP will be available on the City's website. Copies will also be made available to those that do not have internet access at no charge and will be made available in a format accessible to persons with disabilities, upon request. Interested residents should call or e-mail HCS to request a copy of the CPP.

Temporary Citizen Participation Plan Amendments Due to CARES Act of 2020

The COVID-19 pandemic brought many changes to the administration of federal CARES Act funds, most specifically to the Citizen Participation requirements. HUD issued waivers regarding the method and timing of citizen participation for these funds and for Fiscal Year 2020 funds. For example, deadlines for plan submission were extended and virtual meetings were permitted to enable public comments. Due to the urgency of the pandemic and the need to provide the local community with access to much needed federal funds, the public comment period was reduced to no less than five (5) days. HUD outlined these waivers in the CPD Notice issued in early April of 2020 by John Gibbs, Assistant Secretary, Acting Director concerning Availability of Waivers of Community Planning and Development (CPD) Grant Programs and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and mitigate Economic Impacts caused by COVID-19. This notice included the CARES Act Flexibilities for CDBG Funds Used to Support Coronavirus Response Guide (Guide)

The Guide describes the immediate availability of a 5-day public comment period for amendments and new plan submissions, uncaps the percentage of CDBG funding for public services to prevent, prepare for, and respond to coronavirus, as well as other flexibilities. A summary of these waivers is listed below:

- Permits grantees to prepare substantial amendments to their most recent annual action plan, including their 2019 annual action plan. Grantees must identify the proposed use of all funds and how the funds will be used to prevent, prepare for, and respond to coronavirus.

- Eliminates the 15 percent cap on the amount of grant funds that can be used for public services activities.
- Provides that grantees may use CDBG-CV grant funds to cover or reimburse costs to prevent, prepare for, and respond to coronavirus incurred by a State or locality, regardless of the date on which such costs were incurred, when those costs comply with CDBG requirements.
- Provides that grantees may amend citizen participation plans to establish expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and citizen participation plans. In-person public hearings are not required. Grantees may meet public hearing requirements with virtual public hearings if:
 1. national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and
 2. virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.