

**RESOLUTION NO. 15-6336**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS RESCINDING RESOLUTION NO. 1174 AND REPLACING IT WITH A NEW CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND RESCINDING RESOLUTION NO. 3741 AND REPLACING IT WITH A NEW ANTI-DISPLACEMENT AND RELOCATION POLICY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**WHEREAS:**

1. The City of Grants Pass (CITY) is identified as the principal city of a Metropolitan Statistical Area (MSA) as a result of the 2010 Census; and
2. As the principal city of an MSA, the CITY has been invited by the United States Department of Housing and Urban Development (HUD) to participate in the Community Development Block Grant Program (CDBG) as an entitlement grantee; and
3. Entitlement status enables the CITY to receive a direct allocation of CDBG funds and to work directly with HUD and community stakeholders on crafting a community development program that is responsive to local needs; and
4. As an entitlement community and a recipient of CDBG funds, the CITY is required by federal law to adopt and follow a Citizen Participation Plan (PLAN) containing policies and procedures for public involvement in the HUD Consolidated Plan process for use of CDBG funds; and
5. The City is required by federal law to adopt an Anti-Displacement and Relocation Policy (POLICY) to qualify for expenditure of certain funds, including CDBG funds; and
6. After review of the CITY's current PLAN and POLICY, revisions are proposed to ensure the PLAN and POLICY are in full compliance with current Federal regulations; and
7. Preparation of the CITY's 2015-2020 Consolidated Plan (5-year Strategic Plan) for expenditure of CDBG funds between September 1, 2015 and August 30, 2020 provides an opportunity for revising and/or updating the CITY's existing PLAN and POLICY.

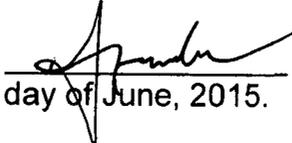
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Grants Pass:

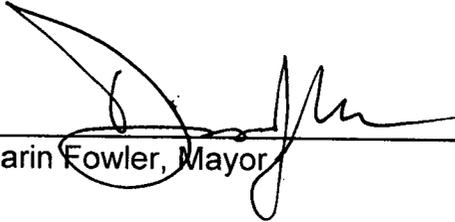
**SECTION 1.** The CITY's previous Citizen Participation Plan, Resolution No. 1174 dated January 2, 1980, is hereby rescinded and the new 'Citizen Participation Plan for the Community Development Block Grant Program' attached hereto as Exhibit 'A' is adopted; and

**SECTION 2.** The CITY's previous Anti-Displacement and Relocation Policy, Resolution No. 3741 dated November 6, 1996, is hereby rescinded and the new 'Anti-Displacement and Relocation Policy for the Community Development Block Grant Program' attached hereto as Exhibit 'B' is adopted.

**EFFECTIVE DATE.** This Resolution shall be effective immediately upon its passage by the City Council and approval by the Mayor.

**ADOPTED** by the Council of the City of Grants Pass, Oregon, in regular session this 17<sup>th</sup> day of June, 2015.

**SUBMITTED** to and  by the Mayor of the City of Grants Pass, Oregon, this 19 day of June, 2015.

  
Darin Fowler, Mayor

**ATTEST:**

  
Karen Frerk, City Recorder

Date submitted to Mayor: 6/19/15

Approved as to Form, Mark Bartholomew, City Attorney: 

## EXHIBIT A

### CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

1. Applicability and Purpose of the Citizen Participation Plan ('PLAN').
  - a. The CITY is required by HUD regulations (21 CFR §91.105) to adopt a PLAN that sets forth the jurisdiction's policies and procedures for citizen participation in the Consolidated Plan process.
  - b. The PLAN's purpose is to provide for and encourage citizens to participate in development of the Consolidated Plan, Action Plan, any substantial amendments to the Consolidated Plan or Action Plan, and the yearly Consolidated Annual Performance and Evaluation Report ('CAPER' or 'Performance Report').
  
2. Participation of Low- and Moderate-Income Persons.
  - a. The herein requirements of the PLAN are especially designed to encourage participation in the Consolidated Plan process by Low- and Moderate-Income persons, particularly those living in slum and blighted areas and areas where CDBG funds are proposed to be used, as well as by residents of predominately low- and moderate-income neighborhoods as defined by the jurisdiction.
  - b. For definitional purposes, the term "low- and moderate-income person" means a member of a family whose gross income is equal to or less than the Section 8 low-income limit established by HUD. (Low =  $\leq$  50% of median family income; Moderate =  $\leq$  80% of median family income). Unrelated individuals living together will be considered as one-person families for determining gross collective household income.
  - c. For definitional purposes, the term "low- and moderate-income household" means a household having an income equal to or less than the Section 8 low-income limit established by HUD.
  
3. Participation of Other Interested Persons and Organizations.
  - a. The CITY shall take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.
  - b. The CITY shall encourage the participation of local and regional institutions, the Continuum 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 plan.
  - c. The CITY shall encourage, in conjunction with consultation with public housing agencies, the participation in the development and implementation of the

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Consolidated Plan by public housing agencies, the residents of public and assisted housing developments, and by other low-income residents of targeted revitalization areas.

- d. The CITY shall provide information to the local public housing agencies as well as the public housing agency (PHA) about consolidated plan activities related to its developments and surrounding communities so the PHA may make the information available at the annual public hearing required for the PHA Plan.
- e. The CITY should 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 focus groups and the Internet.
- f. As specified in this PLAN, the CITY shall provide at least two (2) public hearings per year, in the initial year of plan preparation and in subsequent program years, during different stages of the Consolidated Plan process (including together the development, review, and adoption of the Consolidated Plan, Action Plan, Substantial Amendments, and Annual Performance Report).

#### 4. Public Comment on the Consolidated Plan, Action Plan, and Substantial Amendments.

As specified in this PLAN, the CITY shall provide citizens and all interested persons and groups with a reasonable opportunity to comment on the development of the Consolidated Plan, the draft Consolidated Plan, the draft Action Plan, and on proposed Substantial Amendments to the Consolidated Plan or Action Plan. Notice of the following shall be provided as specified in Section 9.

- a. **Public Hearing on Needs.** Before the proposed Consolidated Plan, Action Plan, or Substantial Amendment is published for comment and prior to the 30-day minimum review and comment period on the proposed draft Consolidated Plan, Action Plan, or Substantial Amendments, the City shall hold at least one public hearing during the development of the Consolidated Plan, Action Plan, or Substantial Amendment to obtain views of citizens on housing and community development needs, including priority non-housing community development needs, and to receive public comment on how the proposed CDBG or other publicly funded activities will address the needs of the CITY's predominately lower-income households.
- b. **Public Comment Period on Proposed Consolidated Plan, Action Plan, or Substantial Amendment.** Following the public hearing in Subsection (a) and before the public hearing in Subsection (c), the City shall provide a public review and comment period of not less than 30 days to receive comments from citizens on the proposed Consolidated Plan, Action Plan, or Substantial Amendment.

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- c. **Public Hearing on Proposed Consolidated Plan, Action Plan, or Substantial Amendment.** Following the 30-day review and comment period, the City Council shall hold at least one public hearing to consider and take action on the proposed Consolidated Plan, Action Plan, or Substantial Amendment.

The CITY shall, during the final Consolidated Plan, Action Plan, or Substantial Amendment preparation, consider any comments or views of citizens received in writing, or orally at the public hearings. A summary of such comments or views, as well as a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Consolidated Plan, Action Plan, or Substantial Amendment.

5. Consolidated Plan Information to be Provided and Published in Development of the Consolidated Plan.

The provisions of this Section apply only to the development of the Consolidated Plan each five years, and not to the Action Plan, Substantial Amendments, or the Performance Report.

- a. Prior to adopting a Consolidated Plan, The CITY shall make available to citizens, public agencies, and other interested parties, information that includes the amount of assistance the CITY expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income persons.

This requirement will typically be met by providing the information for the first public comment activity on the topic: on or before the first day of a public comment period pertaining to this topic, or at least seven (7) days before a public hearing pertaining to this topic.

- b. The CITY will minimize the displacement of persons and assist any persons displaced, with types and levels of assistance the CITY will make available (or require others to make available) to persons displaced, even if the CITY expects no displacement to occur, as specified in the CITY's adopted Anti-Displacement and Relocation Policy.
- c. The CITY shall publish the proposed Consolidated Plan in a manner that affords citizens, public agencies and other interested parties, a reasonable opportunity to examine the proposed contents and submit comments.

This publishing requirement may be met by publishing a summary of the proposed Consolidated Plan in one or more newspapers of general circulation, and by making copies of the proposed Consolidated Plan available at libraries, government offices and public places.

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The summary must describe the contents and purpose of the Consolidated Plan and must include a list of the locations where copies of the entire proposed Consolidated Plan may be examined. In addition, the CITY shall provide a reasonable number of free document copies to citizens and groups who request copies.

This requirement will typically be met by publishing the plan and plan summary for the first public comment activity in the topic: on or before the first day of a public comment period pertaining to this topic, or at least seven (7) days before a public hearing pertaining to this topic.

### 6. Amendments to the Consolidated Plan or Action Plan

The CITY shall use the following criteria and procedures to amend the Consolidated Plan or Action Plan.

#### a. Criteria for Amending the Consolidated Plan or Action Plan

The CITY shall amend the Consolidated Plan or Action Plan when:

- i. A previously approved Activity is canceled;
- ii. An Activity, not previously approved, is added;
- iii. A change would affect the Activity's purpose, scope, location or beneficiaries; or
- iv. For Section 108 loans, a change would affect the Activity's purpose, scope, location, beneficiaries or funding.

#### b. Substantial Amendments

- i. **Definition.** A 'Substantial Amendment' to the Consolidated Plan or Action Plan shall occur when:
  - A. A new Activity is being funded for the first time. If an Activity was funded in a previous program year, and there is no significant change in the project (purpose, scope, location or beneficiaries), it is not considered a Substantial Amendment.
  - B. A funding change in a current Activity represents:
    1. More than 10 percent (10%) of the jurisdiction's CDBG funds for the current fiscal year.
    2. A change in the use of CDBG funds from one eligible Activity to another.

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- ii. **Procedure.** Major Amendments shall be approved in accordance with the procedures and following the public comment opportunities specified in Section 4.

A summary of the public comments or views, and a summary of any comments or views not accepted, and the reasons therefore, shall be included in the description of the amendment forwarded to HUD and published in either the Action Plan or CAPER report.

- c. Minor Amendments

- i. **Definition.** A 'Minor Amendment' to the Consolidated Plan or Action Plan shall occur when total proposed amendment involves less than 10 percent (10%) of program year CDBG funding.
- ii. **Procedure.** Minor Amendments may be approved administratively by the City Manager. Minor Amendments do not require public notice or a (30)-day public comment period or City Council approval.

Each such Minor Amendment shall be incorporated into the Consolidated Plan through publishing in the next Action Plan and/or CAPER.

7. Public Comment on Consolidated Annual Performance and Evaluation Report ('Performance Report', 'Annual Performance Report' or 'CAPER')

As specified in this PLAN, the CITY shall provide citizens and all interested persons and groups with a reasonable opportunity to comment on the Performance Report. Notice of the following shall be provided as specified in Section 9.

- a. **Annual Performance Report Initial Public Hearing.** Before the proposed Annual Performance Report is published for comment and prior to the 15-day minimum review and comment period on the proposed Annual Performance Report in Subsection (b), the CITY shall hold a public hearing to receive public comment on how the CDBG or other publicly funded activities implemented during the program year addressed the needs of the CITY's predominately lower-income households.
- b. **Annual Performance Report Public Comment Period.** Before the public hearing in Subsection (c), the CITY shall provide citizens with reasonable notice and an opportunity to comment on Performance Reports. Specifically, the CITY shall provide a public review and comment period of at least fifteen (15) days, before any City Council consideration of the proposed performance report before its submission to HUD.
- c. **Annual Performance Report Final Public Hearing.** Following the 15-day review and comment period, the City Council shall hold at least one public hearing to consider and take action on the proposed Annual Performance Report.

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In preparing the Performance Report, the CITY shall consider the comments or views of citizens received in writing or orally at public hearings. A summary of these comments and views shall be attached to the final Performance Report.

### 8. Public Hearings and Meetings

- a. As described in the respective sections of this PLAN, during each program year, the CITY shall hold a minimum of two (2) Consolidated Plan related public hearings scheduled at a minimum of two different stages of the program year to obtain citizen's views and to respond to proposals and questions. Together, the hearings shall address the CITY's housing and community development needs, development of proposed activities, and review of program performance.
- b. Each of the CITY's public hearings shall be held at times and locations convenient to potential and actual beneficiaries and with accommodation for persons with disabilities. All CDBG related public hearings shall be scheduled at 6:00 p.m. or shortly thereafter to accommodate persons who work full time. Hearing locations shall be within CDBG eligible census tract block groups, including the CITY's Municipal Building located at 101 NW 'A' Street, Grants Pass Oregon.
- c. If a significant number of non-English speaking residents are reasonably expected to participate in a HUD-related public hearing, the CITY shall provide an interpreter to assist in translating public hearing testimony.

### 9. Public Notices

- a. **Public Notice Required.** The CITY shall provide citizens and other interested parties with at least seven (7) calendar days' notice, and preferably at least (14) days' notice, of:
  - i. The start of a thirty (30) day public review and comment period for the following HUD documents: proposed Consolidated Plan, Action Plan, or proposed Substantial Amendment to Consolidated Plan or Action Plan; and/or
  - ii. The start of a fifteen (15) day public review and comment period for the following HUD documents: proposed Performance Report; and/or
  - iii. A HUD-related public hearing.
- b. **Content.** Public notices shall include sufficient information about the subject of the public review and comment period or the public hearing to permit informed comment.

The public notices shall include, but not be limited to, the dates for the public review and comment period, or the date, time and location of the public

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hearing, where materials are available for review, and how and where public comment may be provided.

The requirements of this PLAN for publishing the Consolidated Plan summary may be combined with the public notice or may be separate.

- c. **Location and Manner.** Public notices of public review and comment periods and public hearings shall be provided in the following location and manner:
- i. Published in the local newspaper of record, currently the Daily Courier. The notice need not be published as a legal notice, but may be published as a display ad in a well-read section of the newspaper. Depending upon the amendment and/or the project area, the notice may appear in both an English language and a Spanish language newspaper which targets the areas of interest;
  - ii. A posting on the City website; and
  - iii. A posting on the City bulletin board.

### 10. Availability of Proposed Consolidated Plan, Action Plan, Major Amendments, and Performance Report and Associated Documents

All proposed CDBG-related public documents (Consolidated Plan, Action Plan, Major Amendments, and Performance Report) shall be made available for public review for the full duration of any public comment period and shall be available at least 7 days prior to City Council consideration at a duly noticed public hearing.

Documents will typically be posted electronically to the CITY's Internet web site: [www.grantspassoregon.gov](http://www.grantspassoregon.gov) on the Friday before the public hearing, and hard copies will be available for review at the City's Municipal Building at 101 NW 'A' Street, Grants Pass Oregon between the hours of 8:00 a.m. and 5:00 p.m.

Upon request, the CITY shall make the proposed Consolidated Plan, Action Plan, proposed Substantial Amendments, and proposed Performance Report available in an alternative format accessible to persons with disabilities.

### 11. Access to Adopted Consolidated Plan and Records

- a. The CITY shall make a copy of the adopted Consolidated Plan, Action Plan, Substantial Amendments, and the Performance Report available to the public at all times. Documents will typically be available on the City website, and may otherwise be requested at the Parks & Community Development Department. Upon request, the CITY shall make these documents available in an alternative format accessible to persons with disabilities.
- b. The CITY shall provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records related to the

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Consolidated Plan and the use of CDBG funds during the preceding five (5) years.

12. Technical Assistance

The CITY shall provide technical assistance to groups representative of low- and moderate-income persons requesting such assistance to develop proposals for HUD funding through the CITY's CDBG programs. The nature of the assistance to be provided shall be determined by the City Council and need not include the provision of funds to the groups.

13. Complaints

The CITY shall provide timely and substantive responses to every written citizen complaint, including an initial response within fifteen (15) working days and a follow-up response, if required, within thirty (30) working days.

14. Use of the Citizen Participation Plan

By this adoption of this Resolution, the CITY agrees to follow its Citizen Participation Plan (PLAN) during the implementation of all HUD-related and HUD-funded activities.

15. Responsibility for Citizen Participation Plan

The requirements for citizen participation under this PLAN shall not restrict the CITY's responsibility or authority for the development and implementation of the Consolidated Plan and/or any HUD-related or HUD-funded activities.

16. Changing the Citizen Participation Plan (PLAN)

This PLAN may only be revised after the public has been notified of an intent to modify it and only after public has had a reasonable opportunity to review and comment on the PLAN and proposed substantial amendments to this PLAN. This PLAN and proposed changes will be available to the public and provided in a format accessible to persons with disabilities upon request.

## EXHIBIT B

### ANTI-DISPLACEMENT AND RELOCATION POLICY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

In accordance with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the "Act"), as amended, and the implementing regulations of the HUD at 49 CFR 24, and as required under Section 104(d) of the Housing and Community Development Act of 1974, as amended, and Resolution No. 3741 dated and adopted November 6, 1996 by the CITY, the CITY certifies the following provisions are in effect and will be undertaken by the CITY prior to, and in connection with, any activity, assisted with CDBG funds, that will result in the displacement and/or relocation of lower-income City residents.

1. Consistent with the goals and objectives of activities assisted under the Act, the CITY will take the following steps to minimize the direct and/or indirect displacement of persons from their homes:
  - a. Coordinate code compliance activities with its residential rehabilitation and housing assistance programs.
  - b. Evaluate housing codes and rehabilitation standards for lower-income housing to prevent undue financial burden on established owners and tenants.
  - c. Encourage the rehabilitation of lower-income rental units to allow tenants to remain in the building/complex during and after the rehabilitation, working with unoccupied units first.
  - d. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
  - e. Identify counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
2. The CITY or designee will replace all occupied and vacant occupiable lower-income ("low/moderate-income") housing units demolished, or converted to a use other than as lower-/moderate income housing, in connection with a project assisted with CDBG funds.
3. All replacement housing will be provided within three (3) years after the commencement of the demolition or conversion. Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion, the CITY will make public by publication in a newspaper of general circulation and submit to HUD the following in writing:
  - a. A description of the proposed assisted project.

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- b. The address, number of bedrooms and location on a map of lower-income housing that will be demolished, or converted to a use other than as lower-/moderate income housing, as a result of an assisted project.
  - c. A time schedule for the commencement and completion of the demolition or conversion.
  - d. To the extent known, the address, number of bedrooms and location on a map of the replacement housing that has been, or will be, provided.
  - e. The source of funding and a time schedule for the provision of the replacement housing.
  - f. The basis for concluding that the replacement housing will remain lower-/moderate income housing for at least ten (10) years from the date of initial occupancy.
4. To the extent that the specific location of the replacement housing will remain lower-/moderate income housing and other data in items (a) through (f) above are not available at the time of the general submission described in paragraph 3 above, the CITY will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data is available.