

RESOLUTION NO. 20-6953

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING RESOLUTION NO. 15-6336 ,THE CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS:

1. The City of Grants Pass 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 (CPP) containing policies and procedures for public involvement in the HUD Consolidated Plan process for use of CDBG funds; and
5. The City adopted a new CPP on June 17, 2015, Resolution No. 15-6336, as well as a new 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 CPP, revisions are proposed to ensure the CPP is in full compliance with current Federal regulations; and
7. The policy adopted on June 17, 2015, Resolution No. 15-6336, requires no revisions and will remain in full force as adopted; and
8. Preparation of the City's 2020-2024 Consolidated Plan (5-year Strategic Plan) for expenditure of CDBG funds between October 1, 2020, and September 30, 2024, provides an opportunity for revising and/or updating the City's existing CPP and/or 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. 15-6336, dated June 17, 2015, is hereby amended and attached hereto as Exhibit 'A', is adopted.

SECTION 2. The City's previous Anti-Displacement and Relocation Policy, Resolution No. 3741, dated November 6, 1996, and replaced and adopted by the new Anti-Displacement and Relocation Policy for the Community Development Block Grant

Program, Resolution No. 15-6336, requires no revisions and remains in effect as adopted and is attached as Exhibit 'B'.

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 5th day of August 2020.

SUBMITTED to and approved by the Mayor of the City of Grants Pass, Oregon, this 6th day of August 2020.



Roy Lindsay, Mayor

ATTEST:



Karen Frerk, City Recorder

Date submitted to Mayor: 8/6/20

Approved as to Form, Mark Bartholomew, City Attorney: 

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CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

1. Applicability and Purpose of the Citizen Participation Plan (CPP).
 - a. The City is required by HUD regulations (24 CFR §91.105) to adopt a CPP that sets forth the jurisdiction's policies and procedures for citizen participation in the Consolidated Plan process.
 - b. The CPP's purpose is to provide for and encourage citizens to participate in development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the yearly Consolidated Annual Performance and Evaluation Report (CAPER).
2. Participation of Low- and Moderate-Income Persons.
 - a. The herein requirements of the CPP 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; Mod = \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. The City shall encourage the participation of local and regional institutions 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.
 - b. The City shall encourage the participation in the development and implementation of the Consolidated Plan by public housing agencies, the residents of public and assisted housing developments, and by other low-income residents of targeted revitalization areas.
 - c. 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

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developments and surrounding communities so the PHA may make the information available at the annual public hearing required for the PHA Plan.

- d. The City shall 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.

4. Public Comment on the CPP and Amendments.

- a. The City shall provide citizens and all interested persons and groups with a reasonable opportunity to comment on the original CPP and on proposed Substantial Amendments to the CPP. The City shall make a copy of the CPP available to the public at all times and, on request, shall make the CPP available in an alternative format accessible to persons with disabilities.
- b. The City shall provide a period of not less than thirty (30) days, unless said length of time is waived by HUD due to a declared disaster or emergency, to receive comments from the citizens on the proposed Consolidated Plan.
- c. The City shall during the consolidated plan preparation consider any comments or views of citizens received in writing, or orally at the public hearings, and a summary of such comments or views, as well as any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.
- d. The City shall provide at least two (2) public hearings per year during different stages of the Consolidated Plan process as described in Section 8 herein below. In the case of a declared disaster or emergency, the City will adhere to whatever format is determined by HUD to satisfy the public hearing requirement.

5. Development of the Consolidated Plan.

The City shall develop its Consolidated Plan in accordance with the following minimum requirements.

a. Consolidated Plan Information

- i. 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.
- ii. 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

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the proposed Consolidated Plan available at libraries, government offices and public places. 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.

6. Amendments to the Consolidated Plan

a. Criteria for Amending the Consolidated Plan

The City shall use the following criteria and procedures to amend the Consolidated Plan. The City shall amend the Consolidated Plan when:

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

b. Substantial Amendments

Any of the following actions shall require City Council approval to process a Substantial Amendment to the previously approved Action Plan. A Substantial Amendment shall occur when:

- i. Allocating funds for a new Activity that was not previously included or described in an adopted Consolidated Plan or Action Plan. 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.
- ii. A funding change in a current Activity represents:
 1. More than twenty-five percent (25%) of the jurisdiction's CDBG funds for the current fiscal year.
- iii. A change in the use of CDBG funds from an eligible Activity to another.

Each Substantial Amendment shall be noticed by the City in a local newspaper of general circulation a minimum of thirty (30) days, unless said length of time is waived by HUD due to a declared disaster or emergency, prior to an action by the City Council. 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

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interest.

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.

Disaster/Emergency events that may require expedited substantial amendments

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. There are three types of disasters/emergency events that may necessitate an expedited substantial amendment: (1) Man-made disasters; (2) Natural disasters; and (3) Terrorism.

Man-made disasters can include chemical spills, mass rioting, power outages, dam failure, plant explosions, etc. Natural disasters can include earthquakes, tsunamis, hurricanes, tornadoes, wildfires, flooding, and public health issues such as wide-spread diseases like the recent COVID-19 pandemic. Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber attacks such as hacking, phishing, and virus distribution.

These expedited substantial amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet needs resulting for a declared disaster or emergency. Therefore, the City may utilize CDBG funds to meet these needs using the guidance of HUD regulations as determined for the disaster or emergency crisis.

With respect to the declared disaster, the City may elect to use CDBG funds to address needs not provided for by the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA) or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal or local sources unless allowed by the federal government.

All eligible CDBG activities, including those to address declared disasters or emergencies, must meet one of three national objectives which are: (1) benefit to low- and moderate-income (LMI) persons; (2) aid in the prevention of slums or blight; and (3) meet a need having a particular urgency (referred to urgent need).

c. Minor Amendments

Any amendment to the Consolidated Plan or Annual Action Plan that is not considered to be a Substantial Amendment is classified as a Minor Amendment. These amendments are less significant amendments which do not require a thirty (30) day public notice or City Council approval.

- i. Total proposed amendment involves less than twenty-five percent (25%) of program year CDBG funding.

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Minor Action Plan Amendments shall be approved administratively by the City Manager. Each such amendment shall be incorporated into the Consolidated Plan through publishing in the next Action Plan and/or CAPER.

7. Performance Reports

- a. The City shall provide citizens with reasonable notice and an opportunity to comment on performance reports. Specifically, the City shall provide notice to the public, not less than fifteen (15) days, unless said length of time is waived by HUD due to a declared disaster or emergency, before any City Council consideration of the opportunity to comment on a proposed performance report before its submission to HUD.
- b. 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

- a. As listed below, during each program year, the City shall hold a minimum of two (2) Consolidated Plan related public hearings scheduled at different stages of the program year. Public hearings shall address the City's housing and community development needs, development of proposed activities, and review of program performance.
 - i. Annual Action Plan (or Consolidated Plan) Public Hearing

Prior to City Council consideration of a proposed Action Plan and/or Consolidated Plan, the City shall hold a public hearing 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. A Consolidated Plan public hearing shall be scheduled prior to City Council consideration of a Consolidated Plan which currently occurs every five (5) years.
 - ii. Annual Performance Report Public Hearing

Prior to City Council consideration of a proposed CAPER, 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. In the event of a natural disaster or a declared emergency, HUD may waive hearing regulations to include other hearing formats, i.e. virtual hearings. If virtual hearings are used, real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. Also, the virtual hearing method will only be used in lieu of in-person hearing if national or local health authorities recommend social distancing and limit public gatherings for public health reasons.

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c. Public Notices

The City shall provide citizens and other interested parties with at least a fourteen (14) calendar days' notice, but not less than a seven (7) calendar days' notice, unless said length of time is waived by HUD due to a declared disaster or emergency, of:

- i. The start of a thirty (30) day public review and comment period for a HUD document (proposed Action Plan or Consolidated Plan, proposed Substantial Amendment), unless said length of time is waived by HUD due to a declared disaster or emergency; and/or
- ii. The start of a fifteen (15) day public review and comment period for a HUD document (proposed Performance Report), unless said length of time is waived by HUD due to a declared disaster or emergency; and/or
- iii. The scheduling of a HUD related public hearing.
- iv. Public notices shall be provided as shown in subsection (d) below. Public hearing notices shall include sufficient information to permit informed consent including, but not limited to, the date, time and location of the public hearing and a full description of the Activity which is the subject of the hearing.
 1. A legal notice published in the local newspaper of record, currently the Daily Courier;
 2. A posting on the City Website; and
 3. A posting on the City bulletin board.

d. Public Hearing Notices

- i. In accordance with paragraph 8(c) hereinabove, the public shall be notified at least fourteen (14) calendar days, but not less than seven (7) calendar days, in advance of the date of a HUD related public hearing, unless said length of time is waived by HUD due to a declared disaster or emergency.
- ii. 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. 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.
- iii. 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.

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e. Public Document Notice

- i. In accordance with paragraph 8(c) hereinabove, the public shall be notified at least fourteen (14) calendar days, but not less than seven (7) calendar days, unless said length of time is waived by HUD due to a declared disaster or emergency, in advance of the start of a thirty (30) day review period for a HUD related public document including, but not limited to, a proposed Consolidated Plan, Action Plan, and/or Substantial Amendment.
- ii. In accordance with paragraph 8(c) hereinabove, the public shall be notified at least fourteen (14) calendar days, but not less than seven (7) calendar days, unless said length of time is waived by HUD due to a declared disaster or emergency, in advance of the start of a thirty (30) day review period for a HUD related public document including, but not limited to, a proposed Performance Report.
- iii. All CDBG related public documents shall be made available for public review prior to City Council consideration at a duly noticed public hearing. Documents will be posted electronically to the City's Internet web site: www.grantspassoregon.gov 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 will make the subject documents available in a format accessible to persons with disabilities.

f. Substantial Amendment Notices

- i. In accordance with paragraph 8(c) hereinabove, the public shall be notified at least fourteen (14) calendar days, but not less than seven (7) calendar days, unless said length of time is waived by HUD due to a declared disaster or emergency, in advance of the start of a thirty (30) day review period for a proposed Action Plan Substantial Amendment, as such amendment is described in Section 6 hereinabove.
- ii. All CDBG related public documents shall be made available for thirty (30) days of public review prior to City Council consideration at a duly noticed public hearing, unless said length of time is waived by HUD due to a declared disaster or emergency. Documents will be posted electronically to the City's Internet web site: www.grantspassoregon.gov 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 will make the subject documents available in a format accessible to persons with disabilities.

9. Access to Records

The City shall provide citizens, public agencies and other interested parties with reasonable and timely access to information and records related to the Consolidated Plan and the use of CDBG

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funds during the previous five (5) years.

10. 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.

11. 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) business working days.

12. Use of the Citizen Participation Plan (CPP)

By adoption of this Resolution, the City agrees to follow its CPP during the implementation of all HUD related and HUD funded activities.

13. Responsibility for Citizen Participation Plan (CPP)

The requirements for citizen participation under this CPP 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.

14. Changing the Citizen Participation Plan (CPP)

This CPP 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 proposed changes.

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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.