

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CITIZEN PARTICIPATION PLAN

(Amended as of July 14, 2016)

City of Lee's Summit, Missouri



LEE'S SUMMIT
MISSOURI

220 SE Green Street
Lee's Summit, MO 64063

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1. Introduction

The City of Lee's Summit was designated as an Entitlement Community under the Community Development Block Grant (CDBG) program by the Department of Housing and Urban Development (HUD) in August of 1994. As a result of this designation, the City receives a grant on an annual basis contingent upon Congress approval of the Federal budget.

The primary objective of the CDBG program is the development of viable communities by providing decent housing and a suitable living environment and expanding economic opportunities, primarily for persons of low and moderate income.

Currently, the City's CDBG program is implemented through a process where qualified agencies apply for these funds prior to the start of each program year for eligible projects and activities and the City goes through a selection and fund allocation process to ensure funds are used to achieve the community goals and objectives as established in the five-year Consolidated Plan. The attached process diagram acts as an aid to help you understand the program and the process.

2. Background

As an Entitlement City of the CDBG program, the City of Lee's Summit, Missouri is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation in accordance with Title 24, Section 91.105 and in compliance with 104(a)(3) of the Housing and Community Development Act of 1974 (42 U.S.C. 5340(A)(3)).

The Citizen Participation Plan sets forth the policies and procedures to be used to solicit and encourage the citizens of Lee's Summit to participate in the identification of community needs, along with the development and implementation of programs utilizing CDBG program funds to address those needs. There are numerous groups particularly targeted for participation, including low- and moderate- income persons, minorities, non-English speaking persons, and persons with disabilities.

On July 16, 2015, the Department of Housing and Urban Development published Affirmatively Furthering Fair Housing: Final Rule (24 CFR Parts 5, 91, 92, et al.), effective August 17, 2015. The major provisions of the Final Rule include:

- 1) Preparation of an Assessment of Fair Housing (AFH) by identifying and evaluating local and regional fair housing issues and factors contributing to fair housing issues;
- 2) Establishment of fair housing goals to address these issues and contributing factors;
- 3) Incorporation of fair housing planning into existing planning process and the Consolidated Plan, which, in turn, incorporate fair housing priorities and goals into housing and community development decision-making;
- 4) Participation in regional collaboration to address fair housing issues; and,
- 5) Provision of an opportunity for public participation and input.

This Plan includes detailed process steps for public participation regarding the AFH and required public notice and public hearing.

As a recipient of these entitlement program funds, the City is required to produce the following documents:

- Consolidated Plan (aka CON Plan): a strategic plan that is prepared every five years, the Consolidated Plan documents the housing and community development needs of Lee's Summit, and through a process of consultation and public participation, defines strategies to address those needs, and identifies proposed program accomplishments.
 - Citizen Participation Plan: An element of the Consolidated Plan that outlines the Entitlement City's commitment to fulfilling HUD requirements encouraging citizen participation in the development of the Consolidated Plan.
 - Assessment of Fair Housing (AFH): An element of the Consolidated Plan as required by the Final Rule prepared by the Grantee using HUD provided Assessment Tool and data combined with local data and knowledge to identify and evaluate local and regional fair housing issues and contributing factors and

establish goals to address these issues. The City of Lee's Summit may participate in a regional collaboration to prepare a regional (joint) AFH (24CFR 5.152) or conduct its own assessment, as directed by the City Council.

- Annual Action Plan: A one-year plan that implements the Consolidated Plan by outlining the City's funding priorities and expected accomplishments. The Annual Action Plan allocates CDBG funding to specific programs and projects that will be undertaken over the course of the upcoming program year. The Annual Action Plan is derived from the Consolidated Plan and is prepared on an annual basis.
- Consolidated Annual Performance and Evaluation Report (CAPER): an annual report that summarizes accomplishments in carrying out the CDBG-funded programs and projects, and evaluates performance measures. The CAPER is prepared on an annual basis.

3. Stages in the Citizen Participation Process

The Citizen Participation Plan encourages citizens and stakeholders to participate in the development of the Consolidated Plan, the Citizen Participation Plan, the Assessment of Fair Housing (AFH), the Annual Action Plan, the CAPER, as well as any substantial amendments to these documents.

I. Summary:

Document	Due to HUD	Legal Notice	Public Hearing Requirement	Public Review & Comment Period Required	Local Approval Authority
5-Year Consolidated Plan with Citizen Participation Plan	45 Days Prior to Start of Program Year Every Five Years	15 Calendar Days	At least 1 Public Hearing during the preparation of the CON Plan (24 CFR 91.105 (b)(3))	30 Calendar Days	City Council
Assessment of Fair Housing	270 Days Prior to Submission of CON Plan	15 Calendar Days	1 Public Hearing	30 Calendar Days	City Council
Annual Action Plan	45 Days Prior to Start of Program Year	15 Calendar Days	2 Public Hearings Annually	30 Calendar Days	City Council
Consolidated Annual Performance & Evaluation Report	90 Days after the End of Each Program Year	15 Calendar Days	Not Required	15 Calendar Days	Not Required
Substantial Amendments to Consolidated Plan	As Soon As Local Adoption But No Due Date	15 Calendar Days	1 Public Hearing	30 Calendar Days	City Council
Substantial Amendments to Citizen Participation Plan	As Soon As Local Adoption But No Due Date	15 Calendar Days	1 Public Hearing	15 Calendar Days	City Council
Revision to Assessment of Fair Housing	Within 12 Months of the Onset of the Material Change, or as HUD Specifies	15 Calendar Days	1 Public Hearing	30 Calendar Days	City Council
Non-substantial Amendments to Consolidated Plan and Action Plan	N/A	Not Required	Not Required	Not Required	Administrative

II. Consolidated Plan:

There are several requirements for the city to encourage citizen participation in the development of the Consolidated Plan. In particular, the City initially shall pursue the participation by low- and moderate-income persons along with all other residents and stakeholders in the community. In order to reach this goal, the City of Lee's Summit shall complete the following items:

- 1) Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing.
- 2) Hold a minimum of one public hearing inviting public input on the Needs Assessment, Proposed Activities, and Strategy portions of the Consolidated Plan.
- 3) Provide information to social service agencies, housing agencies, and other non-profit organizations regarding the program and invite input.
- 4) Upon the completion of a draft, publish a notification of the Consolidated Plan's availability in the local newspaper of greatest circulation inviting public comment for a period no less than thirty (30) calendar days.
- 5) Make copies of the proposed Consolidated Plan available through the Lee's Summit City webpage, at public libraries, government offices, and other public places as publically announced.
- 6) Prepare a summary of public comments accepted into the plan along with public comments not accepted with explanation of reasons for not accepting them.
- 7) Adoption of the Consolidated Plan shall be the responsibility of the City's governing body.
- 8) Submit the adopted Consolidated Plan to HUD at least 45 days prior to the start of the following Program Year.

III. Assessment of Fair Housing (AFH)

As required per 24 CFR 91.105(a)(1) and (a)(2)(i) through (iii), 91.105(a)(4), (b), (c), (e)(1), (f) through (j) and (l), the City of Lee's Summit shall complete the following items:

- 1) Encourage participation of local and regional institutions, Continuums of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations in the process of developing and implementing the AFH and the consolidated plan.
- 2) Encourage participation, in conjunction with public housing agency consultations, participation of residents of public and assisted housing developments, including any resident advisory boards, resident councils, and resident management corporations, in the process of developing and implementing the AFH and the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. Effort shall be made to provide information to public housing agencies about the AFH, AFFH strategy, and consolidated plan activities related to developments and surrounding communities in order to allow the public housing agencies to make information available at their annual public hearings.

- 3) Make HUD-provided data and any other supplemental information the City plans to incorporate into the AFH available to the public as soon as feasible following the start of its public participation process.
- 4) Publish a notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing.
- 5) Hold a minimum of one public hearing before the summary of the proposed AFH is released.
- 6) Publish a summary of the proposed AFH in a local newspaper of the greatest circulation in a manner that affords residents, public agencies and other interested parties a reasonable opportunity to examine its content and to submit comments.
- 7) Make the proposed document available to the public on the City's website, local libraries and other public places and make available a reasonable number of free copies for residents and groups that request it.
- 8) Provide a period of no less than 30 days to receive public comments.
- 9) Consider any comments or views of residents of the community received in writing, or orally at the public hearing in preparation of the final AFH. A summary of these comments and any comments not accepted and the reasons why shall be attached to the final AFH.
- 10) Adoption of the Consolidated Plan shall be the responsibility of the City's governing body.
- 11) Submit the adopted Consolidated Plan to HUD at least 45 days prior to the start of the following Program Year.

IV. Annual Action Plan:

The Annual Action Plan for the first Program Year of a new Consolidated Plan cycle is prepared simultaneously with the Consolidated Plan, and therefore follows the same process. Annual Action Plans following the initial Consolidated Plan year shall follow the requirements below:

- 1) Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing. Included information should also include the expected amount of CDBG assistance, the amount of program income to be available, and the range of activities to be undertaken.
- 2) Hold a minimum of two public hearings inviting input on the Needs Assessment, Proposed Activities, and Strategy portions of the Annual Action Plan. One will occur at the beginning of the Program Year and the other near the midpoint.
- 3) Provide information to social service agencies, housing agencies, and other non-profit organizations regarding the program and invite input.
- 4) Upon its completion, publish a summary of the Annual Action Plan in the local newspaper of greatest circulation inviting public comment for a period no less than thirty (30) calendar days.
- 5) Make copies of the proposed Annual Action Plan available through the Lee's Summit City webpage, at public libraries, government offices, and other public places such as the Chamber of Commerce, and Lee's Summit Social Services.

- 6) Prepare a summary of public comments accepted into the plan along with public comments not accepted in to the plan along with reasons.
- 7) Adoption of the Annual Action Plan shall be the responsibility of the City's governing body.
- 8) Submit the adopted Annual Action Plan to HUD at least 45 days prior to the start of the following Program Year.

V. Consolidated Annual Performance & Evaluation Report (CAPER):

The final aspect of citizen participation is in regard to the assessment of performance of the program. Each CAPER identifies the final budget expenditure and performance results for each Annual Action Plan activity from the currently completed program year and any outstanding activities from prior program years. The City will adhere to the following process:

- 1) Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) calendar days prior to the public hearing.
- 2) Hold public hearing(s) inviting input regarding the performance report, officially titled CAPER, for the previous program year.
- 3) Public comments will be accepted for a period of not less than fifteen (15) calendar days on the draft CAPER. Any comments received either written or orally at the public hearing, and during the public comment period, shall be considered in preparing the final performance report. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final report.
- 4) The final report shall be submitted to HUD no later than 90 days after the end of each program year.

VI. Amendments to the Consolidated Plan and Annual Action Plan:

The officially adopted Annual Action Plan and/or Consolidated Plan will be amended any time one (1) or more of the following three criteria are met:

- 1) To substantially change the City's fund allocation priorities or the method of fund distribution;
- 2) To carry out an activity not previously included in the adopted Annual Action Plan, using funds from any program or activity covered by the Consolidated Plan, which shall be considered a substantial change; or
- 3) To substantially change the purpose, scope, location, or beneficiaries of an activity approved as part of the Annual Action Plan.

Substantial Change: The criteria to determine what actions constitute a substantial change shall be as follows:

- 1) A substantial change in regard to VI.1. above will occur in the event that the process of citizen input or decision making is significantly altered such as including alternative means of input, revision of program year dates, redefining the decision making body, or there exists a material change in the community that affects the information on which the AFH is based, to the extent that the analysis, fair housing contributing factors, or priorities and goals of the AFH no longer reflect actual circumstances.

- 2) A substantial change in regard to criteria VI.2. will occur in the event that a new activity is proposed by any party to be undertaken and has not previously been approved by the adopted Annual Action Plan.
- 3) A substantial change in regard to criteria VI.3. above will occur in the event that:
 - i. An approved activity is significantly altered in scope that as a result of changes, the overall purpose of the approved activity or results in an expansion of the activity's original budget by more than 50%;
 - ii. An approved activity is significantly altered to include new project elements not previously approved, constituting more than 50% of the project;
 - iii. The location of the approved activity is significantly altered to a different facility or type of structure; or
 - iv. The beneficiaries are significantly altered by excluding a group previously considered to be a beneficiary group of the approved activity.

Once a substantial change has been determined, the City will adhere to the following procedure:

- 1) Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing.
- 2) Hold a public hearing inviting input regarding the proposed amendment.
- 3) Accept public comments for a period not less than thirty (30) calendar days on the substantial amendment before the amendment is implemented.
- 4) Any comments received either written or orally at the public hearing and during the thirty (30) calendar day comment period shall be considered in preparing the substantial amendment. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final amendment. The draft amendment shall be presented to the City's governing body for adoption by ordinance.
- 5) The adopted substantial amendment shall be submitted to HUD for recording.

Non-Substantial Change: A non-substantial change is defined as any change or alteration that will not constitute a substantial change as defined above under "Substantial Change." Examples of non-substantial change may include:

- 1) Cancellation of a previously approved activity due to unforeseen circumstances that have caused significant delays or unreasonable cost burdens;
- 2) Termination of Grant Agreement due to violation of terms and conditions of the agreement;
- 3) Removal and reallocation of funds remaining after an activity is completed as approved;
- 4) Recapture of funds remaining from any public service activity after the end of the Program Year; or
- 5) Increase if activity budget to make up the shortage in order to secure a contract.

The City Staff responsible for overseeing and managing the CDBG Program will have authority to approve and implement non-substantial changes on an as-needed basis as part of the CDBG program administration. The City Staff will seek City Council approval for non-substantial changes, which result in an increase of program funding by 20% or \$3,000, whichever is greater.

VII. Revising a HUD Accepted AFH:

An AFH previously accepted by HUD must be revised and submitted to HUD for review under the following circumstances (24 CFR 5.164(a)(1)(i) and (ii)):

- 1) A material change occurs. A material change is a change in circumstances in the City of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances, including but not limited to, Presidentially declared disasters, significant demographic changes, new contributing factors identified in the City, determinations, settlements, or court orders; or
- 2) Upon HUD's written notification specifying a material change that requires the revision.

A revision may not necessarily require the submission of an entirely new AFH and shall only focus on the material change and appropriate adjustments to the analyses, assessments, priorities, or goals.

If a revision is required, the City shall follow the timeframes for submitting a revision to HUD as specified below:

- 1) Revision due to material change – Within 12 months of the onset of the material change, or at such later date as HUD may provide; or
- 2) Revision due to HUD's written notification – As HUD specifies.

Upon completion, any revision to the AFH must be made public.

4. Displacement Policies

The City of Lee's Summit will discourage projects that involve the displacement of persons. On April 4, 1995, Lee's Summit adopted a policy regarding the displacement of persons in the event that displacement was to occur.

Resolution 95-7 outlines that the City will replace all occupied and vacant low-to-moderate income dwelling units demolished or converted to a use other than as low-to-moderate income dwelling housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974. All replacement housing will be in place within three (3) years of the commencement of the conversion.

5. Public Hearings & Access to Records

I. Public Hearings:

The City of Lee's Summit will conduct two (2) public hearings every year for the development and implementation of the Consolidated Plan and Annual Action Plan. These hearings may take the following formats:

- 1) a meeting conducted by the City's CDBG Staff open to the general public; primarily for the purposes of introducing the public to the plan development and citizen participation process, presenting to the public information and proposals from draft plans, reviewing program performance, answering questions and gathering input from the public;
- 2) an open-house style community event open to the general public; primarily for the same purposes as in 1. above;
- 3) a meeting conducted by a City Council subcommittee; primarily for the purposes of presenting community needs, CDBG program goals, implementation strategies, funding proposals and recommendations, providing opportunities for public comment and forming committee recommendations for City Council consideration; or
- 4) a City Council meeting.

Normally, one public hearing should be held each year prior to the City Council approval of the Annual Action Plan to solicit public comments on the proposed strategies and allocation of funds. Another public hearing should be held during the program year to provide the public an opportunity to learn how the program has performed.

II. Adequate Advance Notice:

Advance notice of public hearings will be given with enough time for interested parties to take informed actions. To do, so the City shall follow the procedures outlined below:

- 1) No less than fifteen (15) calendar days notice will be provided to the public for a public hearing; and
- 2) Public hearings shall be advertised in the local newspaper of greatest circulation, and will include adequate information regarding the subject and nature of the hearing to encourage informed comment.

III. Location & Timing:

Public hearings will be held at locations accessible to people with disabilities, with a required notification to the City of five (5) work days prior to the hearing to provide reasonable accommodation. Additionally, public hearings shall be held at times convenient to potential and actual beneficiaries.

IV. Availability to the Public:

All documents covered in this Citizen Participation Plan will be made available in their draft form for public review and comment during the public comment period. To ensure the accessibility of these documents to all persons, they will be provided at the following locations, subject to change with proper advance notice:

Lee's Summit City Hall 220 SE Green Street Lee's Summit, Missouri 64063	Gamber Community Center 4 SE Independence Avenue Lee's Summit, Missouri 64063
Lee's Summit City Clerk 220 SE Green Street Lee's Summit, Missouri 64063	Mid-Continent Public Library Lee's Summit Branch 150 NW Oldham Parkway Lee's Summit, Missouri 64081
Lee's Summit Social Services 108 SE 4th Street Lee's Summit, Missouri 64063	Mid-Continent Public Library Colbern Road Branch 1000 NE Colbern Road Lee's Summit, Missouri 64086
City of Lee's Summit Website as Publically Announced	Via Email as Publically Announced

V. Access to Records:

The City shall provide that citizens, public agencies, and other interested parties have reasonable and timely access to information and records pertaining to the City's Consolidated Plan, Annual Action Plan, and CDBG projects for a minimum of the preceding five (5) years.

Request for access to records shall adhere to the following process:

- 1) A written request for access shall be required and shall be submitted to the City Clerk.
- 2) Legal staff shall review the written request for legality under the Missouri Sunshine Law of 1973.
- 3) The City must provide a reply within three (3) business days of a request. If the information cannot be provided within the three days, the City must respond with the date the information or records will be available.

VI. Technical Assistance:

In the event that persons of low-to-moderate income households request assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan, the City will adhere to the following process:

- 1) Groups and organizations representing persons of low- and moderate-income can request technical assistance in preparing proposals for submitting a request in writing a minimum of two (2) weeks prior to the deadline for proposal submittal.
- 2) The City's CDBG Administrator will appoint the appropriate staff person to meet with the representatives of such groups and organizations to provide adequate levels of technical assistance as appropriate. Cost estimates and levels of funding will not be provided as part of the technical assistance.
- 3) Technical assistance will not include administrative support (such as typing, copies, etc.) and will simply involve acting as a consultant in refining the proposal's scope.

A request for technical assistance should be made to the CDBG Program Administrator at the Lee's Summit Planning and Codes Administration located at 220 SE Green Street, Lee's Summit, Missouri 64063

VII. Language Assistance Plan for Persons with Limited English Proficiency (LEP):

City staff will undertake reasonable efforts to ascertain language needs within the community, basing the review upon demographic analysis of the City's population in order to provide adequate language assistance for those individuals with limited English proficiency that prevents them from meaningful participation in the CDBG program as well as in the process of CDBG program development. City will utilize this information, as well as any specific request or need brought to the City's attention, to determine the nature of the need and seek an interpreter/translator service with the resources available to the City either from its own staff or a third-party provider at no cost to the LEP person(s). The LEP person will also be allowed to use a family member, a friend or any other individual who can provide adequate language translation. To ensure the language assistance is provided in a timely manner, the person requesting such assistance is requested to notify the City a minimum of five (5) business days in advance of the date when the assistance is needed. However, failure to provide such advance notice shall not diminish the City's good faith efforts to attempt to provide accommodation to the LEP person(s).

6. Complaints

The CDBG Administrator for the City of Lee's Summit shall accept complaints at any time during the course of the CDBG program year. In the event that a citizen complaint is received regarding the Consolidated Plan, Annual Action Plans, Performance Reports, the Citizen Participation Plan, or Plan Amendments, the City of Lee's Summit will adhere to the following process:

- 1) Complaints must be submitted in writing to the City's Planning and Codes Administration, and contain a concise statement of the complaint and an explanation of the action desired.
- 2) All complaints will be initially responded to in a timely, substantive written response in fifteen (15) calendar days, and resolved, if possible, within thirty (30) calendar days.

7. Summary of CDBG Program Year

The City’s program year corresponds to the City’s fiscal year, which runs from July 1 to June 30 of each year. Although the dates included in the table below represent a typical Program Year, all are subject to variation or change.

Lee’s Summit Generalized Program Year Schedule	
July	<ul style="list-style-type: none"> • 1st: Program Year Begins • CAPER Process Begins
August	<ul style="list-style-type: none"> • Publish CAPER Public Notice Draft Availability
September	<ul style="list-style-type: none"> • 15-Day Public Comment Period for CAPER • CAPER Submitted to HUD
October	
November	
December	<ul style="list-style-type: none"> • Annual Action Plan Process Begins
January	<ul style="list-style-type: none"> • Request for Funding (RFFs) Due • Review and Prioritization of RFFs
February	<ul style="list-style-type: none"> • Preparation of Draft Annual Action Plan with Grant Allocation Recommendations
March	<ul style="list-style-type: none"> • 30-Day Public Comment Period Begins • Public Hearing
April	<ul style="list-style-type: none"> • Preparation of Final Annual Action Plan
May	<ul style="list-style-type: none"> • Adoption of Annual Action Plan by ordinance by Governing Body • Action Plan submitted to HUD by May 15th
June	<ul style="list-style-type: none"> • 30th: End of Annual Action Plan Year

8. Glossary

Area Median Income: an index of median family income by household size determined annually by HUD surveys of major metropolitan areas.

Community Development Block Grant: A HUD program that provides communities with financial resources to address needs identified by HUD to include a suitable living environment, affordable housing, economic opportunities, and homelessness.

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

- Very Low-Income: Households with incomes 30% and below the area median family income, adjusted for household size.
- Low-Income: Households with incomes between 31% and 50% of the area median family income, adjusted for household size.
- Moderate-Income: Households with incomes between 51% and 80% of the area median family income, adjusted for household size.

Program Year: A 12-month cycle during which the CDBG funds are allocated and expended on the program and projects.

U.S. Department of Housing and Urban Development (HUD): A cabinet-level federal agency with a mission to increase homeownership, support community development, and increase access to affordable housing free of discrimination.