

## **Citizen Participation Plan for the City of Lee's Summit, Missouri**

### The Proposed Revision Includes the Following:

- Virtual public hearings as an allowed method for citizen participation upon declaration of a disaster or emergency event
- Allows for an expedited review and public comment period reducing that period from no less than 30 calendar days, to no less than 5 calendar days upon declaration of a disaster or emergency event

The proposed changes are in **red** for the ease of the reviewer.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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# CITIZEN PARTICIPATION PLAN

Administrative Amendment

July 2020

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

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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. 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

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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.

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

- Consolidated 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. (24 CFR 91.15)

- 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.
- 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. (24 CFR 91.15)
- 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. (24 CFR 91.520)

### 3. Stages in the Citizen Participation Process

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The Citizen Participation Plan encourages citizens and stakeholders to participate in the development of the Consolidated Plan, the Annual Action Plan, the CAPER, as well as any substantial amendments to the Consolidated Plan and the Action Plan.

Upon declaration of a disaster or emergency event, as declared by the Mayor, the Citizen Participation Plan allows expedited procedures to draft, propose, or amend all 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 all plans. Virtual public hearings are an allowable method for citizen participation upon this declaration.

#### I. Summary:

Document	Legal Notice	Public Hearing Requirement	Public Review & Comment Period Required	Local Approval Authority
Consolidated Plan with Citizen Participation Plan	15 Calendar Days	2 Public Hearings Annually	30 Calendar Days	City Council
Annual Action Plan	15 Calendar Days	2 Public Hearings Annually	30 Calendar Days	City Council
Consolidated Annual Performance & Evaluation Report	15 Calendar Days	Not Required	15 Calendar Days	Not Required

Substantial Amendments to Consolidated Plan	15 Calendar Days	1 Public Hearing	30 Calendar Days	City Council
Substantial Amendments to Citizen Participation Plan	15 Calendar Days	1 Public Hearing	15 Calendar Days	City Council
Non-substantial Amendments to Consolidated Plan and Action Plan	Not Required	Not Required	Not Required	Administrative
Substantial Amendments to all Plans Upon Emergency Event	15 Calendar Days	1 Public Hearing	5 Calendar Days	City Council

## 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. This is implemented in accordance with the guidance provided by HUD Regulation *24 CFR 91.105*. 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 on an annual basis in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing.
2. Hold a minimum of two public hearings 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 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 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. (*24 CFR 91.15*)

### III. 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. In accordance with HUD Guideline *24 CFR 91.15*, the 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.

### IV. Consolidated Annual Performance & Evaluation Report (CAPER):

The final aspect of citizen participation is in regards 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. To meet HUD Guidelines outlined in *24 CFR 91.520*, 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 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.

## V. Amendments to the Consolidated Plan and Annual Action Plan:

From time to time, it may be necessary for the City to amend the Consolidated Plan or an Annual Action Plan to allow for new or modified CDBG projects or activities. HUD Regulation *24 CFR 91.505* requires an amendment when the following occurs:

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.

HUD Regulation *24 CFR 91.505 (b)* requires the City to identify the criteria used to determine if a proposed action will be a Substantial Amendment. The criteria to determine what actions constitute a substantial change shall be as follows:

1. A substantial change in regards to V.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, or redefining the decision making body.
2. A substantial change in regards to criteria V.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 regards to criteria V.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 in accordance to HUD Guidelines *24 CFR 91.105, 24 CFR 91.115*:

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.

## **4. Displacement Policies**

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HUD Guideline *24 CFR 91.225* states jurisdiction is required to submit a certification that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG. 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**

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### **I. Public Hearings:**

Per *24 CFR 91.105*, 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. Non-English Speakers:

All public hearings shall be arranged in a manner that ensures the ability of non-English speakers to participate. In the event that a public hearing is planned and it can be reasonably anticipated that non-English speaking resident will attend, the City will make reasonable efforts to designate a volunteer translator if one is available. Otherwise the City, with a minimum of five (5) work days notice prior to the hearing, will hire a translator.

#### V. Availability to the Public:

Consolidated Plans as adopted, substantial amendments, and performance reports will be made available for public review during the public comment period. To ensure the accessibility of these documents to all persons, they will be provided at the following locations:

LS City Hall  
220 SE Green Street  
Lee's Summit, Missouri 64063

4 SE Independence Avenue  
Lee's Summit, Missouri 64063

Lee's Summit City Clerk  
220 SE Green Street  
Lee's Summit, Missouri 64063  
Gamber Community Center  
1000 NE Colbern Road  
Lee's Summit, Missouri 64086

Mid-Continent Public Library  
150 NW Oldham Parkway  
Lee's Summit, Missouri 64081  
Mid-Continent Public Library

#### VI. Access to Records:

In accordance with HUD Guideline *24 CFR 91.200*, 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.

## VII. 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, in accordance with HUD Guideline *24 CFR 91.105*:

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 Development Services, located at 220 SE Green Street, Lee's Summit, Missouri 64063

## 6. Complaints

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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, per HUD Guideline *24 CFR 91.115*:

1. Complaints must be submitted in writing to the City's Development Services, 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

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

## 8. Glossary

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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.



**CONSOLIDATED PLAN, ANNUAL ACTION PLAN, CAPER AND SUBSTANTIAL AMENDMENT PROCESS DIAGRAM**

