

Stanislaus Urban County Citizen Participation Plan For HUD Programs

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Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, CA 95354
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Stanislaus Urban County Citizen Participation Plan

INTRODUCTION

As required by the U.S. Department of Housing and Urban Development (HUD) regulations found at 24 CFR 91.105 "Citizen Participation Plan," this Citizen Participation Plan sets forth the Stanislaus Urban County's policies and procedures for resident participation with respect to Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) programs, Neighborhood Stabilization Program (NSP 1 and 3), and the following Consolidated Plan Documents:

- Citizen Participation Plan (CPP)
- Consolidated Plan (Con Plan)
- Annual Action Plan (AAP)
- Consolidated Annual Performance and Evaluation Report (CAPER)
- Assessment of Fair Housing (AFH)

The Stanislaus Urban County was formed in 2002 to receive entitlement CDBG and ESG funds. The Stanislaus Urban County includes the unincorporated areas of Stanislaus County and the Cities of Ceres, Hughson, Newman, Oakdale, Patterson and Waterford.

All Stanislaus Urban County members are members of the City of Turlock/Stanislaus County HOME Consortium, which was established in 1991, to obtain a direct allocation of funds under the Cranston-Gonzalez National Affordable Housing Act of 1990.

The requirements for resident participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of the above-mentioned programs and documents, but rather facilitate resident access to, and engagement with, the HUD Community Planning and Development funding sources.

Subsequent to Board of Supervisors approval of this Amended Citizen Participation Plan the plan will be effective until it is amended or otherwise replaced.

As the Lead Entity of the Stanislaus Urban County for the respective HUD entitlement programs, Stanislaus County is responsible for the implementation of this Citizen Participation Plan on behalf of the Urban County membership. As such, any reference to "Stanislaus County," throughout this document, may capture actions taken by either Stanislaus County solely or the Stanislaus Urban County as a whole.

PURPOSE

This Citizen Participation Plan (CPP) is intended to provide residents an adequate opportunity to participate in an advisory role in planning, implementing, and assessing the HUD Programs administered by Stanislaus County, as required by the U.S. Department of Housing and Urban Development (HUD) in 24 CFR Part 91.105.

Interested groups and individuals are encouraged to provide input into all aspects of the Urban County's consolidated planning activities from assessing needs and setting priorities through performance evaluation. This CPP offers numerous opportunities for residents to contribute information, ideas and opinions about ways to provide decent housing, establishing and maintain a suitable living environment, and expanding economic opportunities, particularly for low- and moderate- income persons.

SCOPE OF FEDERAL REQUIREMENTS

This CPP sets forth policies and procedures to provide for and encourage participation by the residents of the Urban County in the development of the Assessment of Fair Housing (AFH), the Consolidated Plan for housing and community development, NSP Action Plans, the Annual Action Plan (AAP) and to the preparation of the Consolidated Annual Performance and Evaluation Report (CAPER) that evaluates progress towards the Consolidated Plan objectives. The CPP also applies to any minor or Substantial Amendments to these Plans. The Urban County submits a Consolidated Plan to HUD every five years and an Annual Action Plan to HUD every year. These documents are due to HUD by May 15 unless otherwise instructed by HUD. The NSP Action Plans and Substantial or minor Amendments are done as needed for each HUD program's need for adjustment and program implementation. The CAPER is submitted to HUD by September 30 each year unless otherwise instructed by HUD.

STANDARDS OF PARTICIPATION

The Stanislaus Urban County shall provide a process for resident participation at the community-wide level.

- A. All aspects of resident participation shall be conducted in an open manner, with freedom of access for all interested persons.
- B. In developing its AFH, Con Plan, AAP, Substantial and minor Amendments, CAPER, and applications to HUD, the Urban County will take appropriate actions to encourage the participation of all its residents including:
 - Low- and moderate-income (LMI) persons, particularly those living in areas where federal funds are proposed to be used;
 - Residents of predominantly low- and moderate-income neighborhoods, especially those residing in low- and moderate-income (LMI) Census Tract Block Groups;
 - Minorities;
 - People with Limited English Proficiency (LEP);
 - People with Disabilities;
 - Residents of public and other assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations); and
 - Local and regional institutions, the local Continuum of Care (CoC) (locally recognized as the Stanislaus Community System of Care (CSOC)) and other organizations, both public and private (including businesses, developers, non-profit organizations, and community-based and faith-based organizations).
- C. Residents shall be provided adequate and timely information so as to enable them to be meaningfully involved in important decisions at various stages of the HUD programs.
- D. To facilitate citizen participation, Urban County staff shall provide technical assistance to citizen organizations, groups of low- to moderate- income persons, and residents of affected neighborhoods which request assistance in developing proposals.

The following outlines Stanislaus Urban County's Citizen Participation Plan process when developing or amending the named Consolidated Plan documents:

I. CONSOLIDATED PLAN AND ANNUAL ACTION PLAN DEVELOPMENT

Stanislaus County provides for and encourages the participation of residents and stakeholders in the development of all the documents covered by this Citizen Participation Plan. Stanislaus County further encourages participation by low- and moderate-income persons, particularly those living in

blighted areas and in areas where HUD funds are proposed to be used and by residents of predominantly low- and moderate-income neighborhoods¹.

Stanislaus County will implement the following procedures in the development and approval of the Consolidated Plan and each Annual Action Plan (hereafter referred to as “the Plans”):

A. Plan Considerations – HUD requirements (24 CR 91.100 (a), (c) & (e))

In the development of the Plans, Stanislaus County will consult other public and private agencies and public organizations including but not limited to those providing:

- Assisted housing;
- Health services;
- Social services and fair housing services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons, economic development, neighborhood development and other housing and community development services); and
- Municipal Advisory Councils (MACS);
- Organizations that represent protected class members;
- Organizations that enforce fair housing laws;
- Public and private fair housing service agencies, including fair housing organizations and non-profits receiving funding under the Fair Housing Initiative Program (FHIP);
- Adjacent governments, including agencies with area wide planning and transportation responsibilities, particularly for problems that go beyond a single jurisdiction;
- Entities previously listed in the Con Plan and Con Plan regulations, such as public and private agencies that provide assisted housing, health services, and social services;
- Public housing agencies (PHAs) not only about the AFH, but also about proposed strategies and actions for affirmatively furthering fair housing in the Con Plan;
- Advocacy groups for special needs households;
- Affordable housing providers;
- Banks and other financial institutions; and
- Educational institutions.

Consultation with the groups/agencies listed above will occur at various points in the fair housing planning process for the development of the AFH and the Con Plan. Consultations regarding the Con Plan will seek specific input about how the AFH goals related to the priorities and objectives of the Con Plan.

When preparing the section of the Plans describing Stanislaus County’s homeless strategy and the resources available to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) and persons at risk of homelessness, Stanislaus County will consult with:

- The HUD approved Continuum of Care (locally recognized as the Stanislaus Community System of Care (CSOC));

¹ Predominately low- and moderate-income neighborhoods are defined as those in which 51% of the residents have incomes at or below 80% of area median income.

- Public and private agencies that address housing, health, social service, victim services, employment, or education needs of low-income individuals and families²; homeless individuals and families, including homeless veterans; youth; and/or other persons with special needs;
- Publicly funded institutions and systems of care that may discharge persons into homelessness (such as health-care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and
- Business and civic leaders.

When preparing the portion concerning lead-based paint hazards, Stanislaus County will consult with State or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

When preparing the description of priority non-housing community development needs, Stanislaus County will notify adjacent units of general local government, to the extent practical. A non-housing community development plan will be submitted to the State of California Housing and Community Development Department.

Stanislaus County also will consult with adjacent units of general local government, including local government agencies with metropolitan-wide planning responsibilities, particularly for problems and solutions that go beyond Stanislaus County's jurisdiction.

Stanislaus County will consult with the Housing Authority of the County of Stanislaus (HACS), the local public housing agency (PHA), concerning consideration of public housing needs and planned programs and activities.

As a recipient of ESG funds, Stanislaus County will consult with the Continuum of Care in determining how to allocate its ESG funds toward eligible activities; in developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and in developing funding, policies, and procedures for the operation and administration of the Homeless Management Information System (HMIS).

In addition, in accordance to the ESG Final Rule requirements, Stanislaus County will consult with the following entities in the planning for ESG related activities:

- Public and private agencies that address housing, health, social service, victim services, employment, or education needs of low-income individuals and families;
- Homeless individuals and families, including homeless veterans; youth; and/or other persons with special needs;
- Publicly funded institutions and systems of care that may discharge persons into homelessness (such as health-care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and
- Business and civic leaders.

A variety of mechanisms may be utilized to solicit input about the Con Plan or AAP from these persons/service providers/agencies listed above. These include posting or mailing notices of public meetings and hearings, telephone or personal interviews, mail surveys, internet-based feedback and consultation workshops.

² Low-income individuals/families are defined as those with incomes of, or less than 80% of the Stanislaus County Area Median Income (AMI), as established by HUD.

B. Public Review and Comment

Drafts of the Plans will be made available for public review for a 30-day period prior to Board of Supervisors consideration at a scheduled public hearing. Written comments will be accepted by the County's Director of Planning and Community Development or designee during the public review period. A summary of all comments, written and verbal, received during the public comment period will be attached to the Plans prior to submission to HUD. Copies will be made available following the process described in Section V of this document.

C. Public Hearing

The Board of Supervisors will conduct a public hearing to accept public comment on the draft Plan prior to approval and submittal to HUD. Stanislaus Urban County participating cities are not required to hold a public hearing, but at a minimum must present the draft Plans to their respective City Councils thereby obtaining approval of their individual planned activities and informing the public of Stanislaus County's public comment period. Prior to consideration of the Plans by Stanislaus County, cities shall submit a resolution of concurrence and acceptance to Stanislaus County. Section V describes the process for publishing notice for and conducting public hearings.

D. Submittal to HUD

The approved Plans will be submitted to HUD with a summary of all comments, written and verbal, received during the public comment period, including those received at public meetings and hearings, and proof of compliance with the minimum 30-day public review and comment period requirement. The Plans will be submitted to HUD a minimum of 45 days before the program year, or as otherwise required, pursuant to regulations.

E. Plan Access and Comments

Approved Plans will be kept on file by Stanislaus County at 1010 10th Street, Suite 3400, Modesto, CA 95354 and online at <http://www.stancounty.com/planning/> and can be made available to those requesting the Plans.

II. **CONSOLIDATED PLAN AND ANNUAL ACTION PLAN AMENDMENT**

Stanislaus County will follow the procedures outlined in section C-F below, in order to complete substantial amendments to the Consolidated Plan and Annual Action Plan (hereafter referred to by their specific name or "the Plans"), as needed:

A. Consolidated Plan Amendment Considerations 24 CFR Part 91.505

Stanislaus County will substantially amend the Consolidated Plan if a "substantial change", as defined below, is proposed. For the purpose of the Consolidated Plan, a "substantial change" is defined as:

- The addition or deletion of Consolidated Plan priorities or goals.

All other changes may be handled administratively and are not subject to the public hearing requirements of this Citizen Participation Plan; however, public outreach and Board of Supervisors approval will be conducted as required by County practice.

B. Annual Action Plan Amendment Considerations

Stanislaus County will substantially amend an Annual Action Plan if a "substantial change", as defined below, is proposed. For the purpose of the Annual Action Plan, a "substantial change" is defined as:

- i. Addition of a new activity not previously identified in the Annual Action Plan;
- ii. Deletion or cancelation of an activity identified in the Annual Action Plan which has NOT been deemed ineligible or determined to be infeasible (provided any allocated funds are transferred to another approved activity as part of a subsequent Annual Action Plan approval); and
- iii. The addition of new CDBG Public Service or ESG award grantees.
- iv. A proposed action or change that may create a significant community impact. A significant community impact is defined as either:
 - a. Any federal grant-funded project or activity that results in a significant environmental impact as that term is defined pursuant to the National Environmental Policy Act (NEPA) (42 U.S.C 4231 *et seq*); or
 - b. Any federal grant-funded project or activity that generates relocation of at least 20 resident households and/or two existing businesses which are subject to the federal Uniform Relocation Act (42 U.S.C 4601 *et seq*, 42 USC 4621 *et seq*, and U.S.C 4651 *et seq*),

All other changes may be handled administratively and are not subject to the public hearing requirements of this Citizen Participation Plan; however, public outreach and Board of Supervisors approval will be conducted as required by County practice. The following changes are considered administrative:

- Proportional adjustment to CDBG Public Service and ESG award amounts to accommodate actual HUD allocations amounts (provided new grantees are not awarded funds);
- Shifts of funds, not exceeding an amount of \$150,000, between approved activities; and
- Shift of fund balance, in any amount, from a completed activity to another approved activity.

In any case where the shifting of funds occur, the shifting will be reported accordingly in the CAPER.

Additionally, County Program staff will select and include in AAP's, alternate public infrastructure projects which can be implemented if projects approved by the Board of Supervisors and the Stanislaus Urban County's members' City Councils are rejected by HUD or if approved projects subsequently are determined to be ineligible or unable to secure all of the funding necessary to allow the project to proceed.

C. Public Review and Comment

Drafts of Substantial Amendments to the Plans will be made available for public review for a 30-day period prior to Board of Supervisors consideration at a scheduled public hearing. Written comments will be accepted by the County's Director of Planning and Community Development or designee during public review period. A summary of the comments received, written and verbal, will be attached to the Substantial Amendment prior to submission to HUD. Copies will be made available following the process described in Section V of this document.

D. Public Hearing

The Board of Supervisors will conduct a public hearing to accept public comments on the draft Substantial Amendment of the Plans prior to approval and submittal to HUD. Section V describes the process for publishing notice for and conducting public hearings. Stanislaus Urban County participating cities who are implementing Consolidated Plan and/or Annual Action Plan changes that would trigger a substantial amendment specific to their activities must present the draft Substantial Amendment to their respective City Councils at a public hearing, following the citizen participation plan process, and submit a resolution of approval to Stanislaus County. Stanislaus County may require a resolution of concurrence from all Stanislaus Urban County participating cities for any amendment that may affect city activities.

E. Submittal to HUD

The approved Substantial Amendment will be submitted to HUD with a summary of all comments, written and verbal, received during the public comment period, including those received at public meetings and hearings, and proof of compliance with the minimum 30-day public review and comment period requirement will be submitted to HUD for their records.

F. Plan Access and Comments

Approved Substantial Amendments will be kept on file by Stanislaus County at 1010 10th Street, Suite 3400, Modesto, CA 95354 and online at <http://www.stancounty.com/planning/> and can be made available to those requesting the plan.

III. **CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

Stanislaus County will follow the following procedure in the drafting and adoption of the Consolidated Annual Performance and Evaluation Report (CAPER):

A. Plan Considerations

Staff will evaluate and report the accomplishments of the previous program year for CDBG, NSP, and ESG, and will summarize expenditures that took place during the previous program year.

B. Plan Review and Comment

The draft CAPER will be made available for public review for a 15-day period prior to Board of Supervisors consideration at a scheduled public hearing. Written comments will be accepted by the County's Director of Planning and Community Development or designee during public review period. A summary of the comments received, written and verbal, will be attached to the CAPER prior to submission to HUD. Copies will be made available following the process described in Section V of this document.

C. Public Hearing

The Board of Supervisors will conduct a public hearing to accept public comments on the draft CAPER prior to approval and submittal to HUD. Stanislaus Urban County participating cities are not required to hold a public hearing but must present the draft CAPER to their respective City Councils thereby obtaining approval of their accomplishments reported in the CAPER and informing the public of Stanislaus County's public comment period. Section V describes the process for publishing notice for and conducting public hearings.

D. Submittal to HUD

The approved CAPER will be submitted to HUD with a summary of all comments, written and verbal, received during the public comment period, including those received at public meetings and hearings, and proof of compliance with the minimum 15-day public review and comment period will be submitted to HUD for their records. The CAPER will be submitted to HUD within 90 days following the end of the program year pursuant to regulations.

E. Plan Access and Comments

The approved CAPER will be kept on file by Stanislaus County at 1010 10th Street, Suite 3400, Modesto, CA 95354 and online at: <http://www.stancounty.com/planning/> and can be made available to those requesting the plan.

IV. FIVE-YEAR ASSESSMENT OF FAIR HOUSING

Stanislaus County will follow the following procedure in the drafting and adoption of the Assessment of Fair Housing (AFH):

A. Plan Considerations (24 CFR 91.100 (a), (c) & (e))

In an effort to solicit input on fair housing issues during the development of the Five-Year AFH, Stanislaus County will consult public and private agencies and public organizations including but not limited to those listed below:

- i. Organizations that represent protected class members;
- ii. Organizations that enforce fair housing laws;
- iii. Fair housing organizations and non-profits receiving funding under the Fair Housing Initiative Program (FHIP);
- iv. Other public and private fair housing service agencies;
- v. Adjacent governments, including agencies with area wide planning and transportation responsibilities, particularly for problems that go beyond a single jurisdiction;
- vi. Entities previously listed in the Con Plan Con Plan regulations, such as public and private agencies that provide assisted housing, health services, and social services;
- vii. Public housing agencies (PHAs) not only about the AFH, but also about proposed strategies and actions for affirmatively furthering fair housing in the Con Plan;
- viii. Advocacy groups for special needs households;
- ix. Affordable housing providers;
- x. Banks and other financial institutions; and
- xi. Educational institutions.

Consultation with the groups/agencies listed above will occur at various points in the fair housing planning process for the development of the AFH and the Con Plan.

A variety of mechanisms may be utilized to solicit input from these groups/agencies. These include, but are not limited to, telephone or personal interviews, mail surveys, and consultation workshops.

B. Assessment of Fair Housing Amendment Considerations

Stanislaus County will amend an Assessment of Fair Housing if a “material change”, which is a change that affects the information the AFH is based on so that the analysis, fair housing contributing factors, or priorities and goals do not reflect the current situation in the community. Examples include:

- A Presidentially declared disaster;
- Major demographic changes;
- New significant contributing factors; or,
- Significant civil rights findings.

HUD may also require a revision if it detects a significant change.

All other changes may be handled administratively and are not subject to the public hearing requirements of this Citizen Participation Plan; however, public outreach and Board of Supervisors approval will be conducted as required by County practice.

An amended AFH must be submitted to HUD within 12 months of the onset of the material change. For Presidentially declared disasters, the amended AFH is due two years after the date of the disaster is declared.

C. Plan Review and Comment

The draft AFH or amended AFH will be made available for public review for a 30-day period prior to Board of Supervisors consideration at a scheduled public hearing. Written comments will be accepted by the County’s Director of Planning and Community Development or designee during public review period. A response to written complaints from the public about the AFH or any revisions will be given in writing and be provided within 15 business days. A summary of the comments received, written and verbal, will be attached to the AFH prior to submission to HUD. Copies will be made available following the process described in Section V of this document.

D. Public Hearing

The Board of Supervisors will conduct a public hearing to accept public comments on the draft AI as prior to approval and submittal to HUD. Stanislaus Urban County participating cities are not required to hold a public hearing, but at a minimum must present the AFH to their respective City Councils and informing the public of Stanislaus County’s public comment period. Section V describes the process for publishing notice for and conducting public hearings.

E. Submittal to HUD

The approved AFH will be submitted separate from the Con Plan to HUD with a summary of all comments, written and verbal, received during the public comment period, including those received at public meetings and hearings, and proof of compliance with the minimum 30-day public review and comment period requirement. Under AFFH rule, the initial AFH is required to be submitted 270 calendar days before the start of the first program year in which a new Con Plan is submitted. After the first AFH the following AFHs must be submitted to HUD a minimum of 195 calendar days before the start of the first program year of the next five year Con Plan, or as otherwise required, pursuant to regulations.

F. Plan Access, Records, and Comments 24 CFR Part 570.506

The County will provide access to information and records relating to the AFH from the last five years in a reasonable and timely manner. Any HUD-provided data and any supplemental information the jurisdiction intends to use in preparing the AFH will be made available to the public as soon as practical but after the start of the public participation process.

The approved Assessment of Fair Housing will be kept on file by Stanislaus County at 1010 10th Street, Suite 3400, Modesto, CA 95354 and online at: <http://www.stancounty.com/planning/> and can be made available to those requesting the plan.

V. PUBLIC HEARINGS, NOTIFICATION AND ACCESS

Stanislaus County will follow the following procedure in conducting public hearings and providing notification and access to all Consolidated Plan documents discussed in this Citizen Participation Plan:

A. Public Hearing Process

Stanislaus County will conduct at least two public hearings per year to obtain residents' views and comments on planning documents during the public review and comment period for the Annual Action Plan and CAPER. These meetings will be conducted at different times of the program year and together will cover the following topics:

- Housing and Community Development Needs
- Development of Proposed Activities
- Review of Program Performance

During a program year when Stanislaus County develops a Consolidated Plan, at least one public hearing will be conducted prior to Board of Supervisors consideration of the Consolidated Plan. This public hearing may be conducted jointly with the hearing to consider the Annual Action Plan. Stanislaus County, at its discretion, may conduct additional outreach, public meetings or public hearings as necessary to foster citizen access and engagement.

B. Public Hearing Notification

Notices will be printed/posted at least 15 days prior to the meeting date. Noticing may include:

- Printing a public notice in newspaper(s) of general circulation in Stanislaus County;
- Display ads and/or press releases; or
- Posting notices at County Administrative Office.

Notices will include information on the subject and topic of the meeting including summaries when possible and appropriate to properly inform the public of the meeting. Notices may be published in additional languages as appropriate and will be accessible to those with disabilities. Meeting location and access is described below.

C. Public Review/Comment Period

Public notices will be printed / posted prior to the commencement of any public review/comment period alerting residents of the documents for review. The minimum public comment/review period for each Consolidated Plan document is listed below:

Document	Public Comment Period
Consolidated Plan	30 days
Annual Action Plan	30 days
Substantial Amendments	30 days
Consolidated Annual Performance Evaluation Report	15 days
Assessment of Fair Housing	30 days
Citizen Participation Plan	30 days

Copies of all documents and notices will be available for public review at the following location:

Stanislaus County Planning & Community Development Department
1010 10th Street, Suite 3400
Modesto, CA 95354

A copy of each document will also be made available for public review at County libraries and at the Planning Departments of each Stanislaus Urban County member city.

Documents and notices will also be posted to the Stanislaus County website at: <http://www.stancounty.com/planning/>

D. Access to Meetings

Unless otherwise noted, Public Hearings requiring Board of Supervisors action will be conducted at the Board of Supervisors Chambers (1010 10th Street, Suite 3400, Modesto, CA 95354). For public meetings not requiring Board of Supervisors participation, Stanislaus County conduct such meetings at a location that is:

- Within target areas;
- Easily accessible for the low- and moderate-income residents; and
- Convenient to potential and actual beneficiaries.

The County will work with neighborhood groups and other stakeholders for guidance in selecting meeting locations and times.

It is the intent of Stanislaus County to comply with the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1965 and related statuses in all respects. If an attendee or participant at a public hearing and/or meeting needs special assistance beyond what is normally provided, Stanislaus County will attempt to accommodate these people in every reasonable manner.

E. Access to Records

Approved Consolidated Plan documents will be kept on file by Stanislaus County at Stanislaus County Planning and Community Development Department (1010 10th Street, Suite 3400, Modesto, CA 95354) and online at: <http://www.stancounty.com/planning/> and can be made available to those requesting the plans.

Stanislaus County will ensure timely and reasonable access to information and records related to the development of the Consolidated Plan documents, and the use of HUD funds from the preceding five years.

Requests for information and records must be made to Stanislaus County in writing. Staff will respond to such requests within fifteen (15) working days or as soon as possible thereafter.

F. Technical Assistance 24 CFR Part 91.1 05 (i)

Stanislaus County shall make available, upon request, technical assistance to groups or individuals representing persons of low- and moderate-income (and other special needs) that request such assistance in developing proposals for funding assistance under any of the programs covered by the Plans. The County shall also hold at least one workshop for community agencies applying for County funding on or near the time of issuance of a Request for Proposals to explain issues related to various funding sources available, eligible activities, the application process itself, and to answer any questions.

County staff shall determine the necessary level and degree of assistance. Such technical assistance might include, but is not limited to, the following:

- Assisting with forms/applications;
- Explaining the process for submitting proposals;
- Explaining federal and local requirements;
- Providing comments and advice on the telephone or in meetings; or
- Reviewing and commenting on draft proposals.

G. Comments and Complaints 24 CFR Part 91.1 (050)

Written and verbal comments received at public hearings, public meetings, or during the comment period will be summarized and considered in the development of the Consolidated Plan documents subject to this Citizen Participation Plan and included as an attachment to final Consolidated Plan documents submitted to HUD. Written comments are strongly encouraged and should be addressed to:

Stanislaus County
Planning and Community Development Department
Attn: Director
1010 10th Street, Suite 3400
Modesto, CA 95354

A complaint regarding any of the Consolidated Plan documents covered by this Citizen Participation Plan must be submitted in writing to the County's Director of Planning and Community Development.

Stanislaus County will accept written complaints provided they specify:

- The description of the objection, and supporting facts and data; and
- Provide name, address, telephone number, and a date of complaint.

Pursuant to the Code of Federal Regulations (Section 24, CFR 91.105 (j)), a written response will be made to all written complaints within fifteen (15) working days, acknowledging the letter and identifying a plan of action, if necessary.

H. Individuals with Limited English Proficiency

In compliance with Title VI of the Civil Rights Act of 1964, Stanislaus County will take responsible steps to ensure meaningful access to benefits, services, information, and other important aspects of the programs covered by the Consolidated Plan documents for individuals with Limited English Proficiency (LEP). If an individual or participant with limited English proficiency needs assistance beyond what is normally provided, Stanislaus County will attempt to accommodate their request in every reasonable manner.

If anyone needs any information related to the Consolidated Plan documents in an alternate format, please contact the Stanislaus County ADA Title II/Civil Rights Title VI Coordinator at (209) 525-4494.

VI. ANTI-DISPLACEMENT AND RELOCATION POLICY AND PLAN

A. Anti-Displacement Policy

The Stanislaus Urban County seeks to minimize, to the greatest extent feasible, the involuntary displacement, whether permanently or temporarily, of persons (families, individuals, businesses, nonprofit organizations, or farms) from projects funded with CDBG, ESG, NSP, or HOME involving single or multi-family rehabilitation, acquisition, commercial rehabilitation, demolition, economic development, or capital improvement activities.

Projects that the Stanislaus Urban County deems beneficial but that may cause displacement may be recommended and approved for funding only if the Stanislaus Urban County or its sub-grantee demonstrates that such displacement is necessary and vital to the project and that they take efforts to reduce the number of persons displaced. Further, it must be clearly demonstrated that the goals and anticipated accomplishments of a project outweigh the adverse effects of displacement imposed on persons who must relocate.

The Stanislaus Urban County's Anti-displacement and Relocation Plan describes how it will assist persons who will be temporarily relocated or permanently displaced due to the use of HUD funds. This plan takes effect whenever the Stanislaus Urban County sponsors projects using CDGB, ESG, NSP or HOME funds that involve the following:

- Property acquisition; or
- The demolition or conversion of low- and moderate-income dwelling units.

B. Background

Two acts apply whenever any of the above issues are present: the Uniform Relocation Assistance and Real Property Policies Act of 1970 (URA) and Section 104(d) of the Housing and Community Development Act of 1974. Each of these acts places different obligations on the Stanislaus Urban County.

The URA governs the processes and procedures which the Stanislaus Urban County must follow to minimize the burden placed on low- and moderate-income tenants, property owners, and business owners who must move (either temporarily or permanently) as the result of a project funded in whole or in part by the CDBG, ESG, NSP, or HOME programs. The URA applies to:

- Displacement that results from acquisition, demolition, or rehabilitation for HUD-assisted projects carried out by public agencies, nonprofit organizations, private developers, or others;

- Real property acquisition for HUD-assisted projects (whether publicly or privately undertaken);
- Creation of a permanent easement or right of way for HUD-assisted projects (whether publicly or privately undertaken); and
- Work on private property during the construction of a HUD-assisted project even if the activity is temporary.

C. What is Displacement?

Displacement occurs when a person moves as a direct result of federally assisted acquisition, demolition, conversion, or rehabilitation activities*, because he or she is:

- Required to move; or
- Not offered a decent, safe, sanitary and affordable unit in the project;
- Treated “unreasonably” as part of a permanent or temporary move.

A person may also be considered displaced if the necessary notices are not given or provided in a timely manner and the person moves for any reason.

*Persons who voluntarily participate in a CDBG, ESG, NSP, or HOME funded rehabilitation activity may only qualify for relocation assistance when no other housing options are available to them.

D. What is a Displaced Person?

The term *displaced person* means any person that moves from real property or moves his or her personal property from real property permanently as a direct result of one or more of the following activities:

- Acquisition of real property, in whole or in part, for a project;
- Rehabilitation or demolition of real property for a project;

Stanislaus County may offer advisory and financial assistance to eligible tenants (or homeowners) who meet the above definition.

E. Persons Not Eligible for Assistance

A person is not eligible for relocation assistance under the provisions of the URA if any of the following occurs:

- The person was evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable Federal, State, or local law, or other good cause. However, if the person was evicted only to avoid the application of URA, then that person is considered displaced and is eligible for assistance;
- The person has no legal right to occupy the property under State or local law;
- The Stanislaus Urban County determines that the person occupied the property to obtain relocation assistance and the HUD Field Office concurs in that determination;
- The person is a tenant-occupant that moved into the property after a certain date, specified in the applicable program regulation, and, before leasing and occupying the property, the Stanislaus Urban County or its sub-grantee provided the tenant-occupant written notice of the application for assistance, the project's impact on the

- person, and the fact that he or she would not qualify as a “displaced person” because of the project;
- The person is a tenant-occupant of a substandard dwelling that is acquired or a tenant-occupant of a dwelling unit to which emergency repairs are undertaken and the HUD field office concurs that:
 - Such repairs or acquisition will benefit the tenant;
 - Bringing the unit up to a safe, decent, and sanitary condition is not feasible;
 - The tenant’s new rent and average estimated monthly utility costs will not exceed the greater of: the old rent/utility costs or 30 percent of gross household income; and
 - The project will not impose any unreasonable change in the character or use of the property.
 - The person is an owner-occupant of the property who moves because of an arm’s length acquisition;
 - The Stanislaus Urban County or its sub-grantee notifies the person that they will not displace him or her for the project;
 - The person retains the right of use and occupancy of the real property following the acquisition; or
 - The Stanislaus Urban County determines that the person is not displaced as a direct result of the acquisition, rehabilitation, or demolition for the project and the HUD field office concurs in the determination.

F. Minimizing Displacement

Stanislaus County will take reasonable steps to minimize displacement occurring as a result of its CDBG, ESG, NSP, and HOME activities. This means that the Stanislaus Urban County will:

- Consider if displacement will occur as part of funding decisions and project feasibility determinations;
- Assure, whenever possible that occupants of buildings to be rehabilitated are offered an opportunity to return;
- Plan substantial rehabilitation projects in “stages” to minimize displacement; and
- Meet all HUD notification requirements so that affected persons do not move because they have not been informed about project plans and their rights.

G. Displacement Assistance

Consistent with the goals and objectives of the CDBG, ESG, NSP, and HOME programs, the Stanislaus Urban County will take all reasonable steps necessary to minimize displacement of persons, even temporarily. If displacement occurs, the Stanislaus Urban County will provide relocation assistance to all persons directly, involuntarily, and permanently displaced according to HUD regulations.

If the Stanislaus Urban County temporarily displaces a low- or moderate-income household, that household becomes eligible for certain relocation payments. The assistance applies to those persons residing in the residence at the time the application is processed and is based on the following procedures:

- If the structure and its occupants are determined eligible for temporary relocation assistance, the owner-occupants and tenants are eligible for the actual reasonable cost (based on fair market rent) of temporary lodging facilities until the structure is

determined habitable by a housing or building inspector authorized by Stanislaus County to make the determination;

- The Stanislaus Urban County must approve housing and the Lessor and Lessee must sign a rent agreement before move-in. Housing must be comparable functionally to the displacement dwelling and decent, safe, and sanitary. This does not mean that the housing must be in comparable size. The term “functionally equivalent” means that it performs the same function, has the same principal features present, and can contribute to a comparable style of living. Approved lodging accommodations include apartments and houses. The Stanislaus Urban County does not reimburse “rental expenses” for living with a friend or family member;
- The Stanislaus Urban County may facilitate moving and storage of furniture with a moving company;
- Damage deposits, utility hookups, telephone hookups and insurance costs are not eligible for reimbursement; and
- The Stanislaus Urban County may pay the cost of relocation assistance from available Federal funds.

H. One-For-One Replacement Dwelling Units

The Stanislaus Urban County will generally avoid awarding funds for activities resulting in displacement. However, should the Stanislaus Urban County fund an activity, specific documentation is required to show the replacement of all occupied and vacant dwelling units demolished or converted to another use. The following exception applies to the demolition of units:

Vacant blighted dwelling units that have been determined by the Stanislaus Urban County to be unsafe for human occupancy and subsequently demolished using federal funds shall not require replacement.

Should the Stanislaus Urban County fund an activity resulting in displacement, the Stanislaus Urban County will assure that relocation assistance is provided as described in 24 CFR 570.606(b)(2).

Consistent with the goals and objectives of the CDBG, ESG, NSP, and HOME programs, the Stanislaus Urban County will take all reasonable steps necessary to minimize displacement of persons from their homes. The Stanislaus Urban County will avoid funding projects that cause displacement of persons or businesses and will avoid funding any project that involves the conversion of low- and moderate-income housing to non-residential purposes.